

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1723	Press ~~Mis.~~
168-169		
Dated	21-10-	1918

W/S

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
21st October 1862.

No. 168. Read the following letter from D. F. CARMICHAEL, Esq., Acting Magistrate, Vizagapatam; to the Honorable T. PYCROFT, Chief Secretary to Government, Fort Saint George, dated 27th September 1862, No. 489.

In Government Order, Judicial Department, No. 684 of the 29th April 1862, some rules are laid down on the subject of Lunatics, of which the following is the purport:

First.—That the cases of Criminal Lunatics fall under the Code of Criminal Procedure, Chapter 27.

Second.—That the cases of Lunatics, not being Criminal, fall under Act No. 36 of 1858, under Section 15. Each Police Officer is to arrest all wandering Lunatics and carry them before the Magistrate.

Third.—That the Magistrate after certain enquiries, and after certificate obtained from a Doctor, is to send the patient to the Lunatic Asylum at Madras; *provided always* that the Officer in charge of that Asylum has room for the Lunatic.

Fourth.—That if there is no room at Madras, provision is to be made for the patient's detention and treatment in the Zillah Jail or other place that may be available.

2. I have the honor to state that, under the above Order, there are now in custody, under my warrants, seven non-Criminal Lunatics. I have written repeatedly to Madras, but the answer invariably has been (not in the least to my surprise for I am acquainted with the Presidency Lunatic Asylum,) that there is no room. Indeed, Act 36 of 1858 only contemplates the removal of Lunatics *not being Natives of the country* to the Madras Asylum; all others should be sent to the "Asylum established for the Division in which the Magistrate's jurisdiction is situated." But the Orders of Government direct the removal to Madras of all classes of Lunatics. There is of course no Divisional Asylum, and it may be doubted whether confinement in the Zillah Jail is legal. Where Government establish an Asylum, they are to appoint three visitors, besides the Inspector of Jails, who "shall be a visitor ex-officio of all the Asylums within the Circle of his Inspection." N. B.—It is three years and a half since this portion of the Circle was inspected.

3. But whether the omission to appoint visitors disqualifies the Zillah Jail or not for ranking as a "Lunatic Asylum," I have the honor to report that owing to sickness amongst the Convicts, the presence of our seven Lunatics, greatly embarrasses the Surgeon, who apprehends serious results. With a "Hospital capable of containing only 10 or 12, there are now 19 sick Convicts and 7 Lunatics, making a total of 26."

4. I wrote immediately to the Deputy Inspector General of Hospitals here, asking if the Lunatics might be, even temporarily, shifted into the Garrison Hospital, but he says there are serious objections to this and then goes on to observe as follows: "I avail myself of this opportunity to press upon you the necessity of applying to Government for a separate building for 'Insane and Lepers—no place can be more unsuited to the cure of Lunatics than a Jail, the associations surrounding them are all hurtful and a cure unknown.'"

"A small and inexpensive Asylum at each Zillah station with a few careful attendants is all that is required. To leave Lunatics in the charge of their friends is nearly as hurtful as placing them in a Jail under the care of Convicts."

"Many years ago, I made arrangements at Bangalore for the seclusion of Lunatics and Lepers at a trifling cost to Government. Both classes are sorely afflicted, and require to be removed from society and cared for by the State."

5. These remarks will no doubt commend themselves to Government, as equally humane and sensible, and the professional position and prolonged experience of Doctor Smith will carry great weight. I asked what his plan at Bangalore might have been, and he stated that with the sanction of the Chief Commissioner, he constructed a circle of common Native huts in a walled enclosure, and that with carefully selected attendants and daily visits by a Medical Officer, every thing went on to his satisfaction.

6. As sickness in the Jail is imminent, I shall endeavour to rent suitable premises for the Lunatics who now over-crowd it, without loss of time, the costs to be adjusted as contingent Jail expenditure, (the present Lunatics being all paupers;) but the real remedy is sanction for a moderate outlay at each District Head Quarters for the construction of an Asylum.

Proceedings of the Madras Government, Judicial Department,
21st October 1862.

No. 169.

ORDER THEREON, 21st October 1862, No. 1,723.

The Government approve the design of the Magistrate of Vizagapatam to remove the Lunatics in question from the Jail Hospital in its present over-crowded state. The rent of the building to be engaged for them, and the expense of their subsistence, &c., will be included in the Jail Contingent Bill.

2. A copy of Mr. Carmichael's letter will be forwarded to the Principal Inspector General, Medical Department. Mr. Cole is requested to submit some general scheme for the accommodation and care of Lunatics in the Provinces—Criminal and non-Criminal—in buildings specially to be erected for the purpose. He will state how many of such Asylums he would propose, and of what description and in what sites they should be built.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Letter from the
Magistrate in Vizagapatam

Enter 27th Sep. '62 N^o. 489

Order—21 October 1862 N^o. 1723.

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J.P.

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See
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Home
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the
Prin-
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Inspector
Genl.
Medd. Dept.

The Magistrate of
Viragapatam.

" Civil Paymaster.

" Deputy Auditor Genl.

" Principal Inspector Genl.,
Medd. Dept.

" Inspector Genl. of Sails.

depd 21st

Department.

No. 220

PROCEEDING OF GOVERNMENT.

Dated

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1887/169