This *reductio ad absurdum* obviously needs some excuse, and when reason fails them, the extremists fall back on sentiment. They pose before the public as the special friends and protectors of the insane, declaim against backsliders, and prophesy the re-degradation of the insane and the return of all the horrors of the restraint period,—all because some physicians, who are as humane and benevolent as themselves, and their equals in skill and experience, decline to accept the rule of absolute non-restraint, and believe that in certain rare and exceptional cases, restraint may be the best and the kindest treatment. The excuse is bad and the sentiment mistaken. The abuse of anything can never condemn its proper use, and the tacit assumption that the devotees of non-restraint are kinder, more humane, and more anxiously considerate of the welfare of the insane than their medical brethren, is uncharitable and groundless.

I see I have omitted the foundation stone, but its inscription constitutes no argument, and the suggestion that it entails on me some kind of moral obligation needs no reply. The founders of this asylum were wise and good men, who valued the spirit more than the letter, and could understand that too often the extreme of right is wrong.

Yours faithfully,

D. YELLOWLEES.

Gartnavel, Glasgow, Sept., 1889.

ABSTRACT OF THE LUNACY ACTS AMENDMENT ACT.

The following Abstract of this Act will be found useful. Thanks mainly to the vigorous action of the Parliamentary Committee of this Association, many amendments have been inserted and alterations made, which will make the Act much more acceptable than when it first appeared.* The services of Dr. Rayner, when Secretary, were in constant requisition, and every member of both Houses of Parliament was supplied with the objections entertained by the Association against the Bill. Two deputations to the Government afforded the opportunity of going thoroughly into the points in question, and in many instances the amendments were then and there acquiesced in.

The principal objects of the Act.

I. To furnish safeguards against the improper confinement of persons as lunatics who shall only be detained under the order of an independent authority, to secure speedy treatment, and to protect medical practitioners and others in the performance of their duties.

II. To amend the law as to single patients.

III. To give increased power for administering the property of lunatics.

* The Parliamentary Committee of the British Medical Association, and the Lunacy Committee of the Royal College of Physicians, have also done good service.

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

IV. To check the establishment of new licensed houses.
V. To enable public asylums to receive private patients.
VI. To consolidate the Lunacy Acts.

In this abstract, "judge, etc.," shall mean judge of county courts, magistrate, or justice of the peace.

"Superintendent, etc.," shall mean superintendent or proprietor of any asylum, hospital, or licensed house, or any person having charge of a single patient.

"Asylum, etc.," shall mean asylum, hospital, or licensed house.

"Commissioners" shall mean the Commissioners in Lunacy.

(Section 1.)

This Act may be cited as the Lunacy Acts Amendment Act, 1889, and shall come into operation, save as in this Act otherwise expressly provided, on May 1, 1890, and it shall not extend to Scotland or Ireland, save as otherwise expressly provided.

Provisions affecting the Admission of Private Patients.

(Section 2.)

No person not being a pauper or criminal lunatic shall be received into any asylum, etc., or as a single patient, unless under a reception order of a judge, etc. The order shall be obtained by private application, accompanied by a statement of particulars and two medical certificates.

(For form of petition and statement, see Forms 1 and 2 in the Schedule.)

(Section 3.)

1. The petition shall be presented, if possible, by the husband, wife, or relative of the alleged lunatic, or if not so presented it shall contain a statement of the reasons why it is not so presented, and of the connection of the petitioner with the alleged lunatic, and of the circumstances under which he presents the petition.

2. The petitioner must be at least 21 years of age, and have seen the alleged lunatic within 14 days before presenting the petition.

3. The petitioner shall himself undertake to visit the patient once at least in every six months, or appoint some one especially to do so on his behalf.

4. The petition shall be signed by the petitioner, and the statement of the particulars by the person making it.

5. One of the medical certificates, whenever practicable, shall be signed by the usual medical attendant of the alleged lunatic. If it is not practicable to obtain a certificate from the usual medical attendant, the fact must be stated in writing by the petitioner to the judge, etc., to whom the petition is presented, such statement to form part of the petition.

6. Each of the two persons who sign the medical certificates shall, separately from each other, have personally examined the

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

patient not more than seven clear days before the presentation of the petition.

(Note.—In the Urgency Certificate the medical practitioner must have examined the patient not more than two clear days before reception.)

(Section 4.)

1. If upon the presentation of the petition the judge, etc., is satisfied with the evidence of lunacy appearing by the medical certificates, he may make the order forthwith, or he may appoint as early a time as possible, not being more than seven days after the presentation of the petition, for the consideration thereof. Notice of time and place appointed for the consideration of the petition, unless personally given to the petitioner, shall be sent to him by post.

2. The judge, etc., if he think necessary, may visit the alleged lunatic at the place where he may happen to be.

3. The judge, etc., shall have the same jurisdiction and powers as if acting in exercise of his ordinary jurisdiction, and, if he so requires, shall be assisted by the same officers as if he were so acting, and their assistance under this Act shall be considered in fixing their remuneration.

4. The petition shall be considered in private. No one except the petitioner and the alleged lunatic, or any one person appointed by him for that purpose, and the persons signing the medical certificates shall, without leave of the judge, etc., be present.

5. The judge, etc., may make an order, dismiss the petition, or adjourn the consideration of it for any period not exceeding fourteen days, and may summon any persons to attend before him.

6. Every judge, etc., and all persons admitted to be present at the consideration of any petition shall be bound to secrecy, except when required to divulge the same by lawful authority.

(Section 5.)

1. If the petition is dismissed the judge, etc., shall deliver to the petitioner a statement in writing of his reasons for dismissing the same. He shall also send a copy to the Commissioners, and, where the alleged lunatic is detained under an urgency order, to the person in whose charge he is.

2. Any judge, etc., making or refusing an order shall give to the Commissioners, should they require it, a statement of the circumstances under which the order was made or refused.

3. The Commissioners may give such information as they may think proper on the dismissal of a petition to the alleged lunatic or other proper person.

4. Where a petition has been dismissed and a second petition is presented, the person presenting it shall state the facts (to be obtained from the Commissioners) concerning the first petition and its dismissal.

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

(Section 6.)

1. A reception order (see Form 3) shall be sufficient authority for the petitioner or any person authorized by him to take the lunatic to the place mentioned in the order for his reception and detention therein.

2. The order, petition, statement of particulars, and medical certificates shall be delivered to the petitioner and sent by him to the superintendent, etc., by whom the lunatic is to be received.

3. A reception order shall not continue in force, except the lunatic has been received thereunder before the expiration of seven clear days from its date.

(Section 7.)

The petitioner under whose petition a reception order has been made shall have and be subject to all the powers, authorities, obligations, and liabilities conferred or imposed upon the person signing an order for the reception of a private patient under the Lunacy Acts.

(Section 9.)

1. If a lunatic has been received as a private patient without having been seen by the judge, etc., who made the order for his reception, he shall have the right to be taken before or visited by a judge, etc., other than the judge, etc., who made the order, unless the medical superintendent, etc., shall sign a certificate within twenty-four hours after the patient's reception that such right would be prejudicial to the patient (see Form 5).

2. Subject to any such certificate, the superintendent, etc., shall give a notice in writing to the patient (see Form 6) within twenty-four hours after reception of his right, and shall ascertain whether he desires to exercise the right, and if within seven days he wishes to exercise the right, such superintendent, etc., shall get him to sign a notice to that effect (see Form 7), and shall forthwith post it to the judge, etc., or justices' clerk of the petty sessional division or borough where the lunatic is, who shall arrange as soon as conveniently may be to visit the patient or have him brought before him by the superintendent, etc.

3. The judge, etc., shall be entitled to see all documents, and after personally seeing the patient shall send a report to the Commissioners, who shall take such steps as may be necessary to give effect to it.

4. For the purposes of this Section the jurisdiction shall be exercised by any judge, etc., other than the judge, etc., who signed the reception order, having authority to act in the place where the patient is received.

5. Any superintendent, etc., omitting to perform any duty imposed upon him by this Section shall be guilty of a misdemeanour.

(Section 10.)

1. The justices of every county and quarter sessions borough, at their Michaelmas Quarter and Special Sessions in every year shall

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

appoint a certain number of their own body to exercise the powers conferred by this Act upon justices of the peace in relation to orders for the reception of private patients.

2. The Lord Chancellor shall have power to appoint justices, if such appointments have not been made, or if he considers the number appointed is insufficient.

3. The Lord Chancellor shall, from time to time, appoint borough justices in boroughs where no separate quarter sessions exist.

4. And appoint a justice to act in place of one unable to attend.

5. The Clerk of the Peace shall publish the names of the justices appointed under this Section.

6. For the purposes of this Section "county" does not include a county of a city or a county of a town (except the City of London).

(Section 11.)

The ordinary jurisdiction of judge, etc., is not to be interfered with by the exercise of any powers under this Act.

(Section 27.)

Subject to the modifications made by this Act the Lunacy Acts shall apply to reception orders and certificates under this Act.

Provisions as to Private Patients in Asylums.

(Section 65.)

1. Lunatics not paupers may be received into any asylum provided under the Lunatic Asylum Act, 1853, and the Acts amending the same, or under this Act, on such terms as to payment and accommodation as the Committee of Visitors may think fit, and all enactments as to the conditions on which such lunatics may be received into hospitals or licensed houses shall apply to them.

2. The amount by which the charge for private patients exceeds the ordinary weekly payment for pauper patients, and any surplus after carrying to the building and repair fund such sums, and providing for such expenses as the Visitors may think proper, shall be handed to the treasurer or treasurers of the local authority or authorities to whom the asylum belongs, and applied in aid of the rates as the local authority may determine.

(Section 66.)

1. The Committee of Visitors of any asylum, with the consent of the local authority, and with the approval of the Secretary of State, may make such alterations and additions to the asylum as they shall think fit for the purpose of providing accommodation for lunatics not paupers.

2. All plans and estimates to be submitted to the Commissioners, who shall report to Secretary of State.

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

(Section 67.)

1. The local authority of any county or borough, either alone or in union with any other local authority or authorities, may make provision for the reception of pauper and private patients together or in separate asylums, and provide separate asylums for idiots or patients suffering from any particular class of mental disorder.

2. The local authority may erect new asylums or add to existing ones, or purchase any licensed house or other houses and lands suitable for the purpose.

3. Subject to the modifications made by this Act, all the powers and provisions made by the Lunatic Asylums Act, 1853, and Acts amending the same, shall extend to asylums provided under this Act.

Report upon, and visits to, Private Patients.

(Section 29.)

1. The medical superintendent, etc., of every asylum, etc., shall, at the expiration of one month after the reception of a private patient, send to the Commissioners a report as to the mental and bodily condition of the patient in such form as they may direct.

2. The medical proprietor or attendant of every licensed house shall also send a copy of such report to the Clerk of the Visitors of licensed houses in the county or borough in which the house is situate.

3. If the house is situate within the immediate jurisdiction of the Commissioners, one or more of them shall visit the patient as soon as conveniently may be, and report to the Commissioners whether the detention of the patient is or is not proper.

4. If the house is situate in a county or borough for which visitors are appointed, arrangements should be made, on receiving the report, for the medical visitor alone, or with one or more visitors, as soon as conveniently may be, to visit the patient, and if there is any doubt as to the propriety of detaining the patient shall forthwith report the same to the Commissioners, who shall make such further inquiries as they may think necessary to satisfy themselves that the patient is properly detained, or ought to be discharged, or report to the Lord Chancellor with a view to an inquisition.

5. In the case of a single patient, if no Commissioner is available to visit the patient, the Commissioners may send the report to a medical visitor of the county or borough, or some other competent person, and direct him to visit the patient as soon as may be, and report to them whether his detention is or is not proper.

6. The person directed to visit the patient shall have all the powers of a Commissioner, and be paid by them.

7. In the case of a private patient in an asylum or hospital one or more of the Commissioners shall visit the patient, or send a copy of the report to the clerk to the visitors of the asylum, or managing

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

committee of the hospital, and one or more members of the committee shall visit the patient, and any three of the committee may discharge the patient, or give such directions with regard to him as they think fit.

8. If a patient is seen by one or more of the Commissioners within a month of his reception into an asylum, etc., and examined and reported upon by him or them, no special visit will be necessary.

9. The Commissioners may make an order for the discharge of any patient under this section.

10. The reports under this section shall be in addition to those required by the Lunacy Acts.

Power to appoint Substitute for the Person who signed the Order or Petition.

(Section 37.)

1. The Commissioners may order substitute for the person who signed the reception order for a private patient, or for the person upon whose petition any such order was obtained, any other person who is willing to undertake the duties and responsibilities.

2 and 3. From the date of the Commissioners' order the substituted person undertakes all liabilities, and may exercise all the powers of the person for whom he is substituted, but the latter is not released from any liabilities already incurred by him.

4. An order under this section may be made with or without the consent of the person who signed or obtained the order of reception, but in the latter case the Commissioners shall not make an order during his life until fourteen days after they have given him notice of their intention to consider the matter, together with the name of the person they propose to substitute.

5. The person to whom the notice is given, either in person or in writing, may lay before the Commissioners reasons why such an order should not be made, and the Commissioners may or may not make the order as they think fit.

6. Notice under this section may be sent by post.

Provisions for the Admission of Private Patients in Cases of Urgency.

(Section 8.)

1. In cases of urgency where it is expedient for the welfare of a person not a pauper alleged to be a lunatic, or for the public safety, to place him forthwith under care and treatment, he may be received into an asylum, etc., upon an urgency order* made, if possible, by the husband, wife, or relative, accompanied by *one* medical certificate.†

2. The medical practitioner signing the certificate shall have personally examined the patient *not more than two* clear days before his reception, and state the date of such examination in the certificate.

* See Form 4. † See Forms 8 and 9.

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

3. The urgency order may be signed before or after the medical certificate.

4. If the urgency order is not signed by the husband, wife, or relative the reasons must be given, also the connection of the person signing the order with the patient, and the circumstances under which it was signed.

5. The person signing the urgency order must be at least 21 years of age, and have seen the patient within two clear days.

6. An urgency order may be made either before or after a petition is presented, or an application made to the Judge in Lunacy. If made before a petition is presented it shall be referred to in the petition, and if after a petition is presented a copy shall forthwith be sent to the petitioner and to the judge, etc.

7. An urgency order shall remain in force for seven days, or, if a petition is pending, until the petition is finally disposed of.

8. Such urgency order and certificate shall be sufficient authority to convey the lunatic to the place mentioned in the order.

9. The urgency order must be accompanied by a statement of particulars.

(Section 17.)

1. Every medical certificate shall be signed by the person making it.

2. Every medical certificate accompanying an urgency order shall contain a statement that it is expedient and for the welfare of the alleged lunatic, or for the public safety, that he should be forthwith placed under care and treatment, with the reasons for the statement (Form 9).

Provisions for the Protection of Persons signing and carrying out Orders, Reports, and Certificates.

(Section 11.)

1. A person who has either before or after the passing of this Act signed or carried out an order or a medical certificate that a person is of unsound mind, or presents a petition after the passing of the Act, or does anything in pursuance of this Act, shall not be liable to any civil or criminal proceedings if such person has acted in good faith, and with reasonable care.

2. If any proceedings should be taken they can be stayed by a summary application to the High Court of Justice.

3. This section shall come into force immediately after the passing of this Act.

Lunatics not under proper Care and Control, or Cruelly Treated, or Neglected.

(Section 13.)

1. Every constable, relieving officer, and overseer of a parish who has knowledge that any person within his district or parish *who is not a pauper and not wandering at large,* is deemed to be a lunatic and is

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

not under proper care and control, or is cruelly treated, or neglected by any relative or other person having care or charge of him, shall within three days after obtaining such knowledge give information thereof upon oath to a justice specially appointed under this Act.

2. Any specially-appointed justice receiving such information upon oath, from any person whomsoever, that a person within the limits of his jurisdiction is so cruelly treated or neglected, or not under proper care and control, may himself visit the alleged lunatic, or without visiting him, authorize two medical practitioners to examine him and certify their opinion as to his mental state, and shall proceed in the same manner as if a petition for a reception order had been presented to him by the person giving the information with regard to the alleged lunatic.

3. If the justice is satisfied from the two medical certificates, and after such inquiry as he may think necessary, that the alleged lunatic is a lunatic, and is neglected, or is cruelly treated or neglected by any relative or person having charge of him, and that he is a proper personto be detained under care and treatment, the justice may order him to be received into any asylum, etc., to which he might be sent under the Lunatic Asylums Act, 1853, and he shall be conveyed by the person giving the information or by a constable appointed by the justice.

4. The justice may suspend the execution of the order made under this section if he thinks fit for a period not exceeding fourteen days, giving directions for the proper care and control of the lunatic in the meantime.

5. If either of the medical practitioners certify in writing that the patient is not in a fit state to be removed, the removal shall be suspended until the same or some other medical practitioner certifies in writing that he is fit to be removed.

6. A relative or friend shall not be prevented taking charge of a lunatic in reference to whom an order has been made under this section if he satisfies the justice that he will be properly taken care of.

(Section 14.)

1. Where a reception order has been made and suspended, or if the lunatic has been taken to a workhouse under section 3 of the Lunacy Act, 1885, he may be received into an asylum, &c., within 14 days after the date of the reception order without a fresh order or certificates.

2. If the removal has been suspended on account of unfitness for removal he may be received into the asylum, etc., within three days of his being certified to be in a fit state to be removed.

Persons Disqualified from Signing Medical Certificates.

(Section 15.)

The following persons are disqualified from signing medical certificates either in connection with the order of a judge, etc., or an urgency order: The petitioner or person signing the urgency order, the husband or wife, father or father-in-law, mother or mother-in-law,

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

son or son-in-law, daughter or daugther-in-law, brother or brother-in-law, partner or assistant of the petitioner or person.

(Section 16.)

1. No person shall be received into any asylum, etc., upon any certificate which has been signed by

(*a*) The superintendent or proprietor of the asylum, etc.

(*b*) Any person interested in the payments on account of the patient.

(*c*) Any regular medical attendant of the asylum, etc.

(*d*) The husband or wife, father or father-in-law, mother or mother-in-law, son or son-in-law, daughter or daughter-in-law, brother or brother in-law, sister or sister-in-law, or the partner or assistant of any of them.

2. Neither of the persons signing the medical certificates for the reception of a patient shall be the father or father-in-law, mother or mother-in-law, son or son-in-law, daughter or daughter-in-law, brother or brother-in-law, sister or sister-in-law, or the partner or assistant of the other of them.

3. No member of a managing committee of a hospital shall sign a certificate or apply for the reception of a lunatic into that hospital.

4. Any superintendent, etc., of any asylum, etc., who knowingly receives a patient under an order or certificate signed by any of the foregoing disqualified persons shall be guilty of a misdemeanour.

Persons found Lunatic by Inquisition.

(Section 18.)

Any person found lunatic by inquisition may be sent to an asylum, etc., by order of one of the masters in lunacy in cases where no committee of the person has been appointed.

(Section 48.)

In any case of an inquisition, if a lunatic shall be found incapable of managing his affairs, but capable of managing himself, and is not dangerous to himself or others, it may be specially so found and certified, and the Judge in Lunacy shall thereupon make all such orders relative to the management and application of the estate, including all proper provision for his maintenance, but it shall be left to the discretion of the judge whether he shall consider it proper to make an order as to the custody or commitment of the person.

(Section 49.)

1. In any case of a person found lunatic by inquisition, the Judge in Lunacy being satisfied that the lunatic is cured or capable of managing himself, and is not dangerous to others, although incapable of managing his affairs, may by order supersede the inquisition so far as the same finds the lunatic is incapable of managing himself, and

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

rescind or vary any order for the commitment of the person of the lunatic.

2. The terms and conditions of an order under this section shall be such as the Judge in Lunacy may think fit.

3. Notice of such order shall forthwith be given to the committee of the lunatic and the person under whose care the lunatic is.

(Section 50.)

1. The medical attendant of every lunatic so found by inquisition before the expiration of one, three, or six years from the commencement of this Act, and before the expiration of every subsequent five years, shall send a report upon the bodily and mental condition to the Masters in Lunacy, certifying that the patient is still of unsound mind and a proper person to be detained under care and treatment.

2. If the report and certificate are not so sent to the masters, unless they are satisfied after inquiry that the lunatic is still of unsound mind, the order for the detention of the lunatic shall determine at the expiration of such period, but shall not affect the commitment of the estate.

3. A Master in Lunacy may order the time within which the order and certificate are to be sent, to be extended for a period not exceeding six calendar months.

4. When any order for the commitment of the person of a lunatic has determined, the Masters in Lunacy shall give notice of it to the committee of the person of the lunatic and to the person having the care of him.

(Section 51.)

Pending the appointment of committees, the masters may by certificate order the expenses of maintenance or other necessary purposes or requirements of the lunatic to be paid, and may direct the proper application of such sum by some person who shall be accountable to the masters.

(Section 53.)

1. The powers of management and administration of the estates of lunatics conferred by the Lunacy Regulation Act, 1853, shall extend to the personal property in Ireland of a lunatic so found by inquisition in England, if it does not exceed £2,000, or the income is not more than £100 a year, and in like manner the Lunacy Regulation (Ireland) Act, 1871, shall extend to the personal property in England of a lunatic so found by inquisition in Ireland, where the amount or income does not exceed such amount as aforesaid.

2. Where a lunatic so found by inquisition in England or Ireland has personal property in Scotland the committee of the estate of the lunatic shall, without further proceedings in Scotland, have all the same powers as to such property or income as might be exercised by a tutor-at-law or a curator bonis to a person of unsound mind in Scot-

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

land. So also shall a tutor-at-law or curator bonis to a lunatic in Scotland have similar powers over property and income in England or Ireland as might be exercised by the committee of a lunatic so found by inquisition in England or Ireland.

3. The powers conferred by Section 12 of the Lunacy Regulation Act, 1862, and Section 68 of the Lunacy Regulation (Ireland) Act, 1871, shall extend to the property in Ireland or England of the lunatic where the total value does not exceed £2,000, or the income £100 a year.

Provision for a Judge in Lunacy to deal with the Property of a Person, whether a Lunatic or not, incapable of managing his affairs.

(Section 52.)

1. Where a person lawfully detained as a lunatic, or not so detained, and not found a lunatic by inquisition, is proved, to the satisfaction of a Judge in Lunacy, incapable of managing his affairs, the judge, upon the application of the lunatic or other person, may make an order that the next friend or any other person approved by the judge may exercise any powers or do any act which the committee of the estate of a lunatic so found by inquisition could exercise or do on behalf of the lunatic under the Lunacy Regulation Act, 1853, and the Acts amending it.

2. An order under this Section may confer a general authority upon the person named in the order to act on behalf of the lunatic until further order, without further application to the judge.

3. Applications under this Section shall be made in such manner and under such restrictions as may be appointed by the General Orders in Lunacy, and subject thereto as the judge in lunacy may determine.

4. Every person acting under this Section shall be subject to the jurisdiction and authority of the judge in lunacy, as if such person were the committee of the estate of a lunatic so found by inquisition.

Provision for dealing with the Property of a Lunatic under £200.

(Section 54.)

1. Where a lunatic has real and personal property under £200 and no relative or friend is willing to undertake the management of it, any County Court judge having jurisdiction in the place from which the lunatic is sent may, upon the application of the clerk of the Guardians or relieving officer of the Union from which the lunatic is sent, authorize either of them or some other person to take possession of and exercise all the powers which could be exercised by the legal personal representative of the lunatic if he were dead, and the receipt of such person shall be a valid discharge.

2. The judge by whom such order is made may give such directions as he may think fit as to the application of the property of the

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

lunatic for his benefit, or to reimburse the Guardians for sums expended for his care or relief, or may order the whole or part of his property to be paid into court, to be held and applied for his benefit.

3. The person acting under such order shall account to the judge for his dealings with the lunatic's property.

(Section 55.)

Where a person is in receipt of a pension from any public department, civil service, military or naval service, and is certified by a justice or minister of religion and by a medical practitioner to be unable to manage his affairs, the public department may pay the institution having charge of such person as much as it thinks fit, and pay the surplus to the family of the patient.

Provisions relating to the Admission of Pauper Lunatics into an Asylum, etc., or Workhouse.

(Section 19.)

After the commencement of this Act no pauper shall be received into any asylum, etc., under an order under the hands of an officiating clergyman and an overseer or relieving officer.

(Section 20.)

A justice of the peace shall not sign an order for the reception of any person as a pauper into an asylum, etc., or a workhouse, without he is satisfied that the alleged pauper is either in receipt of relief or in such circumstances as to require relief for his proper care. A person who is visited by a medical officer of the Union at the expense of the Union is deemed to be in receipt of relief (see Form 12).

(Section 22.)

Where a pauper lunatic is discharged from an asylum, etc., not recovered, and the superintendent, etc., shall certify that he is a proper person to be kept in a workhouse as a lunatic, he may be kept there and detained against his will if the medical officer of the workhouse certifies the accommodation is sufficient.

Provisions for the Detention of Lunatics in Workhouses, and their Removal.

(Section 21).

1. Except in the cases mentioned in the Lunacy Act and this Act, no person shall be allowed to remain in a workhouse unless the medical officer certifies in writing (see Form 10)—

(*a*) That such person is a lunatic, with the grounds for the opinion;

(*b*) That he is a proper person to remain in the workhouse as a lunatic;

(*c*) That the accommodation is sufficient for his proper care and

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

treatment, separate from the inmates who are not lunatics, or that separate care and treatment is not necessary.

2. A certificate under this Section shall be sufficient authority for detaining a lunatic therein against his will for fourteen days from its date.

3 and 4. A justice of the peace having jurisdiction in the place where the workhouse is situated may order the detention of a lunatic for a longer period than fourteen days (see Form 11), the order being applied for by a relieving officer of the Union belonging to the workhouse, supported by a medical certificate from a medical practitioner, not an officer of the workhouse, together with one from the medical officer of the workhouse (see Form 8).

5. The Guardians of the Union to which the workhouse belongs shall pay the medical practitioner, not being an officer of the workhouse, such remuneration as they think fit for examining a person for the purpose of a certificate.

6. If in the case of a lunatic being in a workhouse the medical officer shall not sign a certificate required as above, or if an order is not made by the justice for the detention of the lunatic, or if after such order has been made the lunatic ceases to be a proper person to be detained in a workhouse, the medical officer shall forthwith give notice to the relieving officer that a pauper in the workhouse is a lunatic and a proper person to be sent to an asylum, and his removal shall be effected according to the provisions of the Lunatic Asylums Act, 1853.

7. If the medical officer of the workhouse omits to give such notice to the relieving officer, he shall, for each day or part of a day after the first day, and before the notice is given, during which the lunatic remains in the workhouse, be liable to a fine not exceeding £10.

8. A relieving officer who fails to perform the duty imposed upon him by this Section shall be liable to a fine of £10.

9. The Guardians of the Union to which the workhouse belongs may direct any lunatic to be discharged from the workhouse.

10. An asylum provided under the Metropolitan Poor Act, 1867, shall be deemed a workhouse, and the managers have the power of Guardians, and an officer of the asylum shall be nominated to receive notices and take proceedings in place of the relieving officer with regard to a lunatic therein.

(Section 76.)

1. Where a Union is in more than one county and the workhouse of the Union is in one county and the place from which a lunatic was sent to the workhouse is in another county, an order may be made by a justice for the county in which the workhouse is or by a justice for the county from which the lunatic was sent for the removal of the lunatic, either to the asylum of the county in which the workhouse is, or to the asylum of the county from which the lunatic was sent, and

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

such *latter order* may be made notwithstanding that there may be an asylum of the county in which the workhouse is and no deficiency of room in it, or other special reason why the lunatic cannot be taken to that asylum.

2. Section 94 of the Lunatic Asylums Act, 1853, shall extend to authorize any justice to exercise the jurisdiction thereby conferred in relation to orders for payment of examination, removal, or maintenance and care of a lunatic, and for making the estate of a lunatic applicable for payment of such charges.

3. An order may be made by a County Court judge, upon an application by the Guardians of any Union, for payment of the expenses incurred by them under the Lunatic Asylums Act, 1853, the amending Acts, and this Act, relating to a lunatic, and such order may be enforced in the same way as a judgment of the County Court against any property of the lunatic.

Wilful Misstatements.

(Section 23.)

1. Any person making a wilful misstatement of any material fact in any medical or other certificate or in any statement, or report of bodily or mental condition under the Lunacy Acts, or under this Act, shall be guilty of a misdemeanour.

2. No prosecution for a misdemeanour under this Section shall take place except by order of the Commissioners, or by the direction of the Attorney General, or the Director of Public Prosecutions.

Amendment of Orders and Certificates.

(Section 14.)

1. Certificates and orders, if found defective, may be amended within fourteen days after reception of the patient, with the sanction of a Commissioner, and (in the case of a private patient) the consent of the judge, etc., who made the order.

2. If the Commissioners think any certificate incorrect or defective they may require it to be amended, and if not duly amended to their satisfaction within fourteen days, any two of them may make an order for the patient's discharge.

3. Every amendment of order or certificate shall take effect as if it had been contained therein when it was signed.

Remuneration of Medical Practitioner and payment of Expenses.

(Section 25.)

1. Whenever a justice directs an alleged lunatic, whether a pauper or not, to be examined by any medical practitioner, he, or any other justice having jurisdiction in the place where the examination took place, may make an order upon the Guardians of the Union, named in the order, for payment of such reasonable remuneration to the medical practitioner, and of all such other reasonable expenses in and

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

about the examination and the inquiry, whether an order for the reception of the alleged lunatic ought to be made, and also if an order for the reception is made for payment of such reasonable expenses as the justice may think fit.

2. The Guardians may recover any sums so paid from the estate of the lunatic or the person liable for his maintenance.

(Section 26.)

1. Any two justices may order a relieving officer, or treasurer, or some other officer of a county or borough to seize any money or property belonging to a lunatic, if he has any real or personal property more than sufficient to maintain his family chargeable to any union, county, or borough, and sell so much of it, or receive so much of the rents as they think sufficient to pay any charges incurred or to be incurred for the examination, removal, maintenance, and care of the lunatic.

2. Any trustee or company having property belonging to a lunatic who shall pay to a relieving officer, treasurer, or county or borough officer any money to repay the charges under this Section (with or without an order under this section), their receipt shall be a good discharge.

Notice to be given of Change of Classification of a Patient.

(Section 28.)

When a pauper patient becomes classified as a private patient his discharge may be ordered by the person who could have legally done so, if the patient had been admitted as a private patient, or failing such person, and no other person able or willing to act, then by the Commissioners.

Duration of Orders for the Reception of Patients.

(Section 30.)

1. Any reception order, whether it relates to a pauper or not, dated after or within three months before the commencement of this Act, shall expire at the end of one year from its date; and any such order dated three months or more before the commencement of this Act, shall expire at the end of one year after the commencement of this Act, unless such orders respectively are continued as hereinafter provided.

2. In the case of any asylum, etc., the Commissioners may direct the reception orders to expire on any quarterly day next after the days on which the orders would expire under the last preceding Section.

3. An order of transfer shall not be deemed a reception order, the patient being detained under the original reception order, which (unless continued) shall expire as hereinafter provided.

4. An order for the reception of a patient, whether a pauper or not, into an asylum, etc., shall remain in force for one year, after that for

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

two years, and after that for three years, then for successive periods of five years, provided the superintendent, etc., report specially to the Commissioners as to the bodily and mental state of the patient, and certify that the patient remains of unsound mind, and is a proper person to be detained under care and treatment. This special report must be sent not more than a month, and not less than seven days before the end of each period.

5. The person making the special report shall give the Commissioners any further information concerning the patient they may require.

6. If, in the opinion of the Commissioners, the special report does not justify the accompanying certificate, then —

(*a*) In the case of a patient in a hospital or licensed house, if the Commissioners, after further inquiry, are dissatisfied, any two of them may order his discharge.

(*b*) In the case of a patient in an asylum the Commissioners shall send a copy of the report to the clerk of the committee, and after investigation any three of them may discharge the patient, or give such directions respecting him as they may think proper.

7. Any superintendent, etc., who detains a patient, knowing that the order for his reception has expired, shall be guilty of a misdemeanour.

8. The special reports under this Section may include and refer to more than one patient, their form to be directed by the Commissioners, with the Lord Chancellor's approval.

9. A certificate from the secretary to the Commissioners that the order has been continued will be sufficient evidence of the fact.

Provisions for Discharge and Removal of Patients.

(Section 31.)

1. Two of the Commissioners, one of whom shall be a medical, and the other a legal Commissioner, after *one* visit to a patient in any hospital or licensed house as a single patient, may order his discharge within seven days of their visit.

(Section 41.)

The members of any Committee of Visitors for any asylum appointed by a County Council, whether justices or not, shall have the same powers and jurisdiction in relation to transfer and discharge of patients as vested in any members of a Committee of Visitors by the Lunatic Asylum Act, 1853.

(Section 43.)

1. When the Commissioners have made any order of discharge, they shall serve it upon the superintendent, etc., and give notice of such order.

(*a*) In the case of a private patient, to the person who signed or

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

obtained the reception order, or who made the last payment on account of the patient.

(*b*) In the case of a pauper to the Guardians of the Union, paying for his maintenance, or if chargeable to a county or borough to the Clerk of the Peace or Clerk of the borough, respectively.

2. Any person detaining a patient, after being served with an order of discharge, beyond the date fixed in the order, shall be guilty of a misdemeanour.

Removal for Health or on Trial and Transfer.

(Section 32.)

1. The consent of *one* Commissioner shall be sufficient for the exercise of the powers conferred by Section 86 of the Lunacy Act, 1845, Sections 20 and 22 of the Lunacy Act, 1853, and Section 38 of the Lunacy Act, 1862.

2. The medical superintendent of a hospital, or the medical superintendent or proprietor of a licensed house may, of his own authority, permit a patient to be absent from such hospital or house for a period not exceeding forty-eight hours without giving notice of such absence to the Commissioners, and during such absence the reception order shall remain in force.

Chargeability of a Lunatic becoming Pauper.

(Section 33.)

1. Where a lunatic in an asylum, etc., becomes destitute he shall be deemed chargeable to the Union from which he was brought until it is ascertained that the lunatic has a settlement in some other Union, or that it cannot be ascertained in what Union the lunatic was settled. The superintendent, etc., shall forthwith give notice to the authority liable for his maintenance that the lunatic has become destitute.

2. The words "if any pauper lunatic be not settled in the parish *from* which" are hereby substituted for the words "if any pauper lunatic be not settled in the parish *by* which" in Section 98 of the Lunatic Asylums Act, 1853.

Provisions for Single Patients.

(Section 31.)

1. Two of the Commissioners, one of whom shall be a medical and the other a legal Commissioner, after *one* visit to a single patient may order his discharge within seven days of their visit.

2. Upon the death of a person having charge of a single patient the Commissioners may order the transfer of the patient to the care of some other person.

3. The Commissioners, or any two of them, may at any time order the removal of a lunatic from the care of any person under whose care he is, as a single patient, to the care of some other person, or to any asylum, etc.

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

(Section 34.)

1. Any two Commissioners may direct that the medical attendant of a single patient shall cease to act in that capacity and that some other person be employed in his place.

2. If the person having charge of the patient fails to give effect to the Commissioners' direction he shall be guilty of a misdemeanour.

3. One or more of the Commissioners shall, once at least in every year, visit every unlicensed house in which a single patient is detained, and report to the Commissioners on the treatment and state of bodily and mental health of the patient.

4. Any Commissioner may inspect every part of the house and grounds belonging thereto.

5. If the person having charge of a single patient refuses to show any Commissioner, at his request, any part of the house or grounds he shall be guilty of a misdemeanour.

Under special circumstances the Commissioners may allow more than one patient to be received as single patients into the same unlicensed house.

(Section 35.)

Any person who for payment takes charge of or receives to board or lodge any person as a lunatic shall be deemed to be a person deriving profit from the charge of a lunatic within the meaning of the Lunacy Act, 1845.

(Section 36.)

The notice by Section 19 of the Lunacy Act, 1853, required to be sent upon the recovery of a patient shall state that, unless the patient is removed within seven days, he will be discharged, and he shall be forthwith discharged without further notice.

Provision for any Person to apply to have any Patient Examined.

(Section 38.)

Any person, whether a relative or friend or not of a patient who is detained in any asylum, etc., may apply to the Commissioners to have such patient examined by two medical practitioners, and if the Commissioners are satisfied that it is proper to grant such order they may do so. If, after two separate examinations with an interval of at least seven days between such examinations, the two medical practitioners certify that the patient may, without risk to himself or injury to the public, be discharged, the Commissioners may order the patient to be discharged within 10 days of the date of the order.

Provisions concerning Boarders.

(Section 39.)

1. The superintendent or proprietor of a licensed house may, with the previous consent in writing of two of the Commissioners, or

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

where the house is licensed by the justices, of two of the justices, receive and lodge as a boarder for the time specified in the consent any person who is desirous of voluntarily submitting to treatment. After which time, unless extended by further consent, he shall be discharged. Any relative or friend of the patient may be received under the same conditions.

2. The Commissioners' or justices' consent shall only be given on the application of the intending boarder.

3. The number of patients and boarders in a hospital or licensed house shall at no one time exceed the number for which the hospital is certified or the house licensed.

4. Every boarder shall, if required, be produced at the visits of the Commissioners or justices.

5 and 6. A boarder may leave a licensed house by giving 24 hours' notice to the superintendent or proprietor of his intention to do so, and if prevented from so doing shall be entitled to recover £10 from the superintendent or proprietor for each day, or part of a day, during which he is detained.

Provision for the Maintenance of Pauper Lunatics taken charge of by Relatives.

(Section 40.)

1. Any relative or friend of a pauper lunatic confined in an asylum may apply to the Committee of Visitors to have the said lunatic delivered over to him, and the committee may, upon being satisfied that the guardians of the Union to which the patient is chargeable approve, and that the lunatic will be properly taken care of, order him to be delivered over accordingly. In case the place to which the lunatic will be taken is outside the limits of the union a justice having jurisdiction in the place shall also approve.

2. Where such order is made, the authority liable for the maintenance of the lunatic shall pay to the person to whom he is delivered over, a sum for his maintenance not exceeding his cost in the asylum.

3. As long as the allowance is paid, the medical officer of the district of the Union in which the patient is resident shall visit him once in three months, and his report, stating whether the lunatic is properly taken care of and may remain, shall be transmitted within three days to the Committee of Visitors, and also be laid before the guardians.

4. Any two of the visitors may at any time order the return of the lunatic to the asylum.

Provision with regard to Lunatics in Private Families and Charitable Establishments detained without Order and Certificates.

(Section 42.)

1. The Commissioners may require any person who keeps a lunatic receiving no payment, or the superintendent of any charitable or

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

religious or other establishment detaining him, to send to them at such times as they may appoint reports by a medical practitioner of the mental and bodily condition of the patient, and such particulars concerning him and his property as they may think fit.

2. The Commissioners may visit any such patient at any time and exercise all the powers (except those of discharge) given them as to persons confined in any asylum, etc.

3. They may also report upon the case to the Lord Chancellor, who may discharge the patient, or remove him to an asylum, etc., and the expenses of his removal and maintenance shall be paid by the guardians of the Union in which he was found. The guardians shall have power to recover any such expenses from the lunatic and his estate or from the person liable for his maintenance.

4. Where the Lord Chancellor orders the patient into an asylum, any two justices of the county or borough in which the asylum is, may use the power given them by the Lunatic Asylum Act, 1853, of making the lunatic's property available for his maintenance as a pauper.

5. All reports and particulars under this Section shall be kept by the Commissioners and subject to inspection only by order of the Lord Chancellor.

Power to remove Alien Lunatic to his own Country.

(Section 44.)

1. In the case of an alien (not being a criminal) whose friends wish him to be removed to his own country, on application by a member of his family or a friend, the Commissioner may inquire and report to the Secretary of State.

2. If the Secretary of State is satisfied the removal will be beneficial to the patient, he may, by warrant, order him to be delivered to the person applying for him, and removed to his own country.

3. A warrant under this Section shall be authority for the master of any vessel to receive, detain, and convey him to his destination.

Mechanical Means of Restraint.

(Section 45.)

1. Mechanical means of bodily restraint shall not be applied except for surgical or medical treatment, and to prevent the lunatic from injuring himself or others.

2. In every case a medical certificate shall be signed, describing the means used and the reasons for it (See Form 16).

3. The certificate shall be signed by the medical superintendent etc., of any asylum, etc., and in the case of a workhouse by the medical officer.

4. A full daily record of every case shall be kept and sent to the Commissioners quarterly.

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

5. In the case of a workhouse, the record to be kept by the medical officer, and copies sent to the clerk to the guardians.

6. "Mechanical means" shall be defined by the Commissioners.

7. Any person who wilfully contravenes this Section shall be guilty of a misdemeanour.

Letters of Patients.

(Section 46.)

1. The superintendent, etc., of every asylum, etc., shall forward unopened all letters written by any patient (*private* or *pauper*) and addressed to the Lord Chancellor, or to any Judge in Lunacy, or to a Secretary of State, or to the Commissioners or any Commissioner, or to the person who signed the order for the reception of the patient or on whose application or petition such order was made, or to any visitors, or visiting committee, of the asylum, etc., in which the patient may be, and may also at his discretion forward any letter to its address written by a *private* patient.

2. Every superintendent who makes default in complying with the obligation imposed by this Section shall be liable for each offence to a penalty not exceeding £20.

(Section 47.)

1. Under the direction of the Commissioners in every asylum, etc., where there are *private* patients, printed notices shall be posted up setting forth —

(*a*) The right of every *private* patient to have any letter written by him forwarded in pursuance of the last preceding Section.

(*b*) The right of every private patient to request a personal and private interview with a visiting Commissioner or visitor.

2. The notices shall be posted so that every private patient shall be able to see them.

3. The visiting Commissioner or visitors may direct where the notices are to be posted.

4. Any superintendent, etc., of an asylum, etc., who does not carry out any directions as to such notices given by the visiting Commissioners or visitors shall be liable to a penalty of £20 for each offence.

Restrictions upon New Licences.

(Section 56.)

1. If the Commissioners, or in the case of a licensed house the justices, are of opinion that the licensed house has been well conducted by the licensees, they may from time to time renew the licence for it to the licensees or their successors in business.

2. If at the passing of this Act the licensees of any house have made arrangements to establish a new house, the Commissioners and justices respectively may grant a new licence for the new house in

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

place of the old one if they think it will be as well suited for the purpose as the existing house, and that the latter has been properly conducted.

3. At any time after the passing of this Act the Commissioners or justices, if satisfied that it would be to the comfort and advantage of the patients in any licensed house, may substitute another in its place under the same conditions and restrictions as may have existed in respect of the first-named house.

4. In the case of joint licensees or proprietors wishing to carry on business apart, the Commissioners or justices may grant them separate licences for such number of patients (not exceeding in the aggregate the number allowed by the joint licence) as they may agree upon or as the Commissioners or justices may determine.

5. Where the licensee of a house is a medical man in the employment of the proprietor as his superintendent, the license shall be deemed to be transferable or renewable to him as long as he continues superintendent of the house, or to his successor.

6. After the passing of this Act, no new licence shall be granted to any person for a house for the reception of lunatics, and in no existing licence shall the number of patients be increased.

7. This Section does not apply to licensed houses used solely for the reception of idiots and imbeciles.

Amendments as to Licensed Houses.

(Section 57.)

1. Visitors of licensed houses shall be appointed by the justices of every county or borough under Section 17 of the Lunacy Act, 1845, whether there is a licensed house within the county or borough or not.

2. In every county or borough where such visitors have not been appointed before the commencement of this Act, the justices shall appoint such visitors at the Quarter and Special Sessions respectively next after the commencement of this Act.

3. A medical visitor shall be entitled to such remuneration as the justices may approve, to be provided in the manner in which the remuneration of a visitor for services under the Lunacy Act, 1845, is provided.

4. Where there is no licensed house in a county or borough, such remuneration and other expenses shall be provided in the manner provided by the Lunacy Act, 1845.

5. The clerk to the visitors of licensed houses shall call a meeting of the visitors at such time and place as two such visitors may direct.

6. In the case of a joint licence, if any of the licensees die and one of the survivors has undertaken within ten days of the death or gives to the Commissioners or justices a written undertaking to reside on the premises, the licence shall remain in force.

7. Where a licence has been transferred by the justices of a county

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

or borough under Section 39 of the Lunacy Act, 1845, the clerk of the peace of the county or borough shall within three days after the date of the instrument of transfer send a copy thereof to the Commissioners.

8. A clerk of the peace who makes default under this Section shall for each day during which the default continues be liable to a penalty not exceeding 40s.

Provisions for the Registration of Hospitals in which Lunatics are Received.

(Section 58.)

1. When application is made after the passing of this Act for the registration of a hospital for the reception of lunatics, the Commissioners may depute one or more of their members, or employ such person or persons as they think fit to inspect the hospital and report thereon.

2. If the Commissioners are of the opinion the hospital ought not to be registered, they are to report to the Secretary of State, giving their reasons. The Secretary of State's decision shall be final.

3. If the Commissioners are of the opinion the hospital ought to be registered they shall issue a *provisional* certificate of registration.

4. The provisional certificate shall be valid for six months from the date of its issue unless superseded by a *complete* certificate.

5. Within three months from the date of the provisional certificate the managing committee of the hospital shall frame regulations and submit them to a Secretary of State for approval.

6. If the regulations are approved the Commissioners shall issue a complete certificate specifying the number of patients of each sex.

7. Lunatics may be received in the hospital under a provisional certificate, but if no complete certificate is granted no lunatic shall be received or detained after the expiration of the provisional certificate.

8. No lunatic shall be received in any hospital unless it has been registered before or (provisionally or completely) after the passing of this Act.

9. Any superintendent receiving or detaining a lunatic in a hospital contrary to the provisions of this Act shall be guilty of a misdemeanour.

(Section 59.)

1 and 2. No building except it is shown on the plans sent to the Commissioners shall be deemed part of the hospital for the reception of lunatics; if the superintendent of the hospital knowingly permits the infringement of this he shall be guilty of a misdemeanour.

(Section 60.)

1 and 2. The accounts of every registered hospital which does not submit its accounts to the Charity Commissioners shall be audited

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

once a year by an accountant, and printed. The Commissioners may prescribe the form in which the accounts shall be kept.

(Section 61.)

The committee of any hospital may grant to any officer or servant who is incapacitated by confirmed illness, age, or infirmity, who has been 15 years in the service of the hospital, and who is not less than 50 years of age, such superannuation allowance not exceeding two-thirds of the salary and allowances enjoyed by him as the committee may think fit.

(Section 62.)

The following persons are disqualified from being members of the governing body of a registered hospital:—

(*a*) Any medical or other officer.

(*b*) Anyone interested or participating in the profits of any work done for the managing committee, except he be a member of an incorporated company which has entered into a contract.

(Section 63.)

1. The Commissioners may require any officer of a registered hospital to give them such information as they think fit as regards the manner in which the regulations of the hospital are carried out.

2. If they are of opinion the regulations are not properly carried out they may give the superintendent and any two members of the committee notice, stating particulars, and requiring them to be carried out as they may think proper.

3. If they are not so carried out in six months the Commissioners may, with the sanction of the Secretary of State, *close the hospital.*

4. If any lunatics are kept therein after the date appointed for closing the hospital the superintendent shall be guilty of a misdemeanour.

5. Before an order is made under this section the Commissioners shall give the superintendent and any two members of the committee notice, requiring them to state within fourteen days why their requirements have not been complied with. Such statement shall be laid before the Secretary of State.

(Section 64.)

As from the passing of this Act no agreement shall be made between a local authority and the subscribers to a hospital, for uniting to maintain an asylum or for the purpose of receiving pauper lunatics into the hospital. Should such an agreement already exist, it may be renewed with the consent of a Secretary of State.

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

Power to retain Land unsuitable or not required for Asylum purposes.

(Section 68.)

Any lands or buildings which may have been used for the purposes of a county or borough asylum, and found unsuitable or are not required, may, with the consent of a Secretary of State, be retained by the local authority.

Rating of Lunatic Asylums.

(Section 69.)

All lands and buildings already or hereafter purchased or acquired for the purposes of a lunatic asylum shall, while used for such purpose, be assessed to county, parochial, district and other rates as other lands and buildings in the same township, parish, or district.

Provision for the Transfer of an Officer to another Asylum.

(Section 70.)

When an officer is transferred from one asylum to another, wholly or in part belonging to the same authority, his service in all such asylums shall be counted, for the purpose of computing his pension, as if all such asylums had constituted only one asylum.

Contracts for Reception of Borough Lunatics into an Asylum.

(Section 71.)

Where a contract has been entered into before the passing of this Act, or shall be entered into hereafter, on behalf of a borough and the committee of visitors of an asylum for the reception of pauper lunatics the contract shall not after the passing of this Act be determined without the sanction of a Secretary of State.

Conveyance of Land to Municipal Corporations.

(Section 72.)

Where the local authority is the council of a borough any lands or hereditaments used or acquired on behalf of the local authority for the purposes of the Lunacy Acts may be conveyed to the municipal corporation of the borough, to be held by them in trust for the purposes aforesaid.

Provisions for the Resignation and Reports of Commissioners and the Salary and Qualification of Secretary.

(Section 73.)

1. A legal or medical Commissioner upon resigning his office may be appointed a Commissioner, and upon the request of any four Com-

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

missioners may perform any duty which he might have performed before his resignation.

2. In case of temporary illness of a medical or legal Commissioner, the Lord Chancellor may, on the recommendation of the Commissioners, appoint a qualified person to act for him.

(Section 74.)

1. The Commissioners shall report every six months to the Lord Chancellor the number of visits they have made and the number of patients they have seen.

2. In or before the month of June of every year they shall make a report to the Lord Chancellor, made up to the end of the preceding year, upon the conditions of the asylums, &c., and other places visited by them, and the care of the patients and other particulars they think deserving notice.

3. They shall lay copies of the reports under this Section before Parliament, if sitting, within a month after they have been made, or, if not sitting, within 21 days after the commencement of the next session.

(Section 75.)

The salary of the secretary to the Commissioners shall be determined by the Treasury, with the concurrence of the Lord Chancellor. The secretary shall be a barrister-at-law, of at least seven years' standing, and shall be deemed a permanent civil servant of the State.

Provisions as to Ministers of any Religion being Appointed to every Asylum.

(Section 77.)

The committee of every asylum may appoint a minister of any religious persuasion to attend patients of the same religion as himself, and allow him such remuneration as they think fit.

Provisions for retaking Lunatics escaping to or from England, Ireland, or Scotland.

(Section 78.)

1. In the case of a lunatic lawfully detained in England escaping into Scotland or Ireland, notice must be given at once to the Commissioners, who, by writing, may authorize application to be made, by such person as they think fit, to any justice having jurisdiction in the place where the lunatic was detained for a warrant authorizing such person to bring the lunatic back to such place.

2. Such warrant shall in England, Scotland, or Ireland be sufficient evidence that the lunatic was lawfully detained, and shall be sufficient authority for any sheriff or sheriff substitute in Scotland, or any Justice of the Peace in Ireland, to countersign it, and being so counter-

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

signed may be executed in Scotland or Ireland by retaking such lunatic and restoring him to the custody from which he escaped.

(Sections 79 and 80.)

In the case of a lunatic escaping from Scotland to England or Ireland, or from Ireland to England or Scotland, the method of procedure is the same, *mutatis mutandis;* notice of the escape being sent in the first place to the General Board of the Commissioners in Lunacy for Scotland, or to the Inspectors of Lunatics in Ireland.

(Section 81.)

The warrant issued shall not authorize the retaking of the lunatic after the expiration of the time allowed by the law in the place where he was detained.

Abuse of Female Lunatics.

(Section 82.)

If any superintendent, &c., or any other person employed in any asylum, &c., or workhouse, or any attendant having charge of a single patient shall carnally know or attempt to have carnal knowledge of any female under care or treatment as a lunatic in the asylum, &c., or workhouse, he shall be guilty of a misdemeanour, and being convicted shall be liable to two years' imprisonment without hard labour; consent, or alleged consent, shall be no defence to an indictment or prosecution.

Male Person not to be employed in Personal Custody of Female Patient.

(Section 83.)

It shall not be lawful to employ any male person in any asylum, &c., in the personal custody or restraint of any female patient. Any person so employing a male person shall be liable to a penalty of £20. The superintendent or proprietor may on occasions of urgency do so if necessary, reporting the employment of such person to the Commissioners or Visitors at their next visit.

Prosecutions, Defaults, and Misdemeanours.

(Section 84.)

The power given by section 56, chapter 100, of 8 and 9 Victoria, to a Secretary of State to direct the Attorney General to prosecute on the part of the Crown in certain cases, after the commencement of this Act shall be extended to all misdemeanours under this or any other Lunacy Act.

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

(Section 85.)

1. Any person making default in sending to the Commissioners any report or other document required under this or any other Lunacy Act shall for each day be liable to a penalty not exceeding £10; but the penalties may be remitted if the court is satisfied that the default arose from mere accident or oversight.

2. Any person obstructing a Commissioner or Visitor in the exercise of his powers shall be liable to a penalty not exceeding £50, and also be guilty of a misdemeanour.

3. Any person guilty of any act or omission which under Section 90 of the Lunacy Act, 1845, is punishable as a misdemeanour shall also for every such act or omission be liable to a penalty not exceeding £50.

4. The provisions of the Lunacy Act, 1845, and the Lunatic Asylums Act, 1853, as to proceedings for offences and recovery of penalties shall apply under this Act.

(Section 86.)

1. The burden of proof as to the transmitting documents shall lie with the person proceeded against under the Lunacy Acts or this Act. The testimony of one witness upon oath that such documents have been posted or left as required by the Act shall be a bar to all further proceedings.

2. In proceedings under the Lunacy Act or this Act with regard to the question of a house being licensed or a hospital registered the license or certificate of registration shall be produced or sufficient evidence given to prove that a license or certificate is in force.

Power to Amalgamate the Lunacy Departments.

1. The Lord Chancellor may at any time after the commencement of this Act amalgamate the office of the Masters in Lunacy and their staff, and the office of the Lord Chancellor's Visitors of Lunatics and their staff, and may amalgamate such offices, or either of them, with the office of Commissioners in Lunacy, and may give such directions as he may think fit for the reconstitution of the Commissioners in Lunacy, and for the exercise and performance of the powers and duties of the Commissioners and of the officers and staff amalgamated respectively.

2. In the event of such amalgamation the Lord Chancellor may, with the concurrence of the Treasury, fix the qualifications and salaries of the members of the amalgamated office and staff, and may from time to time increase and diminish the number of such members and staff.

3. Such order shall not prejudice the rights of the masters, visitors, and commissioners holding office at the passing of this Act.

4. The Lord Chancellor may order the expenses of amalgamation

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

and providing office accommodation to be paid under the Lunacy Regulation Act, 1853.

Power of the Lord Chancellor and Commissioners to make Rules.

(Section 88.)

1. It shall be lawful for the Commissioners, with the approval of the Lord Chancellor, by rules to prescribe the books to be kept in asylums, etc., and houses for single patients, the entries to be made therein, and the reports and other documents to be sent to the Commissioners or other persons, and the times and manner in which such entries, reports and other documents are to be made and sent, or to substitute forms for those now in use.

2. Subject to the preceding Sub-Section, the Lord Chancellor may make rules for carrying this or any other Lunacy Act into effect and for regulating costs and fees subject to the concurrence of the Treasury.

3. The Lord Chancellor may by rule direct in what manner any application in lunacy is to be made.

4. The Lord Chancellor and the Secretary of State may by rule provide for the prevention of interference or delay in the exercise of the jurisdiction of county court judges and magistrates.

5. Subject to any rules under this Section the existing rules shall continue in force.

6. Any rules and orders under any Lunacy Act made under this Section may be varied or rescinded.

7. All rules under this Section shall within three weeks be laid before Parliament, if sitting, or within three weeks of the commencement of the next Session, and shall be judicially noticed, and have effect as if enacted by this Act.

8. A rule under this Section shall not come into operation until the expiration of a month after it is made and issued.

9. This Section shall come into operation immediately on the passing of this Act.

Relating to Forms.

(Section 89.)

Subject to rules under this Act the forms in the first schedule of this Act shall be used whenever applicable with such modifications as circumstances may require, and shall be deemed sufficient.

Saving as to Criminal Lunatics.

(Section 90.)

Except as by this Act otherwise expressly provided, nothing in this Act contained shall affect the provisions of the Criminal Lunatics Act, 1884, or of any Act relating to criminal lunatics.

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

Definitions.

(Section 91.)

In this Act, unless the context otherwise requires :

"Union" includes a parish under a separate board of guardians elected either under a local Act or under the Poor Law Amendment Act, 1834.

"Medical practitioner" means a medical practitioner duly registered under the Medical Act, 1858, and the Acts amending the same, and the Medical Act, 1886.

"Commissioners" means Commissioners in Lunacy.

"Treasury" means the Lords Commissioners of Her Majesty's Treasury, or any two of them.

"The Judge in Lunacy" means the Lord Chancellor or any Judge of the Supreme Court of Judicature entrusted for the time being with the care and commitment of the custody of the persons and estates of idiots, lunatics, and persons of unsound mind.

"Relative" means a lineal ancestor or lineal descendant, or a lineal descendant of an ancestor not more remote than great grandfather or great grandmother.

"Reception order" means an order for the reception of a lunatic in an asylum, hospital, or licensed house, or as a single patient, and includes an urgency order.

"Local authority" means the council of an administrative county, county borough, and borough, including the City of London, in whom, under the Lunacy Acts, as amended by the Local Government Act, 1888, the powers in relation to the provision, enlargement, maintenance, management, and visitation of, and other dealing with asylums for pauper lunatics are vested; and a local authority, not being a county council, shall have the same powers in relation to those purposes as a county council.

"The Lunacy Acts" means the Acts mentioned in the Second Schedule.

"Magistrate" means a stipendiary magistrate and any magistrate appointed to act at any of the police courts of the Metropolis.

"Public department" means the Treasury, the Commissioners for executing the office of Lord High Admiral, and any of Her Majesty's Principal Secretaries of State, and any other public department of the Government.

Construction of Act.

(Section 92.)

This Act shall be construed as one with the Lunacy Acts, and expressions used in this Act shall according to the subject matter in each case have the same meaning as in those Acts respectively, save as in this Act otherwise provided.

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

Short Titles of Acts.

(Section 93.)

The Acts mentioned in the first column of the Second Schedule may be cited by the short titles in the second column of that schedule.

Repeal.

(Section 94.)

The Acts mentioned in the Third Schedule to this Act are hereby repealed to the extent in the third column of that schedule specified without prejudice to anything done or suffered thereunder.

THE FIRST SCHEDULE.

FORM 1.—*Petition for an Order for reception of a Private Patient.*

In the matter of *A.B.* a person alleged to be of unsound mind.
To His Honour the judge of the county court of [*or* To stipendiary magistrate for *or* To a justice of the peace for .]
The petition of *C.D.* of [1] in the county of .
1. I am [2] years of age.
2. I desire to obtain an order for the reception of *A.B.* as a lunatic [3] in the asylum [*or* hospital *or* house *as the case may be*] of situate at [4] .
3. I last saw the said *A.B.* at on the [5] day of
4. I am the [6] of the said *A.B.* [*or if the Petitioner is not connected with or related to the patient state as follows:*]
I am not related to or connected with the said *A.B.* The reasons why this petition is not presented by a relation or connection are as follows: [*State them.*]
The circumstances under which this petition is presented by me are as follows: [*State them.*]
5. I am not related to or connected with either of the persons signing the certificates which accompany this petition as *(where the petitioner is a man)* husband, father, father-in-law, son, son-in-law, brother, brother-in-law, partner or assistant *(or where the petitioner is a woman)*, wife, mother, mother-in-law, daughter, daughter-in-law, sister, sister-in-law, partner or assistant.
6. I undertake to visit the said *A.B.* personally or by someone specially appointed by me at least once in every six months while under care and treatment under the order to be made on this petition.
7. A statement of particulars relating to the said *A.B.* accompanies this petition.
If it is the fact add:
8. The said *A.B.* has been received in the asylum [*or* hospital *or* house *as the case may be*] under an urgency order dated the
The petitioner therefore prays that an order may be made in accordance with the foregoing statement.

[Signed]
Dated full Christian and surname.

[1] Full postal address and rank, profession, or occupation. [2] At least twenty-one. [3] Or an idiot or person of unsound mind. [4] Insert a full description of the name and locality of the asylum, hospital, or licensed house, or the full name, address, and description or the person who is to take charge of the patient as a single patient. [5] Some day within 14 days before the date of the presentation of the petition. [6] Here state the connection or relationship with the patient.

FORM 2.—*Statement of Particulars.*

STATEMENT of particulars referred to in the annexed petition [or in the above or annexed order].
The following is a statement of particulars relating to the said *A.B.* [1]:—
Name of patient, with Christian name at length.
Sex and age.
†Married, single, or widowed.
†Rank, profession, or previous occupation (if any).
†Religious persuasion.
Residence at or immediately previous to the date hereof.
†Whether first attack.
Age on first attack.
When and where previously under care and treatment as a lunatic, idiot, or person of unsound mind.
†Duration of existing attack.
Supposed cause.
Whether subject to epilepsy.

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

Whether suicidal.
Whether dangerous to others, and in what way.
Whether any near relative has been afflicted with insanity.
Names, Christian names, and full postal addresses of one or more relatives of the patient.
Name of the person to whom notice of death to be sent, and full postal address if not already given.
Name and full postal address of the usual medical attendant of the patient.

(Signed)

When the petitioner or person signing an urgency order is not the person who signs the statement, add the following particulars concerning the person who signs the statement. { Name with Christian name at length. Rank, profession, or occupation (if any). How related to or otherwise connected with the patient.

[1] If any particulars are not known, the fact is to be so stated.

[†]. Where the patient is in the petition or order described as an idiot omit the particulars marked.

FORM 3.—*Order for reception of a private patient to be made by a Judge of County Courts, Stipendiary Magistrate, or Justice appointed under the Lunacy Acts Amendment Act, 1889.*

I, the undersigned *E.F.*, being the Judge of the County Court of [*or* the Stipendiary Magistrate for , or a Justice for specially appointed under the Lunacy Acts Amendment Act, 1889], upon the petition of *C.D.*, of [1] in the matter of *A.B.*, a lunatic [2], accompanied by the medical certificates of *G.H.* and *I J.* hereto annexed, and upon the undertaking of the said *C.D.* to visit the said *A.B.* personally or by someone specially appointed by the said *C.D.* once at least in every six months while under care and treatment under this order, hereby authorize you to receive the said *A.B.* as a patient into your asylum [3]. And I declare that I have [*or* have not] personally seen the said *A.B.* before making this order.

Dated

(Signed) *E.F.*,
The Judge of the County Court of
[*or* a Stipendiary Magistrate, *or* a Justice for appointed under the above-mentioned Act.]

To [4]

[1] Address and description. [2] Or an idiot or person of unsound mind. [3] Or hospital or house or as a single patient. [4] To be addressed to the medical superintendent of the asylum or hospital, or to the proprietor or superintendent of the house in which the patient is to be placed.

FORM 4.—*Form of urgency Order for the reception of a private patient.*

I, the undersigned, being a person twenty-one years of age, hereby authorize you to receive as a patient into your house [1] *A B*, as a lunatic [2], whom I last saw at on the [3] day of 18 . I am not related to or connected with the person signing the certificate which accompanies this order in any of the ways mentioned in the margin [4]. Subjoined [or annexed] hereto [5] is a statement of particulars relating to the said *A.B.*

(Signed) Name and Christian name at length
Rank, profession, or occupation (if any)
Full postal address
How related to or connected with the patient.

[If not the husband or wife or a relative of the patient, the person signing to state as briefly as possible: 1. Why the order is not signed by the husband or wife or a relative of the patient. 2. His or her connection with the patient, and the circumstances under which he or she signs.]

Dated this day of 18 .

To proprietor or superintendent of house [6] [*or* hospital *or* asylum].

[1] Or hospital or asylum or as a single patient. [2] Or an idiot or a person of unsound mind. [3] Some day within two days before the date of the order. [4] Husband, wife, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister, sister-in-law, partner or assistant. [5] *See* Form 2. [6] Describing house or hospital or asylum by situation and name.

FORM 5.—*Certificate as to Personal Interview after Reception.*

I certify that it would be prejudicial to *A.B.* to be taken before or visited by a judge of county courts, magistrate, or justice.

(Signed) *C.D.*,
Medical Superintendent of the Asylum *or* Hospital *or* Medical Proprietor *or* Attendant of the *or* Medical Attendant of the said *A.B.*

FORM 6.—*Notice of Right to Personal Interview.*

Take notice that you have the right, if you desire it, to be taken before or visited by a judge of county courts, magistrate, or justice. If you desire to exercise such right, you must give me notice thereof by signing the enclosed form on or before the day of

Dated

(Signed) *C.D.*,
Superintendent of the Asylum *or* Hospital
or Proprietor of [*or as the case may be*].

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

FORM 7.—*Notice of Desire to have a Personal Interview.*

[*Address*] Dated

I desire to be taken before or visited by a judge, magistrate, or justice having jurisdiction in the district within which I am detained. Signed

FORM 8.—*Certificate of Medical Practitioner.*

In the matter of *A.B.* of [1] in the county [2] of [3], an alleged lunatic.

I, the undersigned *C.D.*, do hereby certify as follows:

1. I am a person registered under the Medical Act, 1858, and I am in the actual practice of the medical profession.

2. On the day of 18 , at [4] in the county [5] of [separately from any other practitioner] [6], I personally examined the said *A.B.* and came to the conclusion that he is a [lunatic, an idiot, or a person of unsound mind] and a proper person to be taken charge of and detained under care and treatment.

3. I formed this conclusion on the following grounds, viz.:—

(*a.*) Facts indicating insanity observed by myself at the time of examination [7], viz.:—

(*b.*) Facts communicated by others, viz.:—[8]

[*If an urgency certificate is required it must be added here. See* Form 9.]

If the lunatic is to be received as a single patient in a house belonging to or kept by a medical practitioner under the order of a county court judge, magistrate, or justice, add the following paragraph:—

4. I certify that the said *A.B.* is suffering from unsoundness of mind of a temporary character [*or* from decay of mind in old age, *or* is desirous of voluntarily submitting to care and treatment, *as the case may be*].

5. The said *A.B.* appeared to me to be [*or* not to be] in a fit condition of bodily health to be removed to an asylum, hospital, or licensed house.[9]

6. I give this certificate having first read the section of the Act of Parliament printed below.

Dated (Signed) *C.D.*, of [10]

Extract from Section 23 of the Lunacy Acts Amendment Act, 1889.

Any person who makes a wilful misstatement of any material fact in any medical or other certificate or in any statement or report of bodily or mental condition under the Lunacy Acts, or under this Act, shall be guilty of a misdemeanour.

[1] Insert residence of patient. [2] City or borough, as the case may be. [3] Insert profession or occupation, if any. [4] Insert the place of examination, giving the name of the street, with number or name of house, or should there be no number, the Christian and surname of occupier. [5] City or borough, as the case may be. [6] Omit this where only one certificate is required. [7] If the same or other facts were observed previous to the time of the examination, the certifier is at liberty to subjoin them in a separate paragraph [8] The names and Christian names (if known) of informants to be given, with their addresses and descriptions. [9] Strike out this clause in case of a private patient whose removal is not proposed. [10] Insert full postal address.

FORM 9.—*Statement accompanying Urgency Order.*

I certify that it is expedient for the welfare of the said *A.B.* [*or* for the public safety, *as the case may be*] that the said *A.B.* should be forthwith placed under care and treatment.

My reasons for this conclusion are as follows: [*State them.*]

FORM 10.—*Certificate as to Pauper Lunatic in a Workhouse.*

I, the undersigned Medical Officer of Workhouse of the Union, hereby certify that I have carefully examined into the state of health and mental condition of *A.B.*, a pauper in the said workhouse, and that he is in my opinion a lunatic, and a proper person to be allowed to remain in the workhouse as a lunatic, and that the accommodation in the workhouse is sufficient for his proper care and treatment separate from the inmates of the workhouse not lunatics [*or*, that his condition is such that it is not necessary for the convenience of the lunatic or of the other inmates that he should be kept separate].

The grounds for my opinion that the said *A.B.* is a lunatic are as follows:

Dated (Signed) Medical Officer of the Workhouse.

FORM 11.—*Order for detention of Lunatic in Workhouse.*

I, the undersigned *C.D.*, a justice of the peace for being satisfied that *A.B.*, a pauper in the workhouse of the is a lunatic [or idiot or person of unsound mind] and a proper person to be taken charge of under care and treatment in the workhouse, and being satisfied that the accommodation in the workhouse is sufficient for his proper care and treatment separate from the inmates of the workhouse not lunatics [*or*, that his condition is such that it is not necessary for the convenience of the lunatic or of the other inmates that he should be kept separate] hereby authorize you to take charge of, and, if the workhouse medical officer shall certify it to be necessary, to detain the said *A.B.* as a

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

patient in your workhouse. Subjoined is a statement of particulars respecting the said *A.B.*

(Signed) *C.D*,
A justice of the peace for

Dated
To the Master of the Workhouse of the

Statement of Particulars.

Name of patient and Christian name at length.
Sex and age.
Married, single, or widowed.
Condition of life and previous occupation (if any).
Religious persuasion as far as known.
Previous place of abode.
Whether first attack.
Age (if known) on first attack.
When and where previously under care and treatment.
Duration of existing attack.
Supposed cause.
Whether subject to epilepsy.
Whether suicidal.
Whether dangerous to others.
Whether any near relative has been afflicted with insanity.
Name and Christian name and address of nearest known relative of the patient and degree of relationship if known.
I certify that to the best of my knowledge the above particulars are correct.

[To be signed by the relieving officer.]

FORM 12.—*Order for reception of a Pauper Lunatic.*

I, *C.D.*, having called to my assistance *E.F.*, of , a duly qualified medical practitioner, and being satisfied that *A.B.* [*describing him*] is a pauper [in receipt of relief, *or* in such circumstances as to require relief for his proper care and maintenance], and that the said *A.B.* is a lunatic [*or* an idiot, *or* a person of unsound mind] and a proper person to be taken charge of and detained under care and treatment, hereby direct you to receive the said *A.B.* as a patient into your asylum [*or* hospital, *or* house]. Subjoined is a statement of particulars respecting the said *A.B.*

(Signed) *C.D*,
A justice of the peace for

Dated the day of one thousand eight hundred and
To the superintendent of the asylum for the county [*or* borough] of [*or* the lunatic hospital of ; *or E.F.* proprietor of the licensed house of ; describing the asylum, hospital, or house].

Note.—Where the order directs the lunatic to be received into any asylum, other than an asylum of the county or borough in which the parish or place from which the lunatic is sent is situate, or into a registered hospital or licensed house, it shall state, that the justice making the order is satisfied that there is no asylum of such county or borough, or that the asylum thereof is full; or (as the case may be) the special circumstances, by reason whereof the lunatic cannot conveniently be taken to an asylum for such first-mentioned county or borough.

Statement of Particulars.

STATEMENT of particulars referred to in the above or annexed order.
The following is a statement of particulars relating to the said *A.B.* [1]:—
Name of patient, with Christian name at length.
Sex and age.
†Married, single, or widowed.
†Rank, profession, or previous occupation (if any).
†Religious persuasion.
Residence at or immediately previous to the date hereof.
†Whether first attack.
Age on first attack.
When and where previously under care and treatment as a lunatic, idiot, or person of unsound mind.
†Duration of existing attack.
Supposed cause.
Whether subject to epilepsy.
Whether suicidal.
Whether dangerous to others, and in what way.
Whether any near relative has been afflicted with insanity.
Union to which lunatic is chargeable.
Names, Christian names, and full postal addresses of one or more relatives of the patient.
Name of the person to whom notice of death to be sent, and full postal address if not already given.

(Signed) *G.H.*
To be signed by the Relieving Officer or Overseer.

[1] If any particulars are not known, the fact is to be so stated. [Where the patient is in the order described as an idiot omit the particulars marked †].

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

FORM 13.—*Certificate that patient continues of unsound mind.*

I, , certify that *A.B.*, the patient [*or A.B., C.D.*, etc., the patients] to whom the annexed report relates, is [*or are*] still of unsound mind, and a proper person [*or* proper persons] to be detained under care and treatment.

(Signed)
Medical Officer of the asylum, or medical attendant of the hospital or house situate at , or medical practitioner visiting the said *A.B.*

Dated

FORM 14.—*Consent of the Commissioners in Lunacy to the admission of a boarder.*

We hereby sanction the admission of *A.B.* as a boarder into for the term of from the day of in accordance with the provisions of the statute and in terms of *A.B.'s* application.

(Signed)
Commissioners in Lunacy.

Given at the office of the Commissioners in Lunacy, London, this day of 18 .

FORM 15.—*Order for Reception of a Lunatic not under proper care and control, or cruelly treated or neglected, to be made by a Justice appointed under the Lunacy Acts Amendment Act*, 1889.

I, the undersigned *C.D.*, being a Justice for specially appointed under the Lunacy Acts Amendment Act, 1889, having caused *A.B.* to be examined by two duly qualified medical practitioners, and being satisfied that the said *A.B.* is a lunatic not under proper care and control [*or* is cruelly treated or neglected by the person having the care or charge of him,] and that he is a proper person to be taken charge of and detained under care and treatment, hereby direct you to receive the said *A.B.* as a patient into your asylum [*or* hospital *or* house]. Subjoined is a statement of particulars respecting the said *A.B.*

(Signed)
A justice of the peace for appointed under the above-mentioned Act.

Dated

To the superintendent of the asylum for , or of the lunatic hospital of , or the proprietor of the licensed house at .

Statement of Particulars.

STATEMENT of particulars referred to in the above or annexed order.

The following is a statement of particulars relating to the said *A.B.* [1]:—

Name of patient, with Christian name at length.
Sex and age.
†Married, single, or widowed.
†Rank, profession, or previous occupation (if any).
†Religious persuasion.
Residence at or immediately previous to the date hereof.
†Whether first attack.
Age on first attack.
When and where previously under care and treatment as a lunatic, idiot, or person of unsound mind.
†Duration of existing attack.
Supposed cause.
Whether subject to epilepsy.
Whether suicidal.
Whether dangerous to others, and in what way.
Whether any near relative has been afflicted with insanity.
Union to which lunatic is chargeable.
Names, Christian names, and full postal addresses of one or more relatives of the patient.
Name of the person to whom notice of death to be sent, and full postal address if not already given.

(Signed)
To be signed by the relieving officer, overseer, or other person on whose information the order is made.

[1] If any particulars are not known, the fact is to be so stated. [Where the patient is in the order described as an idiot omit the particulars marked†].

FORM 16.—*Certificate as to Mechanical Means of Restraint.*

I, the undersigned *C.D.* [the medical superintendent, *or* a medical officer of the Asylum, *or* the Hospital, *or* the medical proprietor or attendant of the House, *or* the medical officer of the Workhouse, *or* the medical attendant of *A.B.*, a lunatic under care or treatment at , *as the case may be*] certify that I have examined *A.B.*, a lunatic in the said [asylum, hospital, house, *or* workhouse, *or* the said *A.B.*, *as the case may be*], and that in my opinion mechanical means of bodily restraint were [*or* are] necessary in his case for purposes of surgical [*or* medical] treatment [*or* to prevent him from injuring himself *or* others]. The necessary means are: [*State them.*]

I found my opinion upon the following grounds: [*State them*].

(Signed)

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press

FORM 17.—*Certificate of Disability of Person entitled to Payments from a Public Department.*

I, , being a justice of the peace for *or* the rector, *or* vicar, *or* minister [*state the denomination and residence*], hereby certify that I know the said *A.B.*, and that I believe him *or* her to be unable, by reason of mental disability, to manage his *or* her affairs; and I further certify that I believe the family of the said *A.B.* to consist of

Dated

Signed [*Name*].

[*Place of abode.*]

FORM 18.—*Medical Certificate of Disability of Person entitled to Payments from a Public Department.*

I, , being a person registered under the Medical Act, 1858, and in the actual practice of my profession, hereby certify that I have this day visited and personally examined *A.B.*, and that the said *A.B.* is unable by reason of mental disability to manage his *or* her affairs, and that I have formed this conclusion on the following grounds, viz. : [*State them.*]

Dated

Signed [*Name*].

[*Postal Address in full.*]

THE SECOND SCHEDULE.

Sections 91 and 93.

Session and Chapter.	Short Title.
8 & 9 Vict. c. 100	The Lunacy Act, 1845.
16 & 17 Vict. c. 96	The Lunacy Act, 1853.
16 & 17 Vict. c. 97	The Lunatic Asylums Act, 1853.
18 & 19 Vict. c. 105	The Lunacy Act, 1855.
19 & 20 Vict. c. 87	The Lunacy Act, 1856.
25 & 26 Vict. c. 111	The Lunacy Act, 1862.
26 & 27 Vict. c. 110	The Lunacy Act, 1863.
28 & 29 Vict. c. 80	The Lunacy Act, 1865.
48 & 49 Vict. c. 52	The Lunacy Act, 1885.

THE THIRD SCHEDULE.

Section 94.

Session and Chapter.	Short Title.	Extent of Repeal.
8 & 9 Vict. c. 100 ...	The Lunacy Act, 1845.	Sections seventy-six, seventy-seven, and eighty-eight.
16 & 17 Vict. c. 70 ...	The Lunacy Regulation Act, 1853.	Section one hundred and fifty-three.
16 & 17 Vict. c. 96 ...	The Lunacy Act, 1853.	Sections five, six, eleven, twelve, and thirty-two.
		Schedules A and B.
16 & 17 Vict. c. 97 ...	The Lunatic Asylums Act, 1853.	Section thirty-five.
		Section forty-three, the words "and such lunatic" to the end of the section.
		Sections sixty-seven and sixty-eight so far as they provide that a justice may in any case act upon his own knowledge only for the purpose of making an order.
		Section sixty-eight, so far as relates to any person, not a pauper and not wandering at large, who is deemed to be a lunatic and not under proper care and control or is cruelly treated or neglected by any relative or other person having the care or charge of him.
		Sections sixty-nine, seventy-six, and eighty-seven.
		Schedule F., Nos. 1, 2, and 3.
25 & 26 Vict. c. 111 ...	The Lunacy Act, 1862.	Sections eighteen, twenty, twenty-four, twenty-seven, and forty.
39 & 40 Vict. c. 36 ...	The Customs Consolidation Act, 1876.	Section three from "Provided" to the end of the section.
50 & 51 Vict. c. 67 ...	The Superannuation Act, 1887.	Section seven, subsection one.

https://doi.org/10.1192/bjp.35.151.479 Published online by Cambridge University Press