

# THE INDIAN LUNACY MANUAL

FOR

## MEDICAL OFFICERS AND THE GENERAL PUBLIC

*A Summary of the Lunacy Acts and Rules regulating the admission into,  
detention in, and discharge from Government Lunatic Asylums  
of Private and Public Patients*

COMPILED BY

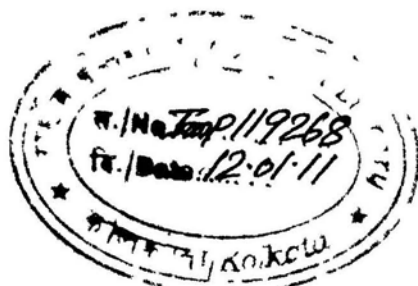
MAJOR R. BRYSON, F.R.C.S.E.  
*Indian Medical Service*

SECOND EDITION

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## CRITIQUISMS OF THE PRESS ON THE FIRST EDITION.

*The British Medical Journal,*  
July 31, 1909.

### NOTES ON BOOKS.

#### AN INDIAN LUNACY MANUAL.

MAJOR R. BRYSON, F.R.C.S.E., of the Indian Medical Service, has accomplished a useful work by compiling a manual in which are given the laws and regulations affecting the admission into asylums, the detention and discharge of private, public, and supposed lunatics, European and native. The information concerning these classes of insane persons is set forth clearly and systematically, the authority being quoted in the margin, and the forms in use and laws in force are appended in detail. The manual refers mainly to the Madras Presidency. With some alterations and additions it might be made applicable to other parts of the Indian Empire, and it seems very desirable that this should be done. Magistrates and medical men will find this manual most serviceable, and it may be consulted with advantage by those who are concerned in the disposal and maintenance of insane relatives and friends.

*Indian Medical Gazette,*  
February 1909.

In the Indian Lunacy Manual, Major R. Bryson, I.M.S., has collected all the legal and general information which is required by Medical Officers who are called upon in the course of their official or private duties to deal with insane persons.

The material found in it is not as a rule available to District Officers when called upon in an emergency, and these will doubtless feel a debt of gratitude to Major Bryson, in the future, for having supplied them with all they require in a small compass, and many will regret that such a manual was not at hand to have saved them from error in the past.

The manual should be equally useful to Medical Officers and to those members of the general public who are in doubt as to the procedure to be adopted in connection with relatives who are insane.

The bulk of it is applicable to India as a whole, and though many of the references are to Madras Presidency orders and institutions, the minor local rulings need only to be ascertained to adapt it to any part of the country.

The Booklet should find a place in the offices of all Medical Officers in Civil employ in India.

## PREFACE TO SECOND EDITION.

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THE title of this edition has been slightly altered in response to the appreciation, by the general public, of the intention of the compiler to supply a handbook of information in aid of those who have a relative afflicted with insanity sufficiently pronounced to require admission into an asylum. Obviously if the book enabled a Medical Officer to answer the relation's questions, it would be of use to the relations themselves.

Another section has been added on Military insanes. With the Native Soldier and with the relations of the British Soldier who do not come under the Army Regulations, the matter is simple. In both cases they come under the Civil Lunacy Act, *i.e.*, they are disposed of in accordance with the rules in the first portion of this manual. In the case of the Sepoy he is at once discharged from the service. But the British Soldier has to be sent home either at once or after a sojourn in a Government Asylum. For him various Regulations are laid down from Vol. I to Vol. X of the Army Regulations India. These have been brought together to obviate wading through the various volumes and appended are the various forms laid down by order.

The Regulations in A. R. I., Vol. VI, have been omitted, as every officer is expected to have this book in his possession.

If the first edition of the book was of use to the Civil Surgeon, I hope this one will be of assistance also to the Indian Medical Service Officer in Military employ, to my brother officers in the Royal Army Medical Corps and to the P. M. O. of either service who, though he may have all the volumes A. R. I. in his office for reference, will not, I think, find it easy to lay hands on the Civil Lunacy Act to which he is referred in Vol. VI, and the rules of which he must comply with in dealing with the Native Army and with the British Tommie's wife, daughter, etc., as the case may be.

COONOGUR, NILGIRIS,

March 1910.



## PREFACE TO FIRST EDITION.

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MEDICAL Officers have to deal with two classes of insanes, those who want treatment at the hospital or in their homes, and those who require certificates for admission into an Asylum. The latter are either Private Patients or Public Patients, and the Forms, Rules, etc., differ widely in each case.

These notes have been drawn up with a two-fold object:—

- (i) To place within handy reach of all Medical Officers a Summary of the Rules and Regulations referring to lunatics.
- (ii) To enable Medical Officers to reply to the numerous questions asked by friends and relations of lunatics who are anxious to put their patients under restraint in a Government Asylum, but wish to get all the information possible before doing so.

The three Acts appended are intended for reference by Medical Officers, more particularly, Civil Surgeons and District Surgeons in charge of Sub-Jails or Jails. These, with the explanations based on them, and the forms (excepting the form, "For Detention of a Supposed Lunatic," a local one), which together form the bulk of this book, apply to all the Government Asylums in India.

In most cases the authority is quoted in the margin. Where this is omitted either the Rule is copied from the Madras Asylum Code, or the rationale of the paragraph is sufficiently obvious not to require any authority. In a very few instances the Rules refer only to the Madras Presidency in which this book is written. The Manual would have been incomplete without them, and in most cases the corresponding Rules in other Presidencies would differ only in the way they have been worded.

MADRAS,  
*September 1908.*

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## LUNATICS

(According to the law in India are either)

### PRIVATE PATIENTS

Who have friends or relatives  
willing to sign an admission order)

Act XXXVI of 1858

### PUBLIC PATIENTS

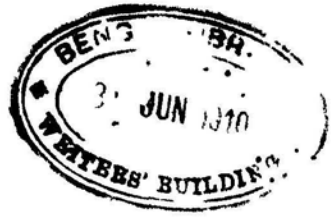
(Who are brought up by the police)

#### CIVIL

(Who are wandering at large, dangerous, etc, but  
have not committed themselves in any  
way before removal through the  
magistracy, to an asylum)  
Act XXXVI of 1858

#### CRIMINAL

(Who have done some act which is  
against the law of the country).  
Act V of 1898 and Act III of 1900.



# THE INDIAN LUNACY MANUAL.

## PART I.

### PRIVATE PATIENTS.

A Private Patient is one who has a friend or relative willing to sign an Admission Order. (Form B.)\*

\* In the case of *Private Patients*, the following documents must be filled in:—

- |                         |                                |     |    |    |            |
|-------------------------|--------------------------------|-----|----|----|------------|
| (i) Form A              | Which is a medical certificate | ... | .. | .. | Two copies |
| (ii) Form B             | Which is an Admission Order    | ... | .. | .. | One copy   |
| (iii) An Indemnity Bond | ...                            | ... | .. | .. | One copy.  |

*Form A.* The two copies of this required must be filled in and signed by two doctors, one of whom must be a "Surgeon in the Government Service."

Act XXXVI Sec-  
tion 7

The one certificate should not merely be a copy or duplicate of the other, and a certificate prepared by a medical man and countersigned by the Government Medical Officer, would under ordinary circumstances be rejected by the Official Visitors of the Asylum.

But there is no law in India requiring that they should be signed by the two medical practitioners independently of each other and not more than seven clear days previously to the reception of the patient into the asylum. There are no restrictions specified by law in India with reference to the relationship or connection of a medical practitioner who signs Form A either to the patient or his friends or to the medical man who signs the second certificate.

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\* It is wrong to send a poor patient with friends or relatives who can fill in a detention order (Form B) to a Magistrate or Commissioner of Police to obtain admission under Sec. V, Act 36 of 1858, as this very clearly defines the kind of lunatics it is intended to assist and was never meant for application to this class of patient. Section VII of this Act enables him to gain admission without the publicity of examination in open Court.

The Superintendent and Deputy Superintendent of the Madras Asylum are prohibited from signing a certificate.

The Government Medical Officer who signs Form A shall send the original document direct to the officer in charge of the asylum in which it is proposed to confine the lunatic. If the lunatic is not eventually placed in the asylum within a period of 14 days, the certificate shall be returned to the Government Medical Officer and destroyed by him.

Any Government Physician or Surgeon may sign Form A and the certificate may therefore be filled in and signed by the Surgeon of the District the patient lives in or by a District Surgeon or other Government Medical Officer in the Presidency Town.

*Form B.* Any person whether related to the patient or not may sign both parts of this form; but the degree of relationship or connection must be mentioned in each case.

Act XXXVI, 1858,  
Sec 7.

This form is a most important one from the point of view of the Superintendent of an Asylum and the Medical Officer should insist on going through the whole of it in detail with the Signatory. Much valuable information is lost by trusting the friends or relatives to fill this in without supervision.

*Indemnity Bond* required by Act XXXVI, Section 7, must be stamped and signed in the presence of a Registrar or Magistrate.

Reduction of charges or exemption from payment in the case of private insanes is made only when it appears to the Official Visitors or Superintendent that the friends or relatives are unable to pay the whole or contribute towards the maintenance of the patient. For instance, a reduction of charge may be made, when though a man's income is valued at a certain sum, he has to support a family or part of it, or again when a relative or friend who is paying for an inmate shows that, owing to illness or other cause, he cannot reasonably be expected to pay or continue to pay a higher rate.

Act XXXVI, 1858,  
Sec 7

The first charge on a pension, civil or military, is the maintenance and care of the pensioner and the practice of appropriating the pension for the maintenance of an insane pensioner will be continued.

G.O., No 908, Judl.,  
of 6th May 1891.

Section 488, Criminal  
Procedure Code.

A man having the means is obliged to maintain his wife and legitimate or illegitimate child unable to maintain itself.

G.O., No. 815, Fincl.,  
of 5th November 1888,  
and No. 22 L. & M. of  
8th January 1891

Local and Municipal bodies are relieved of all charges connected with pauper lunatics whether for their maintenance in lunatic asylums or elsewhere or for their transport, etc.

## GENERAL RULES, ETC., IN CONNECTION WITH "PRIVATE" PATIENTS.

A private patient may be well-to-do, able to afford the fees of the medical men who sign Form A, and to pay for maintenance according to the rates laid down by Government. On the other hand, he may be a pauper who is entitled to obtain certificates from the hospital officials free of charge, just as he would be entitled to obtain treatment and medicine free for other ailments. As stated on page 2, he may, if he is a pauper or badly off, be received and maintained in the asylum free of charge, or at a reduced rate.

Circular No 1887 of  
21st July 1885

Before sending a patient to an asylum enquiry should be made as to whether accommodation is available.

As far as possible due notice should be given of time of arrival so that arrangements for diets may be made.

For each asylum Official Visitors are appointed by Government and two or more of them, one of whom shall be a medical officer, shall once at least in every month, together, inspect every part of the asylum and submit a report on it.

Act XXXVI, Sec.  
"on 3

In addition to the monthly inspection, any Official Visitor may at any time visit and inspect any asylum of which he is a visitor and may see all inmates, visit all wards, cells, and yards and call for and examine all papers and records. At the close of the visit, the Official Visitor shall record in the visitor's book any remarks and suggestions he may wish to make, and the Superintendent shall forward a copy of such record to the Surgeon-General for orders.

G.O., No. 276 of 8th  
July 1859 and G. I  
Notification No. 260 of  
7th March 1896

The Surgeon-General exercises the same general supervision over lunatic asylums as over all Government hospitals.

A private patient admitted without the intervention of a magisterial officer may be discharged on the application of a relative or friend to the person who procured his admission without further reference, whether he be still insane or not, unless the Medical Officer of the asylum shall certify that it would be dangerous for the public safety for such a lunatic to be discharged.

Blocks in a special range on the male and female sides of the asylum shall be reserved for paying patients.

As far as possible the class of paying patients should be accommodated together and their cottages be made comfortable.

G.O., No. 612 of 23rd  
June 1902.

No mechanical means of restraint shall be used except under special circumstances and under the orders of the Superintendent.

G.O. No. 689 of 14th  
May 1872.

The use of the distinctive asylum clothing will be obligatory only in the case of criminal insanes.

Separate accommodation is provided for Europeans and Natives. Females and juvenile insanes are attended to by female attendants.

A private patient may have a private servant, but the latter must be paid for by the insane or his representatives.

Private patients may be visited in the asylum by relations and friends on certain days during the week (Saturdays 2 to 4 P.M. as a rule) unless the visit is likely to be prejudicial. Visitors at any other time must first get the permission of the Superintendent or Deputy Superintendent.

Letters to and from patients in an asylum must always be submitted to the Superintendent prior to delivery or despatch. If likely to produce or aggravate excitement, a letter to a lunatic will be returned to the writer with an explanatory note. Letters from insanes are forwarded as the Superintendent thinks proper.

For the mental occupation and recreation of Europeans and East Indians, periodicals such as the "Illustrated London News," "Chambers's Journal," books, musical instruments, games and writing and drawing material will be provided.

G.O. No. 1701 Judicial,  
of 28th October  
1896.

Tractable and well-behaved insanes may at the discretion of the Superintendent be allowed to go out for a few hours a day accompanied by a keeper.

Every insane except such as are excited or seriously ill in hospital shall be weighed once a fortnight and a report made to the Surgeon-General; the Superintendent recording therein any remarks regarding those who have lost weight, showing how he has dealt with them.

G.O. No. 601, 20th  
March 1879.

Clergymen may be permitted to visit and minister to inmates of their respective denominations. In all cases the Superintendent shall decide whether an inmate is in a fit state to receive religious instruction.

Arrangements can always be made with the asylum officials for relatives or friends to be informed in case of serious illness or if there is any likelihood of the patient dying. In many cases periodical reports are made on the bodily and mental state of the inmates to relations or friends. In case of death the funeral expenses of paying patients should be defrayed by the person responsible for their maintenance.

G.O.'s No. 292 of 9th  
Feb. 1878, No. 1057 of  
9th May 1880, and No.  
1088 of 20th Aug. 1881.

Government has sanctioned in special cases the reception of lunatics from Native States on the condition that all charges shall be met by the State from which the lunatic is sent, e.g. :—

**Criminal and non-criminal lunatics from British States into Hyderabad territory may be admitted into the Madras Asylum subject to the payment of maintenance charges. Every lunatic should be accompanied by the requisite papers together with the authority for his detention.**

G O's No. 688 of 20th Aug. 1881 and No. 1534 Misc. of 9th 1883 and No. 1346 of 18th Aug. 1890.

**Charges incurred for the maintenance of lunatics from Oorg shall be paid by the Chief Commissioner in communication with the Accountant-General, Madras, and all expenses of lunatics from Secunderabad shall be met from Imperial Funds.**

G O's No 2022 and 2023 of 18th August 1894, and No 1246 of 18th August 1890.

**Insane persons not being of European parentage, should, under no circumstances, be sent to England, and even lunatics of European parentage should be deported only in cases where their transfer is likely to promote their recovery, or where there is reason to believe that they have relatives in the United Kingdom who will be able and willing to bear the cost of their maintenance. Persons who, though of European parentage, have been born in India, and spent their whole lives in this country, ought not to be deported to England, unless they have an unquestionable settlement somewhere in the United Kingdom. It is clear that no benefit to lunatics who are not British-born subjects can, as a general rule, arise from their transfer from the land of their birth to a country where the climate is so different from what they have been accustomed to where they have no friends, and where all old associations must be wanting, while, on the other hand, the expense incurred in maintaining them in asylums in England must be considerably greater than if they were retained in asylums in India.**

No 21-553-64, extract from the Proceedings of the Govt of India in the Home Dept., Medl., Simla, 29th October 1886.

G. O., No 1284 of 15th May 1886 and No. 3035 of 18th Nov 1896

**It is of great importance that the most accurate information should be collected regarding the medical history of every insane patient sent to England, and that this information, together with full particulars concerning his relatives, should be transmitted to the Secretary of State, in anticipation of the departure of the insane person from India, in order that the necessary communications may be sent to the relatives (if any), as well as the police authorities, advising them of the expected arrival of the insane person in England on or about a given date. Copies of the documents should also accompany the patient in each case. The responsibility of maintaining these lunatics in England rests on the Poor Law Guardians, and these authorities should be enabled before the patient's arrival, as far as possible, to discover the parishes of all those who may possess a settlement original or derivative in the United Kingdom. All such persons, on reaching the**



United Kingdom, will be treated as ordinary paupers and will be dealt with as such, not by the Secretary of State for India or, under his orders, but by the Police and Poor Law authorities of the country.

Government Medical Officers shall not give a certificate as to the mental condition of persons to effect their removal from this country for confinement in Foreign lunatic asylums.

G. O. No. 22-6880  
Medl. of 11th Dec.  
1900.

## PART II.

### PUBLIC PATIENTS.

THESE are persons who come before a Medical Officer through the Magistracy and include—

- (i) Civil Lunatics ; (ii) Criminal Lunatics.

*Civil Lunatics* are detained under the provisions of Act XXXVI of 1858. They may be :—

(a) Persons found wandering at large who are deemed to be lunatics and all persons believed to be dangerous by reason of lunacy.

(b) Persons deemed to be lunatics who are not under proper care and control and who are cruelly treated or neglected by any relative or other persons having the charge of them.

#### *Criminal Lunatics.*

(a) Persons under Act III of 1900, who have become insane while undergoing imprisonment in jail and are confined under a warrant from Government or in case of a capital sentence, prisoners who have become insane before the sentence can be carried out and have had their sentence commuted.

(b) Prisoners incapable of making their defence owing to unsoundness of mind and detained under Section 466 of Act V of 1898 (C. P. C.) (Under-trial.)

(c) Prisoners who have been tried for a criminal offence and found to have committed the act alleged, but who have been acquitted on the ground of having been insane while the act was committed, and who are detained under Section 471 of Act V of 1898 (C. P. C.) (Tried and acquitted.)

The Medical Officer may be called on for the following in each of the above cases respectively :—

#### *Civil Lunatics*

|  |        |               |
|--|--------|---------------|
| (i) Medical Certificate, Form A        | ..     | ... One copy. |
| (ii) Medical History Sheet             | ... .. | ... One copy. |
| (iii) Certificate of fitness to travel | ...    | ... One copy. |

#### *Criminal Lunatics*

(a) Those becoming insane while in prison—

|                                 |     |              |
|---------------------------------|-----|--------------|
| (i) Medical Certificate, Form A | ... | .. One copy. |
|---------------------------------|-----|--------------|

|   |     |               |
|---|-----|---------------|
| (ii) Medical History Sheet                                  | ... | ... One copy. |
| (iii) Certificate of fitness to travel                      | ... | ... One copy. |
| (b) Those under trial or incapable of making their defence— |     |               |
| (i) Medical Certificate, Form A                             | ... | ... One copy. |
| (ii) Medical History Sheet                                  | ... | ... One copy. |
| (iii) Statement of Medical Officer made in Court            | ... | ... One copy. |
| (iv) Certificate of fitness to travel                       | ... | ... One copy. |
| (c) Those who have been tried and acquitted—                |     |               |
| (i) Medical History Sheet                                   | ... | ... One copy. |
| (ii) Statement of Medical Officer                           | ... | ... One copy. |
| (iii) Certificate of fitness to travel                      | ... | ... One copy. |

### GENERAL RULES, ETC., IN CONNECTION WITH PUBLIC PATIENTS.

The Medical Officer who certifies an insane's fitness to travel should also see that he is provided with sufficient clothing to cover the chest and abdomen and a *rumble* in addition, in the cold weather.

The Magisterial or Police Officer who despatches the insane is held responsible that the escort is provided with sufficient means to purchase such articles as milk, coffee, biscuits, or any suitable cooked food for the use of the insane during his journey to the asylum, and that in case the insane refuses food or becomes sick, he should be taken to the nearest hospital for advice and treatment.

Every female insane sent to the asylum shall be accompanied by a female attendant or relative in addition to the usual police escort.

A Medical Officer granting a certificate of lunacy shall, except in the case of private lunatics, furnish a complete medical history of the case, and any neglect of this important duty shall be immediately brought to the notice of the Surgeon-General. If the lunatic has not been under the care of the certifying Medical Officer, the latter shall then collect from the lunatic's friends all information likely to throw any light on the nature and cause of the disease and forward this along with the Medical Certificate.

In all cases in which a Magistrate or Judge of a Civil Court orders a lunatic to be received into an asylum, the Medical History Sheet should be prepared by the Medical Officer who prepared the certificate of insanity in Form A.

Circular No. 12 of 23rd Sept 1891, and G.O. No. 326 Judl of 8th May 1896

G.O. No. 109 of 18th June 1892, and No 407 Pub. of 8th April 1897, also G.O. Nos. 1786 and 2224 of 29th March 1894 and 18th Sept. 1894.

G. O., No. 1154 Public, 4th Nov. 1897.

All Magistrates and the Commissioners of Police, before sending a lunatic to an asylum under Act XXXVI of 1858, are required to obtain a certificate of fitness for the journey from the Medical Officer with whose assistance the lunatic was examined.

Chronic patients who are harmless and have no prospect of improvement may be boarded out with relatives or friends under the sanction of the Surgeon-General, at a cost not exceeding Rs. 5 per mensem; they shall, however, be produced every month for the inspection of the Superintendent or Medical Officer of superior grade.

Efforts should be made to hand over an appreciable number of harmless Civil Lunatics to their friends and relations, and in every case where this cannot be done, the provisions of Section 15 of Act XXXVI of 1858 shall be enforced as far as possible.

The duty of sending a Medical History Sheet in the prescribed form to the Lunatic Asylum with a lunatic committed thither under Act XXXVI of 1858 rests with the Court making the committal.

The word Lunatic, as used in Act XXXVI of 1858, means and includes every person of unsound mind and every person being an idiot.

Native soldiers, on being declared insane, should be discharged from the army and thereafter handed over to the Civil Authorities to be dealt with as Civil Lunatics.

Act XXXVI of 1858 has been extended to Coorg, and the Madras Lunatic Asylum has been appointed as the asylum for the reception and detention of lunatics from Coorg. the maintenance charges being met from the Coorg revenues.

When a female prisoner is sent to stand her trial, she shall invariably be accompanied by a female attendant.

All Criminal Lunatics in the Presidency shall be concentrated in the Madras Asylum.

No Criminal Lunatics shall be received into an asylum except under a special order of Government, which should be accompanied by a copy of the order of the Court before which he was tried, a copy of the Medical History Sheet in the form laid down and a medical certificate of insanity.

When a Magistrate, holding an enquiry or trial, has reason to believe that the accused is of unsound mind and consequently incapable of making his defence, the Magistrate shall enquire into the facts of such unsoundness and shall cause such person to be examined by the Civil Surgeon of the District or such other Medical Officer as the Local Government directs, and thereupon shall examine such person or other officer as a witness and shall reduce the examination to writing.

Under Section 464 the Court, when examining into the fact of insanity, should examine the Surgeon and reduce such examination to writing. It is not sufficient merely to record the opinion of the Surgeon and supplement that by certificates. There should be sufficient matter on the record itself taken by the Court to justify the order made by it.

The production of a certificate of insanity in Form A is unnecessary in the case of persons judicially acquitted on the grounds of insanity under Section 471 of Act V of 1898 (C. P. C.).

In supersession of the notification, dated 15th August 1878, the Governor in Council directs that under Section 464 of the Code of Criminal Procedure, the officer in medical charge of the Penitentiary at Madras shall be the Medical Officer by whom persons accused before a Presidency Magistrate of offences and appearing to such Magistrates to be of unsound mind and incapable of making their defence are to be examined; and under Section 541 of the Code, the Penitentiary at Madras shall be the place in which persons so accused and found to be of unsound mind and incapable of making their defence, are to be kept under Section 466, pending the orders of Government, if the offences of which they are accused are non-bailable, or if sufficient bail is not given.

Criminal Lunatics, recovered and unrecovered, when sent by rail, shall not be allowed to mix with other passengers, but must, upon reserved accommodation being engaged, be placed with their escort or attendants in a prison van or in a separate compartment, as the case may be. To ensure reservation of a compartment, 24 hours notice is necessary.

Inmates on discharge shall be furnished with diet money at two annas for every twenty miles they have to travel by road to their homes; if the entire or any portion of the journey can be performed by rail, a third class ticket, or the price of it, should be furnished to them, with, in the latter case, the necessary funds for the remaining road or water journey.

Resolution of Govt. of India, Part St George Gazette, of 22nd Sept. 1898, Part 1, Page 1102, Rule 6.

G. O. No. 1854 of 4th June 1894, and No. 1898 of 15th Sept. 1891.

## PART III.

### SUPPOSED LUNATICS.

A Supposed Lunatic is one who requires to be kept under observation to enable the Medical Officer to form an opinion as to whether he is sane or not.

Supposed Lunatics can only be admitted into a Government Lunatic Asylum through the Magistracy or the Police.

They are all Public Patients, as no private patient can be admitted unless there is clear evidence of insanity and a Medical Officer is able to fill in Form A, which is a certificate of insanity.

In places in which there is a lunatic asylum, the proper place for the detention of a supposed Civil Lunatic who has to be placed under observation in conformity with the provisions of Section 6-A of the Lunatic Asylums Act, 1858 (XXXVI of 1858), is ordinarily the asylum and not a jail.

No such persons should be detained for this purpose in a jail except in the special circumstances indicated in the rules made under the section quoted. The Governor in Council is pleased to direct that all Civil Lunatics sent to a Magistrate under Section 6-A of the Lunatic Asylums Act, 1858, shall ordinarily, if the Magistrate's Court is within 100 miles of Madras, Calcutt, or Vizagapatam, be sent to the lunatic asylum at the nearest of those places.

2. The statutory rules under Section 6-A of the Lunatic Asylums Act, 1858, issued in G O No 959, Judicial, dated 6th June 1890, will accordingly be amended and republished in the *Fort Saint George Gazette* :—

#### NOTIFICATION.

Under provisions of Section 6-A, sub-section (3) of the Lunatic Asylums Act, 1858 (XXXVI of 1858), as amended by the Lunatic Asylums Act, 1886 (XV,III of 1886), and in supersession of the rules issued in G. O. No. 959, Judicial, dated the 5th June 1890, the Governor in Council is pleased to make the following rules as to the place of detention and the care and treatment of Supposed Civil Lunatics detained under the said section :—

1. The Magistrate who makes an order for the detention of a supposed lunatic under Section 6-A of the Lunatic Asylums Act, 1858, shall provide

for the proper custody of the lunatic either in a lunatic asylum or in dispensary premises, or in a private house or in emergent cases in the district or sub-jail, subject to the following instructions.

(a). If the head-quarters of the Magistrate are within 100 miles of Madras, Calicut or Vizagapatam, the lunatic shall be sent to the nearest lunatic asylum.

(b). Except on an emergency such as on a journey from the taluk to the Magistrate's station, lock-ups and subsidiary jails shall only be used for the detention of lunatics, if the supposed lunatic cannot otherwise be accommodated with safety.

(c). If the head-quarters of the Magistrate are more than 100 miles from Madras, Calicut or Vizagapatam, and the Magistrate by reason of the dangerous character of a supposed lunatic, considers special guarding to be called for, he shall provide for the safe custody of the lunatic in a jail. This shall ordinarily be the district jail; but if a lunatic has to be detained in a sub-jail, he should be kept in it for as short a time as possible.

2. The Medical Officer who treats a Supposed Lunatic who is under observation shall inspect him daily, and shall be responsible that he is properly cared for, restrained and controlled. The Magistrate shall, if possible, occasionally meet the Medical Officer in his visits to the patient. Whenever the observations recorded in the Medical Officer's Certificate are not sufficiently full, the Magistrate shall also take down a supplementary deposition from that officer.

I. A Magistrate or Commissioner of Police may, on the request of a Medical Officer, by order in writing, authorize the detention of a Supposed Lunatic, for such time not exceeding ten days as may in his opinion be necessary to enable the Medical Officer to form an opinion on the question whether or not the Supposed Lunatic is a person with respect to whom a certificate in Form A ought to be signed.

II. If the Medical Officer certifies farther detention than has been authorized under sub-section (i) to be necessary to enable him to form his opinion on that question, the Magistrate or the Commissioner of Police may from time to time by order in writing authorize such farther detention as he deems to be necessary provided that a lunatic shall not be detained for the purpose of this section for a longer time than 14 days from the date on which the first order authorizing his detention for that purpose is made.

G.O.'s Nos. 512, 2516, 1185 and 374, dated 22nd February 1883, 21st September 1889, and 28th February 1890.

District Magistrates may sanction an extra warder in cases where a lunatic is sent to a sub-jail for observation or detention, the pay of such warder being Rs. 10 in the Nilgiri District and Rs. 8 elsewhere.

## PART IV.

### AUTHORISED FORMS.

FORM A.\* (*See Sections IV and VIII of Act XXXVI of 1858.*)

I, the undersigned  
hereby certify that I, on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_  
personally examined  
and that the said \_\_\_\_\_ is a lunatic  
and a proper person to be taken charge of and detained under care and treatment, and that I have formed this opinion on the following grounds, namely :—

I.—Facts indicating insanity observed by myself.

II.—Other facts (if any), indicating insanity communicated to me by others.

|             |                       |
|-------------|-----------------------|
| Name        | } of Medical Officer. |
| Rank        |                       |
| Designation |                       |

PLACE,

Date,

19

}

\* In addition to the Medical Certificate in Form A, a medical history sheet should also be obtained from the Medical Officer in all cases coming under the Act, other than those referred to in Section VII thereof (Private Patients) (G. O.'s Nos. 786 and 2224, of 29th March 1894 and 13th September 1894).



## FORM B.

*Order for the Reception of a Private Patient (See Section VII  
of Act XXXVI of 1858).*

I, the undersigned, hereby request you to receive.....  
 a lunatic (or an idiot, or a person of unsound mind), as a patient into your asylum.  
 Subjoined is a statement respecting the said.....  
 (Signed) Name.....  
 Occupation (if any).....  
 Place of abode.....  
 Degree of relationship (if any), or other circumstance of connection with the patient  
 .....  
 Dated this.....day of 19.....

To

THE SUPERINTENDENT, LUNATIC ASYLUM AT .....

STATEMENT.

[If any of the particulars in this Statement be not known, the fact to be so stated.]

Name of the patient, with Christian name at length.....  
 Sex and age.....  
 Married, single or widowed.....  
 Condition of life, and previous occupation (if any).....  
 The religious persuasion, as far as known.....  
 Previous place of abode.....  
 Whether first attack.....  
 Age (if known) on first attack.....  
 When and where previously under care and treatment.....  
 Duration of existing attack.....  
 Supposed cause.....  
 Whether subject to epilepsy.....  
 Whether suicidal.....  
 Whether dangerous to others.....  
 Whether found lunatic by inquisition or enquiry under order of Court, and date of  
 Commission or order for inquisition or enquiry ..  
 Whether any member of patient's family has been or is affected with insanity.....  
 .....  
 (Signed) Name.....

(Where the person signing the statement is not the person who signs the order,  
 the following particulars concerning the person signing the statement are to  
 be added, namely):—

.....  
 Occupation (if any).....  
 Place of abode.....  
 Degree of relationship (if any), or other circumstances of connection with the patient  
 .....  
 .....

*N.B.—These two Forms, A & B, are authorized in the Schedule to Act XXXVI of 1858.*

## INDEMNITY BOND.

Know ALL Men by these presents that we  
 of  
 of  
 and  
 of  
 are held and firmly bound unto the Right Honourable the Secretary of State for India  
 in Council in the sum of                      rupees of lawful money of British India to be  
 paid to the said Secretary of State or to his certain attorneys successors or assigns for  
 which payment to be well and truly made we bind ourselves and each of us and any  
 two of us and the executors administrators and legal representatives of us and each of  
 us and of any two of us jointly and severally and respectively firmly by these presents  
 sealed with our respective seals dated this                      day of                      19

## WHEREAS

of  
 was on the                      day of                      19                      , duly admitted into the  
 Lunatic Asylum at                      , and whereas before the said  
                     was so admitted in the said Asylum the  
 Superintendent thereof required the above bounden                      and  
                     to engage to pay the expenses which might be incurred by the  
 said Secretary of State through the Government of                      for the lodging  
 maintenance clothing medicine and care of the said  
 not exceeding in the whole the sum of                      rupees per month  
 while the said                      shall be in the said Asylum which the above  
 bounden                      and                      agreed and consented  
 to do Now the condition of the above written bond or obligation is such that if the  
 above bounden                      and  
 or any one or more of them or the executors administrators or legal representatives of  
 them or any one, or more of them do and shall from time to time and all times hereafter  
 well and effectually save defend keep harmless and indemnified the said Secretary of State  
 his successors and assigns and his and their lands tenements goods chattels and effects  
 of from and against all expenses which may be incurred for the lodging maintenance  
 clothing medicine and care of the said                      not exceeding in the  
 whole the sum of                      rupees per month so long as the said                       
                     shall be in the said Asylum Then the above written bond or obligation  
 shall be void and of no effect, but otherwise the same shall be and remain in full force  
 and virtue.

Signed sealed and delivered by the above named {  
                     in the presence of }

Signed sealed and delivered by the above named {  
                     in the presence of }

Signed sealed and delivered by the above named {  
                     in the presence of }

# MEDICAL HISTORY SHEET FOR LUNATICS.

*Order—dated 13th September 1894, No. 2224, Judicial ; G. O., No. 174,  
Public, dated 20th February 1897 ; and G. O., No. 407,  
Public, dated 8th April 1897.*

This Medical History Sheet will be prepared by the Superintendent of the Asylum in cases where the release of a person from a lunatic asylum is in question and by the Medical Officer who prepared the certificate of insanity in Form A in cases where such a certificate is given. In the cases of persons acquitted by Criminal Courts on the ground of insanity at the time of the commission of the crimes charged, the Medical History Sheet will be prepared by the acquitting Court in communication, if necessary, with a Medical Officer. In all cases the information required to fill in headings 27 and 28 will generally be obtained from the District Magistrate or the Commissioner of Police, Madras.

(If any of the particulars in this statement be not known, the fact to be so stated.)

- 
- |  |        |
|--|--------|
| 1. Name of patient in full, and<br>caste or race   | ...    |
| 2. Name of patient's father  | ..     |
| 3. Sex and age of patient  | ...    |
| 4. Marks whereby the patient may<br>be identified  | ... .. |
| 5. Married, or single, or widowed  |        |
| 6. Condition of life and previous<br>occupation (if any)                                 | ...    |
| 7. Religion  | ... .. |
| 8. Place of birth and recent place<br>of abode   | ... .. |
| 9. Whether homeless or living with<br>relatives or friends                               | ..     |
| 10. Previous history and habits  | ...    |
| 11. State of bodily health   | ...    |
| 12. Whether any member of pa-<br>tient's family has been or is<br>affected with insanity | ...    |
| 13. Whether the attack is the first<br>attack of insanity or not                         | ...    |
| 14. Age (if known) at onset of first<br>attack   | ...    |

15. Duration and nature of any previous attack ...
16. Duration of existing attack ...
17. Symptoms exhibited ...
18. Supposed cause of insanity ...
19. Supposed exciting cause of present attack ...
20. Whether subject to epilepsy ...
21. Whether suicidal ...
22. Whether dangerous to others ...

---

SUPPLEMENTARY.

*N.B.*—Information under the following headings should be afforded in all cases in which the Government may be moved under the provisions of the Criminal Procedure Code, or the Prisoners' Act, 1900, either to order the confinement of a Lunatic in an Asylum or Jail, or his release therefrom :—

23. Whether civil or criminal lunatic and date of admission to asylum (in cases sent up for orders of Government under sections 474 and 475, Criminal Procedure Code) ...
24. If Criminal, the offence with which charged ...
25. Type of insanity ...
26. Is lunatic capable of :—
  - (a) Taking care of himself ...
  - (b) Earning a livelihood ...
27. Is release on security recommended? ...
28. If so, what amount should be demanded and what are the names, social position, character and relationship to lunatic of the sureties? ...

STATION,.....

Date,.....

*Surgeon.*

*N.B.*—(Vide foot-note to page 15.)

# FORM OF MEDICAL CERTIFICATE IN CERTAIN CASES.

I hereby certify that I have examined the Lunatic named in the margin, and that, in my opinion, he is in a fit/unfit state of health to proceed on a journey to.....  
 Clothing is also sufficient/insufficient.

(Signed)

Date.....

Surgeon.

In Medical Charge.....

## ORDER FOR THE DETENTION OF SUPPOSED LUNATICS.

Whereas (here enter the name of the person) has been found wandering at large and is deemed to be a lunatic (or is believed to be dangerous by reason of lunacy, as the case may be), you are hereby required to receive the said.....into your custody....., and him there safely to keep until an order shall be passed under section 4 of the Lunatic Asylums Act, 1858 (XXXVI of 1858) for his release or removal.

Dated this.....day of

Seal.

Signature.

## RULES RELATING TO THE ADMISSION OF PRIVATE PATIENTS

*Into the Government Lunatic Asylums of the Madras Presidency.*

I. No patient can be admitted into an asylum under any circumstances without a medical certificate of insanity and an admission order.

II. A private patient is one who has a friend or relative willing and able to sign an admission order.

III. The documents required for the admission of a private patient are as follows :—

(a) Two Medical Certificates (Form A).

(b) Admission order (Form B)—One copy.

(c) An Indemnity bond.

IV. The medical certificates must each be signed by a qualified Medical Practitioner, one of whom must be a Surgeon in the Government Service. Usually the Surgeon of the District, the patient comes from or, in Madras, a Presidency Surgeon or other Commissioned Medical Officer signs this certificate after satisfying himself that the case is one of insanity. Neither the Superintendent nor Deputy Superintendent of an Asylum can sign Form A, in the case of a private patient. If the patient is a pauper, he is exempt from paying the usual fee for the certificate.

V. The Government Surgeon must send his copy of Form A direct to the Superintendent of the Asylum. The Superintendent will keep the certificate for fourteen days, after which, he will return it to the Medical Officer from whom he received it and the latter will destroy it, if the patient is not brought to the asylum within that period. The second copy of Form A must be brought to the asylum with the patient by the friends or relations.

VI. The Indemnity bond must be signed and stamped before a Registrar or Magistrate and should be produced, if possible, with the other papers when the patient is brought to the asylum for admission.

VII. The rates, at which patients are admitted, are shown over-leaf and are graded according to income. In the case of paupers or of poor patients with families dependent on them, a reduction or an abatement of all charges is made.

VIII. All forms can be obtained free from any Government Medical Officer or Superintendent of an Asylum on application.

IX. Patients may have private servants, if they pay for them. These private servants are, as a rule, engaged by the Superintendent under whose control they work.

X. Friends and relations are permitted to visit patients on Saturdays from 2 to 4 p.m., or, on other days, by special arrangement, the Superintendent or Deputy Superintendent giving the necessary permission in suitable cases.

XI. All letters to and from patients must pass through the hands of the Superintendent who is the sole judge as to the advisability of their being delivered to the parties concerned.

XII. Arrangements can always be made for reports on the health of the patients being sent to friends or relations and for notice being given in case of sudden or dangerous illness.

XIII. A private patient can at any time be removed from the asylum by the person who signed the admission order; but the Superintendent may object to the removal of a lunatic who is dangerous, unless he is satisfied that proper precautions are taken to protect the patient and the public.

XIV. Before sending a patient to an asylum, enquiry should be made as to whether accommodation is available and, as far as possible, due notice should be given of the time of arrival, so that arrangements for diet, etc., may be made beforehand.

*N.B.*—This form is supplied free of charge on application to the Superintendent, Government Lunatic Asylum.

*In the 'General Wards' Private Patients, both official and  
non-official, pay at the following rates :-*

| Monthly incomes.      |     | Rates per diem. |   |      |
|-----------------------|-----|-----------------|---|------|
|                       |     | Rs. A. P.       |   |      |
| From Rs. 25 to Rs. 49 | ... | ...             | 0 | 4 0  |
| " " 50 to " 99        | ... | ...             | 0 | 8 0  |
| " " 100 to " 149      | ... | ...             | 0 | 12 0 |
| " " 150 to " 199      | ... | ...             | 1 | 0 0  |
| " " 200 and above     | ... | ...             | 2 | 0 0  |

*(Military patients treated in the General Wards shall be charged the rates  
laid down in the Army Regulations as in Military Hospitals.)*

*In the 'Special Wards' as follows :-*

| Monthly income of the patient or head of a family | Scale of daily charges for Government Officials | Scale of daily charges for non officials. |
|---|---|---|
| 1   | 2   | 3   |
| EUROPEANS AND EURASIANS.                          |   |   |
| Minimum   | Rs A P  | Rs A P                                    |
| 300 to 399  | 3 0 0   | 4 0 0                                     |
| 400 to 499  | 4 0 0   | 4 8 0                                     |
| 500 to 599  | 5 0 0   | 5 8 0                                     |
| 600 to 699  | 6 0 0   | 7 0 0                                     |
| 700 to 799  | 7 0 0   | 8 8 0                                     |
| 800 to 899  | 8 0 0   | 10 0 0                                    |
| 900 to 999  | 9 0 0   | 11 8 0                                    |
| 1,000 to 1,499                                    | 10 0 0  | 13 0 0                                    |
| 1,500 to 1,999                                    | 11 0 0  | 14 8 0                                    |
| 2,000 and above                                   | 12 0 0  | 16 0 0                                    |
| NATIVES   |   |   |
| Minimum   | 0 8 0   | 0 12 0                                    |
| 50 to 74  | 0 12 0  | 1 0 0                                     |
| 75 to 99  | 1 0 0   | 1 8 0                                     |
| 100 to 149  | 1 8 0   | 2 0 0                                     |
| 150 to 199  | 2 0 0   | 3 0 0                                     |
| 200 to 299  | 3 0 0   | 4 0 0                                     |
| 300 and above                                     | The rates for Europeans and Eurasians.          |   |

## PART V.

ACT No. XXXVI OF 1858 AS AMENDED BY ACTS XVI OF 1874. XVIII  
OF 1886 AND XX OF 1889.

### *An Act relative to Lunatic Asylums*

Whereas it is expedient to provide for the reception and detention of lunatics in asylums established for that purpose ; it is enacted as follows :—

I. The Executive Government of any Presidency or place, with the sanction of the Governor-General of India in Council, may establish asylums for the reception and detention of lunatics at such places within the limits of the said Government as may be deemed proper. Any such

•Lunatic asylums  
may be established  
by Government or  
may be licensed

Executive Government may also, if it think fit, grant licenses to any private persons for the establishment of such asylums within the limits, and may withdraw such licenses

II. The management of every lunatic asylum and the care and the custody of its inmates shall be regulated according to such rules as shall, from time to time, be sanctioned by the Executive Government. •The Executive Govern

Management of  
asylums.

ment shall appoint for every asylum not less than three visitors, one of whom at least shall be a Medical Officer. The Inspector of

Appointment of  
visitors

Jails (where such office exists) shall be a visitor *ex-officio* of all the asylums within the circle of his

inspection.

III. Two or more of the visitors, one of whom shall be a Medical Officer, shall, once at the least in every month, together inspect every part of the asylum or asylums of which they are visitors, and see and examine, as far as cir-

Monthly inspection  
by visitors.

cumstances will permit, every lunatic therein, and the order and certificates for the admission of every lunatic admitted since the last visitation of the visitors ; and shall enter in a book to be kept for that purpose any remarks which they may deem proper in regard to the management and condition of the asylum and the lunatics therein.



**IV.** It shall be the duty of every Darogah or District Police Officer to apprehend and send to the Magistrate all persons found wandering at large within his district, who are deemed to be lunatics, and all persons believed to be dangerous by reason of lunacy. Whenever any such person as aforesaid is brought before a Magistrate, the Magistrate, with the assistance of a Medical Officer, shall examine such person, and if the Medical Officer shall

**Wandering and dangerous lunatics to be sent to the Magistrate.**

**Certificate and order for reception in asylum.**

sign a certificate in the Form A in the Schedule to this Act, and the Magistrate shall be satisfied on personal examination or other proofs that such person is a lunatic and a proper person to be detained under care and treatment, he shall make an order for such lunatic to be received into the asylum established for the division in which the Magistrate's jurisdiction is situate, or, if such lunatic is not a native of the country and the circumstances of the case so require, into a lunatic asylum at the Presidency; and shall send the lunatic in suitable custody to the asylum mentioned in such order. Provided that if any friend or relative of any lunatic, who is believed to be dangerous, shall undertake in writing to the satisfaction of the Magistrate that such lunatic shall be properly taken care of, and shall be prevented from doing injury to himself or others, the Magistrate, instead of sending him to an asylum, may make him over to the care of such friend or relative. Provided also that if any such friend or relative shall desire that the lunatic may be sent to a licensed asylum instead of the public asylum of the division, and shall engage in writing to the satisfaction of the Magistrate to pay the expenses which may be incurred for the lodging, maintenance, medicine, clothing, and care of lunatic in such asylum, the Magistrate may send the lunatic to the licensed asylum mentioned in the engagement.

**V.** If it shall appear to the Magistrate, on the report of a Police Officer or the information of any other person, that any person within the limits of his jurisdiction deemed to be a lunatic is not under proper care and control, or is cruelly treated or neglected by any relative or other person having the charge of him, the Magistrate may send for the supposed lunatic, and summon such relative or other person as has or ought to have the charge of him; and if such relative or other person shall wilfully bound to maintain the supposed lunatic, the Magistrate may make an order for such lunatic being properly cared for and treated, and, if such relative or other person shall wilfully neglect to comply with the said order, may commit him to jail for a period not exceeding one month. If there be no person legally bound to maintain the supposed lunatic,

**In case of neglect or cruel treatment, Magistrate may order person bound to maintain lunatic to provide for his proper treatment.**

or if the Magistrate think fit so to do, he may proceed as prescribed in the last

If no person bound to maintain him Magistrate may make an order for his reception in asylum.

Darogah to report neglect.

to report to the Magistrate every such case of neglect or cruel treatment as aforesaid which may come to his knowledge.

VI. All acts which the Magistrate is authorized or required to do by the last two preceding sections may be done in the Presidency Towns by the Commissioner of Police; and all duties which a Darogah or District Police Officer is authorised or required to perform may be performed in any of the said towns by an officer of the Police Force not below the rank of Inspector.

VI-A. (1) Where a person found wandering at large who is deemed to be a lunatic, or where a person believed to be dangerous by reason of lunacy, is apprehended and sent to the Magistrate or the Commissioner of Police, or where, on report or information that a person deemed to be a lunatic is not under proper care and control or is cruelly treated or neglected, the Magistrate or the Commissioner of Police sends for him and then determines to proceed as prescribed in Section 4 of this Act, the Magistrate or the Commissioner of Police, on the request of the Medical Officer, may, by order in writing, authorize the detention of the supposed lunatic for such time, not exceeding ten days, as, in the opinion of the Magistrate or the Commissioner of Police, may be necessary to enable the Medical Officer to form an opinion on the question whether or not the supposed lunatic is a person with respect to whom a certificate in the Form A in the schedule to this Act ought to be signed.

(2) If the Medical Officer certifies further detention than has been authorized under sub-section (1) to be necessary to enable him to form his opinion on that question, the Magistrate or the Commissioner of Police may, from time to time, by order in writing authorize such further detention as he deems to be necessary.

Provided that a supposed lunatic shall not be detained for the purpose of this section for a longer time than fourteen days from the date on which the first order authorizing his detention for that purpose is made.

(3) The Executive Government may from time to time make rules as to the place of detention and the care and treatment of supposed lunatics detained under this section.

**VII.** Except as otherwise hereinbefore provided, no person shall be received into a lunatic asylum in any Presidency Town without an order under the hand of some person in the Form **B** in the Schedule to this Act, together with such statement of particulars as is contained in the said Form **B**; nor unless such person has been found lunatic by inquisition or under an enquiry directed by an order of one of the Courts of Judicature established by Royal Charter, without the Medical Certificate containing the particulars in Form **A** in the Schedule to this Act, of two persons each of whom shall be a Physician or Surgeon and one of whom shall be a Presidency Surgeon or a Surgeon in the employment of the Government. When such order is presented, the visitors or manager of the asylum, before admitting the lunatic into the asylum, may require the friends of the said lunatic to engage to pay the expenses which may be incurred for the lodging, maintenance, clothing, medicine, and care of the lunatic, unless it shall appear to the said visitors that they have not sufficient means of doing so.

**VIII.** *Clause 1*—In places other than those specified in the last preceding section, no person shall be received into a lunatic asylum, except as otherwise hereinbefore provided, without an order of the Civil Court.

*Clause 2.*—When any person has been adjudged to be a lunatic, and a guardian for such lunatic has been appointed by the Court of Wards or the Collector or by the Civil Court, if such guardian shall desire that the lunatic be admitted into a lunatic asylum, he shall make application to the Civil Court, and the Judge, with the assistance of a Medical Officer, shall examine such lunatic, and if the Medical Officer shall sign a certificate in the Form **A** in the Schedule to this Act, and the Judge shall be satisfied that the lunatic is a proper person to be detained under care and treatment in a lunatic asylum, he shall make an order for such person to be received into the asylum, established for the division in which his jurisdiction is situate, or, if he think fit, into any licensed asylum mentioned in the application.

*Clause 3.*—If any relative or friend of any person for whom a guardian has not been appointed by the Court of Wards or the Collector or by the Civil Court, desires that such person may be admitted into a lunatic asylum, he may make application to the Civil Court, and the Judge, if he see sufficient reason for so doing, shall enquire into the fact of lunacy in the same manner as if an application had been made to the Civil Court under the provisions of Section III of Act XXXV of 1858, entitled—“An Act to make better

provision for care of the estates of lunatics not subject to the jurisdiction of the Supreme Courts of Judicature," and if the lunacy be established, the Judge may then proceed in the manner prescribed in the second clause of this section.

**Clause 4.**—Whenever the Judge shall make an order for the reception of any person into a lunatic asylum, he shall, at the same time, make an order for the payment of the expenses to be incurred for the lodging, maintenance, clothing, medicine and care of such person; and such expenses shall be recovered by the Judge on the application of the visitors or manager of such asylum. Provided, however, that, if it shall appear to the satisfaction of the Judge that the lunatic has not sufficient property, and that no person legally bound to maintain the said lunatic has sufficient means for the payment of such expenses, he shall certify the same in the order for the reception of the lunatic into the asylum, instead of making such order for the payment of expenses as aforesaid.

**IX.** Subject to the provisions of any enactment for the time being in force, it shall be lawful for three of the visitors of any asylum, of whom one shall be a Medical Officer, by writing under their hands, to order the discharge of any person detained in such asylum. When such order is given, if the person is detained under the order of any public officer, notice of the order of discharge shall be immediately communicated to such officer.

**X.** When any relative or friend of a lunatic detained in any asylum under the provisions of Section IV, Section V, or Section VI of this Act, is desirous that such lunatic shall be delivered over to his care and custody, he shall make application to the Magistrate or Commissioner of Police, under whose order the lunatic is detained, and the Magistrate or the Commissioner of Police, if he think fit, after communication with the visitors or with one of them being a Medical Officer, and, upon the undertaking in writing of such relative or friend to the satisfaction of the said Magistrate or Commissioner that such lunatic shall be properly taken care of and shall be prevented from doing injury to himself or others, shall make an order for the discharge of such lunatic, and such lunatic shall thereupon be discharged.

**XI.** Repealed by Act XX of 1889.

**XII** If, after the reception of any lunatic into any asylum, it appear that the order or the medical certificate or certificates upon which he was received is or are defective or incorrect, the same may at any time afterwards be amended by the person or persons signing the same with the sanction of two

or more of the visitors of the said asylum, one of whom shall be a Medical Officer.

**XIII.** Every person received into a lunatic asylum under any such order as is required by this Act (accompanied by the requisite medical certificate) may be detained therein until he be removed or discharged as authorized by this Act, and in case of escape may, by virtue of such order, be re-taken by the manager of such asylum, or any officer or servant belonging thereto, or any other person authorized in that behalf by the said manager or any Police Officer, and conveyed to, and received and detained in, such asylum.

**XIV.** When any lunatic is sent to a licensed asylum by order of a Magistrate or Commissioner of Police under Section IV, Section V or Section VI of this Act, and when a lunatic is admitted into such asylum under Section VII, or an order for the reception of a lunatic is made under Section VIII, and no engagement has been taken from the friends of the lunatic, or order made by the Judge for the payment of expenses under the said Section VII, or Section VIII, respectively, the expense of the lodging, maintenance, clothing, medicine, and care of such lunatic shall be paid by the Government to the manager of such asylum.

**XV.** The Magistrate or Commissioner of Police by whom any lunatic has been sent to a lunatic asylum, if it appear to such Magistrate or Commissioner that such lunatic has an estate applicable to his maintenance and more than sufficient to maintain his family or that any person is legally bound to maintain and has the means of maintaining such lunatic, may apply to the Chief Civil Court of original jurisdiction within the local jurisdiction of which the estate of the lunatic may be situate or the person legally bound to maintain him may reside, and such Court shall enquire into the matter in a summary way, and on being satisfied that such lunatic has an estate applicable to his maintenance, or that any person is legally bound to maintain and has the means of maintaining such lunatic, shall make an order for the recovery of the charges of the lodging, maintenance, clothing, medicine and care of such lunatic out of such estate or from such person. Such order shall be enforced in the same manner and shall be of the same force and effect and subject to the same appeal as any judgment or order made by the said Court in a regular suit in respect of the property or person herein mentioned. Any personal property which may be in the possession of a lunatic found wandering at large may be sold by the

Order and certificate to justify detention and recapture after escape.

Govt. when to pay for lunatics maintenance.

Order of payment of cost of lunatics maintenance

Enforcement, etc. to order.

**Magistrate and the** proceeds thereof (or such part of the same as may be necessary) applied towards the payment of the charges of the lodging and maintenance of the lunatic, and of any other expenses incurred on his behalf.

**Property in possession of vagrant lunatic.**

**Relative's liability to maintain lunatic.** XVI. The liability of any relative or person to maintain any lunatic shall not be taken away or affected by any provision contained in this Act.

**Saving of powers of Supreme Courts.** XVII. Nothing contained in this Act shall be taken to interfere with the power of any of the Courts of Judicature established by Royal Charter over any person found to be a lunatic by inquisition or under the provisions of Act

XXXIV of 1858 entitled "*An Act to regulate proceedings in lunacy in the Courts of Judicature established by Royal Charter*;" or with the rights of any committee of the person or estate of such lunatic.

XVII-A. In either of the following cases, namely :—

(a) When an Executive Government has not established within its limits a public asylum for the reception and detention of lunatics.

(b) When it appears to the Governor-General in Council that a public asylum established within such limits is not conveniently situated with respect to any part of the territories administered by such Government or does not afford sufficient or, in the case of any class of lunatics, suitable accommodation, the Governor-General in Council may, from time to time, appoint an asylum in any part of British India beyond the limits of such Government to be an asylum to which any Magistrate or Judge exercising jurisdiction within those limits may send lunatics or any class of lunatics as to an asylum established under this Act for the division in which his jurisdiction is situate.

**Provision for Provinces having insufficient or no asylums.**

XVII-B. The Governor-General in Council may, from time to time, by order, direct, with respect to any part of British India which is not annexed to a Presidency or, being annexed to the Presidency of Fort William, Fort St. George or Bombay, is situated at a greater distance than three hundred miles from Calcutta, Madras, or Bombay, respectively, that any lunatic asylum in British India named in the order shall be deemed for that part to be a lunatic asylum at the Presidency for the purposes of this Act.

**Use of provincial asylums as Presidency asylums for purpose of the Act**

XVII-C. Any lunatic may be removed from any lunatic asylum established or licensed under this Act, by an order of an Executive Government, to any other such asylum within the limits of such Government, and by order of the Governor-General in Council, to any other asylum in any part of British India.

**Removal of lunatics from one asylum to another.**

**XVIII.** The word lunatic as used in this Act, shall mean and include <sup>the</sup> ~~interpretation~~ <sup>clause.</sup> .. every person of unsound mind, and every person being an idiot.

The word Magistrate \* shall include a person exercising the powers of a Magistrate.

## SCHEDULE.

Form **A** (See page 13).

„ **B.** ( „ 14).

## ACT V OF 1898.

### CHAPTER XXXIV.

#### *Lunatics.*

464. (i). When a Magistrate, holding an enquiry or a trial, has reason to believe that the accused is of unsound mind and consequently incapable of making his defence, the **Procedure in case of accused being lunatic** Magistrate shall enquire into the fact of such unsoundness, and shall cause such person to be examined by the Civil Surgeon of the district or such other Medical Officer as the Local Government directs, and thereupon shall examine such Surgeon or other Officer as a witness, and shall reduce the examination to writing

(2). If such Magistrate is of opinion that the accused is of unsound mind and consequently incapable of making his defence, he shall postpone further proceedings in the case.

465. (i). If any person committed for trial before a Court of Session or a High Court appears to the Court at his trial to be of unsound mind and consequently incapable of making his defence, the jury or the Court with the aid of assessors shall, in the first instance, try the fact of such unsoundness and incapacity, and, if satisfied of the fact, shall pass judgment accordingly and thereupon the trial shall be postponed.

(2). The trial of the fact of the unsoundness of mind and incapacity of the accused shall be deemed to be part of his trial before the Court.

466. (i). Whenever an accused person is found to be of unsound mind and incapable of making his defence, the **Release of lunatic pending investigation or trial.** Magistrate or Court, as the case may be if the case is one in which bail may be taken, may release him on sufficient security

\* The Magistrate contemplated by the Act is a first-class Magistrate under the Code of Criminal Procedure, 1882 (G. O.'s 11th August 1879, No. 1969, and 20th July 1893, No. 1905).



being given that he shall be properly taken care of and shall be prevented from doing injury to himself or to any other person, and, for his appearance when required before the Magistrate or Court or such Officer, as the Magistrate or Court appoints in his behalf.

(2). If the case is one in which bail may not be taken, or if sufficient security is not given, the Magistrate or Court shall report the case to the Local Government remanding the accused to custody pending orders and the Local Government may order the accused to be confined in a lunatic asylum, jail or other suitable place of safe custody, and the Magistrate or Court shall give effect to such order.

**Custody of lunatic.**  
467. (i). Whenever an enquiry or a trial is postponed under Section 464 or Section 465, the Magistrate or Court, as the case may be, may at any time resume the enquiry or trial and require the accused to appear or be brought before such Magistrate or Court.

(2). When the accused has been released under Section 466, and the securities for his appearance produce him to the Officer whom the Magistrate or Court appoints in his behalf, the certificate of such Officer that the accused is capable of making his defence shall be receivable in evidence.

**Resumption of enquiry or trial.**  
468. (i). If, when the accused appears or is again brought before the Magistrate or the Court, as the case may be, the Magistrate or Court considers him capable of making his defence, the enquiry or trial shall proceed.

(2). If the Magistrate or Court considers the accused person to be still incapable of making his defence, the Magistrate or Court shall again act according to the provisions of Section 464, or Section 465, as the case may be.

**Procedure on accused appearing before Magistrate or Court.**  
469. When the accused appears to be of sound mind at the time of enquiry or trial, and the Magistrate is satisfied from the evidence given before him that there is reason to believe that the accused committed an act which, if he had been of sound mind, would have been an offence, and that he was at the time when the act was committed, by reason of unsoundness of mind, incapable of knowing the nature of the act or that it was wrong or contrary to law, the Magistrate shall proceed with the case, and, if the accused ought to be committed to the Court of Session or High Court, send him for trial before the Court of Session or High Court, as the case may be.

**When accused appears to have been insane.**  
470. Whenever any person is acquitted upon the ground that at the time at which he is alleged to have committed an offence, he was, by reason of unsoundness of mind, incapable of knowing the nature of the act alleged as

**Judgment of acquittal on ground of lunacy.**



constituting the offence, or that it was wrong or contrary to law, the findings shall state specifically whether he committed the act or not.

471. (i). Whenever such judgment states that the accused person committed the act alleged, the Magistrate or Court before whom or which the trial has been held shall, if such act would, but for the incapacity found, have constituted an offence, order such person to be kept in safe custody in such place and manner as the Magistrate or Court thinks fit, and shall report the case for the orders of the Local Government.

(2). The Local Government may order such person to be confined in a lunatic asylum, jail or other suitable place of safe custody.

(3). The Governor-General in Council may, by general or special order, direct that any person whom the Local Government has ordered under this chapter to be confined in a lunatic asylum, jail, or other place of safe custody, shall be removed from the place where he is confined to any lunatic asylum, jail, or other place of safe custody in British India.

(4). The Local Government may empower the Officer in charge of the jail in which a person is confined under the provisions of Section 466 or "this Section," to discharge all or any of the functions of the Inspector-General of Prisons under Section 472, Section 473 or Section 474.

472. When any person is confined under the provisions of Section 466 or Section 471, the Inspector-General of Prisons, if such person is confined in a jail, or the visitors of the lunatic asylum, or any two of them, if he is confined in a lunatic asylum, may visit him in order to ascertain his state of mind; and shall be visited once at least in every six months by such Inspector-General or by two of such visitors as aforesaid; and such Inspector-General or visitors shall make a special report to the Local Government as to the state of mind of such person.

473. If such person is confined under the provisions of Section 466 and such Inspector-General or visitors shall certify that, in his or their opinion, such person is capable of making his defence, he shall be taken before the Magistrate or Court as the case may be, at such time as the Magistrate or Court appoints, and the Magistrate or Court shall deal with such person under the provisions of Section 468; and the certificate of such Inspector-General or visitors as aforesaid, shall be receivable as evidence.

474. (i). If such person is confined under the provisions of Section 466 or Section 471, and such Inspector-General or visitors shall certify that, in his or their judgment, he may be discharged without danger of his doing injury to himself or to any other person, the Local Government may thereupon order him to be discharged, or to be detained in custody, or to be transferred to a public lunatic asylum if he has not been already sent to such an asylum, and in case it orders him to be transferred to an asylum, may appoint a commission, consisting of a Judicial and two Medical Officers.

(2). Such commission shall make formal enquiry into the state of mind of such person, taking such evidence as is necessary, and shall report to the Local Government which may order his discharge or detention as it thinks fit.

475. (i). Whenever any relative or friend of any person confined under the provisions of Section 466 or Section 471 desires that he shall be delivered over to his care and custody, the Local Government, upon the application of such relative or friend and on his giving security to the satisfaction of such Government that the person delivered shall be properly taken care of and shall be prevented from doing injury to himself or to any other person, may order such person to be delivered to such relative or friend.

(2). Whenever such person is so delivered, it shall be upon condition that he shall be produced for the inspection of such Officer and at such times as the Local Government directs.

(3). The provisions of Sections 472 and 474 shall, *mutatis mutandis*, apply to persons delivered under the provisions of this Section, and the certificate of the inspecting officer appointed under this section shall be receivable as evidence.

#### ACT III OF 1900

##### *Lunatic prisoners how to be dealt with.*

30. (1). Whenever it appears to the Local Government that any person detained or imprisoned under any order or sentence of any Court is of unsound mind, the Local Government may, by a warrant setting forth the grounds of belief that the person is of unsound mind, order his removal to a lunatic asylum, or other place of safe custody within the Province, there to be kept and treated as the Local Government directs during the remainder

of the term for which he has been ordered or sentenced to be detained or imprisoned, or if on the expiration of that term it is certified by a Medical Officer that it is necessary for the safety of the prisoner or others that he should be further detained under medical care or treatment, then until he is discharged according to law.

(2). Where it appears to the Local Government that the prisoner has become of sound mind, the Local Government shall, by a warrant directed to the person having charge of the prisoner, if still liable to be kept in custody, remand him to the prison from which he was removed or to another prison within the Province, or if the prisoner is no longer liable to be kept in custody, order him to be discharged.

(3). The provisions of Section 9 of the Lunatic Asylums Act, 1858 (XXXVI of 1858), shall apply to every person confined in a lunatic asylum under sub-section (i) after the expiration of the term for which he was ordered or sentenced to be detained or imprisoned; and the time during which a prisoner is confined in a lunatic asylum under that sub-section shall be reckoned as part of the term of detention or imprisonment which he may have been ordered or sentenced by the Court to undergo.

(4). In any case in which a Local Government is competent under sub-section (i) to order the removal of a prisoner to a Lunatic Asylum or other place of safe custody within the Province, the Governor-General in Council may order his removal to any lunatic asylum or other place of safe custody in any part of British India; and the provisions of this section respecting the custody, detention, remand and discharge of a prisoner removed by order of a Local Government shall, so far as they can be made applicable, apply to a prisoner removed by order of the Governor-General in Council.

(a) Section 30 of Act III of 1900 does not authorize detention in a lunatic asylum of a prisoner whose sentence expired before transfer to a lunatic asylum. In the case of such a prisoner, therefore, he should be re-arrested by the Police on release and placed before a Magistrate to be dealt with under Act XXXVI of 1858 (G. O. No. 600, Judicial, 31st March 1890).

(b) The certificate of the Medical Officer referred to in sub-section (i) of Section 30 can be given by any Medical Officer, whether independent of, or connected with, the asylum, though it is desirable that it should be given by an independent medical man and not by the officer whom it authorizes to detain the patient (G. O. No. 1296, Misc., 12th June 1888).

(c). The warrant referred to in sub-section (i) of Section 30 will be in the following form. Under this form of warrant no further orders of

Government are needed for the detention in an asylum of a lunatic after the expiry of his sentence :—

### WARRANT.

To

The Superintendent for the

jail at

and to

The Superintendent of the Lunatic Asylum at

Whereas who is now undergoing imprisonment in the jail at under a sentence of imprisonment from the passed upon him by is believed to be of unsound mind ; the grounds of such belief being

This is to authorize and require you the said Superintendent of the jail at

to cause the said  
to be removed to the lunatic asylum at  
and you the said Superintendent of the Lunatic Asylum at  
to receive the said  
into your custody in the said lunatic asylum, together with this warrant, and him there safely to keep, for the purpose of undergoing medical treatment, during the remainder of his sentence, or if on the expiration of that term is certified by a Medical Officer under section 30 (i) of the Prisoners' Act, 1900 (III of 1900), that his further detention is necessary for his own safety, or that of others, then until he is discharged according to law.

Dated the

day of

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## PART VI.

### MILITARY INSANES.\*

Native Soldiers on being declared insane should be discharged from the Army and thereafter handed over to the Civil Authorities to be dealt with as Civil Lunatics.

G.O. No. 827, Public,  
dated 6th September,  
1902.

**\* Native Soldiers.** If a person subject to the I. A. W. is suspected of insanity, the Officer Commanding will report the case to the Brigade Commander who will direct the examination of the individual by a board composed, if practicable, of two Medical Officers, otherwise by the man's D. C. Commander (O. C. in the case of a departmental follower) and the Officer in medical charge. If pronounced insane, he will be discharged by the authority prescribed in the I. A. W. and handed over with his discharge document to the Civil power, or, if harmless, to his friends or relations.

A. R. I. Vol. II,  
Para. 58,  
\* Native Soldiers.

Insane wives or children of soldiers will, when necessary, be dealt with under the Civil Lunacy Act. I. A. F. M. 1245 will be used for admission to an asylum.

A. R. I., Vol. VI,  
Para. 91  
\* Relatives of British Soldier

British insane Officers, Non-Commissioned Officers and Soldiers are admitted into and discharged from lunatic asylums under Act No. XI of 1877 as amended by Acts XII of 1891, XIII of 1894 and I of 1901.

For rules relating to Military insanes, see Army Regulations, India—

Vol. I, paras. 375 and 606.

Vol. II, paras. 656, 657 and 658.

Vol. VI, paras. 86 (c), 87, 88, 89, 90 & 91.

Vol. X, paras. 92 and 100.

The following papers must accompany insanes, according to Regulations :—

Commissioned and Departmental Warrant officers—

A. R. I., Vol. VI,  
Para 86 (c). (1) Statement of case I. A. F. M. 1243 & A. F. B. 183 both in duplicate.

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\* N. B.—Insane Native Soldiers and insane relatives of a British Soldier will in almost every case possess relations and, therefore, come under the rules for "Private Patients" (See Section I of this manual.)

(2) Lunacy Certificates. I. A. F. M. 1244 in duplicate.  
 Regimental Warrant and Non-Commissioned Officers, and Soldiers.

(1) Return of Invalids. A. F. B. 172 in duplicate.

(2) Detailed Medical History Sheet. A. F. B. 179 in duplicate.

(3) Statement of case. A. F. B. 183 in duplicate.

(4) Medical History Sheet. A. F. B. 178.

(5) Lunacy Certificates. I. A. F. M. 1244 in duplicate.

The necessary warrant for the reception of a Military insane to be given by the Commanding Principal Medical Officer, is in I. A. F. M. 1246.

An officer, while a patient in a lunatic asylum in India, is considered as on leave on medical certificate. From his pay, which is drawn monthly, the cost of maintenance will be deducted and paid to the Superintendent of the Asylum: the balance being disposed of under the orders of the Secretary to the Government of India, Army Department.

An insane Soldier is entitled to his gross pay (but no allowance in lieu of his rations) less the cost of his maintenance at eight annas per diem at Colaba and at rupees twelve per mensem at Calcutta or Madras for the period he may be in a lunatic asylum and up to the day he embarks for England.

Instructions regarding the disposal of British insanes are contained in A. R. I., Vol. VI, and the regulations for the discharge of soldiers of the British forces serving in India.

When an insane officer is sent home a report of the name and probable date of arrival of the ship in which he sails and the address of his friends should be sent by the Divisional Commander to the Government of India in time to allow of arrangements being made before the officer reaches England.

An insane officer should not be granted any definite period of leave, but immediately on his being invalided the statement of his case (I. A. F. M. 1243) together with A. F. B. 183 and I. A. F. M. 1244 should be sent by the Divisional Commander to the Under Secretary of State, India Office, accompanied by a special report.

Officers of the I. A. and I. M. S., who have been pronounced insane, will not be allowed to return to duty in India.

Free passage is authorised for any officer of the British and Indian services, departmental officer with honorary rank and warrant officer, British soldier, and member of a British soldier's family, declared insane, when proceeding to the United Kingdom in addition to the attendant allowed by

A. R. I., Vol. I, Para. 875.

A. R. I., Vol. I, Para. 803.

A. R. I., Vol. II, Para. 668.

A. R. I., Vol. II, Para. 657.

A. R. I., Vol. I, Para. 92.

paragraph 100, accompanying them to a port of embarkation or asylum on the recommendation of a medical board.

Special attendants are allowed in the following cases:—

(a) When the medical authorities certify that a sick officer or a sick member of his family, proceeding to the United Kingdom or the Colonies, requires special care, an extra native servant, or in the case of an officer a British soldier attendant, may be given free passage by rail and river to the port of embarkation.

A. R. L., Vol. X,  
Para. 160.

(b) When an officer, warrant officer or British soldier, or the wife or child of a departmental officer with honorary rank, warrant officer, or British soldier, conveyed at the public expense, is invalided to the United Kingdom on account of serious illness, and a medical board declares it to be necessary that a special attendant (or when despatched by private vessel, two such attendants, except in the case of a child) should accompany the invalid, these attendants will be given free passage by road, rail, river and sea, and return passage, if required. The attendant, or one of them, may be the patient's wife or husband, or in the case of a child either parent, and will be accommodated in the same class as the patient.

(c) When an officer is invalided to the United Kingdom on account of insanity, and a medical board declares it to be necessary that an attendant should accompany him, the latter may be given free passage by road, rail, river, and sea, and a return passage, if required. If the insane officer proceeds by private vessel, and the medical board certifies that the only attendant by whom the patient can be effectively controlled is a particular friend, a first class passage may be given; otherwise a second class passage, on the homeward journey only, is allowed.

(d) A female insane proceeding from the asylum at Calcutta to Bombay en route to the United Kingdom may be accompanied by a special attendant, who will be granted a free rail passage to Bombay and a return passage if desired.

(e) When a medical officer certifies that it is necessary that a sick hospital assistant, native soldier, recruit or pension boy, or public follower, who is entitled to passage at the public expense should have special attendance on the journey to his home, one soldier or follower attendant may be authorised by the Officer Commanding the station, and when in special cases two such attendants are certified to be necessary, they may be authorised by the Brigade Commander, the sanction being published in station brigade orders. These attendants will be given passage by the same mode of conveyance and to the same place as the individual they accompany, and a return passage to their original station under the ordinary rules for men travelling on duty. A

native officer or hospital assistant may be permitted to take his servant as an attendant, but in this case return passage will not be given.

For procedure in case of an European officer or soldier declared lunatic, see section iii of Act XI of 1877 and for procedure regulating discharge and payment of maintenance expenses, see sections vii and viii of the same Act.

No Officer, Warrant officer, or Soldier who has developed insanity will be permitted to have arms in his possession or to have access to them on any account whatever, and further no British soldier who may have recovered from insanity will be permitted to have arms pending his transfer to England.

The Government has no power to transmit a Military convict sentenced by the Civil Power from a Lunatic Asylum (whether he has been sent from jail) to a prison in England.

In the case of Military Pensioners, so much of the pension as will meet the cost of maintenance should be deducted, subject to the condition, that where there is a family dependent on him, they should be allowed at least a moiety of it. The pension will be drawn monthly by the Superintendent of the Asylum from the Pension Pay-Master of the Command.

Should he be discharged, he will be entitled to any balance of his pension that may remain after deducting the maintenance cost.

In all cases the Asylum Authorities should be asked whether accommodation is available and as far as possible due notice given of time of arrival so that arrangements for diet may be made.

All documents received with Military patients will be returned on their discharge or death to the District Military Authorities.

The property of Military Lunatics is dealt with under Act XIV of 1873 as amended by Act XVI of 1874.

#### ACT XIV OF 1873, AS AMENDED BY ACT XVI OF 1874.

##### *Property of Lunatic Soldiers.*

An Act to provide for the security and application of the effects of officers and soldiers becoming insane on service, but not removed, put on half pay or discharged.



Whereas it is expedient to provide for the security and application of the effects of officers and soldiers becoming insane on service, but not removed, put on half pay or discharged. It is hereby enacted as follows:—

**Short title.**

1. This Act may be called "The Lunatic Soldier's Property Act, 1873."

It extends to the whole of British India, and so far as regards subjects, of His Majesty to the Dominions of Native Princes and States in India in alliance with His Majesty.

**Local extent.**

**Commencement.**

(Repealed by Act XVI of 1874.)

**Interpretation clause.**

2. In this Act:—

"Officer" means a Commissioned officer of His Majesty's Army or of His Majesty's Indian Army; and "Soldier" means a soldier of His Majesty's Army or a European Soldier of His Majesty's Indian Army, including a Warrant and a Non-Commissioned officer.

**Soldier.**

3. When an Officer or Soldier becomes insane on service, but is not removed, put on half pay, or discharged, on the ground of insanity, such Committee of officers as the Governor-General in Council may, from time to time, prescribe shall immediately secure all such of his effects as are within the territories to which this Act extends.

**Securing of effects of insane by Committee.**

**Application of effects.**

4. Such effects shall be liable to be applied in or towards payment of any expenses necessarily incurred in the maintenance and removal of such officer or soldier to any place in India, and of any such expenses and debts incurred and owing by him as would, under Part I of the Regimental Debts Act, 1863, be preferential charges on his moveable property in case he had died on service, with the like preference in the like order and subject to the like provision for decision of doubt, or difference, as would in that case apply, as nearly as may be *mutatis mutandis*.

**28 and 27 Vic.  
Chapter 57**

**Stay of proceedings by Committee on payment of expenses and debts by representative.**

5. If any person, who would, if such officer or soldier were dead, be entitled to take out representation to him (otherwise than as a creditor), or his wife (if any), or any near relative, pays in full the expenses and debts aforesaid, the said Committee shall not further interfere in relation to the property.

6. If such payment is not made, then, within one month after the insanity is known at the quarters where the property is, the said Committee may sell and convert into money such part of the property as they think fit, and after paying out of the proceeds the expenses attending the discharge of their duties shall pay thereout the expenses and debts aforesaid, and shall dispose of any property then remaining in their hands in such manner as may, from time to time, be prescribed by the Governor-General in Council, or by such officer as he appoints in this behalf, to the end that the same may be applied for the benefit of the officer or soldier to whom it belongs.

7. Every payment or application of money, and every sale or other disposition of property made by any Committee in pursuance of this Act, shall be valid as against all persons whomsoever.

And every officer belonging to any such Committee shall be discharged from all liability in respect of the money or other property so paid, applied or disposed of.

8. The Governor-General may, from time to time, prescribe such regulations as may seem fit for the better execution of any of the purposes of this Act.

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ACT NO XI OF 1877 AS AMENDED BY ACTS XII OF 1891, XIII OF 1894 AND I OF 1901.

*An Act to facilitate the admission of Military Lunatics into Asylums.*

Whereas it is expedient to facilitate the admission of European Military Lunatics into Asylums, and to amend the law now in force with regard to the admission thereto of Native Military Lunatics, it is hereby enacted as follows:—

1. This Act may be called "The Military Lunatics Act, 1877."

It extends to the whole of British India, and, so far as regards subjects of His Majesty, to the Dominions of the Native Princes and States in India in alliance with His Majesty.

And it shall come into force on the passing thereof.

2. (Repealed by Act XII of 1891.)

3. Whenever any European officer, Warrant officer, Non-Commissioned officer, Soldier or other person subject to the provisions of the Army Act has been declared a lunatic, in accordance with the provisions of the Military Regulations in force for the time being and has been ordered to be forwarded to any one of the Presidency towns, and it appears to the Principal Medical Officer of His Majesty's forces in India, the Surgeon-General with the Government of India, the Surgeon-General with the Government of Madras, the Surgeon-General with the Government of Bombay, or the Principal Medical Officer of the "Command" to which the said lunatic belongs, that it is inexpedient that he should be removed to England, or that he should be detained in Military custody until he can be conveniently sent to England, such Principal Medical Officer or Surgeon-General may, if he think fit, make an order under his hand for the reception of the said lunatic into the lunatic asylum at Bhowanipur, Madras, or Bombay or such other lunatic asylum as may be duly authorised for the purpose by the Governor-General in Council; and the officer in charge of such asylum shall receive the lunatic in the asylum, and detain him therein until he is discharged therefrom, in accordance with the Military Regulations in force for the time being, or until such Principal Medical Officer or Surgeon-General applies for his transfer to the Military Authorities in view of his removal to England.

4. (Repealed by Act I of 1901.)

5. (Repealed by Act I of 1901.)

6. (Repealed by Act I of 1901.)

7. Whenever it appears to an officer in charge of a lunatic asylum that the discharge of a Military lunatic, whether European or Native, is necessary either on account of his recovery, or for any other purpose, such person shall be brought before the visitors of the asylum, and on the visitors recording their opinion that the discharge shall be made, the General Officer Commanding the District or force, or other officer authorised to order the admission of Military lunatics into asylums, shall forthwith direct him to be discharged, and such discharge shall take place in accordance with the Military Regulations in force for the time being.

8. The Paymaster of the Military Circle within which any such asylum is situated shall pay to the officer in charge of such asylum the expense of the lodging, maintenance, clothing and medicine of every lunatic, whether European or Native, received and detained under this Act.

9. (Repealed by Act XII of 1891.)<sup>11</sup>



| Name of Hospital. | Admitted to Hospital. |        |       | Discharged from Hospital. |        |       | Disease. | Number of Days in Hospital. | Remarks bearing on the cause, nature, or treatment of the case, likely to be of interest or of future use, e.g., in venereal cases state the nature of the primary disease and if treated by mercury. | Signature of Medical Officer. |
|-------------------|-----------------------|--------|-------|---------------------------|--------|-------|----------|-----------------------------|---|-------------------------------|
|                   | Day.                  | Month. | Year. | Day.                      | Month. | Year. |          |                             |   |                               |
|                   |                       |        |       |                           |        |       |          |                             |   |                               |

Form IV.—Only for Admissions to Hospital or to the Sick List in the case of Warrant Officers treated in quarters.

**A. F. BIRD.**  
Modified for India.  
*Gratis.*

# **DETAILED MEDICAL HISTORY OF AN INVALID.**

Station \_\_\_\_\_

Date \_\_\_\_\_

- |                         |            |                                  |   |
|-------------------------|------------|----------------------------------|---|
| 1. Regiment<br>or Corps | }          | 2. Regimental No.<br>and Rank    | } |
| 3. Name                 |            | 4. Age last Birthday             |   |
| 5. Enlisted             | { on<br>at | 6. Former Trade<br>or Occupation | } |

*Before making out this report read the following note carefully.*

**NOTE.**—The answers to the following questions are to be filled in by the Medical Officer by whom the soldier is brought forward. As the object of these questions is, in the event of the man being invalided, to put the Commissioners of Chelsea Hospital in possession of the most reliable information grounded on the opinion of those best capable of judging, so as to guide them in deciding upon the man's claim to pension, clear and decisive answers must in all cases be given.

## **7. Disease or Disability.**

*In answering the following questions the Medical Officer will carefully discriminate between the man's unsupported statements on his case, and recorded evidence furnished by his documents, military and medical. He will also carefully discriminate cases entirely due to venereal disease.*

8. When did the disease or disability originate?
9. Where?
10. State the cause clearly and explicitly?
11. What is his present condition?
12. If it is the result of service, to what military conditions do you attribute it?
13. Is it the result of climate?
14. Has the disease been aggravated by —  
 (a) Intemperance,  
 or  
 (b) Misconduct?

**Note.**—When a soldier is proposed for invaliding on account of epilepsy, a certificate from a medical officer to the effect that he has seen him in a true epileptic fit should be attached.

If the disability is a wound or other injury, was it caused—

- (a) In action?
- (b) On field service?
- (c) On duty?
- (d) Off duty?

16. Was a Court of Inquiry held on the injury?

If so—

- (a) When?
- (b) Where?

17. If the disability is the result of exposure on duty, what was the exposure, and was it exceptional?

*(Enteric fever, dysentery, &c., contracted when on service abroad, is to be regarded as caused by military duty.)*

18. Has the disability been aggravated by military service? If so, how?

19. Is the disability permanent?

20. If not permanent, what is its probable minimum duration?

*(To be stated in months, e.g., "at least 6 months.")*

21. To what extent is his capacity for earning a full livelihood in the general labour market lessened at present?

*(In defining the extent of his inability to earn a livelihood, please estimate it at  $\frac{1}{4}$ ,  $\frac{1}{2}$ ,  $\frac{3}{4}$ , or total incapacity.)*

22. Was any special treatment employed?

23. Was an operation performed?

24. Was an operation advised and declined?

(a) Was the refusal unreasonable?

25. In cases of loss or decay of teeth—

(a) If the patient has been offered artificial teeth, and has he accepted them?

(b) Do you consider that the supply of artificial teeth would have rendered him efficient?

(c) Whether the result of wounds, injury, or disease is directly attributable to active service, thus rendering him eligible for artificial teeth on discharge?

26. Do you recommend him for—

..(a) Discharge, as permanently unfit  
or

(b) For change to England ?

27. In the case only of men who served in South Africa between the 11th October 1899 and 31st May 1902—Did you receive any hospital treatment in South Africa during the Transvaal War, if so, for what diseases, in what hospitals, and at what approximate dates ?

*Medical Officer in charge of case*

I have satisfied myself of the general accuracy of this report, and concur therewith, except\*

Station \_\_\_\_\_

Date \_\_\_\_\_

*Medical Officer in charge of Hospital*

*Delete this word if no exceptions are to be made*

#### OPINION OF THE MEDICAL BOARD

In which the Board will state how far it concurs in the above report, and give any further particulars it may deem necessary to enable the Commissioners to come to a just decision on the case

The Board having examined No

Rank

Name \_\_\_\_\_

Corps \_\_\_\_\_

Signatures —

*President*

Station \_\_\_\_\_

Date \_\_\_\_\_

Members

*Note.*—If the Board declare a soldier to be insane, they will state (a) if harmless, or otherwise, (b) if a fit case for early removal to an asylum, or detention at his station until the trooping season, (c) if one, or two attendants will be necessary for the homeward voyage. Every soldier who has been declared insane must be invalided to England.

APPROVED

Station \_\_\_\_\_

Date \_\_\_\_\_

*Brigade*  
*Divisional P. M. O.*



(On leaving Corps or Station where invalided.)

|               |      |         |         |                   |
|---------------|------|---------|---------|-------------------|
| Transfer {    | Date | Station | Name of | Conveyance {      |
|               |      |         |         | Vessel            |
| Embarkation { | Date | Post    |         | Medical Officer { |
|               |      |         |         |                   |

Brief Remarks on Case during transit, and state on transfer for final disposal.

|                 |      |                     |                  |
|-----------------|------|---------------------|------------------|
| Retransferred { | Date | Hospital or Station | Medical Officer. |
|                 |      |                     |                  |

(At Station or Hospital where finally disposed of)

|                        |                |
|------------------------|----------------|
| Station and Hospital { | Arrived from { |
|                        |                |
| Date                   |                |

| IF ADMITTED. | IF UNDER TREATMENT |      | Disease. | How finally disposed of. | Date of discharge, &c. |
|--------------|--------------------|------|----------|--------------------------|------------------------|
|              | Index No           | From | To       |                          |                        |
| Date         |                    |      |          |                          |                        |

Summary of causes of invaliding, or remarks as to remand to Regiment, Station or Depot

Date of final Medical Board or decision

P M O

A F B179

## DETAILED MEDICAL HISTORY OF INVALID

|   |      |
|---|------|
| Station   |      |
| Corps   |      |
| Regimental No.  | Rank |
| Name  |      |
| Disability  |      |
| Date  |      |
| Hospital or Station transferred to for final disposal |      |
| Date of final disposal                                |      |
| How finally disposed of                               |      |

The decision of the board will be communicated to the O. C. Corps

Two copies required—to be attached, with A F B178, to A. F B172.

In the case of insanes, the above documents, lunacy certificates, and A F B183, will be sent to the Command or independent divisional P M. O for orders.

When invalids elect to proceed to the Colonies or remain in India, two copies, with A F B178, will be sent to the O C. Corps for disposal. In the case of the death of an invalid, two copies will be completed and forwarded with the next return of sick to the Command or independent divisional P M O



13. Whether insanity was preceded or accompanied by any particular illness, as fever, rheumatism, syphilis, etc.
14. What are the supposed causes (moral or physical) of the attack? Whether the patient has suffered from sunstroke, concussion, or injury of the head?
15. Has the disability been caused or aggravated by his service as a soldier?
16. Whether any hereditary predisposition exists.
17. What are the particular ideas or actions which have induced the belief of insanity?
  - (a) Observed by you.
  - (b) Communicated to you by others.
18. Whether the disease is complicated with epilepsy, paralysis, or homicidal or suicidal impulses? If suicidal tendency exists, the way in which self-destruction has been attempted should be stated.
19. Whether the patient is noisy, dangerous, mischievous, or given to steal? Whether his habits are cleanly or the reverse?
20. What treatment has been adopted since the invasion of disease?

Station \_\_\_\_\_

Date \_\_\_\_\_

M. O. in charge of the case

The P. M. O.

 \_\_\_\_\_  
 Brigade  
 Division

Station \_\_\_\_\_

Date \_\_\_\_\_

O. C. Station Hospital \_\_\_\_\_

The

 \_\_\_\_\_  
 P. M. O. \_\_\_\_\_

Two copies required, to be forwarded with the other Medical documents for the orders of the Command P. M. O. or P. M. O. India.

## CONFIDENTIAL

(See instructions on reverse).

I. A. F. 37134.  
Gratia.

Proceedings of a Board of Medical Officers assembled

at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_

by order of \_\_\_\_\_

to report on the state of health of (Rank) \_\_\_\_\_

(Name) \_\_\_\_\_

(Corps or Department) \_\_\_\_\_

PRESIDENT \_\_\_\_\_

MEMBERS { \_\_\_\_\_

The Board having carefully examined \_\_\_\_\_

and perused the statement of

case and medical certificate hereinafter following,

And that\* \_\_\_\_\_

The Board recommend that he be granted leave to  
proceed to \_\_\_\_\_for \_\_\_\_\_  
(Period of leave to be entered in years, months and days.)

\* State the opinion of board on the disability and how far it is the result of climate and duty (if specially liable to it in consequence of service abroad, it is to be regarded as caused by duty). If due to intemperance, the board will only recommend that the individual should periodically appear before a fresh board or that the case should be treated as one of discipline. In the case of an insane state if harmless or otherwise, and if a fit case for early removal to an asylum or detention in the station until the troping season.

† The place in or out of India to which change is considered absolutely necessary for recovery. Leave to Europe during the non troping season, will not be recommended to those entitled to travel at the public expense. If they can remain in India until the next troping season without undue risk but as regards extreme cases see para. 69 Vol. X.

‡ The period recommended should not exceed that authorized in the first instance under the rules applicable to the individual. No period will be stated in the case of officers of the unattached list.

§ If leave to Europe is recommended state the route and whether the invalid is fit for duty with troops on the voyage.

When an invalid is incapable of managing his or her own affairs, the fact will be noted also whether a special attendant or attendants are needed see para. 100 Vol. X. In the case of an insane, the description of special accommodation (if any), and attendant or escort required should be noted.

In the case of schoolmasters, school mistresses and armourer sergeants sent for change to the hills the board will state if they are fit for duty there.

Approved.

P. M. O. \_\_\_\_\_

Dated \_\_\_\_\_ 19\_\_

\_\_\_\_\_  
President\_\_\_\_\_  
Members.

## STATEMENT of the case of—

(Rank) \_\_\_\_\_

(Name) \_\_\_\_\_

Age ... years \_\_\_\_\_

Total Service ... years \_\_\_\_\_

Service in India ... years \_\_\_\_\_

Previous periods of  
leave of absence on  
medical certificate ... \_\_\_\_\_

Habits ... \_\_\_\_\_

Temperament ... \_\_\_\_\_

Disease ... \_\_\_\_\_

In cases of epilepsy, the medical officer will certify that he has seen the person in a true epileptic fit.

A medical officer who may be called upon to grant a certificate to an officer when absent from his corps or appointment, will—except in case of emergency—take steps to obtain a statement of the previous medical history from the authorised medical adviser.

Medical officers on leave at hill stations are prohibited from granting certificates to enable officers residing there to appear before a medical board. Such certificates will only be granted by the regularly appointed local medical officers.

A clear opinion should be included in this statement as to whether or not, or how far, the disability was caused by duty and from the effects of climate, with the reasons for the opinion (see instructions regarding this on page 11)

I, \_\_\_\_\_

do hereby certify that \_\_\_\_\_  
is in a bad state of health, and according to the best  
of my judgment, a change of air is absolutely neces-  
sary for his recovery. I therefore recommend that he  
may be permitted to proceed to \_\_\_\_\_  
for a period of \_\_\_\_\_

(Period of leave to be entered in years, months and days)

(Signature,)

Station \_\_\_\_\_

Date \_\_\_\_\_ 19 \_\_\_\_\_

## INSTRUCTIONS.

I. The finding of the Board will be communicated to the O. C., or Head of Department concerned.

II. (a) One copy required (except in the particular cases noted below) for British officers, departmental warrant officers, and lady nurses; to be sent by the president of the Board for approval to the local P. M. O. who will, before transmitting the document to the sanctioning authority concerned for disposal, inform the invalid in writing as to the amount, and other necessary particulars of the leave recommended. The invalid will then submit an application for the leave, and the proceedings of the Board will be attached to it in due course by the sanctioning authority concerned.

(b) In the case of members of the I. M. S. and I. S. M. D. a second copy of the Board's proceedings is required for the D. G., I. M. S.

(c) The medical attendant will give the patient a manuscript abstract of the case containing only such particulars as may be essential for the guidance of future medical attendants; a copy of this form will under no circumstances be given to the patient.

(d) When an invalid is incapable of managing his or her own affairs for reasons other than insanity, the medical attendant's abstract of case will be sent with the invalid for safe keeping, or handing over, as required.

(e) In the case of an insane officer, or departmental warrant or N. C. officer, two copies of this form (with A. F. B183, and lunacy certificates) will be forwarded to the <sup>Divisional</sup>Independent Brigade P. M. O. for orders and disposal in accordance with the instructions on I. A. F. M1246

III. One copy required in the case of non-departmental warrant and N. C. officers of the unattached list and for soldiers' wives and children. Instructions II (c) and (d) are also applicable to these cases.

IV. An officer, lady nurse, or warrant officer, recommended for leave in or out of India by a Medical Board, may be permitted to proceed on leave as soon as the Board's proceedings are approved by the P. M. O. See para. 211, Vol. II.

V. Medical Boards on officers under the furlough regulations of 1868 or 1876, applying for furlough or leave on account of disability which originated on field service, and was caused solely by unusual exposure and hardship in field, or by wounds received in action, will, if they consider the claim has been established, add to the proceedings a certificate in the following terms—

"We are of opinion that the illness from which (Rank and Name) is suffering, originated on field service with the (mention force) with which he was employed from the (date) to the (date); and has been solely caused by the unusual exposure and hardship undergone by him on the said service (or by wounds received in action), and we accordingly recommend that he may be permitted to reckon as service for pension, the leave or furlough which may now be granted to him."

(See para. 88, A. R. I., Vol. VI.)

I. A. F. M1244  
Gratts.

## LUNACY CERTIFICATE.

(PERSONS SUBJECT TO THE ARMY ACT.)

(See instructions on reverse.)

I, \_\_\_\_\_  
 (Name, rank, medical qualifications.)  
 \_\_\_\_\_ now in actual practice on the  
 \_\_\_\_\_ at \_\_\_\_\_ examined  
 (date) (place)  
 \_\_\_\_\_  
 (full name, residence and occupation of patient.)  
 \_\_\_\_\_ and I am of opinion that  
 \_\_\_\_\_ is  
 (repeat patient's name)

Facts indicating insanity observed by myself :—

- (a) Appearance \_\_\_\_\_  
 (b) Demeanour and conduct \_\_\_\_\_  
 (c) Conversation \_\_\_\_\_

Facts communicated to me by others which corroborate this view (names and addresses of informants must be stated) :—

Place \_\_\_\_\_ Date \_\_\_\_\_ Signature \_\_\_\_\_

## INSTRUCTIONS.

Two certificates are ordinarily required. One will be made out by the medical officer in charge of the case, and the other by a second medical officer (if available), on another day and without consulting the former.

2. In preparing the lunacy certificate the subjects to be noted should be classified under the following heads :—

*Appearance.*—Which may be meaningless, vacant, melancholy, depressed, frightened, or fierce.

*Demeanour and conduct.*—Which may be childish and silly, moping and inert, destructive or aggressive, or distinctive of a peculiar state of emotion, such as vanity, pride, or fear.

*Conversation.*—The speech may either indicate a negation of mental faculty by its absence, or intense pre-occupation as in some forms of melancholia, or by its positive evidence may bear testimony to all phases of incoherence or delusion.

3. These certificates will be forwarded to the District P. M. O. to convene a special Medical Board. When there is no doubt about a man's insanity, the medical officer in charge will lose no time in bringing him before a Medical Board to admit of his despatch to England as early as possible, the troopship accommodation for insanes being limited.

(See para. 21, A. R. I., Vol. VI.)

A. F. MISON  
Genl.

## LUNACY CERTIFICATE.

(Soldier's wife or child.)

## FORM A.

## Certificate of Medical Officers.

We, the undersigned \_\_\_\_\_

(names and official designations)

hereby certify that we, on the \_\_\_\_\_ day of \_\_\_\_\_

at \_\_\_\_\_, personally examined \_\_\_\_\_  
(name and residence of lunatic)

\_\_\_\_\_, and that the said

\_\_\_\_\_, is \_\_\_\_\_  
(repeat patient's name) (a lunatic, idiot, or of unsound mind)and a proper person to be taken charge of and detained under care and treatment,  
and that we have formed this opinion on the following grounds, namely:—1. Facts indicating insanity observed by ourselves \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_2. Other facts (if any) including insanity, communicated to us by others (names  
and addresses of informants must be stated) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_Place \_\_\_\_\_ } Signatures  
Date \_\_\_\_\_ } of two  
} medical  
} officers. }



I, the undersigned, hereby request you to receive \_\_\_\_\_ Name of patient and  
\_\_\_\_\_ as a patient into your asylum.

Subjoined is a statement respecting the said \_\_\_\_\_

Name \_\_\_\_\_ (signed) \_\_\_\_\_

Occupation (if any) \_\_\_\_\_

Place of abode

Degree of relationship, if any, or other circumstances connected with the patient\_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, one thousand nine hundred and \_\_\_\_\_.

To the Superintendent of the \_\_\_\_\_ asylum at \_\_\_\_\_

\* This order will be signed by the husband or father, as the case may be.

**STATEMENT.**

(If any of the particulars in this statement be not known, the fact to be so stated.)

Name of patient, with Christian names at length

Sex and age\_\_\_\_\_

Married, single, or widowed \_\_\_\_\_

Condition of life, and previous occupation (if any)\_\_\_\_\_

**The religious persuasion, as far as known**

Previous place of abode

### Whether first attack

Age (if known) on first attack

When and where previously under care and treatment \_\_\_\_\_

Duration of existing attack \_\_\_\_\_

Supposed cause \_\_\_\_\_

## Whether subject to epilepsy

Whether suicidal\_\_\_\_\_

Whether dangerous to others\_\_\_\_\_

Whether found lunatic by inquisition or inquiry under order of court; and date of commission or order for inquisition or inquiry \_\_\_\_\_

Whether any member of patient's family has been or is affected with insanity \_\_\_\_\_

*Signature.*

\* When the person signing the statement is not the person who signs the order, the following particulars concerning the person signing the statement will be added, namely :-

Occupation (if any), place of abode, degree of relationship (if any), or other circumstances in connection with the patient.

(See para. 89, A. M. S. V. S. M. S.)

L. A. F. M. S. S.  
G. S. S.

No. \_\_\_\_\_

\_\_\_\_\_  
COMMAND.

## MEDICAL DIVISION

Station \_\_\_\_\_ Date \_\_\_\_\_

In virtue of the powers vested in me by the Military Lunatics' Act of 1877, as amended by Act XIII of 1894, I hereby direct the admission into the \_\_\_\_\_ Lunatic Asylum of \_\_\_\_\_

who has been declared lunatic in accordance with the provisions of the Military Regulations in force for the time being

Surgeon-General,

P. M. O., \_\_\_\_\_ Command.

To

THE SUPERINTENDENT OF THE  
LUNATIC ASYLUM

*Instructions.*

The Command P. M. O. will issue this admission order whenever he decides that the removal of an insane is necessary, either for admission to a lunatic asylum or for direct embarkation. Before directing removal to an asylum, it should be ascertained that accommodation is available therein, and if so, the medical documents, and this order, will be sent to the G. O. C. for disposal, as follows —

- (i) in the case of officers—one set to the D. A. G.; and the other, with this order, as directed for soldiers;
- (ii) in the case of soldiers—the two sets and this order will be sent with the insane for delivery; (a) if for direct embarkation, to the medical officer in charge on board; or (b) if for admission to an asylum, to the local staff officer for transmission to the Superintendent, who will send the medical documents with the insane when he leaves the asylum. In the case of transfer from one asylum to another, a fresh admission order is required. When an admission order is not made use of, it should be destroyed.

Insane should reach Colaba three clear days prior to embarkation.

2. When despatching insane to asylums telegraphic notice of the date of arrival must be sent to the military authorities at the asylum station, to admit of arrangements being made for the immediate transfer of the insane to the asylum on arrival.

## DUTIES OF ORDERLY ATTENDANTS ON INSANE BRITISH SOLDIERS.

*(To be read over daily, and explained to the attendants, by the Assistant Surgeon on duty.)*

1. Harmless insane soldiers will have at least one—and violent patients not less than two—orderly attendants. These attendants will be relieved every two hours and they will not be on duty for more than eight hours out of every twenty-four.
2. They will strictly comply with any written instructions which may be framed for their guidance to meet special cases.
3. They will superintend the bathing of the patients and particularly notice any bruises or other injuries on their persons, at once reporting any discovered to the Assistant Surgeon of the ward.
4. They will treat the patients kindly but firmly and are strictly prohibited from handling them roughly or using harsh language to them. Every consideration will be shown for harmless irregularities. Violent and noisy patients will not be interfered with, except to prevent harm to themselves or others or damage to property; when interference is necessary, assistance should be obtained from other patients, unless the attendants are perfectly satisfied that they are able to deal with the insane patients themselves. Assistance from native servants will not, as a rule, be obtained.
5. They will take care that the patients are properly washed and clothed and will encourage habits of cleanliness and tidiness of dress amongst them. All articles of clothing will be frequently examined and changed when necessary. When articles are damaged or lost by patients, the fact will be immediately reported to the Assistant Surgeon of the ward; any neglect of this order will render the attendants liable for the cost of such loss or damage.
6. They will take every precaution to prevent the patients becoming possessed of knives or other weapons, pieces of cord, lucifer matches or anything likely to prove dangerous to themselves or to others.
7. They will be present when patients are being shaved or having their hair cut, and will not allow the razors or scissors out of the possession of the barber.
8. They will, when a patient is seized with sudden illness, immediately make a report to the orderly Assistant Surgeon; but if the illness be of the nature of a fit, the patient should first be put into a place of safety and his clothes loosened about his neck and chest.

9. They will be responsible for the cleanliness and care of the furniture, equipment, etc., of the ward and of the clothing worn by the patients.

10. They will look daily to the fastenings of doors and windows to ascertain that they are secure and have not been tampered with.

11. They will not hold any communication with persons outside respecting the patients, or convey letters or messages to or from them; all correspondence received is to be taken to the Assistant Surgeon of the ward for transmission.

12. They will not permit smoking in any of the wards or rooms without the authority of the medical officer.

13. They will, in passing to and from the ward and when patients are confined in a separate room for safe custody, be careful to properly close and secure all doors behind them to prevent the escape of the patients.

14. They will be present in their respective wards at bed time; see that the patients are present; that their clothing is neatly folded up; that they have no matches, pieces of iron, cord or other article of a dangerous character in their possession or secreted in their bedding; and they will on no account whatever quit the post of duty assigned to them without permission.

15. They will exercise extreme vigilance against fire.

16. The various duties of the attendants will be performed in a quiet manner, and anything likely to create excitement amongst the patients is to be studiously avoided.

17. A copy of these rules will be hung up in a conspicuous place in the attendants' room.

महाराष्ट्र पुस्तकालय, कोलकाता  
National Library, Kolkata

