Occasional Notes.

The Lord Chancellor's Lunacy Bill.

THE Lord Chancellor's Lunacy Bill has now been introduced into Parliament in two successive sessions, and on each occasion has duly perished with the innocents. The time must therefore, if we may rely on previous analogies, be drawing near when the measure may be expected to take its place on the statute book. Under these circumstances a brief critical summary of its main provisions may not be inopportune. The first point of importance is the curtailment of the duration of an urgency order from seven days to four, coupled with the requisition of what is practically a new "statement of particulars," to be signed by the person signing the urgency order, and by the medical practitioner granting the accompanying certificate. We know the kind of case at which this provision is aimed. It is doubtful, however, whether such cases are sufficiently common to justify an enactment which will make the already difficult task of securing the curative treatment of insanity in its early stages more difficult still, by at once rendering the urgency order procedure cumbrous, and increasing the reluctance of medical men to certify. Other provisions in the Bill have a contrary effect. Such are those enabling a justice *virtute officii* to be appointed a special justice under Section 10 of the Act of 1890, prohibiting fees in respect of proceedings for a reception order before a judicial authority, and authorising the detention of a lunatic in a workhouse for not more than three days, even if the inquiries under Section 27 of the Act of 1890 cannot be completed before the order is made. It may be added that to the persons disqualified for signing certificates under Section 32 (1890) the Bill annexes two new ones, viz. the person making the reception order and employés of managing committees or licensees. Direct provision is made for pensions to officers and servants of asylums, and for the allowance of gratuities in cases of injury specifically attributable to the nature of the duty of the injured person

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incurred by him without his own default in the actual discharge of that duty. Lastly follow a variety of strictly legal and judicial provisions. Section 322 of the Act of 1890, dealing with offences against patients, is to include "striking," and to extend to workhouses, impliedly excluded hitherto by the definition of "institution for lunatics" in Section 341. The Master in Lunacy, subject to the rules, and to the annulment or variation of his orders on appeal, is to have the jurisdiction of the Judge in Lunacy—a provision which practically will make the Lords Justices appellate judges only.

"Arrest of mental development" is added to the grounds of jurisdiction under Section 116. It was doubtful whether this common condition came within the words "infirmity of mind arising from disease" in that section. By Section 116 patients are brought within the range of duty of the Chancery Visitors. And the effect of inquisitions upon reception orders is at last defined. Briefly the result is this. If the alleged lunatic is found sane the reception order determines forthwith. There is room here for greater precision, and for directions as to notice to the person having the lawful control of the lunatic. If the finding is one of incapacity to manage himself and his affairs, the reception order continues in force till a committee of the lunatic person has been appointed. If the finding is incapacity to manage affairs only, the order determines, but the judge may give directions as to residence, care, treatment, &c., so long as a reception order stands, but no longer. The duty of the Commissioners in Lunacy to visit the patient subsists. What the effect of proceedings under Section 116 on reception orders is to be is a point that might with advantage be cleared up.

Criminal Evidence Act.

The Criminal Evidence Act, 1898, has now come fairly into operation, and it is already possible to forecast its working in certain directions. In the first place the Act will certainly facilitate the proceedings of our police courts by enabling the magistrates to dispose of cases in which, but for the evidence of the prisoner, they would have had to order a remand for inquiries. Again—and this is rather a serious matter—it looks as

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