

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
1022-23	777						
Cm 3459	777						

Public (1897) Department.

CURRENT No.

From
 Surgeon-General C. S. S. S.
 Surgeon-General with the
 Govt. of Madras.
 No. 10/222

Dated 17 JUL 1897
 Received
 Registered
 Enclosures
 Spare copies

SUBJECT.
 Forwarding for disposal
 certain correspondence
 regarding Annie Miss
 Matilda Lane.

BACK PAPERS.

G.O.	No.	Department.	Date.
10	1610-a	Inol	1-8-95
	786		29-3-97
	174	Pub	20-2-97
	750	Inol	22-5-97
Lunatic		Asylum	Cool
of		1897	

FURTHER PAPERS.

G.O.	No.	Department.	Date.

896
2

No. 514.

MADRAS LUNATIC ASYLUM,

Madras, 3 July 1897.

From

SURGEON-CAPTAIN C. H. Leet M.D. M.B.

SUPERINTENDENT,

MADRAS LUNATIC ASYLUM,

To

The Secretary to the
Surgeon General
with the Govt.

SIR,

I have the honor to report the following case
for the information of the Surgeon General, and,
if necessary, for the Orders of Government.

2. A Miss Lane was originally admitted into
this Institution on the 24 April 1895 under
the order of the District Magistrate, Civil and
Military Station (Bangalore), supported by a
Certificate of insanity and Medical History Sheet
signed by the Residency Surgeon and on the
17 Dec 1895 was handed over to the care of
her mother on the latter executing the usual
recognizance as laid down in Section X
of Act XXXVI of 1858.

3. On the 19 June 1897, or eighteen months
after her discharge from the Asylum, Miss Lane
was again sent for admission with only
one document - the Order for her admission
from the same judicial Officer, who requested
that she may be re-admitted under the original

hereto attached

C. H. Leet

Certificate of insanity. Seeing that the original Certificate of insanity was exactly 2 years & 2 months old, I considered it invalid and in this Office N^o 486 (Correspondence Sheet) dated 21 June 1897, informed the District Magistrate accordingly requesting at the same time that a fresh Certificate of insanity and Medical History Sheet be furnished. The District Magistrate in his reply N^o 545 dated $\frac{29}{30}$ June 1897, pleads difficulty in getting a fresh medical Certificate and suggests that I should furnish him with my own observations on the patient's case to enable him to obtain from the Residency Surgeon, on the strength of such statement, the required Certificate, if still considered absolutely necessary.

4. I need hardly point out that the mode of furnishing the Certificate of insanity as suggested by the Magistrate, is irregular in every way, as it plainly contravenes the spirit and letter of the Act which provides that the Certificate of insanity, upon which the judicial Order is based, be furnished prior to the patient's admission, and by a source independent of and unconnected with the authorities of the Asylum into which admission is sought. But, apart from this, the main contention is that the District Magistrate acted under the belief that a Certificate once given and though over

two

two years old, may, for all practical purposes, be considered valid, and acted upon. From this opinion I strongly dissent as the practice to my mind, appears entirely at variance with the law and may possibly lead to gross irregularities. The only instance in which the original Order and Certificate hold good for an instance of admission is that of an "escape" vide Section XIII of 1858.

5. Under the above circumstances I request that the Surgeon General may be pleased to obtain an authoritative ruling on the subject for future guidance of the Officers concerned.

6. The following papers attached to this letter are requested kindly to be returned when no longer required:-

- (a) Original Cert of insanity and Med History Sheet of 19 June 1895,
- (b) Present Order for admission.
- (c) Letters from Dist^l Magistrate N^o 485 and 545 of respectively 17 June and $\frac{29}{30}$ June 1897, and
- (d) This Office N^o 486 of 21 June 1897.

I have the honor to be
Sir

Your most obedient servant

C. H. F. A. L. K. M. B.

No. 12/222. *Potacamund* *Madras* 17 July 1897

From

SURGEON-MAJOR-GENERAL G. SIBTHORPE, F.R.C.P.I.,

SURGEON-GENERAL WITH THE

GOVERNMENT OF MADRAS,

To

THE HON'BLE THE CHIEF SECRETARY TO GOVERNMENT,

Public DEPARTMENT.

SIR,

I have the honor to forward the accompanying letter from the Superintendent Lunatic Asylum, Madras, and to request the favour of orders with reference to para: 5.

2. The case is so fully explained by the Superintendent that nothing more remains for me to add.

3. I agree with the Superintendent that it will be highly irregular for him to furnish a statement of his own observations for the information of the certifying officers as suggested by the District Magistrate of Bangalore.

I have the honor to be,

Your most obedient servant,

G. Sibthorpe.

Encl: 1. Genl.

C. No. 2666

[G.]
26~~H. E. THE GOVERNOR.~~~~THE HON'BLE ^{Secy to Govt.} BLISS, C.I.E.~~~~THE HON'BLE MR. CHOSE, C.I.E.~~

SUBJECT.

Correspondence regarding
a Lunatic - Miss M. LaneFOR ORDERS.

Please see the letter from the Supdt of the Madras Lunatic Asylum flagged A which fully details the circumstances of the case under reference.

It is submitted that the action of the D.M., Bangalore, in endorsing the form for committing insane to the Lunatic Asylum without due enquiry was quite irregular. It is further to be noted that the proper form to be used in this kind of case is that at N. info. 1610 dated 2/11.8-95.

It is also submitted that the D.M.'s proposal

* vide § 4 Act XXXVI of 1858
"whenever" etc.

* form civil lunatic

that the Residency Super
should, if it is considered
necessary, grant a certificate
~~on a separate sheet~~ in
the strength of

(a) The Suptd and (b)

The D.M.'s observations
is equally irregular.

The difficulty
however lies in the
fact that the woman
has already been
sent to Madras
apparently, and that
therefore, unless she be
sent back to Bangalore,
the proper Enquiry
cannot be held as
required by S 4 of Act
XXVI of 1858.

Under these
circumstances
orders are requested
whether the Suptd
may not be told
to accept the original
certificate, at the same
time pointing out
the irregularity.

of the D.M.'s action

C.E. An alternative course
23.7.97 would be for D. Leet

Palk to have his certificate
produced before his Comm-
of Police, who would proceed
in the ordinary way. D. Leet

Palk does not however
say that he considers that
was not a fit person to be
the woman ~~thence~~ ^{not} ~~there~~
been committed to the Asylum.
Under his circumstances
perhaps no further formal
proceedings are necessary.

As ~~passed~~ ^{passed} order may, it is
submitted, ^{being} pointing out
that a fresh certificate
is required on each occasion
of admission.

NK The Suptd should have
24/7/97 refused to receive his
leave into the Asylum
without the necessary papers, on
what is to be done in the present
case it is difficult to say. The woman
cannot very well be sent back for
conformance with the necessary formalities.
I am leaning to the view that the D.M. might
ask him to produce the certificate
the D.M. should have

I don't see how this
can be done. The
woman is in the
Asylum now and
I cannot find anything
in the law warranting
the Suptd producing
her before the Comm-
of Police for an order
for admission to

some minor sections IV of this
 is a record the certificate A.
 Perhaps the matter might be
 arranged by the ^{Surgeon} Dr. A. Singh of
 the District in which the Asylum
 is situated (2nd Dist.) to visit
 Miss Lane and keep her under
 observation for such time as
 he may consider fit. The Commis-
 sioner then see Miss Lane at the
 Asylum with the Surgeon
 2nd Dist. and give the necessary
 order for her detention after obtaining
 Certificate A from the Dist. Surgeon.
 This is in full accordance
 with the law but it seems under
 the circumstances, near enough.
 I do not see any other way
 out of the difficulty unless
 it is to order the District
 where Miss Lane came from the
 Asylum to the place to apprehend
 her at the place of that establishment
 and take her before the Commis-
 sioner who could arrange
 to have a medical officer sent
 to examine her. This through
 fulfilling the letter of the law
 would only be subjecting the
 unfortunate creature to needless
 excitement and worry and
 might further give rise to
 a scene

to

27/7/97.

Yes - But the irregularity
 of the action of the Hon. D. M.
 the difficulty it was given
 rise to should be reported to the
 Res-

RS
 28/7/97

C.S.

requisite

Public Department.

C.No.2666.

ORDER W.P. 1022 of 2nd August 97
 HIS

The Surgeon, District, should
 be instructed to visit Miss Lane and keep
 her under observation for such time as he
 may deem necessary, at the expiration of
 which the Commissioner of Police should,
 with the assistance of the District Sur-
 geon, examine Miss Lane, and ^{if necessary} issue the ~~no~~
~~appears to him~~ order for her detention under
 Section IV of Act XXXI of 1858, after ob-
 taining the ~~necessary~~ certificate in Form
 A, as required ^{in Form} from the ^{District} ~~Medical~~
~~Surgeon~~ ^{Surgeon} Officer.
 The Resident in Mysore will be
 addressed.

(From orders)

to 2/8/97

To
 The Surgeon General (2)
 " Commissioner of Police (p)
 (Madras)

ORDER W.P. 1023 of 2nd August 97
 HIS

To
 The Resident in Mysore.
 Sir,
 I am directed to forward copy of let-
 ter from the Superintendent, Madras Mani-
 fic Asylum, to the Surgeon General, Madras,
 and to point out that the action of the
 District Magistrate, Civil and Military
 Station, Bangalore, ^{which appears to have} ~~is~~ ^{been} without due
 enquiry.

relative to the case of a
 Miss Lane and to state

been very irregular
~~Section 1 and 2 Section 27 of~~
~~Act of 1871, ordered an order~~
~~Committee has been to the custody of~~
~~the Secretary, and has caused~~
~~grave inconvenience.~~

been the cause of considerable
 inconvenience and of much
 correspondence which would
 otherwise have been needless

2/8/57

69-297 3877/57

When given for copying 6/8
 When copied 6/8
 When examined 7/8
 When signed 7/8

189

READ AGAIN G.O. No. 189 DATED

DECREE No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH DITTO

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
 IN ORIGINAL.

A A A A A A A

N.B.—
 A = Copy in full.
 B = Not to be copied.
 F = Copy abstract only.
 Q = Copy heading only.