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INDEXED.

[Despatch Abstract.]

Medical History Sheet for Lunatics

Directing that the information under the Supplementary heading, in the form of Medical history sheet appended to G.O. No. 174 of 97 should be furnished in all cases in which the Court may be moved either to order the confinement of a lunatic in an asylum or jail, or his release therefrom.

# BACK PAPERS.

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## Government {1897} of Madras. PUBLIC.

Recd.

Enclosures

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1897.

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G.O., No. 407, 8th April 1897.

APRIL.

### Medical History Sheet for Lunatics.

Directing that the information under the *supplementary* headings in the form of medical history sheet appended to G.O., No. 174 of 1897, should be furnished in all cases in which the Government may be moved either to order the confinement of a lunatic in an asylum or jail, or his release therefrom.

## GOVERNMENT OF MADRAS.

## PUBLIC DEPARTMENT.

READ—again G.O., No. 174, Public, dated 20th February 1897.

ORDER—No. 407, Public, dated 8th April 1897.

In modification of the orders contained in paragraph 2 of G.O., No. 174, Public, dated 20th February 1897, His Excellency the Governor in Council is pleased to direct that the information under the *supplementary* headings in the form of medical history sheet appended to those proceedings shall be furnished in all cases in which the Government may be moved under the provisions of the Criminal Procedure Code, or the Prisoners Act, 1871, either to order the confinement of a lunatic in an asylum or jail, or his release therefrom.

(True Extract.)

J. F. PRICE,  
Chief Secretary.

To the Judicial Department.  
" Surgeon-General.  
" Inspector-General of Prisons.

Ed. A. Baill.

*Judicial*

## Government {1897} of Madras.

**PUBLIC.**

*No 174 : 20-2-97 Pub  
1484/5 : 14-9-96 fd  
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Med History sheet  
file*

Recd.

8 - 8 } 1897.

Enclosures

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G.O., No. 174, 20th February 1897.

**FEBRUARY.**

**Medical History Sheet for Lunatic Asylums.**

Communicating to the Surgeon-General, with remarks, the instructions of the Government of India in regard to the substitution of certain amended forms in the annual reports on lunatic asylums; and approving the proposal that, when a civil or criminal lunatic is sent by a court for observation to a medical officer, the magistrate in his executive capacity should forward with the lunatic a statement of particulars in the form indicated.

## GOVERNMENT OF MADRAS.

## PUBLIC DEPARTMENT.

READ—the following papers :—

G.O., Mis. No. 1754, Judicial, dated 22nd August 1895.

Read—the following letter from J. P. HEWETT, Esq., C.I.E., Officiating Secretary to the Government of India, Home Department (Medical), to the Chief Secretary to the Government of Madras, dated Simla, the 31st July 1895, No. 12-Medl.—525.

With Home Department circular No. 4-Medical—186-193, dated the 29th March 1895, were forwarded a note by two members of the Hemp Drugs Commission and a memorandum by the late Surgeon-General with the Government of India, suggesting improvements in the management of lunatic asylums. I am now directed to convey, for the information and consideration of His Excellency the Governor in Council, the following observations, which have been suggested by the report of the Hemp Drugs Commission, regarding the unsuitability, for the purpose for which they are intended, of the present Forms VI and VII attached to the annual reports on lunatic asylums in each province.

2. In their investigation into the causes of insanity the Commission found that little or no reliance could be placed on the information contained in the asylum records on this subject, and they accordingly had to devise a special method of inquiry with the assistance of local magisterial officers in order to obtain the particulars required by them. The results of this investigation were not on the whole satisfactory, owing to the difficulties of obtaining accurate information concerning lunatics, and the Commission were led to record the opinion that, for the reasons indicated by them, a judgment as to the causes of insanity must be expressed with the greatest caution.

3. After a perusal of the report of the Commission the Governor-General in Council is satisfied that steps require to be taken to prepare the records maintained by Superintendents of lunatic asylums with more accuracy than has been the practice in the past. Although, owing to the fact that, at present, Superintendents of lunatic asylums in India are not, as in the United Kingdom, officers whose whole time can be devoted to the working of the asylums in their charge, it is impossible to expect absolute accuracy in the returns, His Excellency in Council considers that, by some of the modifications which are indicated below, and by the institution of careful inquiry before filling in the information required to be shown in them, greater precision might be attained without materially adding to the labour of Superintendents.

4. In the statement attached to Form B of the schedule to the Lunatic Asylums Act XXXVI of 1858, one of the points on which information is required is the "supposed cause" of insanity. The statement is headed by a direction that, if any of the particulars required by it are not known, the fact should be so stated. If then the person issuing an order in Form B is in doubt as to the cause of insanity and there are no facts before him upon which he can base his opinion, he can abstain from recording what appears to him to be the supposed cause, and there is no reason why, in cases of doubt, the facts on which the opinion is based should not be noted on the form. If an entry is made of the supposed cause it will still be liable to correction by the Superintendent of the asylum in his case-book or register, and the latter officer

can at any time, with a view to correcting the entry, ask the magistrate to make further inquiry. To this end, I am to suggest that it would be advisable that Superintendents of Asylums should be instructed that it is a part of their duty, when they have examined a lunatic who is sent to them by a magistrate with the statement required by law and find that the information as to the cause of insanity is insufficient, obscure or of doubtful accuracy, to address the magistrate on the points on which they require further information with a view to further inquiries being instituted by that officer. This inquiry might be made by the magistrate himself or by a subordinate magistrate, but should not be entrusted to the police or other subordinate officials.

5. The Government of India are advised that Statement VI attached to the annual reports of lunatic asylums is far too elaborate and confuses the causes with the types of insanity. The types should be shown in Statement VI and the causes in Statement VII. In order to ensure this, the following modifications might, it appears to the Governor-General in Council, be made in Statement VI:—column 7, with all its sub-divisions, and column 8 might be abolished; cases of toxic insanity being entered under the types in columns 2 to 6 in the statement and distributed as to causes in Statement VII. Column 10 might show the persons who were sent to the asylum as lunatics and who have recovered. It might also refer to supposed lunatics detained under section 6-A of the Lunatic Asylums Act. The heading of this column might be altered to "Declared to have recovered or not yet diagnosed" or to some other suitable heading.

6. Statement VII, as last prescribed under the orders contained in Home Department Resolution, No. 8-Medical—391-399, dated the 13th July 1893, consists of 20 columns. It is observed from some of the annual reports submitted by Local Governments and Administrations for the year 1894 that this statement has not been adopted in all provinces. In the Bengal report, for instance, the statement consists of 45 columns, 22 of which are devoted to physical causes and 23 to moral causes, while in Madras there are 26 columns relating to the former and 23 to the latter. The Government of India consider that the division as to causes in the statement, both as usually submitted and as prescribed in the resolution of the 13th July 1893, is unnecessarily minute, and, as at present advised, they are of opinion that the whole columns under the head "Moral causes" should be abolished and all such cases included under one general heading, namely, "Moral causes." It is important that the cause of insanity should be entered against a lunatic only when it has been ascertained without doubt in the manner indicated in paragraph 4.

7. The Governor-General in Council is advised that it is usual for Superintendents of lunatic asylums to keep up a "case-book" or register in which the history, symptoms, &c., of each case are recorded from time to time. It has been suggested that this book should be included in one of the prescribed records, and that it should contain in respect of each lunatic the information given in the statement with full particulars regarding the cause of insanity and the nature of the enquiries which may have been made towards elucidating the facts noted: the history of the case, condition and symptoms on admission, facts, &c., observed while in confinement with treatment, and, in case of death, the appearance, &c., observed on *post-mortem* examination.

8. I am to add that the Government of India will be glad to be favoured with the views and suggestions of His Excellency the Governor in Council on the proposals made in the preceding paragraphs of this circular.

Order—Mis. No. 1754, Judicial, dated 22nd August 1895.

Communicated to the Surgeon-General for early remarks.

(True Extract.)

(Signed) J. F. PRICE,  
Chief Secretary.

To the Surgeon-General.

G.O., Mis. Nos. 2489, 2490, Judicial, dated 29th November 1895.

*Read*—the following letter from Surgeon-Major-General C. SIBTHORPE, F.R.C.P.I., Surgeon-General with the Government of Madras, to the Chief Secretary to Government, dated Madras, 4th October 1895, No. 431:—

With reference to G.O., No. 1754, Judicial, of the 22nd August 1895, communicating for early remarks letter, No. 12-Medl.—525, of the 31st July 1895, from the Officiating Secretary to the Government of India, Home Department (Medical), I have the honour to state that a great deal of attention has of late years been devoted to the improvements of the records maintained in the asylums in this Presidency.

2. With reference to paragraph 4 of the Government of India's letter under reference, Form B is the form used exclusively for *private* patients and is filled up by the friend or relative who signs the order for admission (at the top of the form), and it is therefore outside the province of a magistrate to give the information required in that statement. The Superintendent of the Madras Asylum points out that the only document which affords any clue to the supposed cause of insanity in cases other than those of private patients is the "Medical history sheet" prescribed in G.O., No. 786, Judicial, dated the 29th March 1894, which is prepared by the medical officer except only in cases of criminals judicially acquitted when the acquitting court is answerable for the form. It would, therefore, appear that the law has laid on the medical officer, as most competent to form an opinion, the duty of stating what can be assigned as the supposed cause of insanity. This being so, it seems that the proper person from whom to expect any information on the point at issue is the medical officer and not the magistrate, who, however, might afford valuable collateral information as to antecedents, habits, &c., that may have come to his knowledge. The Superintendent also points out "as regards the 'cause' of insanity it must be confessed that it is next to impossible to fix absolutely the real cause of the mental disorder in any case; at the best, we can only presume at a supposed cause or alleged cause, no more. And this for reasons sufficiently obvious. Take, as a typical example, a case of frequent occurrence in the Presidency town. A man picked up by the police sleeping on the beach in a semi-nude state in an advanced state of starvation and of whom absolutely nothing in the shape of previous history, name, residence, present habits, can be discovered; he is confined for a week or so in the local penitentiary under observation, and viewing his physical state the medical officer alleges 'privation and starvation' to be the cause. This same insane, as often occurs, admits (after admission into the asylum), during a lucid interval, that he was addicted to gunjah or some other narcotic and that he lost his head through over-indulgence. Now it would be equally feasible in my opinion to assign either as the supposed cause, for in the former we have a condition beyond doubt that, frequently, at its close leads to mental aberration, while in the latter only a statement by the insane for the veracity of which we cannot vouch. Instances similar to this might be multiplied and to arrive at an approximately definite conclusion is very difficult. The course pursued at the asylum — and one that I trust will commend itself—is, after carefully considering what has been cited as the alleged cause in his case and the man's subsequent behaviour together with any further information elicited from him, to assign what appears most reasonably to be the probable cause. Beyond this I think it is impossible to speak with certainty." I concur with these remarks of the Superintendent.

3. With reference to paragraph 5 of the letter, I consider Statement VI should be simplified and should deal only with the "types of insanity", adhering strictly to the terms used in the official Nomenclature of Diseases of 1885, pages 30 and 31. Column 10 is valuable as it is, viz., "Other forms of insanity to be specified in foot-notes."

Column 11, "No appreciable disease", should, I think, read "No appreciable mental disease," and should include supposed lunatics detained under section 6 (a) of the Lunatic Asylums Act who have not been declared lunatics. I think there should be a separate column for cases "not yet diagnosed".

4. With reference to the proposals in paragraph 5 of the letter, it appears to me that it would be better to do away with this form altogether and direct the medical

officers to deal with the "causes of insanity," under the sub-headings of physical and moral and giving their reasons in each case, in the professional part of their annual report. If it is retained, I think it would be a mistake doing away with the sub-headings of moral causes. The columns, however, might be conveniently reduced in number by including a number under one heading, for example, grief, misfortune, disappointment, loss of property, loss of friends, anger, fright, nervous shock, disgrace, might all be embodied under "Mental anxiety including the above causes."

5. In the Madras asylum, "case-books" or journals are maintained personally by the Superintendent, who gives all the particulars mentioned in paragraph 7 of the letter under report. These books are included in the list of records to be kept up. In the case of deaths amongst the insanes occurring in any of the asylums a special casualty report on a printed form is submitted for my information.

6. In this connection I would like to call attention to the different "headings" under which I made my annual report on these asylums (letter No. 353-A, dated the 9th April 1895—*vide* G.O., Nos. 1303, 1304, Judicial, of the 18th June 1895). If the administrative and professional reports from all the asylums in India were made on uniform lines it would generally facilitate their comparison.

*Order*—Mis. No. 2489, Judicial, dated 29th November 1895.

The Government of India will be addressed.

2. The Surgeon-General will be requested to quote the authority under which the heading of column 11 of Statement VI appended to the Lunatic Asylum report for 1894 has been altered from "not yet diagnosed" into "no appreciable disease".

(True Extract.)

(Signed) J. F. PRICE,  
Chief Secretary.

*Letter*—Mis. No. 2490, Judicial, dated 29th November 1895, to the Secretary to the Government of India, Home Department.

G.O., Mis. Nos. 1484, 1485, Judicial, dated 14th September 1896.

*Read*—the following paper:—

Extract from the Proceedings of the Government of India in the Home Department (Medical),—under date Simla, the 11th July 1896, No. 16-Medical—576-86.

*Read*—

Home Department circular Nos. 525-33 (Medical), dated the 31st July 1895, as revised by the orders conveyed by Home Department endorsement, No. 10-Medical-794-11, dated the 8th October 1895.

#### RESOLUTION.

In the circular of the 31st July 1895 (as revised in part by Home Department endorsement, No. 10-Medical-704-11, dated the 8th October 1895) the Government of India, in connection with some criticisms which had been expressed by the Hemp Drugs Commission, commented on the unsuitability, for the purpose for which they are intended, of the present Forms VI and VII attached to the annual reports on

lunatic asylums in each Province and, with the object of attaining greater accuracy in the records maintained by Superintendents of lunatic asylums, put forward certain suggestions for the opinion of Local Governments and Administrations.

These suggestions were—

- (1) that, with reference to the heading "Supposed cause" of insanity in the statement attached to Form B in the schedule to the Lunatic Asylums Act, XXXVI of 1858, Superintendents of asylums should be informed that it is a part of their duty, on examining a lunatic sent to them by a magistrate with the statement required by law, when they find that the information is insufficient, obscure or of doubtful accuracy, to address the magistrate on the points on which they require information with a view to further inquiries being instituted either by that officer himself or by a subordinate magistrate. Such inquiries, it was suggested, should not be entrusted to the police or other subordinate officials.
- (2) that since existing Statement VI attached to the annual reports on lunatic asylums is too elaborate and confuses the causes with the types of insanity, the types should be shown in Statement VI and the causes in Statement VII. In order to secure this, it was proposed that—
  - (a) column 7, with its sub-divisions, and column 8 of Statement VI, should be abolished;
  - (b) cases of toxic insanity should be entered under the types in columns 2 to 6 of Statement VI, and distributed as to causes in Statement VII;
  - (c) column 11 (the reference was incorrectly made to column 10) of Statement VI, which is headed "Not yet diagnosed," should show the persons who, having been sent to the asylum as lunatics, have recovered, and should also refer to supposed lunatics detained under section 6-A of the Lunatic Asylums Act, 1858, as inserted by section 1 of Act XVIII of 1886; and that the heading of the column should be altered to "Declared to have recovered or not yet diagnosed" or to some other suitable heading;
- (3) that the divisions as to causes of insanity in Statement VII, both as usually submitted and as prescribed in Home Department Resolution, No. 8—Medical—391—399, dated the 13th July 1893, appeared to be unnecessarily minute, and that the whole of the columns under the head "Moral causes" should be abolished, and all such cases included under one general heading, namely, "Moral causes";
- (4) that the "case-book," or register, kept up by Superintendents of lunatic asylums to show the history and other particulars of each case, should be included in one of the prescribed records, and that it should contain in respect of each lunatic the information given in the statement with full particulars regarding the cause of insanity and the nature of the inquiries which might have been instituted with a view to elucidate the facts noted.

2. The replies of Local Governments and Administrations upon the first of the points specified above show that paragraph 4 of the circular of 31st July 1895 was not worded with sufficient clearness, and that there has in consequence been some misapprehension as to the wishes of the Government of India in the matter. The object which the Governor-General in Council had in view was that in every case in which a patient is received into a lunatic asylum a complete medical history of his case should be received with him. Though this end is attained in those cases in which the statute law requires a medical history sheet, there is in the majority of cases no statutory obligation to furnish the Superintendent of the asylum with the previous history of the patient.

The different circumstances under which lunatics may be received and confined in an asylum are the following:—

- (a) Under section 4 of Act XXXVI of 1858, the magistrate has power to send to an asylum lunatics found wandering at large, or believed to be dangerous by reason of their lunacy. No person can be sent to a lunatic asylum under the provisions of this section without a certificate from a medical officer in Form A of the schedule attached to the Act.
- (b) Under section 5 of the Act, the magistrate can also order a lunatic, who is not under proper care or control, or who is cruelly treated or neglected, to be received into an asylum. In this case also a certificate in Form A is required. The Act does not prescribe the form of the magistrate's order, but it is customary for a descriptive roll to be sent with the certificate in Form A.
- (c) Under section 46 of the Criminal Procedure Code, when an accused person is found to be of unsound mind and incapable of making his defence, and the case is one in which bail may not be taken, or if sufficient security is not given, the Local Government may, on the report of the magistrate or court, order the accused to be confined in a lunatic asylum, and the magistrate or court has to give effect to such order.
- (d) When the judgment of the magistrate or court states that an accused person committed the act alleged against him but acquits him upon the ground that at the time when he committed it he was, by reason of unsoundness of mind, incapable of knowing the nature of the act alleged as constituting the offence, or that it was wrong or contrary to law, the Local Government may (section 471, Criminal Procedure Code) order such person to be confined in a lunatic asylum.
- (e) Under section 31 (1) of the Prisoners Act, V of 1871, as amended by Act X of 1886, whenever it appears to a Local Government that any person detained or imprisoned under any order or sentence of a magistrate or court is of unsound mind, it may, by a warrant setting forth the grounds of belief that the person is of unsound mind, order his removal to a lunatic asylum within the territories subject to it.
- (f) In all other cases outside the Presidency towns (section 8 of Act XXXVI of 1858), an order of the Civil Court is required, which has to be accompanied by a certificate in Form A.
- (g) In the Presidency towns (section 7 of Act XXXVI of 1858), a lunatic may be received into an asylum with an order under Form B of the schedule appended to the Act, if he has been found to be a lunatic by inquisition or under an inquiry directed by order of one of the Courts of judicature established by Royal Charter, and, if not so found, with an order in Form B, supported by a certificate in Form A, signed by two physicians or surgeons, one of whom must be a Presidency Surgeon or a Surgeon in the employ of Government.

3. The cases, therefore, in which it is necessary, by executive order, to direct that a medical history sheet shall be forwarded with the lunatic to the asylum, are when he is sent there—

- (i) under section 4 or section 5 of Act XXXVI of 1858;
- (ii) under section 466 or section 471 of the Code of Criminal Procedure;
- (iii) under section 31 (1) of the Prisoners Act, V of 1871, as amended by Act X of 1886; or
- (iv) under section 8 of Act XXXVI of 1858 by order of a Civil Court.

The only cases in which the statute law requires any statement of particulars regarding a lunatic to be forwarded with him to the asylum are those in which patients are sent to a lunatic asylum under section 7 of the Act, and the result is that in the great majority of cases there is nothing to ensure that the Superintendent of a lunatic asylum shall receive any detailed information about a patient whom he is required to admit into an asylum. The Governor-General in Council is of opinion that a medical statement should in every instance accompany a patient. It appears,

however, to His Excellency in Council that this object may be secured without legislation, and he has accordingly had the form of medical history sheet which is appended to this resolution prepared and desires that it be adopted in all cases in which Local Governments and Administrations order (sections 466 and 471 of the Criminal Procedure Code or under section 31 (1) of Act V of 1871, as amended by Act X of 1886) that an accused or convicted person should be confined in a lunatic asylum. The Governor-General in Council will also be glad if, in order to secure uniformity, instructions may, with the concurrence of the High Courts, be issued to secure that the same form is used in all cases in which a magistrate (sections 4 and 5 of Act XXXVI of 1858) or the Judge of a Civil Court (section 8 of Act XXXVI of 1858) may order a lunatic to be received into an asylum. The Calcutta High Court will be separately moved to issue any instructions which may be considered necessary to secure the object in view in Bengal.

4. Heading 18 of the form attached to this resolution corresponds to the heading "Supposed cause" in the statement attached to Form B in the schedule to Act XXXVI of 1858. As pointed out in paragraph 4 of the circular dated 31st July last, if the person filling in either of the two forms, one or other of which will in future accompany a lunatic, is in doubt as to the cause of insanity and is unable to form an opinion, he can abstain from recording the "supposed" cause, or, if he holds an opinion as to the cause but is doubtful of its correctness, he may note the facts on which his opinion is based. Should the Superintendent find, after observation of the lunatic, that the opinion given is probably incorrect, it can always be corrected in the entries in the case-book. It was in order to meet the case of lunatics regarding whom the Superintendent has reason to believe that an incorrect entry has been made and desires to have his own opinion tested by such facts as further inquiry may elicit that the Governor-General in Council proposed that the Superintendent should be authorised to ask the magistrate to make further inquiry into the cause of insanity or upon any other point regarding which the information given in the statement previously furnished was obscure or obviously incorrect, and that the magistrate should thereupon be required to take such further evidence as might be available and to forward the record of his proceedings to the Superintendent of the asylum. The suggestion has met with general approval, but in regard to the rule proposed by the Government of India upon this point—namely, that this further inquiry should be made by the magistrate himself or by a subordinate magistrate and not entrusted to the police or other subordinate officials—the Government of Bengal has expressed a doubt whether it can properly be prescribed as an invariable rule, as the facts of the personal history of a lunatic, if discoverable at all, can best be found out by the police or other subordinates. The Government of India agree with this criticism. In their opinion it should always be open to a magistrate to employ the agency of the police or other subordinate officials in particular details connected with his inquiry, but in every case the magistrate should be personally responsible for the proper conduct of the inquiry.

5. As observed in paragraph 1 of this resolution, column 11 of Statement No. VI attached to the annual reports on lunatic asylums was erroneously quoted in paragraph 5 of the Home Department circular of 31st July 1895 as "column 10"; and this has led to some confusion in the replies of Local Governments and Administrations. In so far, however, as the opinions received regarding the proposed changes in Statement VI are relevant, there is a general agreement in the proposal to show types of insanity in this statement and causes in Statement VII; that columns 7 and 8 of Statement VI to 6 of Statement VI (distributing them under causes in Statement VII); and that column 11 of Statement VI should show persons sent to an asylum as lunatics who have recovered, and should also refer to supposed lunatics detained for observation under section 6-A of the Lunatic Asylums Act, 1858, as inserted by section 1 of Act XVIII of 1886; and finally, that the heading of the column should be altered to "Declared adopted, and the revised form of Statement VI, which is approved by the Government of India and should in future be followed, is appended to this resolution.

6. The modifications of Statement VII which were proposed in the revised paragraph 6 of the circular of 31st July 1895, and which were to the effect that all

the divisions under the head "Moral causes" should be abolished, the main heading alone remaining, have been concurred in by Local Governments and Administrations. Statement VII has been revised accordingly and a copy of it, as now approved, is attached to this resolution.

7. The forms of Statements VI and VII as now revised should be used for the compilation of the statistics submitted with future provincial reports on lunatic asylums, commencing with the report for 1896.

8. The utility of a "case-book" such as was suggested in paragraph 7 of the circular of 31st July 1895 has been generally admitted by Local Governments and Administrations and has been referred to incidentally in paragraph 4 of this resolution. This book should, therefore, be maintained by all Superintendents of lunatic asylums. The Governor-General in Council does not desire to pass any orders as to the form of this register. While leaving this matter to the discretion of Local Governments, the Government of India desire to observe that what it is specially desired to have traced is the progress of a case, as well as the results of any personal observations, which very possibly may not come under the headings of any set form that may be prescribed. For this reason, and because the method adopted by a Superintendent in the recording in his case-book would be an index to his success as a Superintendent, it appears to the Government of India that it may not be undesirable to allow Superintendents of lunatic asylums some latitude in the method in which their record should be maintained.

9. The error in the quotation of column 11 of Statement VI, which is referred to in paragraph 5 of this resolution, was caused by following the numbering of the columns adopted in one of the lunatic asylums reports for 1893. The Government of India have recently drawn attention\* to the necessity of adhering strictly to the forms prescribed by them, and, in noticing this second instance in which the standard forms have been departed from, they desire to emphasise the inconvenience that may arise from such unsanctioned deviations. As regards the remarks in paragraph 10 of Home Department Resolution, No. 8-Medical—391-399, dated the 13th July 1893, that the revised forms then laid down are Provincial forms and that it is for Local Governments to prescribe any subsidiary changes in the statements submitted from individual asylums which may be required to give effect to the alterations prescribed in that resolution, it is to be understood that no departure should be permitted from the numbering and headings of the columns prescribed by the Government of India; and that subsidiary changes should not be introduced without a reference to the Governor-General in Council if they involve a renumbering or alteration in the heading of any standard column or form.

*Order.*—Ordered, that a copy of this resolution, with copy of the revised forms and of the form of medical history sheet, be forwarded to Local Governments and Administrations (except Coorg and Hyderabad) for information and guidance, that a copy be forwarded to the Military Department with the request that orders may issue requiring the medical statement which has to be furnished under the order in that department, No. 1069, dated 29th October 1875, to be furnished in the form prescribed by this resolution and that a copy of the resolution be forwarded to the Director-General, Indian Medical Service, for information.

(True Extract.)

(Signed) J. P. HEWETT,  
Secretary to the Government of India.

**ENCLOSURES.**

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

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

STATEMENT No. VI.

Showing the Types of Insanity in the Asylums in  
 STATEMENT NO. VI.  
 during the year 189 .

[illegible]

ANNUAL STATEMENT No. VII.  
Showing the alleged Causes of Insanity among the Lunatics in the Asylum at

during the year 189

| 1             | 2               | 3              | 4             | 5                                 | 6             | 7                | 8                      | 9        | 10     | 11     | 12              | 13            | 14           | 15             | 16           |
|---------------|-----------------|----------------|---------------|-----------------------------------|---------------|------------------|------------------------|----------|--------|--------|-----------------|---------------|--------------|----------------|--------------|
|               |                 |                |               |                                   |               |                  |                        |          |        |        |                 |               |              |                |              |
|               |                 |                |               |                                   |               |                  |                        |          |        |        |                 |               |              |                |              |
| Cases.        | Charas-smoking. | Ganja-smoking. | Use of Bhang. | Opium-smoking (Madak and Chandu). | Opium-eating. | Spirit-drinking. | All other intoxicants. | Fever.   | Etc.   | Etc.   | Total physical. | Moral causes. | Total known. | Total unknown. | Grand Total. |
|               | Males.          | Females.       | Total.        | Males.                            | Females.      | Total.           | Males.                 | Females. | Total. | Males. | Females.        | Total.        | Males.       | Females.       | Total.       |
| Remaining ..  | ..              | ..             | ..            | ..                                | ..            | ..               | ..                     | ..       | ..     | ..     | ..              | ..            | ..           | ..             | ..           |
| Admitted      | ..              | ..             | ..            | ..                                | ..            | ..               | ..                     | ..       | ..     | ..     | ..              | ..            | ..           | ..             | ..           |
|               |                 |                |               |                                   |               |                  |                        |          |        |        |                 |               |              |                |              |
| Total treated | ..              | ..             | ..            | ..                                | ..            | ..               | ..                     | ..       | ..     | ..     | ..              | ..            | ..           | ..             | ..           |
| Recovered     | ..              | ..             | ..            | ..                                | ..            | ..               | ..                     | ..       | ..     | ..     | ..              | ..            | ..           | ..             | ..           |
| Improved      | ..              | ..             | ..            | ..                                | ..            | ..               | ..                     | ..       | ..     | ..     | ..              | ..            | ..           | ..             | ..           |
| Died ..       | ..              | ..             | ..            | ..                                | ..            | ..               | ..                     | ..       | ..     | ..     | ..              | ..            | ..           | ..             | ..           |

Order—Mis. No. 1484, Judicial, dated 14th September 1896.

The following letter will be despatched to the Government of India.

(True Extract.)

(Signed) J. F. PRICE,  
Chief Secretary.

Letter—No. 1485, Judicial, dated 14th September 1896, to the Secretary to the Government of India, Home Department.

From J. P. HEWETT, Esq., C.I.E., Secretary to the Government of India, Home Department (Medical), to the Chief Secretary to the Government of Madras, dated Calcutta, the 22nd December 1896, No. 1112.

I am directed to acknowledge the receipt of your letter No. 1485 (Judicial), dated the 14th September 1896, in which the Government of Madras represent that the entry of certain particulars required regarding criminal lunatics whose cases are reported for orders under sections 466, 471, 474 and 475 of the Code of Criminal Procedure is not provided for in the form of medical history sheet prescribed in paragraph 3 of Home Department Resolution, No. 16-Medical—576-86, dated the 10th July 1896.

In commenting upon this omission, the Governor in Council observes that these particulars are included in the form of medical statement at present in use in the Madras Presidency, a specimen of which is enclosed, and requests the sanction of the Government of India to the adoption of this form in the Madras Presidency (if not elsewhere) instead of the form prescribed in the resolution of the 10th July.

With the view of avoiding the confusion and mistakes which are to a great extent obviated if all the information which is required in the various circumstances referred to in your letter is sent up in the same form, the Government of Madras deprecate any proposals to embody the particulars alluded to above in a special form for use only in the case of the four sections of the Code of Criminal Procedure quoted.

2. In reply, I am to explain that the form of medical history sheet prescribed by the Government of India was drawn up in order to supply a deficiency noticed by the Hemp Drugs Commission in the information supplied to the Superintendents of asylums on the admission of lunatics, and was intended chiefly for use in the case of non-criminal lunatics, who form the majority of those admitted into the asylums. With a view, however, to uniformity it was made applicable to all lunatics, criminal or otherwise. The form was intentionally drawn up to avoid stating precise conclusions. For instance, the heading "Type of insanity," which is inserted as heading No. 20 in the form enclosed with your letter, was purposely omitted, since the object of the statement was to furnish all the ascertained materials for arriving at an opinion without giving the conclusion, since, at the time of the patient's admission to the asylum, it may be difficult, if not impossible, to arrive at a correct judgment upon this point.

3. I am to add that the Government of India have no objection to the Government of Madras prescribing supplementary forms to meet cases in which the question of the release of a lunatic is presented to the Governor in Council for consideration, but that, having regard to the reasons which have actuated them in requesting Local Governments to adopt an uniform medical history sheet, the Governor-General in Council hopes that the Government of Madras will refrain from altering the form prescribed.

Transferred to the Public Department.

(By order.)

(Signed) W. FRANCIS,  
Acting Under Secretary.

6th January 1897.

G.O., No. 999, Judicial, dated 12th June 1896.

Read—the following papers:—

From A. G. CARDEW, Esq., M.A., Inspector-General of Prisons, to the Chief Secretary to Government, dated Ootacamund, 28th March 1896, No. 1710.

I have the honour to address the Government on the subject of the medical history sheets of lunatics, the existing orders regarding which are embodied in G.Os., Nos. 786 and 2224, Judicial, dated 29th March and 13th September 1894.

2. The present state of the subject is as follows:—A medical history sheet, including no less than 29 headings (annexure to G.O., No. 786, Judicial, dated 29th March 1894) is required in the case of every lunatic. If the lunatic is a convict in jail and his removal to an asylum is recommended under Act V of 1871, or if the lunatic is confined under section 466 of the Criminal Procedure Code, the medical history sheet must be prepared by the medical officer certifying the man to be insane and must accompany the application to Government. If the lunatic is confined under section 471 of the Criminal Procedure Code, the medical history sheet must be prepared by the court in communication with the medical officer and must accompany the report to Government. If the lunatic is dealt with under Act XXXVI of 1858 (except section 7), the medical history sheet must be prepared by the medical officer and must accompany the lunatic's papers when sent to the asylum.

3. It will be seen that in every case, except possibly that of lunatics dealt with under section 471, Criminal Procedure Code, the duty of drawing up the medical history sheet is imposed on the medical officer certifying to the fact of insanity.

4. But in laying down these rules, two points appear to have been overlooked, viz.—

(1) For what purpose the medical history sheet is required.

(2) How the medical officer is to obtain the necessary information to enable him to fill it up.

5. The origin of the present medical history sheet is to be found in the report of the Bengal Committee on the treatment of recovered criminal lunatics which is recorded in G.O., No. 726, Judicial, dated 24th April 1889. The medical history sheet which that committee proposed was much more limited than the one now in use, and it was intended for use solely in the case of *recovered criminal lunatics* already in asylums; in those cases the necessary information could be easily and leisurely collected.

6. But owing to the somewhat loose wording of the first line of Appendix I to G.O., No. 726, Judicial, dated 24th April 1889, this medical history sheet came to be required, not only whenever the papers of a *recovered* criminal lunatic are sent up to Government, but whenever the papers of *any* criminal lunatic are sent up to Government. This change, which came about gradually, was given definite form in paragraph 6 of G.O., No. 786, Judicial, dated 29th March 1894. But it is evident (1) that Government is to go far beyond what the Bengal Committee of 1888 recommended; (2) that in the case of convict lunatics sent up under Act V of 1871 and of criminal lunatics sent up under sections 466 and 471 of the Criminal Procedure Code, the Government does not require the medical history sheet at all. The Superintendent of the lunatic asylum may require some of the information to put in his registers; but to the Government itself the medical history sheet is unnecessary, all that is wanted being a certificate of insanity and information falling under heads 28 and 29 of the medical history sheet.

7. It will thus be seen that the submission of the medical history sheet to Government (except in the case of recovered criminal lunatics) is unnecessary. But it will also be observed, if the question is considered, that medical officers, on whom is imposed the duty of drawing up the medical history sheet, have no means whatever of accurately supplying one-half of the information necessary. Many lunatics cannot be got even to give their names, much less their birth-place, caste, age, religion, previous occupation, whether they had previous attacks, whether they used intoxicants and so on. As the duty of preparing the medical history sheet rests solely with the medical officer, the courts naturally do not concern themselves with the matter, and lunatics

are sent to a jail accompanied only by a warrant and without further information. The medical officer then makes a reference to the court for information, and the court, after prolonged delay, forwards certain totally-untested statements which have been procured by the police. Thus the only practicable result of the whole procedure is great delay, and as the detention of civil lunatics under section 6-A, Act XXXVI of 1858, is limited to 14 days, cases of illegal detention are of constant occurrence, while the disposal of cases of criminal lunatics are likewise delayed by references between the court, the medical officer and the police.

8. It thus appears that, in the desire to produce a clear and uniform rule, the object with which the medical history sheet is needed has been lost sight of. In the case of recovered criminal lunatics, whose cases are submitted to Government under the rules drawn up by the Bengal Committee, a medical history sheet is required by Government itself. In all other cases, it is not required by Government at all, but merely by the Superintendent of the lunatic asylum. This being so, there is no advantage in delaying the submission of cases under sections 466 and 471 of the Criminal Procedure Code by the previous preparation of the medical history sheet. Again, much of the information required in the medical history sheet can never be supplied by the medical officer, but must be obtained from the courts. It would be much more satisfactory if the courts were directly charged with the duty of collecting this information. Finally, as much of the information is only needed for statistical purposes in the asylum, it might be collected at leisure after the admission of the lunatic, so that prolonged, and often illegal, detention of the lunatics in jails and sub-jails might be prevented.

9. The matter is complicated by the existence of several different classes of lunatics, and I am not in possession of the revised rules of the lunatic asylum or of information as to what details are necessary for statistical purposes in that institution. I have therefore not attempted to submit any proposals, but have merely pointed out the practical defects of the present state of affairs. If, however, the Government is of opinion that these defects do exist, I would suggest that the preparation of a brief set of definite rules might be ordered to be undertaken by the Surgeon-General and myself, so that all doubtful points might be thoroughly thrashed out.

10. I would add that in December last I addressed District Magistrates asking them to direct courts which send lunatics to jails for observation to send with them, or shortly afterwards, the necessary information to enable medical officers to fill up the medical history sheet. No practical effect has, however, followed, and one District Magistrate (of Cuddapah) even declined to issue any such directions, stating that to do so would weaken the responsibility of medical officers. He, however, omitted to state how he proposed that the medical officer who has to fill up the medical history sheet was to obtain the necessary information.

From Surgeon-Major-General C. SIBTHORPE, F.R.C.P.I., Surgeon-General, with the Government of Madras, to the Chief Secretary to Government, dated Ootacamund, 4th May 1896, No. 60-Tour.

With reference to the letter from the Inspector-General of Prisons referred to me for remarks with your endorsement, No. 790, Judicial, dated the 10th April 1896, I have the honour to state that before submitting my reply I considered it desirable to ascertain the views of the Superintendent, Lunatic Asylum, Madras, who from his knowledge of the daily working of G.O., No. 786, Judicial, dated the 29th March 1894, ought to be better able to know his needs and requirements and to discuss the question at issue from a practical point of view.

2. In his report, which is both elaborate and complete, he has endeavoured, with much success, to meet the objections raised by the Inspector-General of Prisons, and I enclose a true copy of it for the information of Government.

3. The two main points of contention by the Inspector-General of Prisons are, as stated by the Superintendent—(a) the necessity, and (b) the authorship, of the medical history sheet. As regards (a), the Superintendent clearly states that it is the only document from which we can gather all the data necessary for the preparation

of statistics and that, both on this account and as a medium of information to Government for dealing with recommendations regarding the release of criminal lunatics, the document is absolutely indispensable. He therefore strongly deprecates its abolition or any further modification of it. In this view I fully concur, and as the document seems from the Superintendent's report to form the ground-work of statistics from the asylum as laid down by the Government of India, his opinion regarding its retention is entitled to every consideration.

4. With reference to the authorship, I agree with the Superintendent that most of the information required in the medical history sheet can only be filled with any authority by a duly-qualified medical man. This fact must have been fully considered by Government when the order was made, and I therefore do not consider that any change is called for in this respect.

5. In paragraph 8 of his letter, the Inspector-General remarks that "as much of the information is only needed for statistical purposes in the asylum, it might be collected at leisure after the admission of the lunatic." This procedure, as remarked by the Superintendent, will entail unnecessary correspondence. In my opinion, his duties are already very heavy and to saddle him with further unnecessary work will impair the efficiency of the asylum administration. I consider that the Superintendent's suggestion, regarding stringent orders being issued to all judicial officers not to send an insane to the asylum till all the papers in the case are complete and in proper form, is deserving of consideration and will, if acted upon, considerably lessen his difficulties.

6. As regards paragraph 9 of the Inspector-General's letter, the revised Lunatic Asylum Code (draft) is now before Government, in which any further rules which Government may consider necessary may be added. It does not, however, appear to me expedient at this stage that the Inspector-General and myself should in committee draw up any set of rules on the subject.

7. The correspondence is herewith returned as requested.

#### ENCLOSURE.

From Surgeon-Captain C. H. LEET PALK, M.B., Superintendent, Government Lunatic Asylum, to the Surgeon-General with the Government of Madras, dated 20th April 1896, No. 285.

In compliance with your No. 2131, dated the 16th April 1896, forwarding a letter from the Inspector-General of Prisons for remarks, I beg to make the following observations:—

2. The two main points of contention by the Inspector-General of Prisons regarding the medical history sheet of insanes are—

(a) Its necessity. | (b) Its authorship.

3. First, as to the necessity of such a document. Its inception is to be noted in Appendix I to G.O., No. 726, Judicial, dated 24th April 1849, where it was originally designed to afford Government all available information necessary to deal with recovered criminal lunatics proposed for release or transfer, in keeping with the rules of the Bengal Committee. In a later G.O., No. 786, Judicial, dated 29th March 1894, the Government, with the view of introducing a uniform document capable of furnishing information, not only as regards recovered criminal lunatics, but also of civil lunatics for admission, under sections 4 to 6 of Act XXXVI of 1858, considerably amplified the form of medical history sheet, and incorporating in it all the information up to then, supplied by Form C. In its present form, it will therefore be seen that the medical history sheet is the only document from whence can be gathered all the data necessary for the preparation of statistics, the only other paper in connection with an insane's admission being the certificate of insanity (Form A) which deals exclusively with the patient's mental state.

Both, therefore, as a medium of information to Government for dealing with a criminal's release or otherwise and as the ground-work of statistical returns from this asylum as laid down by the Government of India, this document is absolutely indispensable and I strongly deprecate its abolition or any further modification of it.

4. Secondly, as to the authorship of the medical history sheet. From its very name, it would appear on the surface that none but a duly-qualified medical man would be the authority for filling in most of the information required. To seek to shift the onus of preparing this document from the medical officer to the judicial officer, on the score that the former has not sufficient time or means for making the necessary observations, does not, to my mind, appear well grounded. The period of detention (14 days) is quite ample for any medical officer (who probably

sees the insane almost daily during that period) to be able to give definite information in relation to an insane's mental condition. As a matter of fact, ten days is, I believe, the average duration under which an insane is detained in the local Penitentiary before he is certified as insane by the medical officer. The difficulty experienced by the medical officer in getting certain particulars about the insane, referred to in paragraph 7 of the Inspector-General of Prisons' letter, applies with equal force to the judicial officer, who perhaps has less opportunities of interviewing him and is consequently no better—if not less—fitted to be the author of the medical history sheet. I admit that in some cases, it is absolutely impossible to get any information worth the name, no matter from what source, and nothing therefore would be gained by simply changing the authorship. It has been the constant experience of this asylum to have to return papers or call for those wanting, very frequently, from criminal insanes sent here by jails, where presumably ample time was enjoyed to enable the fullest information being afforded and yet it has not been achieved. I am therefore strongly of opinion that the medical officer should, as heretofore, be the author of the medical history sheet as the officer best qualified to afford the purely professional information required on most points.

5. In conclusion, I just wish to allude to the concluding lines of paragraph 8 of the letter under remark, and state that such a procedure would only entail unnecessary correspondence and heavily handicap the already heavy work of this institution. Indeed, I may go further, and request that Government may be pleased to issue the most stringent injunctions to all judicial officers concerned not to send an insane here till all his, or her, papers are complete and in proper form.

Order—No. 999, Judicial, dated 12th June 1896.

The Government does not consider that any change in the existing procedure with regard to medical history sheets has been shown to be necessary.

2. The fact that the rules in force in Bengal differ from those in this Presidency does not in itself appear to afford ground for alteration in the latter. All but three of the items in the present form of medical history sheet furnish information which is necessary either (1) for the statistical returns prescribed by the Government of India, (2) for the guidance of Government when deciding whether the insane should be admitted into an asylum, (3) for the information of the Superintendent of the asylum in his treatment of the patient, or (4) for the assistance of Government in deciding eventually whether an insane is or is not eligible, under the rules, for release.

3. The information comprised in the first three of these four classes must be available at the time that the case of the insane is submitted for the orders of Government, and he or she is admitted into an asylum. That included in the last of them can undoubtedly be collected with more accuracy and less trouble at the time when an insane's case first comes up than at a subsequent and often distant date.

4. It is thus, in the opinion of Government, undesirable to postpone the preparation of the medical history sheet until after an insane's admission into an asylum. The Inspector-General's fears that the present system must lead to illegal detention seem to be groundless, for section 6-A of Act XXXVI of 1858 appears to apply only to detention for the purposes of medical observation.

5. The Inspector-General further proposes that the information required for medical history sheets should in future be collected by the Courts instead of by medical officers as at present on the ground that under the existing system the latter have to apply to the former for assistance in compiling it. It appears to Government, however, that under the scheme suggested by Mr. Cardew, the former would require to apply to the latter for information on all the medical points in the history sheet and that no advantage would thus result.

6. The existing procedure in these matters should accordingly be maintained.

(True Extract.)

(Signed) J. F. PRICE,  
Chief Secretary.

To the Inspector-General of Prisons.  
" Surgeon-General.

G.O., R. No. 1259, Judicial, dated 23rd July 1896.

*Read*—the following letter from A. G. CARDEW, Esq., M.A., Inspector-General of Prisons, to the Chief Secretary to Government, dated Ootacamund, 25th June 1896, No. 4097:—

In my letter, No. 1710, dated 28th March 1896, I suggested that the duty of collecting so much of the information required for the medical history sheet of lunatics as is of a non-medical nature should be imposed on the Courts which send the lunatics for observation, and that the transfer of lunatics from jails and sub-jails to the lunatic asylums, should not be delayed until the medical history sheet was completed. These recommendations were made in the interests of the lunatics, whose prolonged detention in jails and sub-jails is obviously undesirable, though of course it saves the authorities of the lunatic asylum trouble to receive all papers complete with the lunatic. In G.O., No. 999,\*

\* Not communicated to the High Court.

Judicial, dated 12th June 1896, it has been decided that the medical history sheet must continue to be submitted at the time that the lunatic is sent to the asylum or the lunatic's case submitted to Government under the Criminal Procedure Code, and that the medical officer who grants the certificate of lunacy must continue to be responsible for all the entries in the sheet. It is still possible, however, to reduce the period of detention which lunatics have to undergo in jails and sub-jails before being forwarded to the asylum by imposing on the Courts the duty of supplying medical officers *promptly* with the information required for filling up so much of the medical history sheet as is of a non-medical nature, and it is in order to obtain the assistance of Government in this direction that this further reference is made.

2. The heading of the form of medical history sheet prescribed in G.O., No. 786, Judicial, dated 29th March 1894, and modified by G.O., No. 2224, Judicial, dated 13th September 1894, directs that 26 out of the 28 headings in the sheet shall be filled up by the medical officer, while the information required to fill in headings 28 and 29 should generally be procured from the District Magistrate. But of the 26 headings which have to be filled up by the medical officer, it is evident that several must generally be procured from some other source than the lunatic himself. If the patient is insane, he often cannot give his own name—much less details as to date of birth, whether married, number of children, religion, previous occupation, record of previous attacks, previous habits, &c. This information has to be got from the committing Court, and what is desired now is to obtain the orders of Government distinctly imposing on the committing Court the duty of supplying the medical officer promptly with this information.

3. In consequence of complaints received from medical officers regarding delay on the part of Courts in furnishing information regarding lunatics sent for observation, I issued on 9th November last a circular letter, No. 5824, of which copy is enclosed, requesting District Magistrates to direct Subordinate Courts to furnish medical officers with the necessary information either when sending the lunatic for observation or within seven days afterwards. Objection has, however, been taken to the issue of these instructions to the magistracy on the ground that this course would weaken the responsibility of medical officers and would furnish them with untested statements supplied by the police. The letter embodying these objections is submitted for the consideration of Government. It appears to me that the medical officer does not require the information to enable him to certify whether the person is a lunatic or not, his certificate being founded on altogether different grounds, but merely to enable him to supply certain statistical information necessary for departmental purposes at the lunatic asylums. The medical officer has no means of getting the necessary information except through the court which sends the lunatic for observation, and it is, therefore, I submit, desirable that the obligation resting on the court to furnish this information as promptly as possible should be clearly laid down and should be based on the authority of an order of Government. I therefore request that the Government may be pleased to direct that, when a civil or criminal lunatic is sent for observation to a medical officer, the court shall send with the lunatic a statement of information such as is annexed to my circular letter, No. 5824, dated 9th November 1895 (above

referred to), or, if it is impossible to supply the requisite information at the same time that the lunatic is forwarded, that the court shall furnish the statement to the medical officer with the least practicable delay afterwards.

#### ENCLOSURE.

From A. G. CARDEW, Esq., M.A., I.C.S., Inspector-General of Prisons, to all District Magistrates, dated Ootacamund, 9th November 1895, No. 5824.

Various complaints have been made by medical officers of jails regarding the inadequacy of the information furnished to them by magistrates when lunatics, criminal or civil, are sent for observation. Under section 6-A, Act XXXVI of 1858, civil lunatics can only be legally detained under observation for a maximum period of 14 days, but owing to the defective information received with such lunatics, references have often to be made to the magistrate, thus producing delay.

2. In order to reduce such delays as far as possible, I have the honour to request that orders may be issued to all magistrates directing them, when sending either a civil or criminal lunatic to a medical officer for observation, to send with the lunatic a statement in the form annexed to this letter, or, if it is impossible to supply the requisite information at the same time that the lunatic is forwarded, to furnish the same not less than seven days afterwards.

#### ANNEXURE.

STATEMENT of Information regarding <sup>Criminal</sup> Lunatic sent for observation to

- | the Medical Officer of the                                                                                                     | Jail on the | 189 . |
|--------------------------------------------------------------------------------------------------------------------------------|-------------|-------|
| 1. Lunatic's name.                                                                                                             |             |       |
| 2. His previous occupation.                                                                                                    |             |       |
| 3. His birth-place and last residence.                                                                                         |             |       |
| 4. Whether married, and number of children.                                                                                    |             |       |
| 5. If criminal, nature of offence with which charged.                                                                          |             |       |
| 6. Whether there is any history of insanity in lunatic's family.                                                               |             |       |
| 7. Whether there is any record of previous attacks of insanity in the lunatic, and, if so, at what dates and of what duration. |             |       |
| 8. Duration of present attack, and whether continuous or not.                                                                  |             |       |
| 9. Has the lunatic been addicted to the use of intoxicants?                                                                    |             |       |
| 10. Is any probable cause of insanity known?                                                                                   |             |       |
| 11. Has lunatic shown aggressive or suicidal tendencies?                                                                       |             |       |

From A. C. TATE, Esq., Acting District Magistrate of Cuddapah, to the Inspector-General of Prisons, dated 20th November 1895, No. 1117-Magl.

With reference to your letter, No. 5824, dated 9th November 1895, I have the honour to state that the course which you propose for adoption will, I fear, have the effect of easing medical officers in an undesirable manner of considerable responsibility which properly rests on them. Under existing rules, third-grade hospital assistants are frequently empowered to grant the certificates required under the Lunatics Act (Act XXXVI of 1858) for civil lunatics, and, considering the gravity of the subject, I should be sorry to see anything done to lighten their responsibilities.

2. The rules require that a magistrate of the first class should frequently interview such lunatics in company with the medical officer. The responsibility for this being joint, there seems no reason to apprehend that there will be any difficulty in the way of the medical officer getting without delay any information that he requires and which the magistrate can furnish.

3. As regards criminal lunatics, the case is different. In such cases, there is no rule requiring magistrates to interview the suspected lunatics in company with the medical officer, and these lunatics may be dealt with by magistrates of any class. But the law requires the magistrate to adjudicate upon the fact of the insanity of the criminal and such adjudication must proceed upon the regular sworn testimony of the medical officer and other witnesses. Under such circumstances, it seems inexpedient and unwise to require the magistrate to furnish the medical officer beforehand with information unsanctioned by the solemnity of an oath or solemn affirmation and the accuracy of which has not been tested by him in judicial manner. Any information he could get would be obtained through the police (in nearly every case), and I have known more than one case where a criminal, acting either under advice or of his own motion, pretended madness in order to escape the consequence of his crime and where I have reason to think he was assisted in this course by the police.

4. It is, of course, obvious that much of the information that your form provides would never come before the magistrate in a form in which he could take any judicial notice of it, and it is evidently improper that the magistrate who has to come to a judicial decision should be ordered to furnish a witness with unverified materials for pronouncing before himself an opinion as an expert, to enable him to adjudicate.

5. For the above reasons I regret that, the matter being one which I must dispose of according to my own discretion, I feel unable to issue the orders you suggest. Perhaps the points I have noted above have not been placed before you when considering this matter, as it is evident your letter was written after hearing only complaints by medical officers about delays. If you still adhere to your opinion after perusal of this letter and wish to press the point, I request that you will lay it before Government with my objections. Or, as another possible course for gaining the object you have in view that does not appear to have such great objections as the one proposed, it might be possible to obtain an order from the Inspector-General of Police that station-house officers should furnish medical officers direct with such information about suspected lunatics as they require, it being well understood that magistrates are in no way responsible for the accuracy of this information.

Order—R. No. 1259, Judicial, dated 23rd July 1896.

Referred to the Hon'ble the Judges of the High Court for favour of remarks.  
(True Extract.)

(Signed) J. F. PRICE,  
Chief Secretary.

To the Hon'ble the Chief Justice (with C.L.)

From D. W. G. COWIE, Esq., Registrar of the High Court of Judicature, to the Chief Secretary to Government, dated Madras, 12th September 1896, No. 507.

In reply to Reference No. 1259, Judicial, dated 23rd July 1896, referring to the Hon'ble the Judges for favour of remarks a letter from the Inspector-General of Prisons, dated 25th June 1896, No. 4097, requesting that the Government may be pleased to direct that when a civil or criminal lunatic is sent for observation by a medical officer, the Court shall send with him a statement of information such as is annexed to the Inspector-General's circular letter, No. 5824, dated 9th November 1895, I am directed to state that the High Court is of opinion that magistrates may be directed to furnish all the information of the nature required which is available, provided that this is done in their executive capacity and not as judicial officers. The Court, whether it be that of a magistrate or of session, will then be free to decide judicially when all the materials, including the medical officer's opinion, are before it.

2. The enclosures to the Government Order are herewith returned.

From R. NATHAN, Esq., Officiating Under Secretary to the Government of India, Home Department (Medical), to the Chief Secretary to the Government of Madras, dated Calcutta, the 28th January 1897, No. 2-Medical—48.

In Home Department Circular No. 25-Medical—856-865, dated the 30th September 1896, Local Governments and Administrations were requested to take steps with a view to the new (1896) edition of the "Nomenclature of Diseases" being brought into use in all civil medical institutions, with effect from the 1st January 1897. It has since been brought to the notice of the Government of India that the types of insanity shown in the headings of Lunatic Asylum Form No. VI, which was prescribed in Home Department Resolution, No. 16-Medical—576-580, dated the 10th July 1896, do not agree with the classification contained in the 1896 edition of the Nomenclature of Diseases. Form VI has, therefore, been revised according to the new classification, and I am to request that the revised form, a copy of which is forwarded with this letter, may be substituted for the form forwarded with this office Resolution of the 10th July 1896.

ORDER—No. 174, Public, dated 20th February 1897.

The instructions of the Government of India will be communicated to the Surgeon-General for guidance. That officer's special attention will be directed to paragraph 7 of Resolution, No. 16-Medical—576-586, dated 17th July 1896.

The revised form of Statement VI received with letter from the Government of India, No. 2-Medical—48, dated 28th January 1897, has been substituted for that received with that Government's Proceedings, No. 16-Medical—576-86, dated 11th July 1896.

2. With reference to paragraph 3 of letter from the Government of India, No. 1112, dated 22nd December 1896, the Government directs that the form of medical history sheet appended to these proceedings shall be used in all future cases with the reservation that the information under the *supplementary* headings should be afforded only in cases which relate to releases from asylums.

3. In regard to the proposal of the Inspector-General of Prisons in paragraph 3 of his letter of the 25th June last, that when a civil or criminal lunatic is sent for observation to a medical officer, the Court should forward with the lunatic a statement of particulars, the Government approves the course indicated by the High Court under which the magistracy should furnish the information in their executive, but not in their judicial capacity. The Judicial Department will be requested to take the necessary action to ensure that this is done in future. The form to be used is that appended to these proceedings with the omission of the supplementary headings.

(True Extract.)

*A. W. Knapp*  
for Chief Secretary.

To the Judicial Department.  
" Surgeon-General.  
" Inspector-General of Prisons.

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

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

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?

[7]  
1,000-14-12-96.

C. No.

1023

SUBJECT.

H. E. THE GOVERNOR.

THE HON'BLE MR. BLISS, C.I.E.

THE HON'BLE MR. GROSE, C.I.E.

Medical History Sheet  
for Lunatics Asylum

To The Public Dept. for  
business of Court officials  
FOR ORDERS.

CURR

Transf'd to The Public Dept.  
with notes in original

Francis.

25/3/97  
Recd 25/3/97  
Regd 26/3/97  
Indo 1.

Para 2 of the current order  
above instructs the use of the  
above headings of the Medical  
History Sheet to cases in which  
lunatics are released from Asylum.  
This restriction is not in accord  
with the present practice  
and with considerable inconve-  
nience in future dealing with  
the cases of Criminal lunatics  
confined in jails or reported for  
orders under S. 474 & 475, C.P.  
The information afforded by  
these headings is as necessary  
in the latter as in the former.  
Classes of cases, seeing that  
lunatics are not infrequently  
confined in jails & that applica-  
tions for their release therefrom  
are often made and have  
to be

to be dealt with under Sec 47  
And (11) that, before ordering  
the Confinement of a lunatic  
whose case has been reported to  
orders under Section 466 or 471, the  
Govt has to consider whether  
he can with safety be released  
on security or should be detained  
in an asylum or jail. It is  
therefore submitted that para 2  
of the Public order in question  
may be accepted in order that  
the information under the  
supplementary headings may  
be furnished in each case  
in which the Govt may be  
moved under the provisions of  
the Criminal Procedure Code  
or the Prisoners' Act, 1897, etc.  
to order the Confinement of  
a lunatic in an asylum or  
jail or his release therefrom.  
The information under headings  
25 & 26 can be  
obtained from the Medical  
Officer & that required  
for headings Nos 27 &  
28 from the District  
Magistrate or the

Commissioner of Police, as  
the case may be. orders  
are requested. It is submitted that  
without these particulars (in headings 25-28) orders  
on releases  
will be simpler cannot  
be passed.  
16/3/97 H. V. Singh

Please see paras: 2 & 3  
of India's letter at page 13  
of G.O. 174 Pub-dy 20.2.97.  
The order follows India's  
instructions and is suf-  
ficient for the purposes  
of the Public dept. The  
Judicial dept, which  
deals with criminal  
lunatics, desires an  
extension of the Public  
dept form to cases where  
it has to deal with. It  
is sub<sup>d</sup> that instead of  
amending the Public  
dept G.O. the simpler way  
would be for the Judicial  
dept to pass orders on  
that G.O. extending the  
provision in question  
to the cases specified  
in the note. with which  
Public has no concern.

J.D.B.  
19.3.97  
I do not see this. The  
simpler way is to  
have one order in hand  
for Govt and I consider  
therefore that the order in Public should be  
amended; the difficulty now proposed

out escaped notes when RL was  
shown up

20/3/97

23/3/97

The order re? had been  
seen in fact before issue -

[G.]  
24.  
800-20-1-87.

Public DEPARTMENT.

Papers to be read in proceedings:—

Again G.O., dated 20-2-87, No. 174 Pub. 19

Again G.O., dated 189, No.

Current No. of 189, dated, from

" " " 189, " " "

" " " 189, " " "

ORDER.

N<sup>o</sup> 407  
~~520~~ of 8-4-97.

In modification of the  
orders contained in para  
2 of G.O. no 174 Pub. d. 20-2-87  
1897 the Govt directs that  
the information under the  
supplementary headings in  
the form of medical history  
sheet appended to those  
proceedings shall be furnished  
in all cases in which the Govt  
may be moved under the  
provisions of the Criminal  
Procedure Code, or the Prisoners  
Act 1871 either to order the  
confinement of a lunatic in an  
asylum or jail, or his release  
therefrom. (from orders)

1st. Dept. 1  
Surg. Genl 3  
1st. Prisoner 2

AK.

5/3/97.

20  
7/4/97

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