

in like manner, and is thereof a second time convicted, a second offence shall be a forfeiture of his office R. S. O. c. 219, s. 1.

Person gives, conveys or supplies to any prisoner in any common gaol or house of correction, any rum, brandy, or other spirituous liquors, contrary to the regulations from time to time established by law, being duly convicted thereof before two Justices shall be fined a sum not exceeding \$20. R. S. O. c. 219, s. 2.

## CHAPTER 244.

Provide for employing Prisoners without the walls of Common Gaols.

HER MAJESTY by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

The Lieutenant-Governor in Council may, from time to time, authorize the employment upon any work or service of which is specified in the Order in Council, of any prisoner who is imprisoned with hard labour in such gaol under any Statute of Ontario, or for the breach of any municipal corporation in this Province.

Such prisoner shall, during such employment, be subject to the rules, regulations and discipline of the gaol so far as they apply, and to any regulations made by the Lieutenant-Governor in Council under section 8 of chapter 138 of the Statutes of Canada or any Act thereby preventing escapes and preserving discipline.

Such prisoner shall be so employed, save under the direct supervision of officers appointed to that duty.

Such prisoner shall not be employed on any street, highway or public thoroughfare of any town or city, or on any place where they may be employed, and every place where they may be employed under this Act, shall, while so used, be considered as a gaol for the purposes of this Act so far as the authority of this Province extends in this behalf.

5 An account shall be kept of the amount earned by the labour of prisoners imprisoned in any common gaol, and such amount shall be divided between the Province and the county in proportion to the amount contributed by them respectively towards the care and maintenance of the said prisoners; the division shall be made by such officer, or other person or persons, and at such times as the Lieutenant-Governor in Council shall direct. 41 V. c. 24, s. 5. Application of earnings of prisoners.

6 In the case of a county in which a city or separated town is situate, the share of such earnings which the said city or town shall be entitled to receive from the county shall, in case the councils are unable to agree with respect thereto, be determined annually by arbitration, according to the provisions of *The Municipal Act*. 41 V. c. 24, s. 6. Application of earnings between county and city or towns.  
Rev. Stat. c. 184.

## CHAPTER 245.

An Act Respecting Lunatic Asylums and the Custody of Insane Persons.

INTERPRETATION, s. 1.	EXPENSES OF INQUIRIES AND CONVEYANCE TO ASYLUM, s. 37.
ASYLUMS VESTED IN THE CROWN, s. 2.	ESCAPE AND RE-COMMITTAL, ss. 38-41.
DESIGNATION OF ASYLUMS, s. 3.	MAINTENANCE OF LUNATICS, ss. 42-48.
OFFICERS, ss. 4-6.	POWERS OF INSPECTOR:—
ADMISSIONS TO ASYLUM, ss. 7-9.	To sue for maintenance, s. 47.
REMOVAL OF PATIENT NOT TO AFFECT AGREEMENT FOR MAINTENANCE, s. 10.	To take control of property, ss. 48-52.
DESTITUTE INSANE, s. 11.	To act as Committee, ss. 53-57.
COMMITTAL OF DANGEROUS LUNATICS, ss. 12-25.	Liability to account, s. 58.
Inquiry as to property, etc., of lunatic, ss. 19-24.	Disputes how settled, s. 59.
REMOVAL OF PRISONERS FROM GAOL TO ASYLUM, s. 20.	Costs of Inspector, s. 60.
Inquiry and examination, ss. 27-29.	Moneys in Court payable to inspector, s. 61.
DISCHARGE, ss. 30-32.	Power to make special orders as to comfort of lunatic, s. 62.
REMOVAL TO ASYLUM, ss. 33-35.	Power as to property of insane persons detained in gaol, ss. 63-65.
REMOVAL TO COUNTRY FROM WHICH PERSON CAME, s. 36.	

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Interpretation—

1. Where the words following occur in this Act, or in the schedules thereto, they shall be construed in the manner herein-after mentioned unless a contrary intention appears;

"Inspector." Rev.Stat. c. 250.

1. "Inspector" shall mean the inspector of prisons and public charities, appointed under *The Prison and Asylum Inspection Act*.

"Lunatic."

2. "Lunatic" shall mean any insane person, whether found so by inquisition or not.

"Father."

3. "Father" shall include any husband of the lunatic's mother, and "mother" shall include any wife of the lunatic's father; provided, in either case, that the birth of such lunatic

"Mother."

was legitimate. R. S. O. 1877, c. 220, s. 1.

Certain Asylums vested in the Crown.

2. The asylums for the insane at Toronto, London, Kingston, Hamilton and Orillia, and any other public asylum established or acquired under any grant from the Legislature of this Province, for the custody and treatment of insane persons, and all the property and effects, real and personal belonging thereto, shall be vested in the Crown. R. S. O. 1877, c. 220, ss. 2, 4.

Designation of asylums.

3. Such asylums shall be called "The Asylum for the Insane, Toronto," or "The Asylum for the Insane, London," or elsewhere, according to the fact. R. S. O. 1877, c. 220, s. 3.

#### OFFICERS.

Medical superintendent, appointment and duties of.

4. The Lieutenant-Governor may from time to time appoint in each asylum a medical superintendent, who shall—

1. Direct and control the medical and moral treatment of the patients;

2. Hire and discharge from time to time the attendants and servants;

3. Watch over the internal management, and maintain the discipline and due observance of the by-laws of the institution;

4. Report the condition thereof to the inspector of prisons and public charities at each visit;

5. Annually report to the inspector upon the affairs of the institution, with such suggestions as may in his opinion tend to the improvement of the asylum. R. S. O. 1877, c. 220, s. 5.

The Bursar, appointment and duties of.

5. The financial business and affairs of each of the said asylums shall be conducted by an officer to be appointed from time to time by the Lieutenant-Governor, to be called "The Bursar," who shall—

1. Report the state of the income and expenditure of the asylum to the inspector quarterly, and to the medical superintendent monthly;

2. Perform such duties as may be required under any rules or regulations made in accordance with the Act of 1877, c. 220, s. 6.

6. The salaries of the Bursar shall be such as may be determined by the Legislature therefor. Sched. B.

7. No person shall be admitted as a lunatic (except as provided) without the certificate of a medical superintendent, each attested by the signature of the medical superintendent and bearing date of admission. R. S. O. 1877, c. 220, s. 7.

8. Every such certificate shall be signed by the medical superintendent separately from a certificate of the medical superintendent, due inquiry into a patient, found him to be insane, and so certifying shall be the basis upon which he has the certificate released, and shall distinguish the facts observed by him by others.

9. The certificate of a medical superintendent shall be a sufficient authority to convey to the authorities the custody of any other asylum, or may be removed from the custody of any public charity, and public charities shall be continued to be

10. Where an asylum is entered into with a patient, to secure the payment of any patient in an asylum, such obligation shall be in force and binding upon the patient, so long as the patient is in the asylum, notwithstanding that the patient named in the obligation or agreement contained shall be discharged from the period limited

occur in this Act, or in the manner herein mentioned, attention appears;

inspector of prisons and the Prison and Asylum In-

ane person, whether found

husband of the lunatic's or any wife of the lunatic's at the birth of such lunatic R. S. O. 1877, c. 220, s. 1.

Toronto, London, Kingston, or other public asylum established by the Legislature of this Province for the reception of insane persons, and all personal belongings there- R. S. O. 1877, c. 220, ss. 2, 4.

"The Asylum for the Insane, London," or R. S. O. 1877, c. 220, s. 3.

from time to time appoint an agent, who shall—

deal and moral treatment of

to time the attendants and

agement, and maintain the same by-laws of the institu-

to the inspector of prisons

ctor upon the affairs of the as may in his opinion tend R. S. O. 1877, c. 220, s. 5.

affairs of each of the said officer to be appointed from the Governor, to be called "The

me and expenditure of the and to the medical superin-

2. Perform such other duties as may be assigned to him under any rules or regulations in force respecting such asylum, and in accordance with the direction of the inspector. R. S. O. 1877, c. 220, s. 6.

6. The salaries of the medical superintendent and bur- Salary of Superintendent and Bursar.  
sar, shall be such amounts as may be appropriated by the Legislature therefor. R. S. O. 1877, c. 220, s. 7; 41 V. c. 2, s. 39. Sched. B.

#### ADMISSIONS.

7. No person shall be admitted into any of the said asylums as a lunatic (except upon an order of the Lieutenant-Governor) without the certificates (Form A) of two medical practitioners, each attested by the signatures of two subscribing witnesses, and bearing date within three months of the time of such admission. R. S. O. 1877, c. 220, s. 8; 45 V. c. 32, s. 3. No admission without order of Lieutenant-Governor or certificates of two doctors.

8. Every such certificate shall state that the medical practitioner signing the same personally examined the patient separately from any other medical practitioner, and after due inquiry into all necessary facts relating to the case of the patient, found him to be insane; and the medical practitioner so certifying shall also, in the certificate, specify the facts upon which he has formed his opinion that the person to whom the certificate relates is insane, and he shall therein distinguish the facts observed by himself from facts communicated to him by others. R. S. O. 1877, c. 220, s. 9. Contents of certificates.

9. The certificate shall be a sufficient authority to any person to convey the lunatic to any of the said asylums, and to the authorities thereof to detain him therein, or to the authorities of any other asylum to which the lunatic may have been or may be removed by the order of the inspector of prisons and public charities to detain him in such asylum as long as he continues to be insane. R. S. O. 1877, c. 220, s. 10. Effect of certificates as authority to detain.

10. Where any obligation or agreement has been or may be entered into with the bursar of an asylum, or with Her Majesty, to secure the payment of the charges for the maintenance of any patient in an asylum, or to secure the payment of part thereof, such obligation and agreement shall be and continue in force and binding, and the parties thereto shall be and continue liable for the maintenance or partial maintenance of the patient, so long as he is maintained in a provincial asylum, notwithstanding his removal to an asylum different from that named in the obligation or agreement: but where the obligation or agreement is for a limited period of time, nothing herein contained shall be construed to extend the liability beyond the period limited. R. S. O. 1877, c. 220, s. 11. Agreements for maintenance of patients to continue in force notwithstanding a removal to a different asylum.

Examination of destitute insane persons.

11.—(1) In any municipality within the Province of Ontario, where an insane person is in destitute circumstances, and is a fit subject for asylum treatment, application may be made to the head of the municipality for an examination to be made and certificates given, in accordance with sections 7, 8 and 9, of this Act, and the head of the municipality, if satisfied that the insane person is in destitute circumstances, shall, immediately after receiving the application, notify two medical practitioners to make the required examination. 45 V. c. 32, s. 1.

Payment of expenses of examination, etc.

(2) The council of the municipality shall pay the medical practitioners for the examination and certificate a sum not exceeding \$5 each, and twenty cents for each mile necessarily travelled, and shall also pay the necessary expenses incurred in conveying such insane person or persons to one of the provincial lunatic asylums; said sum to be reimbursed to the municipality by the county, where the municipality is a part of the county. 45 V. c. 32, s. 2.

#### COMMITTAL OF DANGEROUS LUNATICS.

Justice may issue warrant to apprehend person believed to be insane and dangerous to be at large.

12. Where an information is laid before any of Her Majesty's Justices of the Peace for any territorial division that any person, being within the limits of the jurisdiction of such Justice, is, or is suspected and believed by the person laying the information to be insane and dangerous to be at large, and has exhibited a purpose of committing some crime for which, if committed, such person would be liable to be indicted, such Justice may issue his warrant to apprehend such person and to cause him to be brought before such Justice or any other Justice for the same territorial division. R. S. O. 1877, c. 220, s. 12.

Warrant to apprehend, form of.

13. Every such warrant (Form B) shall be under the hand and seal of the Justice issuing the same, and may be directed to all or any of the constables or other peace officers of the territorial division within which the Justice issuing the same has jurisdiction, and shall name or otherwise describe the person against whom the information has been laid; and shall state that information has been laid on oath that such person is insane and dangerous to be at large; and the warrant shall order the person or persons to whom it is directed to apprehend the person against whom the information has been laid and to bring him before the Justice issuing the warrant, or before some other Justice of the Peace for the territorial division, in order that inquiry may be made respecting the sanity of such person, and that he may be further dealt with according to law. R. S. O. 1877, c. 220, s. 13.

Proceedings on apprehension.

14. Where the person alleged to be insane has been apprehended under the warrant, he shall be brought before the same Justice of the Peace, or some other Justice for the same terri-

torial division, and the Justice may (Form C) commit the said alleged prisoner to gaol or other prison, or if the Justice of the constable or other person with such other safe custody as the Justice in such case order the person apprehended certain time or place before the Justice, the informant shall have due notice; or if the Justice considers fitting, proceed forthwith to the next section directed; but no committal shall be for a longer period than that provided in c. 220, s. 14.

15. Upon the day so appointed the Justice shall proceed to hear such evidence as may be produced with reference to the alleged insanity, and shall then or previously direct in writing the friends and relatives of the prisoner, and the friends of some person or persons who have been in the family and previous habits of the prisoner, to appear before the committal of the prisoner to the gaol, or to the prison, as directed. R. S. O. 1877, c. 220, s. 15.

16. The Justice may from time to time and again commit for safe custody any person as herein directed. R. S. O. 1877, c. 220, s. 16.

17. If after reasonable inquiry has been made, and he is satisfied that the prisoner is insane and dangerous to be at large, the Justice shall commit the prisoner to the common gaol of the territorial division, or to the gaol until the pleasure of the Lieutenant-Governor, or until the prisoner is discharged by law. R. S. O. 1877, c. 220, s. 17.

18. In case it appears to the Justice that the prisoner is not insane, or is not dangerous to be at large, he shall forthwith discharge such person. R. S. O. 1877, c. 220, s. 18.

19. If the Justice is satisfied that the person apprehended as aforesaid is insane and dangerous to be at large, it shall also be the duty of the Justice to inquire into the property of the prisoner, and if the prisoner is possessed of any and of what kind, and where the same is situated, and also as to the names of the persons (if any) who are dependent for support upon the prisoner, it may be ascertained whether the prisoner is an insane pauper or not. R. S. O. 1877, c. 220, s. 19.

20. It shall also be the duty of the Justice to examine the witnesses in respect of the insanity of the prisoner, and the danger of permitting the person

ity within the Province of Ontario, destitute circumstances, and is a pauper, application may be made to the Justice of the Peace for an examination to be made in accordance with sections 7, 8 and 9, of this Act. The municipality, if satisfied that the person is in destitute circumstances, shall, immediately upon the application, notify two medical officers of the municipality for a required examination. *s. 5 V.*

The municipality shall pay the medical officers a sum not exceeding five cents for each mile necessarily travelled in the necessary expenses incurred in taking the person to one of the prisons, and a sum to be reimbursed to the person where the municipality is a party.

## DANGEROUS LUNATICS.

Where laid before any of Her Majesty's Justices of the territorial division that any person is believed by the person laying the charge to be at large, and dangerous to be at large, and committing some crime for which he is liable to be indicted, such person may be apprehended by the Justice or any other officer of the territorial division. *R. S. O. 1877, c. 220, s. 14.*

Form B) shall be under the hand of the Justice, and may be directed to the Justice of the Peace or other peace officers of the territorial division. The Justice issuing the same has to describe the person in the warrant otherwise describe the person in the warrant; and shall state on oath that such person is insane, and the warrant shall order that it be directed to apprehend the person if the examination has been laid and to issue the warrant, or before the examination for the territorial division, in respect to the sanity of such person dealt with according to law.

If a person is believed to be insane has been apprehended, he shall be brought before the same Justice for the same territorial

division, and the Justice may thereupon by his warrant (Form C) commit the said alleged insane person to the common gaol or other prison, or if the Justice thinks fit, to the custody of the constable or other person who apprehended him, or to such other safe custody as the Justice deems fit; and he shall in such case order the person apprehended to be brought up at a certain time or place before the Justice of which order the informant shall have due notice; or the Justice may, if he considers fitting, proceed forthwith to hear the matter as in the next section directed; but no committal under this section shall be for a longer period than three days. *R. S. O. 1877, c. 220, s. 14.*

Warrant of committal.

15. Upon the day so appointed the said Justice shall proceed to hear such evidence under oath as may be adduced with reference to the alleged insanity of the prisoner, and shall then or previously direct inquiry to be made as to the friends and relatives of the prisoner in order that the evidence of some person or persons who is or are acquainted with the family and previous habits of the prisoner may be had before the committal of the prisoner to custody as an insane person is directed. *R. S. O. 1877, c. 220, s. 15.*

Hearing of evidence; inquiry among friends, etc.

16. The Justice may from time to time adjourn the inquiry, and again commit for safe custody until proper inquiry is made as herein directed. *R. S. O. 1877, c. 220, s. 16.*

Adjournment of inquiry.

17. If after reasonable inquiry has been made by the Justice he is satisfied that the prisoner is insane and dangerous to be at large, the Justice shall commit (Form D) the prisoner to the common gaol of the territorial division, there to remain until the pleasure of the Lieutenant-Governor is known, or until the prisoner is discharged by law. *R. S. O. 1877, c. 220, s. 17.*

Committal on finding of insanity.

18. In case it appears to the Justice that the prisoner is not insane, or is not dangerous to be at large, then the Justice shall forthwith discharge such person. *R. S. O. 1877, c. 220, s. 18.*

Discharge as not insane.

19. If the Justice is satisfied that the person so apprehended as aforesaid is insane and dangerous to be at large it shall also be the duty of the Justice to make inquiry whether the prisoner is possessed of any and of what property, and where the same is situated, and also as to the number of persons (if any) who are dependent for support upon the prisoner, so that it may be ascertained whether the prisoner should be sustained as an insane pauper or not. *R. S. O. 1877, c. 220, s. 19.*

Inquiry as to property and dependents.

20. It shall also be the duty of the Justice upon the examination of the witnesses in respect to such alleged insanity, and the danger of permitting the person apprehended to be at

Justice to inquire as to matters in schedule 2.

large, to elicit as far as such Justice may be able, all information in respect to the matters set out in Schedule No. 2 to this Act. R. S. O. 1877, c. 220, s. 20.

If the Justice thinks inquiries would be less expensive in the County Town, to certify accordingly.

**21.** If, in the opinion of the Justice, it will be much less expensive to make the inquiries directed in the preceding two sections in the county town, or in case he finds that the persons whom it is necessary to examine in order to obtain the information desired live at a considerable distance, the Justice may, in lieu of making said inquiries, certify such fact or facts, and the Justice shall in such case be excused from making such inquiries. R. S. O. 1877, c. 220, s. 21.

Certificates, etc., to be sent by Justice to the keeper of gaol, who shall transmit to Sheriff.

**22.** The Justice shall forthwith send, certified, to the keeper of the gaol to which the insane person is committed, the depositions taken before him, and also the certificate (if any) given under the preceding section, and the keeper of the gaol shall forthwith deliver the same to the sheriff. R. S. O. 1877, c. 220, s. 22.

Judge of County Court to make inquiries required by ss. 19 and 20.

**23.** The Judge of the County Court of the county, or the Deputy or Junior Judge, or if there is no Deputy or Junior Judge, and the said Judge of the County Court is absent from the county, or unable to act, then such other Justice of the Peace as may be requested by the County Court Judge to act in his stead in this behalf, shall as soon as conveniently may be, cause to be made such of the inquiries directed to be made by sections 19 and 20 of this Act as have not been previously fully made; and the County Crown Attorney shall cause to be summoned the witnesses required therefor; but should the Judge or other Justice find that such inquiries will be expensive, or that sufficient information has been obtained for the purposes of this Act by other means, then the Judge or Justice need not make the inquiries by this section directed. R. S. O. 1877, c. 220, s. 23.

When excused.

Compelling attendance of witnesses.

**24.** A Judge or Justice of the Peace acting in respect of any inquiry herein directed to be made, shall have the like authority for compelling the attendance of witnesses as a Justice would have under any Act in force respecting summary convictions, and may give directions to any constable or peace officer; and every constable and peace officer is hereby required to obey the same in like manner; and all the provisions of the said Acts as to procedure under the same shall, as nearly as may be, apply to proceedings under this Act, unless where different provisions are herein made. R. S. O. 1877, c. 220, s. 24.

Direction to peace officers. Procedure.

Person committed to remain in gaol till removed or discharged.

**25.** Every person committed as an insane and dangerous person under this Act shall remain in confinement in the gaol mentioned in the warrant until he is thence removed to some asylum or other place of safe keeping by direction of the Lieu-

tenant-Governor, or until an order is made by the Lieutenant-Governor, or until the provisions of section 30. R. S. O.

INSANE CONVICTS.

**26.** The Lieutenant-Governor upon the insanity of any person imprisoned for the authority of any of the statutes of this Act for safe custody, charged with such offence, if the Lieutenant-Governor considers sufficient, may order such insane person to an asylum for the purpose such person shall remain there, or in such other place of safe keeping, as the Lieutenant-Governor may in his complete or partial discretion, if the circumstances justifying his discharge are certified to the satisfaction of the Lieutenant-Governor, who may then order such person to be discharged, and shall then be liable thereto, or otherwise to the provisions of section 30. R. S. O. 1877, c. 220, s. 26.

**27.** The Judge, Deputy or Junior Judge of the county in the common gaol, or if the person is confined, in the opinion of the gaol surgeon, insane, or if any regulations, approved by the Council, made respecting the admission of insane persons, shall, as soon as convenient, cause to be made in respect of such prisoners those directed to be made by section 23, and in case there is no Deputy or Junior Judge of the County Court, and the Judge is absent, or unable to act, then the said inquiries shall be made by the Justice of the Peace as may be requested by the County Court Judge to act in his stead in this behalf. R. S. O. 1877, c. 220, s. 27.

**28.** The provisions of sections 23 and 24 shall apply to inquiries made under the provisions of section 20. R. S. O. 1877, c. 220, s. 28.

**29.** Where the Judge of the County Court, Deputy Judge, or the Justices acting as a court, or any medical practitioners, upon making an examination of a person committed to gaol as insane, or if any of them, may again examine such person, and upon such further examination, if they are of opinion as to the mental condition of such person, they may, if they think fit, issue a new certificate, if upon such further examination their opinion as to the mental condition of such person is such as to require the provisions of section 30, s. 5.

as such Justice may be able, all information as set out in Schedule No. 2 to this Act, s. 20.

on of the Justice, it will be much less on inquiries directed in the preceding two town, or in case he finds that the person to examine in order to obtain the at a considerable distance, the Justice said inquiries, certify such fact or facts, in such case be excused from making such 77, c. 220, s. 21.

all forthwith send, certified, to the keeper the insane person is committed, the deposition, and also the certificate (if any) given, and the keeper of the gaol shall name to the sheriff. R. S. O. 1877, c. 220,

the County Court of the county, or the ge, or if there is no Deputy or Junior dge of the County Court is absent from to act, then such other Justice of the ted by the County Court Judge to act lf, shall as soon as conveniently may ch of the inquiries directed to be made f this Act as have not been previously unty Crown Attorney shall cause to be es required therefor; but should the e find that such inquiries will be ex- nt information has been obtained for by other means, then the Judge or the inquiries by this section directed. 23.

Justice of the Peace acting in respect of eted to be made, shall have the like g the attendance of witnesses as a Jus- ny Act in force respecting summary e directions to any constable or peace stable and peace officer is hereby ame in like manner; and all the pro- as to procedure under the same shall y to proceedings under this Act, unless ns are herein made. R. S. O. 1877,

mitted as an insane and dangerous ill remain in confinement in the gaol until he is thence removed to some safe keeping by direction of the Lie-

tenant-Governor, or until an order for his discharge is made by the Lieutenant-Governor, or until he is discharged under the provisions of section 30. R. S. O. 1877, c. 220, s. 25.

## INSANE CONVICTS.

26. The Lieutenant-Governor upon such evidence of the insanity of any person imprisoned for an offence under the authority of any of the statutes of this Province, or imprisoned for safe custody, charged with such an offence as the Lieutenant-Governor considers sufficient, may order the removal of such insane person to an asylum for the insane; and such person shall remain there, or in such other asylum, or other place of safe keeping, as the Lieutenant-Governor may from time to time order, until his complete or partial recovery, or until other circumstances justifying his discharge from such asylum or place are certified to the satisfaction of the Lieutenant-Governor, who may then order such person back to imprisonment if then liable thereto, or otherwise to be discharged. R. S. O. 1877, c. 220, s. 26.

Removal of prisoners from gaols to asylums.

27. The Judge, Deputy or Junior Judge of the County Court of the county in the common gaol of which any person imprisoned for an offence is confined, and which person is, in the opinion of the gaol surgeon, insane, may, and if required by any regulations, approved by the Lieutenant-Governor in Council, made respecting the admission of patients into asylums for insane persons, shall, as soon as conveniently may be, cause to be made in respect of such prisoner inquiries similar to those directed to be made by sections 19 and 20 of this Act; and in case there is no Deputy or Junior Judge for any such County Court, and the Judge is absent from the county or is unable to act, then the said inquiries may be made by such Justice of the Peace as may be requested by the said County Court Judge to act in his stead in this behalf. R. S. O. 1877, c. 220, s. 27.

Inquiries as to property, etc., of a person in gaol.

28. The provisions of sections 23 and 24 of this Act shall apply to inquiries made under the preceding section. R. S. O. 1877, c. 220, s. 28.

Sections 23 and 24 to apply to examinations under s. 27.

29. Where the Judge of the County Court, or the Junior or Deputy Judge, or the Justices acting for such Judge, and the medical practitioners, upon making a personal examination of a person committed to gaol as insane, do not agree in opinion as to whether the person so committed is or is not insane, they, or any of them, may again examine such person and may grant a new certificate, if upon such further examination they change their opinion as to the mental condition of such person. 46 V. c. 30, s. 5.

Where examiners do not agree as to the mental state of a person committed as insane a second examination may be made.

## DISCHARGE.

Discharge,  
how obtained.

**30.** If the Judge of the County Court of the county, or the Deputy or Junior Judge, or if there is no such Deputy or Junior Judge, and the said County Court Judge is absent from the county or unable to act, then if such other two Justices of the Peace as may be authorized by the said Judge to act in his stead in this behalf certify (Form E) that he or they has or have personally examined a prisoner committed under the sections of this Act from 12 to 26 inclusive, and that he or they is or are satisfied that such prisoner is not insane, or that such prisoner, though insane, is not dangerous to be at large, and is not, in the opinion of such Judge or Justices, a proper person to be confined in an asylum for the insane, and if two medical practitioners (of whom the gaol surgeon shall be one), each separately from the other, personally examine the prisoner, and certify in like manner (Form F), then, in either of such cases the prisoner shall be forthwith discharged by the keeper of the gaol in which the prisoner is confined. R. S. O. 1877, c. 220, s. 29.

Discharge of  
person certified  
as insane  
under s. 33.

**31.** Where the insanity of any person committed under the warrant of any Justice or Justices of the Peace to a gaol as insane, has been duly certified under section 33 of this Act, and the gaol surgeon afterwards certifies that such person has recovered and may be safely discharged, the sheriff shall direct the keeper of the gaol to discharge such person from custody under the said warrant, and such person shall be discharged accordingly. 46 V. c. 30, s. 6.

Discharge by  
Lt.-Governor  
or medical su-  
perintendent.

**32.** Persons confined by virtue of this Act may be discharged by the Lieutenant-Governor or by the medical superintendent, under such regulations as may by the Lieutenant-Governor in Council be made in that behalf. R. S. O. 1877, c. 220, s. 35.

## REMOVAL TO AN ASYLUM.

Certificate of  
insanity by  
Justices and  
medical men,  
committal  
thereon to  
asylum.

**33.**—(1) In case the said medical practitioners duly certify (Form G) that they have personally examined such prisoner as aforesaid, and that he is insane, and a proper person to be confined in an asylum for the insane, and in case the said examining Judge or Justices duly certify (Form H) that they have personally examined such prisoner as aforesaid, and that from such examination and from the evidence adduced before him or them, he or they is or are of opinion that the prisoner is insane and a proper person to be confined in an asylum for the insane, the Lieutenant-Governor, upon receipt of such certificates, may, through the Provincial Secretary, direct that the prisoner shall be removed to such asylum for the insane, or other place of safe custody, as may by the Lieutenant-Governor be deemed fit.

(2) Each medical practitioner section shall specify therein the his opinion. R. S. O. 1877, c. 220, s. 31.

**34.** An order for the removal or confined under any wa the Peace, may be made by the standing any irregularity or in order under which such perso R. S. O. 1877, c. 220, s. 31.

**35.** Every person so remove or already removed, or in cust tenant-Governor, in any asylum subject to the custody of the charge of such asylum or other soner has been removed, or in w of any like order, until the disch by the Lieutenant-Governor. R. S. O. 1877, c. 220, s. 31.

**36.** Upon its appearing to the insane person confined as aforesaid for the insane, has come or been some other Province or country, committal to such gaol or asylum it shall be lawful for the Lieuten to authorize the removal of suc Province or country from whence as aforesaid. R. S. O. 1877, c. 220, s. 31.

**37.** The expenses of the inquir made, and of conveying any insa asylum for the insane, shall be separate town in which the insa hended; but if the insane person apprehended resided in such coun the period of one year, but had re other county, city or separate tow expenses may be recovered back b town in which the insane person county, city or separate town in w last resided for the period of a ye although he had resided for the peri city or separate town in which he such residence been resident for the other county, city or separate tow like manner such expenses may be city or separate town in which th ended from the county, city, or s insane person last resided for the p 1877, c. 220, s. 34.



... Court of the county, or the ... is no such Deputy or Junior ... Judge is absent from the ... each other two Justices of the ... the said Judge to act in his ... (E) that he or they has or ... committed under the sec- ... clusive, and that he or they ... is not insane, or that such ... gerous to be at large, and is ... or Justices, a proper person ... insane, and if two medical ... surgeon shall be one), each ... examine the prisoner, and ... in either of such cases ... discharged by the keeper of ... confined. R. S. O. 1877.

... person committed under the ... of the Peace to a gaol as ... under section 33 of this ... certifies that such per- ... discharged, the sheriff ... to discharge such per- ... warrant, and such person ... V. c. 30, s. 6.

... this Act may be discharged ... the medical superintendent, ... the Lieutenant-Governor in ... S. O. 1877, c. 220, s. 35.

ASYLUM.

... practitioners duly certify ... examined such prisoner as ... proper person to be confined ... case the said examining ... (H) that they have per- ... resaid, and that from such ... duced before him or them, ... prisoner is insane and ... asylum for the insane, the ... of such certificates, may, ... direct that the prisoner ... the insane, or other place ... nant-Governor be deemed

(2) Each medical practitioner signing a certificate under this section shall specify therein the facts upon which he has formed his opinion. R. S. O. 1877, c. 220, s. 30.

34. An order for the removal of any insane person, impris-  
oned or confined under any warrant or order of a Justice of  
the Peace, may be made by the Lieutenant-Governor, notwith-  
standing any irregularity or insufficiency in the warrant or  
order under which such person is imprisoned or confined.  
R. S. O. 1877, c. 220, s. 31.

Order for removal.

35. Every person so removed, as mentioned in section 33,  
or already removed, or in custody by authority of the Lieuten-  
ant-Governor, in any asylum for the insane, shall remain  
subject to the custody of the officers and other persons in  
charge of such asylum or other proper place to which such pris-  
oner has been removed, or in which he is in custody by virtue  
of any like order, until the discharge of such prisoner is directed  
by the Lieutenant-Governor. R. S. O. 1877, c. 220, s. 32.

Custody of person committed to asylum, etc., till discharged.

36. Upon its appearing to the Lieutenant-Governor that any  
insane person confined as aforesaid in any gaol, or in any asylum  
for the insane, has come or been brought to this Province from  
some other Province or country, within thirty days prior to his  
committal to such gaol or asylum, or any other gaol or asylum,  
it shall be lawful for the Lieutenant-Governor, by his warrant,  
to authorize the removal of such insane person back to the  
Province or country from whence he has come or been brought,  
as aforesaid. R. S. O. 1877, c. 220, s. 33.

Lt.-Governor may in certain cases return an insane non-resident of Ontario to the country from whence he came.

37. The expenses of the inquiries directed by this Act to be  
made, and of conveying any insane person from any gaol to an  
asylum for the insane, shall be paid by the county, city or  
separate town in which the insane person has been appre-  
hended; but if the insane person had not prior to his being  
apprehended resided in such county, city or separate town for  
the period of one year, but had resided for that period in some  
other county, city or separate town in this Province, then such  
expenses may be recovered back by the county, city or separate  
town in which the insane person was apprehended from the  
county, city or separate town in which the insane person had  
last resided for the period of a year; or if the insane person,  
although he had resided for the period of one year in the county,  
city or separate town in which he was apprehended, had since  
such residence been resident for the period of one year in some  
other county, city or separate town in this Province, then in  
like manner such expenses may be recovered by the county,  
city or separate town in which the insane person was appre-  
hended from the county, city, or separate town in which the  
insane person last resided for the period of one year. R. S. O.  
1877, c. 220, s. 34.

Expenses of inquiries, and conveyance to asylum, how to be borne.





of persons having a moral or legal right to maintenance out of the estate of such insane person, the inspector considers that the claim for maintenance ought to be collected. R. S. O. 1877, c. 220, s. 45.

When property of a lunatic may be taken possession of to pay for maintenance.

48. If a lunatic, upon or at any time after his admission into any asylum, possesses or becomes possessed of or entitled to any real or personal property whereby the expenses of his maintenance in the asylum or any part thereof can be paid, and has no guardian or committee lawfully appointed to take the care or management of the same for the benefit of the lunatic, then if any sum due for the maintenance of the lunatic in the asylum is not paid on demand, or there is no one of whom it can be demanded, and such property, in the opinion of the inspector of prisons and public charities, is more than sufficient or is not required to maintain the family (if any) of the lunatic, the inspector may take possession of such property, or so much thereof as he thinks necessary to pay or to secure the payment of the sum due or to become due for the support and maintenance of the lunatic in the asylum, and he shall have full power over and be competent to manage and appropriate, take or recover possession of, lease, mortgage, sell and convey all or any part of such property in the name of the lunatic, or as his committee under this Act, as fully and effectually to all intents and purposes as the lunatic could or might if of full age and of sound and disposing mind; and notwithstanding the lunatic may have ceased to be an inmate of the asylum, or may have recovered or died, the inspector may complete any lease, mortgage, sale or conveyance in respect of which proceedings have been commenced while the lunatic was confined in the asylum; but no such lease, mortgage, sale or conveyance, shall take place without the concurrence of the Attorney-General of Ontario. R. S. O. 1877, c. 220, s. 46.

Inspector may exercise powers conferred by s. 48, where he deems expedient.

49. The inspector may exercise the powers by the next preceding section conferred upon him if he thinks it expedient so to do, notwithstanding the property of the insane person is not more than sufficient to maintain the family of the lunatic and notwithstanding by reason thereof it is not the intention of the Government to require payment for the maintenance of the lunatic. 43 V. c. 36, s. 3.

Payment by Inspector to family of insane person may be authorized.

50. Where any moneys or other property belonging to the estate of an insane person has been received by the inspector of prisons and public charities, as the statutory committee of such insane person, and the Lieutenant-Governor in Council does not think it fitting on account of the necessities of the family of such insane person to require from the estate of such insane person payment of the amount payable for maintenance, or which, except for the abatement made by such order, would afterwards become payable, the Lieutenant Governor in Council may by order authorize the inspector to pay

over to any member of person, or other person amount or amounts claim in respect of his committee, in respect fully discharged as if nance of the said insane or has been confined.

51. Any gift, grant any real or personal property been insane, shall be the inspector of prisons is made for full and sufficiently secured to no notice of the insane

52. If the inspector secure the payment of the interest of the estate exercise his powers although no sum is over 1877, c. 220, s. 48.

53.—(1) The inspector *ex officio*, and by his name lunatic who has no other any public asylum refer and whether the lunatic Lieutenant-Governor or

(2) The High Court of any such lunatic if do, and upon such commission shall, while such other be the committee of the ing up the lunatic's estate be required to pay any S. O. 1877, c. 220, s. 49.

54. Notwithstanding appointed by the High prisons and public charities or other insane person, estate of such lunatic or to a copy of the order ap with a notice of the pers Court, as the sureties of s inspector. R. S. O. 1877,

55. In case any action against a person confine the insane, it shall not be

*Inspr: as to power to retain & control of lunatic - see 133 - sec 19*

legal right to maintenance out of  
n, the inspector considers that  
t to be collected. R. S. O. 1877,

t any time after his admission  
comes possessed of or entitled  
r whereby the expenses of his  
any part thereof can be paid,  
e lawfully appointed to take  
e same for the benefit of the  
the maintenance of the lunatic  
demand, or there is no one of  
such property, in the opinion  
public charities, is more than  
aintain the family (if any) of  
e possession of such property,  
necessary to pay or to secure  
o become due for the support  
the asylum, and he shall have  
t to manage and appropriate,  
ase, mortgage, sell and convey  
in the name of the lunatic,  
et as fully and effectually to  
lunatic could or might if of  
ing mind; and notwithstand-  
e be an inmate of the asylum,  
the inspector may complete  
veyance in respect of which  
l while the lunatic was con-  
lease, mortgage, sale or con-  
out the concurrence of the  
S. O. 1877, c. 220, s. 46.

se the powers by the next  
him if he thinks it expedient  
erty of the insane person is  
in the family of the lunatic  
ereof it is not the intention  
yment for the maintenance

r property belonging to the  
a received by the inspector  
as the statutory committee  
eutenant-Governor in Coun-  
count of the necessities of  
to require from the estate  
f the amount payable for  
e abatement made by such  
able, the Lieutenant Gov-  
horize the inspector to pay

over to any member or members of the family of such insane  
person, or other person or persons dependent upon him, such  
amount or amounts as it may not be considered proper to  
claim in respect of his maintenance, and the inspector, as such  
committee, in respect of every amount so paid, shall be as  
fully discharged as if he had paid the same for the mainte-  
nance of the said insane person in the asylum in which he is  
or has been confined. 43 V. c. 36, s. 4.

51. Any gift, grant, alienation, conveyance or transfer of  
any real or personal property made by any person, after having  
been insane, shall be held to be fraudulent and void, as against  
the inspector of prisons and public charities, unless the same  
is made for full and valuable consideration actually paid, or  
sufficiently secured to such person, or unless the purchaser had  
no notice of the insanity. R. S. O. 1877, c. 220, s. 47.

Conveyances  
by insane per-  
sons void as  
against In-  
spector, unless  
for value or  
without  
notice.

52. If the inspector considers it necessary, in order to  
secure the payment of the maintenance of the lunatic, or for  
the interest of the estate of the said lunatic so to do, he may  
exercise his powers in section 48 given, or any of them,  
although no sum is overdue for such maintenance. R. S. O.  
1877, c. 220, s. 48.

Inspector may  
deal with pro-  
perty, though  
nothing due  
for mainten-  
ance.

53.—(1) The inspector of prisons and public charities shall  
*ex officio*, and by his name of office, be the committee of every  
lunatic who has no other committee, and who is detained in  
any public asylum referred to in sections 2 and 3 of this Act,  
and whether the lunatic is detained under an order from the  
Lieutenant-Governor or otherwise.

Lunatics of  
whom the In-  
spector is the  
committee.

(2) The High Court may at any time appoint a committee  
of any such lunatic if such Court considers it expedient so to  
do, and upon such committee being appointed the inspector  
shall, while such other committee exercises such office, cease to  
be the committee of the lunatic, but the inspector upon deliver-  
ing up the lunatic's estate shall retain so much thereof as may  
be required to pay any sums then due for maintenance. R.  
S. O. 1877, c. 220, s. 49.

High Court  
may appoint  
another com-  
mittee.

54. Notwithstanding another committee may have been  
appointed by the High Court, every act of the inspector of  
prisons and public charities, as the committee of a lunatic  
or other insane person, shall be valid and binding upon the  
estate of such lunatic or other insane person, if done previously  
to a copy of the order appointing another committee, together  
with a notice of the persons who have been approved by the  
Court, as the sureties of such committee, being served upon the  
inspector. R. S. O. 1877, c. 220, s. 50.

When acts of  
the Inspector  
valid as  
against the  
committee ap-  
pointed by the  
Court.

55. In case any action or other proceeding is brought  
against a person confined as insane in a public asylum for  
the insane, it shall not be sufficient in order to bind the estate  
of the insane, it shall not be sufficient in order to bind the estate

Proceedings  
against per-  
sons confined  
in public  
asylums.



to make the proceedings otherwise by bill, paper or other document upon public charities, although the committee, but the same proceedings for the appointment of some person in the interest of the insane person or other proceeding as would be if the said inspector was not the under this Act. 43 V. c. 36, s. 1.

in this Act shall be construed to institute proceedings on behalf of any person confined in any public asylum, or his estate, but the inspector may and otherwise intervene in respect of any person confined as aforesaid, who is the estate, wherever the inspector is in the interest of the estate of the insane person, moneys for maintenance in an asylum. 43 V.

of the death of an insane person in public charities is the committee and inspector shall, until probate of the will of the estate of the deceased or some other person or persons, and the inspector in writing, continue to exercise by the same powers in respect of the estate of his testator, in trust for and devised to him in trust for the distribution of the residue.

liable to render an account as to the property and effects managed and subject to the same responsibility or committee duly appointed and called upon to account, but he is liable for any misconduct. R. S. O. 1877, c. 220.

in the preceding eleven sections arises as to the right of the inspector or the person claiming the property of the lunatic in the County Judge of the county in an inquisition to be held before and determine, either by himself,

or by a jury when required by either party but not otherwise, the right of property, which such Judge shall accordingly do. R. S. O. 1877, c. 220, s. 54.

60. The costs, charges and expenses which the inspector may incur in respect of the estate of an insane person shall be the first charge upon any moneys coming into the hands of the inspector and belonging to such estate. 43 V. c. 36, s. 5.

Costs of Inspector a first charge on estate.

61. The High Court shall, upon any application, made therefor by the inspector, direct to be paid to the inspector from time to time, out of any funds or moneys in Court belonging to the lunatic, the amount payable in respect to charges for maintenance of the lunatic. R. S. O. 1877, c. 220, s. 55.

Moneys in Court may be paid to Inspector for maintenance.

62. In case the insanity of any lunatic confined in any of the asylums is of such a nature, and he is possessed of such property, real or personal, as would in the opinion of the medical superintendent justify the supply to the lunatic of greater comfort and attention than are supplied under the ordinary regulations of the asylum, it shall be lawful for the inspector to make any specific regulation in respect thereto as he may deem fitting. R. S. O. 1877, c. 220, s. 56.

Inspector may make special order as to comfort of lunatic.

#### PROVISIONS RESPECTING THE PROPERTY OF INSANE PERSONS IN GAOLS.

63. The inspector of prisons and public charities shall, *ex officio*, and by his name of office, be the committee of the estate of every person, certified in the manner required by section 33 to be insane, who is detained in any gaol or other prison which is under the authority of the Government of this Province, if such person has no other committee lawfully appointed, whether such person has been committed to gaol under this Act, or has been committed for safe custody, or in default of sureties to keep the peace, or is imprisoned upon conviction for any offence, or otherwise howsoever. 48 V. c. 51, s. 1.

When inspector to be committee of person certified as insane under s. 33.

64.—(1) The inspector shall have the same authority and power to take or recover possession of, lease, mortgage, sell and convey any property of any insane person of whom he is committee under the preceding section as he has with respect to the property of lunatics of whom he is committee under the other provisions of this Act, and he may, notwithstanding such insane person may have been discharged from gaol, or may have recovered or died, complete any lease, mortgage, sale or conveyance in respect of which proceedings have been commenced while such insane person was confined in gaol.

Authority of inspector over property.

(2) No such lease, mortgage, sale or conveyance shall take place without the concurrence of the Attorney-General of Ontario. 48 V. c. 51, s. 2.

Application of ss. 54, to 61.

65. Sections 54 to 61, inclusive, shall apply to the inspector in his dealings with any such estate referred to in the next preceding two sections and as committee thereof. 48 V. c. 51, s. 3.

SCHEDULE No. 1.

FORM A.

(Section 7.)

CERTIFICATE OF MEDICAL PRACTITIONER IN ORDINARY CASES.

I, the undersigned C. D. (here set forth the qualification or degree of the person certifying: for example, Licentiate of the Medical Board; M.D. of the University of Toronto, etc.), a legally qualified medical practitioner, residing and practising at , in the County of , hereby certify that I, on the day of , A. D. 18 , at , in the County of , separately from any other medical practitioner, personally examined A. B., of (insert residence and profession or occupation, if any), and after making due inquiry into all facts in connection with the case of the said A. B., necessary to be inquired into in order to enable me to form a satisfactory opinion, I certify that the said A. B. is insane, and is a proper person to be confined in an asylum for the insane [if the insane person is an idiot add and that the said A. B. is an idiot.] and that I have formed this opinion upon the following grounds, namely:

- 1. Facts indicating insanity observed by myself (here state the facts).
- 2. Other facts (if any) indicating insanity, communicated to me by others (here state the information, and from whom received).

Signed this day of , A. D. 18 , at , in the County of

Signed in presence of } F. G. } H. K. }

R. S. O. 1877, c. 220, Sched. No. 1, Form A.

FORM B.

(Section 13.)

WARRANT FOR APPREHENSION OF DANGEROUS LUNATIC.

Province of Ontario. } County of }

To all or any of the Constables or other Peace Officers in the said County of

Whereas information upon oath has this signed, one (or as the case may be) of Her Majesty's Justices of the Peace for the said County of , that to be at large:

These are therefore to command you, in Her Majesty's name, to apprehend the said A. B. and bring him to the custody of the Peace Officer or more of Her Majesty's Justices of the Peace in order that inquiry may be made respecting his insanity and that he may be further dealt with according to law.

Given under my (or our) hand and seal this day of our Lord , at County of

R. S. O. 1877, c. 220

FORM C.

(Section 14.)

WARRANT OF COMMITTAL FOR SAFE CUSTODY

Province of Ontario, } County of }

To all or any of the Constables or Peace Officers and to the keeper of the Common Gaol

Whereas on the day of upon oath was laid before me (or us) of Her Majesty's Justices of the Peace in that A. B. is insane, and that whereas the hearing of the same is adjourned at o'clock in the ( and it is necessary that the said A. B. should be kept in safe custody:

These are therefore to command you or any of you, in Her Majesty's name, to deliver to the custody of the keeper thereof the said A. B. to the Common Gaol (or Lock-up House) and I hereby require you the said keeper to your custody in the said Common Gaol (or Lock-up House) and to safely keep him until the day of you are hereby required to convey and have him placed in the custody of such Justice or Justices of the Peace for the County of as shall be named in this warrant there to make further inquiry respecting his insanity and that he may be further dealt with according to law.

Given under my (or our) hand and seal this day of our Lord , at aforesaid.

R. S. O. 1877, c. 220, S



...ge, sale or conveyance shall take  
...ence of the Attorney-General of

...clusive, shall apply to the inspector  
...uch estate referred to in the next  
...as committee thereof. 48 V. c. 51.

DUPLICATE No. 1.

FORM A.

(Section 7.)

PRACTITIONER IN ORDINARY CASES.

...et forth the qualification or degree of the  
...entiate of the Medical Board; M.D. of  
...egally qualified medical practitioner, re-  
...in the County of , hereby  
...of , A.D. 18 , at , in  
...ely from any other medical practitioner,  
...ert residence and profession or occupation,  
...nquiry into all facts in connection with the  
...to be inquired into in order to enable me  
...to certify that the said A. B. is insane, and  
...an asylum for the insane [if the insane  
...said A. B. is an idiot.] and that I have  
...owing grounds, namely :

...arved by myself (here state the facts).  
...insanity, communicated to me by others  
...m whom received).  
... , A.D. 18 , at , in

7, c. 220, Sched. No. 1, Form A.

FORM B.

(Section 13.)

SECTION OF DANGEROUS LUNATIC.

...or other Peace Officers in the said

Whereas information upon oath has this day been laid before the under-  
signed, one (or as the case may be) of Her Majesty's Justices of the Peace in  
and for the said County of , that A. B. is insane, and dangerous  
to be at large :

These are therefore to command you, in Her Majesty's name, forthwith  
to apprehend the said A. B. and bring him before me (or us), or some one  
or more of Her Majesty's Justices of the Peace in and for the said County,  
in order that inquiry may be made respecting the sanity of the said A. B.,  
and that he may be further dealt with according to law.

Given under my (or our) hand and seal this day of , in the  
year of our Lord , at , in the  
County of

[L. S.]

R. S. O. 1877, c. 220, Sched. No. 1, Form B.

FORM C.

(Section 14.)

WARRANT OF COMMITTAL FOR SAFE CUSTODY PENDING INQUIRY.

Province of Ontario, }  
County of }

To all or any of the Constables or Peace Officers in the County of ,  
and to the keeper of the Common Gaol (or Lock-up House) at .

Whereas on the day of last past, information  
upon oath was laid before me (or us) , one (or as the case may  
be) of Her Majesty's Justices of the Peace in and for the said County of  
, that A. B. is insane, and dangerous to be at large ; and  
whereas the hearing of the same is adjourned to the day of  
, at o'clock in the (fore) noon, at  
and it is necessary that the said A. B. should in the meantime be kept in  
safe custody :

These are therefore to command you or any of you, the said Constables  
or Peace Officers, in Her Majesty's name, forthwith to convey the said  
A. B. to the Common Gaol (or Lock-up House) at , and there  
deliver him to the custody of the keeper thereof, together with this precept :  
And I hereby require you the said keeper to receive the said A. B. into  
your custody in the said Common Gaol (or Lock-up House), and there  
safely keep him until the day of (instant), when  
you are hereby required to convey and have him the said A. B. at the time  
and place to which the said hearing is so adjourned as aforesaid, before  
such Justice or Justices of the Peace for the said County as may then be  
there to make further inquiry respecting his sanity, and to be further dealt  
with according to law.

Given under my (or our) hand and seal this day of  
in the year of our Lord, , at , in the County  
aforesaid.

[L. S.]

R. S. O. 1877, c. 220, Sched. No. 1, Form C.

## FORM D.

(Section 17).

## FINAL WARRANT OF COMMITTAL.

Province of Ontario, }  
County of }

To all or any of the Constables or other Peace Officers in the County of \_\_\_\_\_, and to the keeper of the Common Gaol of the County of \_\_\_\_\_, at \_\_\_\_\_, in the county aforesaid.

Whereas information was laid before me (or us), one (or as the case may be) of Her Majesty's Justices of the Peace for the said County of \_\_\_\_\_ on the oath of \_\_\_\_\_, that *A. B.* was insane and dangerous to be at large: and whereas inquiry has been made by me (or us) respecting the sanity of the said *A. B.*: and whereas I (or we) have found and adjudged the said *A. B.* to be insane and dangerous to be at large:

These are therefore to command you, the said Constables or other Peace Officers, or any of you, to take the said *A. B.* and him safely convey to the Common Gaol at \_\_\_\_\_ aforesaid, and there deliver him to the keeper thereof, together with this precept; and I do hereby command you, the keeper of the said Common Gaol, to receive the said *A. B.* into your custody in the said Common Gaol, and there safely keep him until the pleasure of the Lieutenant-Governor be known, or until he be discharged by law.

Given under my or our hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, in the year of our Lord 18\_\_\_\_, at \_\_\_\_\_, in the county aforesaid.  
[L. S.]

R. S. O. 1877, c. 220, Sched. No. 1, Form D.

## FORM E.

(Section 30.)

## CERTIFICATE OF JUDGE OR JUSTICE WHEN PRISONER IS NOT FIT FOR AN ASYLUM.

Province of Ontario, }  
County of }

I, the undersigned *C. D.*, Judge of the County Court of the County of \_\_\_\_\_ (or, we *E. F.* and *G. H.*, Esquires, two of Her Majesty's Justices of the Peace for the County of \_\_\_\_\_, who have been requested by *C. D.*, Esquire, Judge of the County Court of the said County, to act in his stead in this matter) do hereby certify that I (or we) have on this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 18\_\_\_\_, personally examined *A. B.*, an inmate of the Gaol of the said County of \_\_\_\_\_, and I (or we) do hereby further certify that I am (or we are) satisfied that the said *A. B.* is not insane (or that the said *A. B.*, though insane is not dangerous to be at large); and is not in my (or our) opinion a fit person to be confined in an Asylum for the Insane.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 18\_\_\_\_, at \_\_\_\_\_, in the County of \_\_\_\_\_.

R. S. O. 1877, c. 220, Sched. No. 1, Form E.

## FORM F.

(Section 30.)

## CERTIFICATE OF MEDICAL PRACTITIONER WHEN AN ASYLUM.

I, the undersigned *C. D.* (here set forth the person certifying: for example, Licentiate of the University of Toronto, etc.), a legally qualified resident and practising at \_\_\_\_\_, in the County of \_\_\_\_\_, certify that I, on the \_\_\_\_\_ day of \_\_\_\_\_, in the County of \_\_\_\_\_, separately from \_\_\_\_\_, personally examined *A. B.*, an inmate of the County of \_\_\_\_\_, and I further certify said *A. B.* is not insane (or that the said *A. B.* is dangerous to be at large), and is not in my opinion confined in an Asylum for the Insane.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, in the County of \_\_\_\_\_.

R. S. O. 1877, c. 220, S.

## FORM G.

(Section 33.)

## CERTIFICATE OF MEDICAL PRACTITIONER WHEN AN ASYLUM.

I, the undersigned *C. D.* (here set forth the person certifying: for example, Licentiate of the University of Toronto, etc.), a legally qualified resident and practising at \_\_\_\_\_, in the County of \_\_\_\_\_, hereby certify that I, on the \_\_\_\_\_ day of \_\_\_\_\_, in the County of \_\_\_\_\_, separately from \_\_\_\_\_, personally examined *A. B.*, an inmate of the County of \_\_\_\_\_, and I further certify said *A. B.* is not insane, and is a proper person to be confined in an Asylum for the Insane, and that I have formed this opinion upon the facts stated hereunder (here state the facts upon which the certificate is based).

Signed this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 18\_\_\_\_, in the County of \_\_\_\_\_.

R. S. O. 1877, c. 220, S.

## FORM H.

(Section 33.)

## CERTIFICATE OF JUDGE OR JUSTICE WHEN AN ASYLUM.

Province of Ontario, }  
County of }

I, the undersigned *C. D.*, Judge of the County Court of the County of \_\_\_\_\_ (or we *E. F.* and *G. H.*, Esquires, two of Her Majesty's Justices of the Peace for the County of \_\_\_\_\_, who have been requested by *C. D.*, Esquire, Judge of the County Court of the said County, to act in his stead in this matter) do hereby certify that I (or we) have on this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 18\_\_\_\_, personally examined *A. B.*, an inmate of the Gaol of the said County of \_\_\_\_\_, and I (or we) do hereby further certify that I am (or we are) satisfied that the said *A. B.* is not insane (or that the said *A. B.*, though insane is not dangerous to be at large); and is not in my (or our) opinion a fit person to be confined in an Asylum for the Insane.

FORM D.

(Section 17).

WARRANT OF COMMITTAL.

Constables or other Peace Officers in the County of \_\_\_\_\_  
 keeper of the Common Gaol of the County of \_\_\_\_\_  
 in the county aforesaid.

laid before me (or us), one (or as the case may  
 be) of the Peace for the said County of \_\_\_\_\_

that *A. B.* was insane and dangerous to  
 inquiry has been made by me (or us) respecting  
 and whereas I (or we) have found and adjudged  
 and dangerous to be at large :

and I do hereby command you, the said Constables or other Peace  
 Officers, to take the said *A. B.* and him safely convey to the  
 aforesaid, and there deliver him to the  
 with this precept; and I do hereby command  
 the Common Gaol, to receive the said *A. B.* into  
 the Common Gaol, and there safely keep him until  
 the next Governor be known, or until he be discharged

and seal this \_\_\_\_\_ day of \_\_\_\_\_  
 at \_\_\_\_\_ in the county aforesaid.  
 [L. S.]

R. S. O. 1877, c. 220, Sched. No. 1, Form D.

FORM E.

(Section 30.)

JUSTICE WHEN PRISONER IS NOT FIT FOR AN ASYLUM.

Judge of the County Court of the County of \_\_\_\_\_  
 and *G. H.*, Esquires, two of Her Majesty's  
 Justices of the Peace for the County of \_\_\_\_\_  
 who have been re-  
 spected by the County Court of the said County,  
 do hereby certify that I (or we) have  
 on the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 18\_\_\_\_, personally examined *A. B.*,  
 of the said County of \_\_\_\_\_, and I (or we)  
 are satisfied that the said *A. B.*,  
 though insane is not dangerous to  
 the public (or our) opinion a fit person to be confined

at \_\_\_\_\_, A. D. 18\_\_\_\_, at \_\_\_\_\_, in the

R. S. O. 1877, c. 220, Sched. No. 1, Form E.

FORM F.

(Section 30.)

CERTIFICATE OF MEDICAL PRACTITIONER WHERE PRISONER IS NOT FIT FOR AN ASYLUM.

I, the undersigned *C. D.* (here set forth the qualification or degree of the  
 person certifying: for example, Licentiate of the Medical Board; M. D. of  
 the University of Toronto, etc.), a legally qualified medical practitioner,  
 residing and practising at \_\_\_\_\_, in the County of \_\_\_\_\_, do hereby  
 certify that I, on the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 18\_\_\_\_, at \_\_\_\_\_  
 in the County of \_\_\_\_\_, separately from any other medical practi-  
 tioner, personally examined *A. B.*, an inmate of the Common Gaol of the  
 County of \_\_\_\_\_, and I further certify that I am satisfied that the  
 said *A. B.* is not insane (or that the said *A. B.*, though insane, is not  
 dangerous to be at large), and is not in my opinion a fit person to be con-  
 fined in an Asylum for the Insane.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 18\_\_\_\_, at \_\_\_\_\_  
 in the County of \_\_\_\_\_

R. S. O. 1877, c. 220, Sched. No. 1, Form F.

FORM G.

(Section 33.)

CERTIFICATE OF MEDICAL PRACTITIONER WHERE PRISONER IS INSANE.

I, the undersigned *C. D.* (here set forth the qualification or degree of the  
 person certifying: for example, Licentiate of the Medical Board; M. D. of  
 the University of Toronto, etc.), a legally qualified medical practitioner,  
 residing and practising at \_\_\_\_\_, in the County of \_\_\_\_\_, do  
 hereby certify that I, on the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 18\_\_\_\_, at \_\_\_\_\_  
 in the County of \_\_\_\_\_, separately from any other medical  
 practitioner, personally examined *A. B.*, an inmate of the Common Gaol of  
 the County of \_\_\_\_\_, and I further certify that the said *A. B.* is  
 insane, and is a proper person to be confined in an Asylum for the Insane;  
 and that I have formed this opinion upon the following grounds, namely:  
 (here state the facts upon which the certificate is based.)

Signed this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 18\_\_\_\_, at \_\_\_\_\_, in the  
 County of \_\_\_\_\_

R. S. O. 1877, c. 220, Sched. No. 1, Form G.

FORM H.

(Section 33.)

CERTIFICATE OF JUDGE OR JUSTICE WHEN PRISONER IS INSANE.

Province of Ontario, }  
 County of \_\_\_\_\_ }

I, the undersigned *C. D.*, Judge of the County Court of the County of \_\_\_\_\_  
 (or we *E. F.* and *G. H.*, Esquires, two of Her Majesty's  
 Justices of the Peace for the County of \_\_\_\_\_, who have been re-



edge of the County Court of the said County, do hereby certify that I (or we) have on A.D. 18 , personally examined A. B., said County of , and I (or we) from such personal examination, and from I (or we) am (or are) of opinion that the said A. B. is a proper person to be insane.

, A.D. 18 , at , in the

1877, c. 220, Sched. No. 1, Form H.

FORM I.

(Section 38.)

RETAKE ESCAPED PATIENT.

me at , and all or any of the Constables of

day of last past, being within B., an insane person confined in the Asylum which I (name) am Medical Superintendent, m:

and you or any of you the said Constables Her Majesty's name, to retake the said A. B., and deliver him into my charge.

al this day of at in the County aforesaid.

[L. S.]

1877, c. 220, Sched. No. 1, Form I.

FORM K.

(Section 41).

PROBATIONARY PATIENTS.

or the Insane at , and all or any of the Constables of

y of last past, being within six insane person confined in the Asylum for allowed by me, C. D., the Medical Superintendent on trial to the care of his friends; on information received by me, that the dangerous:

These are therefore to command you or any of you the said Constables or Peace Officers, in Her Majesty's name, to retake the said A. B., and safely convey him to this Asylum and deliver him into my charge.

Given under my hand and seal this day of in the year of our Lord , at , in the County aforesaid.

[L. S.]

R. S. O. 1877, c. 220, Sched. No. 1, Form K.

SCHEDULE No. 2.

INFORMATION TO BE ELICITED UPON INQUIRY.

(Sections 19 and 20.)

1. The names in full and age of prisoner.
2. Occupation, religion and country.
3. Whether married or single; and if single, whether ever married.
4. How many children, if any.
5. Address of parents or nearest relatives; and in case of such relatives how connected.
6. How long prisoner has been insane.
7. Duration of the present attack, and whether the first.
8. How the insanity first shewed itself, and the supposed causes.
9. Whether any delusions, and if so, what they are.
10. Whether the prisoner is suicidal or dangerous to others.
11. Whether any offence has ever been committed by the prisoner, and whether the prisoner has been convicted of the same, with all particulars.
12. Whether the prisoner is subject to epilepsy or paralysis.
13. Whether any of the other members of the prisoner's family have suffered in a similar way, and whether the prisoner has ever been in an asylum, and if so when and where.
14. What have been the habits of the prisoner as to temperance, industry and general conduct, and in what manner they have changed—whether the change has been recent, gradual or sudden.
15. Whether the prisoner has been subject to any bodily ailments, and if so, their nature.
16. Degree of education of prisoner, and any other information that will in the opinion of the Justice or Justices aid the Medical Superintendent in the treatment of the case.
17. Whether the prisoner is idiotic, imbecile or incurable.
18. Whether the friends of the prisoner, or any of them, if such there be, are able to contribute to the maintenance of the prisoner while in an asylum, and which, if any, of such friends, and how much they, or any of them, can contribute.
19. The information required by section 19 of this Act.

R. S. O. 1877, c. 220, Sched. No. 2.