

Correspondence of Samuel and William Tuke on the 1814 Bill to Reform Madhouses

Publication/Creation

1814

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W.P. York 11 mo 30th 1813

Dear Cousin

Thou wilt have seen by the
Paper that sent that all our
power & that is not likely to
be quite thrown away - Our new
opponent has come forward most
oppositely - He called on us today
& will be at the meeting on 13th day
He is furnished with other cases besides
the one which is published, and though
a great many ingenious ^{in regard to causes} probabilities may
be urged in defence I hope the Governors
will not be satisfied without a thorough
reform - Yet my fears & doubts often
predominate over my hopes -

We are all well & my love to my family
Remain (in haste) thy sincere friend
Saml. P. H. S.

Wm Duke
1873

Dear General

40RR
0300000
1873

Wm Duke
Fayetteville
N.C.



2

OBSERVATIONS on several clauses of the Bill (as amended by the Committee) "For the regulation of the care and treatment of Lunatics in England and Wales," so far as it refers to Charitable Hospitals. Prepared on behalf of the Committee of the Friends' Retreat at York, by SAMUEL TUKE.

Charitable Hospitals are distinguished from Licensed Houses, by the absence on the part of their managers and officers, of any personal pecuniary interest in the detention of the patients, or, in the insufficient supply of their wants. It is therefore submitted that they might safely be exempted from restrictions which are deemed needful in the case of establishments carried on for the immediate profit of their managers. But as Charitable Hospitals are exposed to the evils arising from neglect, and the objects of their care are in a state of mind which excludes them from the usual means of redress in case of improper treatment, it is fully admitted that these institutions ought to be subjected to the examination of independent public visitors, as proposed in the Bill now before Parliament. It is however believed that to bring Charitable Hospitals so much under the control of the Commissioners, as is contemplated by the Bill, would tend to diminish the interest of the local Committees now entrusted with their management, and repress, rather than stimulate, the right zeal and energy of their principal officers.

The attention of Members of Parliament is respectfully requested to the following clauses,

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Such a measure is very likely to produce angry and litigious feelings on the part of a certain class of patients, who would find in the interpretation of the regulations a continual source of irritation and dispute; nor do we believe the measure would be at all protective of the patients against the evils to which they are exposed.

Clause 43 also directs that every Hospital shall have a Resident Medical Officer, who shall be "the Superintendent" of such establishment.

Might not the precise position and the style of the Medical Officer be left to the Managers of the Institution? We have, at the Retreat, a Resident Medical Officer, who has the management of the patients and the direction of the attendants entrusted to him; but we have another confidential officer who is called The Superintendent. Our plan may not be the best for general adoption, but it has been thought to be so in our case, and may be so in some other cases. We would also query whether it be right to *oblige* Hospitals having less than 100 patients to have a *resident* Medical Officer. It would be very desirable that small hospitals for the insane, of the poorer class, not paupers, should be established, and it might be that such institutions, not having sufficient means to obtain the services of a really efficient *resident* Medical Officer, would be best served by an unprofessional person resident and a *visiting* Medical Officer. It seems undesirable, at any rate, to restrict the liberty of such institutions in this respect, more than is done by the Bill in the case of Licenced Houses.

Page 19, Clause 45, directs, that no person not a pauper be received or detained in any Hospital for the Insane, without regular Medical Certificates.

It is fully admitted, that without certificates, no person ought to be *detained* in any Asylum or Hospital, but this clause, preventing, as we apprehend it does, any one who could not be certified as insane, from placing himself as a *boarder* in an Hospital for the Insane, will, we believe, be attended with serious disadvantage to many weak minded persons, and to such as are liable to violent paroxysms of recurrent disease. We have seen real comfort and advantage both to the individuals and their friends, as well as to society at large, from our establishment having been occasionally used as a retreat, by persons under the following circumstances; viz.

1st. By those who were subject occasionally to very violent and dangerous attacks of disease, and who prefer being under the general care of a well conducted asylum, and the observation of competent medical persons, to being entirely at liberty. A gentleman thus circumstanced, in a perfectly sane state of mind, placed himself under the care of the Retreat, and for twelve months continued without any symptom of disease. He had then a paroxysm of his disorder, the violent and dangerous character of which appeared to justify his good sense in the step he had taken, and he continued for many years an inmate of the establishment, partaking of a larger measure of liberty in his long lucid intervals, and secured from injury to himself or others when his attacks occurred. We have now a patient who has had attacks of homicidal insanity, and who, though of sound mind, has remained with his own consent and at the request of his friends, for more than four years since his recovery.

2nd. Persons who have had attacks of insanity and who, though no longer *detainable* as insane, find themselves unable to meet the circumstances which surround them in the world, and who really prefer having the care of an asylum where they have been kindly treated, extended to them, to having the responsibility of caring for themselves. We have seldom been without such cases, and we believe the parties judge wisely for themselves.

3rd. Ambiguous cases of Insanity connected with extreme moral weakness, or apparent depravity of conduct. We have had two cases under the care of the Retreat, where the parties had sunk into the most deplorable habits of intemperance, attended in one at least, by most outrageous and dangerous conduct. These persons placed themselves for six months under care, at the desire of their Medical Attendants and Friends, and the result in both cases was satisfactory. The habit was broken, and they were able to pass the remainder of their lives without falling into their former condition.

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Clause 52, directs, that notice be given to the Commissioners of any escape which may take place from any Hospital, with all the particulars attending it and also of the patients being brought back if that take place.

Clauses 53, and 54, directs, that notice be given of all discharges or deaths which may take place in any Hospital, with a statement of the cause of death, drawn up and signed by the Medical Attendant.

The filling up of so many forms and returns as are required in these clauses, would necessarily occupy much of the time of the principal officer of a Charitable Hospital, which it is apprehended would be more profitably devoted to his immediate duties. The clause respecting escapes would, it is believed, be decidedly injurious. In a well conducted Asylum where a suitable degree of liberty is given to the patients, escapes *will* occur, and the entire absence of escapes may be considered as indicating an undue degree of restraint. If cases of escape are to be reported to the Commissioners, the tendency will be to restrict liberty so as to prevent their occurrence. We do not consider escapes to be so injurious to the patient, or so dangerous to society, as to call for any legal interference respecting them. Cases have even occurred, in which the patient has been benefited by the exertion and variety which

it afforded, and no case has come under our notice in which any injury to others has arisen. It would be to be regretted if one or two lamentable cases referred to in the Report of the Commissioners, should encourage a system of close restraint. Escapes are not in general the promineut fault of ill conducted establishments. If this clause be retained, should it not state what constitutes an Escape. If a patient at work in the grounds of the institution slip away from his attendant, and be brought back again in a few minutes, or in an hour, is the event to be reported to the Commissioners as an *Escape* within the meaning of the act?

Page 33, Clause 85, directs, that no patient shall be allowed to leave the institution for a limited time on account of health, without the consent in writing of two of the Commissioners, and such consent is not to be given without the consent in writing of the person who signed the order for the reception of the patient or who makes the annual payments for his board.

This formal correspondence and arrangement with the Commissioners, before a few days journey, or a visit to a watering place can be made, would be quite sufficient, in many cases, to prevent those occasional excursions and experiments of change, which, in some instances are found to be not unimportant parts of curative or alleviative treatment. We frequently have patients residing out of the establishment on trial, and we really cannot see how the Commissioners in London could assist us by their judgment, in the exercise of a sound discretion in such cases, or that it is wise to attempt to put these institutions so much into leading strings.

PENALTIES.—All the preceeding Clauses of the proposed Act, are inforced by penalties, the Chief Officers of the Hospital being subjected to fines varying from five to fifty pounds, or to indictment for a misdemeanour in case of his omitting at any time to comply with the letter of the law. Is it desirable thus to multiply legal offences? Is it not derogatory to the character of men placed in these important offices, thus to surround them with pains and penalties as the motive to action, and will not the tendency of such a system be, to lead them to be satisfied with a mere literal performance of official duties?

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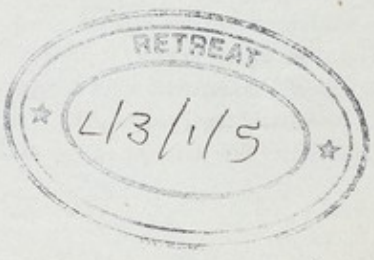
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The Commissioners have considered the subject of the escape of patients from the grounds of the institution, and have concluded that it is not necessary to insert any clause in the Act to prevent patients from leaving the grounds of the institution without the consent of the person who signed the order for the reception of the patient or who has the custody of the keys of the institution.

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Page 52. Clause 25. It seems that no patient shall be allowed to leave the institution for a limited time on account of health, without the consent in writing of two of the Commissioners, and such consent is not to be given without the consent in writing of the person who signed the order for the reception of the patient, or who made the annual payment for his board.

This formal correspondence and arrangement with the Commissioners, before a few days' journey, or a visit to a watering place can be made, would be quite sufficient, in many cases, to prevent those occasional excursions and experiments of change, which, in some instances are found to be not unimportant parts of curative or alleviative treatment. We frequently have patients residing out of the establishment on trial, and we really cannot see how the Commissioners in London could assist us by their judgment, in the exercise of a sound discretion in such cases, or that it is wise to attempt to put these institutions so much into leading strings, as to require the sanction of the Commissioners in every case of the kind.

REMARKS.—All the preceding Clauses of the proposed Act are enforced by penalties, the Chief Officers of the Hospital being subject to fines varying from five to fifty pounds, or to indictment for a misdemeanour in case of his omitting at any time to comply with the letter of the law. Is it desirable thus to multiply legal offences? Is it not derogatory to the character of men placed in these important offices, thus to surround them with pains and penalties as the motive to action, and will not the tendency of such a system be to lead them to be satisfied with a more liberal performance of official duties?

It is not desirable to multiply legal offences, and it is not desirable to surround men placed in these important offices with pains and penalties as the motive to action, and will not the tendency of such a system be to lead them to be satisfied with a more liberal performance of official duties?

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It is not desirable to multiply legal offences, and it is not desirable to surround men placed in these important offices with pains and penalties as the motive to action, and will not the tendency of such a system be to lead them to be satisfied with a more liberal performance of official duties?

OBSERVATIONS on several clauses of the Bill (as amended by the Committee) "For the regulation of the care and treatment of Lunatics in England and Wales," so far as it refers to Charitable Hospitals. Prepared on behalf of the Committee of the Friends' Retreat at York, by SAMUEL TUKE.

Charitable Hospitals are distinguished from Licensed Houses, by the absence on the part of their managers and officers, of any personal pecuniary interest in the detention of the patients, or, in the insufficient supply of their wants. It is therefore submitted that they might safely be exempted from restrictions which are deemed needful in the case of establishments carried on for the immediate profit of their managers. But as Charitable Hospitals are exposed to the evils arising from neglect, and the objects of their care are in a state of mind which excludes them from the usual means of redress in case of improper treatment, it is fully admitted that these institutions ought to be subjected to the examination of independent public visitors, as proposed in the Bill now before Parliament. It is however believed that to bring Charitable Hospitals so much under the control of the Commissioners, as is contemplated by the Bill, would tend to diminish the interest of the local Committees now entrusted with their management, and repress, rather than stimulate, the right zeal and energy of their principal officers.

The attention of Members of Parliament is respectfully requested to the following clauses,

Page 18, Clause 43, directs, that the regulations of every Hospital shall be hung up in the Wards of the Patients.

Such a measure is very likely to produce angry and litigious feelings on the part of a certain class of patients, who would find in the interpretation of the regulations a continual source of irritation and dispute; nor do we believe the measure would be at all protective of the patients against the evils to which they are exposed.

Clause 43 also directs that every Hospital shall have a Resident Medical Officer, who shall be "the Superintendent" of such establishment.

Might not the precise position and the style of the Medical Officer be left to the Managers of the Institution? We have, at the Retreat, a Resident Medical Officer, who has the management of the patients and the direction of the attendants entrusted to him; but we have another confidential officer who is called The Superintendent. Our plan may not be the best for general adoption, but it has been thought to be so in our case, and may be so in some other cases. We would also query whether it be right to *oblige* Hospitals having less than 100 patients to have a *resident* Medical Officer. It would be very desirable that small hospitals for the insane, of the poorer class, not paupers, should be established, and it might be that such institutions, not having sufficient means to obtain the services of a really efficient *resident* Medical Officer, would be best served by an unprofessional person resident and a *visiting* Medical Officer. It seems undesirable, at any rate, to restrict the liberty of such institutions in this respect, more than is done by the Bill in the case of Licenced Houses.

Page 19, Clause 45, directs, that no person not a pauper be received or detained in any Hospital for the Insane, without regular Medical Certificates.

It is fully admitted, that without certificates, no person ought to be *detained* in any Asylum or Hospital, but this clause, preventing, as we apprehend it does, any one who could not be certified as insane, from placing himself as a *boarder* in an Hospital for the Insane, will, we believe, be attended with serious disadvantage to many weak minded persons, and to such as are liable to violent paroxysms of recurrent disease. We have seen real comfort and advantage both to the individuals and their friends, as well as to society at large, from our establishment having been occasionally used as a retreat, by persons under the following circumstances; viz.

1st. By those who were subject occasionally to very violent and dangerous attacks of disease, and who prefer being under the general care of a well conducted asylum, and the observation of competent medical persons, to being entirely at liberty. A gentleman thus circumstanced, in a perfectly sane state of mind, *placed himself* under the care of the Retreat, and for twelve months continued without any symptom of disease. He had then a paroxysm of his disorder, the violent and dangerous character of which appeared to justify his good sense in the step he had taken, and he continued for many years an inmate of the establishment, partaking of a larger measure of liberty in his long lucid intervals, and secured from injury to himself or others when his attacks occurred. We have now a patient who has had attacks of homicidal insanity, and who, though of sound mind, has remained with his own consent and at the request of his friends, for more than four years since his recovery.

2nd. Persons who have had attacks of insanity and who, though no longer *detainable* as insane, find themselves unable to meet the circumstances which surround them in the world, and who really prefer having the care of an asylum where they have been kindly treated, extended to them, to having the responsibility of caring for themselves. We have seldom been without such cases, and we believe the parties judge wisely for themselves.

3rd. Ambiguous cases of Insanity connected with extreme moral weakness, or apparent depravity of conduct. We have had two cases under the care of the Retreat, where the parties had sunk into the most deplorable habits of intemperance, attended in one at least, by most outrageous and dangerous conduct. These persons placed themselves for six months under care, at the desire of their Medical Attendants and Friends, and the result in both cases was satisfactory. The habit was broken, and they were able to pass the remainder of their lives without falling into their former condition.

Page 21, Clauses 49, 50, and 51, direct, Entries to be made in every Hospital in a specified form on the reception of a patient, and that notice of such admission, with a copy of the order and Medical Certificate, and a statement of the bodily and mental health of the patient, be transmitted to the Commissioners within a limited time; and

Clause 52, directs, that notice be given to the Commissioners of any escape which may take place from any Hospital, with all the particulars attending it and also of the patients being brought back if that take place.

Clauses 53, and 54, directs, that notice be given of all discharges or deaths which may take place in any Hospital, with a statement of the cause of death, drawn up and signed by the Medical Attendant.

The filling up of so many forms and returns as are required in these clauses, would necessarily occupy much of the time of the principal officer of a Charitable Hospital, which it is apprehended would be more profitably devoted to his immediate duties. The clause respecting escapes would, it is believed, be decidedly injurious. In a well conducted Asylum where a suitable degree of liberty is given to the patients, escapes *will* occur, and the entire absence of escapes may be considered as indicating an undue degree of restraint. If cases of escape are to be reported to the Commissioners, the tendency will be to restrict liberty so as to prevent their occurrence. We do not consider escapes to be so injurious to the patient, or so dangerous to society, as to call for any legal interference respecting them. Cases have even occurred, in which the patient has been benefited by the exertion and variety which

it afforded, and no case has come under our notice in which any injury to others has arisen. It would be to be regretted if one or two lamentable cases referred to in the Report of the Commissioners, should encourage a system of close restraint. Escapes are not in general the prominent fault of ill conducted establishments. If this clause be retained, should it not state what constitutes an Escape. If a patient at work in the grounds of the institution slip away from his attendant, and be brought back again in a few minutes, or in an hour, is the event to be reported to the Commissioners as an *Escape* within the meaning of the act?

Page 33, Clause 85, directs, that no patient shall be allowed to leave the institution for a limited time on account of health, without the consent in writing of two of the Commissioners, and such consent is not to be given without the consent in writing of the person who signed the order for the reception of the patient or who makes the annual payments for his board.

This formal correspondence and arrangement with the Commissioners, before a few days journey, or a visit to a watering place can be made, would be quite sufficient, in many cases, to prevent those occasional excursions and experiments of change, which, in some instances are found to be not unimportant parts of curative or alleviative treatment. We frequently have patients residing out of the establishment on trial, and we really cannot see how the Commissioners in London could assist us by their judgment, in the exercise of a sound discretion in such cases, or that it is wise to attempt to put these institutions so much into leading strings.

PENALTIES.—All the preceding Clauses of the proposed Act, are enforced by penalties, the Chief Officers of the Hospital being subjected to fines varying from five to fifty pounds, or to indictment for a misdemeanour in case of his omitting at any time to comply with the letter of the law. Is it desirable thus to multiply legal offences? Is it not derogatory to the character of men placed in these important offices, thus to surround them with pains and penalties as the motive to action, and will not the tendency of such a system be, to lead them to be satisfied with a mere literal performance of official duties?

it afforded, and no case has come under our notice in which any injury to others has arisen. It would be to be regretted if one or two lamentable cases referred to in the Report of the Commissioners, should encourage a system of close restraint. Restraints are not in general the prominent fault of ill conducted establishments. If this class be retained, should it not state what constitutes an escape. If a patient at work in the grounds of the institution slip away from his attendant, and be brought back again in a few minutes, or in an hour, is the event to be reported to the Commissioners as an escape within the meaning of the act?

Page 33, Clause 85 directs that no patient shall be allowed to leave the institution for a limited time on account of health, without the consent in writing of two of the Commissioners, and such consent is not to be given without the consent in writing of the person who signed the order for the reception of the patient or who makes the annual payments for his board.

This formal correspondence and arrangement with the Commissioners, before a few days journey, or a visit to a watering place can be made, would be quite sufficient, in many cases, to prevent those occasional excursions and experiments of change, which, in some instances are found to be not unimportant parts of curative or alleviative treatment. We frequently have patients residing out of the establishment on trial, and we really cannot see how the Commissioners in London could assist us by their judgment, in the exercise of a sound discretion in such cases, or that it is wise to attempt to put these institutions so much into leading strings.

Penalties.—All the preceding Clauses of the proposed Act, are enforced by penalties, the Chief Officers of the Hospital being subjected to fines varying from five to fifty pounds, or to indictment for a misdemeanor in case of his omitting at any time to comply with the letter of the law. Is it desirable thus to multiply legal offences? Is not derogatory to the character of men placed in these important offices; thus to surround them with pains and penalties as the motive to action, and will not the tendency of such a system be, to lead them to be satisfied with mere literal performance of official duties?

(COPY)

TO THE COMMONS OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND, IN
PARLIAMENT ASSEMBLED.

The Petition of the Undersigned Members of the Committee of "The Friends' Retreat," near York,

Respectfully Sheweth,

That your Petitioners are entrusted with the charge of an institution established about fifty years ago, by the Society of Friends, for the relief of "persons afflicted with disorders of the mind," and that the said institution is supported by charitable contributions and the payments of the patients. They observe with satisfaction, that Parliament is engaged in providing for the proper "maintenance and care of Pauper Lunatics," and also "for the regulation of the care and treatment" of the insane of other classes in England and Wales. They apprehend, however, that in the Bill for the latter object now before Parliament, there are clauses relating to Charitable Hospitals which interfere needlessly with their free course of action, and some of them, in a manner, which would be decidedly opposed to the right management of such establishments.

Your Petitioners do not desire to be exempted from the visitation of the Commissioners, or from the searching enquiry into the management of their institution, which the Bill authorizes the Commissioners to make in all Hospitals except that of Bethlehem. They believe that such visitation, by judicious and competent persons would stimulate the managers and officers in the discharge of their arduous duties, and that it would effectually prevent the recurrence of that system of neglect, which at one time prevailed so extensively in institutions for the insane. But they respectfully submit that the numerous minute and stringent directions proposed to be enacted by the present bill, and which are enforced by as numerous fines and other penalties, are not called for by the present condition of Charitable Hospitals, and that they are calculated to repress right energy, and the exercise of that discretion, on the part of the managers and officers of these institutions, on which their real welfare and excellence essentially depends.

They are of opinion that the class of institutions for the insane, in which the managers and officers have no direct pecuniary interest, might safely be distinguished more than is done by the present Bill, from those establishments which are conducted for the immediate profit of the proprietors.

They therefore respectfully, but earnestly desire that the Retreat and other Charitable Hospitals may be excluded from the operation of the proposed "Act for the Regulation of the Care and Treatment of Lunatics in England and Wales," except so far as relates to the visitation of Charitable Hospitals by the Commissioners, and the free investigation into the condition of the patients confined in them.

Signed by

SAMUEL TUKE,
CALEB FLETCHER,
JAMES H. TUKE,
DAVID PRIESTMAN,

JOSEPH ROWNTREE,
JAMES H. KING,
THOMAS MASON,
THOMAS SMITH.

To the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled

The Petition of the Undersigned Members of the Committee of the Friends of the Hospital, near York, sheweth

That your Petitioners are extremely concerned with the change in our Institution established about fifty years ago by the Society of Friends for the relief of "persons afflicted with disorders of the mind," and that the said Institution is supported by charitable contributions and the payments of the patients. They observe with satisfaction that Parliament is engaged in providing for the proper "maintenance and care of Lunatic Asylums," and also "for the regulation of the care and treatment" of the insane of other classes in England and Wales. They apprehend, however, that in the Bill for the latter object now before Parliament, there are clauses relating to Charitable Hospitals which interfere needlessly with their free course of action, and some of them, in a manner which would be decidedly opposed to the right management of such establishments.

Your Petitioners do not desire to be exempted from the visitation of the Commissioners, or from the scrutiny ensuing into the management of their Institution, which the Bill authorizes the Commissioners to make in all Hospitals except that of Bethlehem. They believe that such visitation, by judicious and competent persons would stimulate the managers and officers in the discharge of their various duties, and that it would effectually prevent the recurrence of that system of neglect, which it was first provided so extensively in Institutions for the insane. But they respectfully submit that the numerous minute and subject divisions proposed to be enacted by the present Bill, and which are entangled by its numerous clauses and other provisions, are not called for by the present condition of Charitable Hospitals, and that the care calculated to require right energy, and the greater of that discretion on the part of the managers and officers of these Institutions, on which their best welfare and excellence essentially depends.

They are of opinion that the class of Institutions for the insane, in which the managers and officers have no direct pecuniary interest, ought not to be distinguished more than is done by the present Bill, from those establishments which are conducted for the immediate profit of the proprietors.

They therefore respectfully, but earnestly desire that the Houses and other Charitable Hospitals may be excluded from the operation of the proposed "Act for the Regulation of the Care and Treatment of Lunatics in England and Wales," except so far as relates to the visitation of Charitable Hospitals by the Commissioners, and the free investigation into the condition of the patients confined in them.

Signed by
DAVID PAIRMAN
JAMES H. TOWN
GARR FLETCHER
SAMUEL TOWN
THOMAS SMITH
THOMAS ALAN
JAMES H. KING
JOSEPH HOWARTH

(COPY)

TO THE COMMONS OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND, IN
PARLIAMENT ASSEMBLED.

The Petition of the Undersigned Members of the Committee of "The Friends' Retreat," near York,

Respectfully Sheweth,

That your Petitioners are entrusted with the charge of an institution established about fifty years ago, by the Society of Friends, for the relief of "persons afflicted with disorders of the mind," and that the said institution is supported by charitable contributions and the payments of the patients. They observe with satisfaction, that Parliament is engaged in providing for the proper "maintenance and care of Pauper Lunatics," and also "for the regulation of the care and treatment" of the insane of other classes in England and Wales. They apprehend, however, that in the Bill for the latter object now before Parliament, there are clauses relating to Charitable Hospitals which interfere needlessly with their free course of action, and some of them, in a manner, which would be decidedly opposed to the right management of such establishments.

Your Petitioners do not desire to be exempted from the visitation of the Commissioners, or from the searching enquiry into the management of their institution, which the Bill authorizes the Commissioners to make in all Hospitals except that of Bethlehem. They believe that such visitation, by judicious and competent persons would stimulate the managers and officers in the discharge of their arduous duties, and that it would effectually prevent the recurrence of that system of neglect, which at one time prevailed so extensively in institutions for the insane. But they respectfully submit that the numerous minute and stringent directions proposed to be enacted by the present bill, and which are enforced by as numerous fines and other penalties, are not called for by the present condition of Charitable Hospitals, and that they are calculated to repress right energy, and the exercise of that discretion, on the part of the managers and officers of these institutions, on which their real welfare and excellence essentially depends.

They are of opinion that the class of institutions for the insane, in which the managers and officers have no direct pecuniary interest, might safely be distinguished more than is done by the present Bill, from those establishments which are conducted for the immediate profit of the proprietors.

They therefore respectfully, but earnestly desire that the Retreat and other Charitable Hospitals may be excluded from the operation of the proposed "Act for the Regulation of the Care and Treatment of Lunatics in England and Wales," except so far as relates to the visitation of Charitable Hospitals by the Commissioners, and the free investigation into the condition of the patients confined in them.

Signed by

SAMUEL TUKE,
CALEB FLETCHER,
JAMES H. TUKE,
DAVID PRIESTMAN,

JOSEPH ROWNTREE,
JAMES H. KING,
THOMAS MASON,
THOMAS SMITH.

MEMORANDUM
TO THE CHAIRMAN OF THE LONDON SOCIETY OF FRIENDS OF THE LONDON HOSPITALS

The Petition of the Undersigned Members of the Committee of the London Society of Friends of the London Hospitals, now in

Parliamentary Session.

That your Petitioners are concerned with the change in the management of the London Hospitals, and that they are desirous of expressing their views on the subject to the Society of Friends, for the purpose of obtaining the aid of the Society in the present crisis. They observe that the said institution is supported by charitable contributions and the payment of the patients. They observe with satisfaction that Parliament is engaged in providing for the proper maintenance and care of the London Hospitals, and also for the regulation of the care and treatment of the inmates of other hospitals in England and Wales. They are, however, desirous that in the Bill for the better management of the London Hospitals, there be clauses relating to the London Hospitals which interfere not only with their free course of action, but also with their property, in a manner which would be directly opposed to the right management of such establishments.

Your Petitioners do not desire to be exempted from the operation of the Commission, or from the carrying out of the management of their institutions, which the Bill authorizes the Commissioners to make in all Hospitals except that of Bethlehem. They believe that such a restriction, by justifying and compelling persons would stimulate the managers and officers in the necessity of their making haste, and that it would effectively prevent the recovery of the said system of management, which it was their object to introduce in the London Hospitals. But they respectfully submit that the managers, officers and original directors proposed to be appointed by the present Bill, and who are entered by us as managers, officers and other persons, are not called for by the present condition of the London Hospitals, and that they are calculated to require high energy, and the exercise of discretion, on the part of the trustees and officers of these institutions, as well as the best and most excellent assistance essentially necessary.

They are of opinion that the rise of institutions for the insane, in which the managers and officers have no direct participation, must rather be held to be a benefit than a loss to the public, and that the London Hospitals which are conducted for the immediate profit of the proprietors.

They therefore respectfully, but earnestly desire that the London and other Charitable Hospitals may be excluded from the operation of the proposed Bill, and that the regulation of the care and treatment of patients in England and Wales, except so far as relates to the regulation of Charitable Hospitals by the Commissioners, and the free admission into the London Hospitals of the patients contained therein.

JAMES H. BROWN
JAMES H. KING
THOMAS MANN
THOMAS SMITH

JAMES H. BROWN
JAMES H. KING
THOMAS MANN
THOMAS SMITH

Signed by

(COPY)

TO THE COMMONS OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND, IN
PARLIAMENT ASSEMBLED.

The Petition of the Undersigned Members of the Committee of "The Friends' Retreat," near York,

Respectfully Sheweth,

That your Petitioners are entrusted with the charge of an institution established about fifty years ago, by the Society of Friends, for the relief of "persons afflicted with disorders of the mind," and that the said institution is supported by charitable contributions and the payments of the patients. They observe with satisfaction, that Parliament is engaged in providing for the proper "maintenance and care of Pauper Lunatics," and also "for the regulation of the care and treatment" of the insane of other classes in England and Wales. They apprehend, however, that in the Bill for the latter object now before Parliament, there are clauses relating to Charitable Hospitals which interfere needlessly with their free course of action, and some of them, in a manner, which would be decidedly opposed to the right management of such establishments.

Your Petitioners do not desire to be exempted from the visitation of the Commissioners, or from the searching enquiry into the management of their institution, which the Bill authorizes the Commissioners to make in all Hospitals except that of Bethlehem. They believe that such visitation, by judicious and competent persons would stimulate the managers and officers in the discharge of their arduous duties, and that it would effectually prevent the recurrence of that system of neglect, which at one time prevailed so extensively in institutions for the insane. But they respectfully submit that the numerous minute and stringent directions proposed to be enacted by the present bill, and which are enforced by as numerous fines and other penalties, are not called for by the present condition of Charitable Hospitals, and that they are calculated to repress right energy, and the exercise of that discretion, on the part of the managers and officers of these institutions, on which their real welfare and excellence essentially depends.

They are of opinion that the class of institutions for the insane, in which the managers and officers have no direct pecuniary interest, might safely be distinguished more than is done by the present Bill, from those establishments which are conducted for the immediate profit of the proprietors.

They therefore respectfully, but earnestly desire that the Retreat and other Charitable Hospitals may be excluded from the operation of the proposed "Act for the Regulation of the Care and Treatment of Lunatics in England and Wales," except so far as relates to the visitation of Charitable Hospitals by the Commissioners, and the free investigation into the condition of the patients confined in them.

Signed by

SAMUEL TUKE,
CALEB FLETCHER,
JAMES H. TUKE,
DAVID PRIESTMAN,

JOSEPH ROWNTREE,
JAMES H. KING,
THOMAS MASON,
THOMAS SMITH.

1871
TO THE COMMONS OF THE GREAT BRITAIN AND IRELAND IN
PARLIAMENT ASSEMBLED

The Petition of the Undersigned Members of the Committee of the Council, New York,

Respectfully Sheweth,

That your Petitioners are concerned with the change of an institution established about fifty years ago, by the Society of Friends, for the relief of persons afflicted with diseases of the mind, and that the said institution is supported by charitable contributions and the payments of the patients. They object to the said institution, that it is engaged in providing for the proper maintenance and care of pauper lunatics, with satisfaction, that it is engaged in providing for the proper maintenance and care of pauper lunatics, and also for the regulation of the care and treatment of the insane of other classes in England and Wales. They apprehend, however, that in the bill for the relief of the said institution, there are clauses relating to Charitable Hospitals which interfere necessarily with their free course of action, and some of them, in a manner, which would be decidedly opposed to the right management of such establishments.

Your Petitioners do not desire to be exempted from the visitation of the Commissioners, or from the searching enquiry into the management of their institution, which the Bill empowers the Commissioners to make in all Hospitals except that of Bethlehem. They believe that such visitation, by friends and competent persons would stimulate the managers and officers in the discharge of their various duties, and that it would effectively prevent the recurrence of that system of neglect, which has been so extensively in operation in institutions for the insane. But they respectfully request that the numerous wants and various directions pointed to in the present bill, and which are embraced by an enormous list of amendments, are not omitted for by the present condition of Charitable Hospitals, and that they are calculated to improve management, and the excellence of that direction, on the part of the managers and officers of these institutions, on which their real value and excellence essentially depends.

They are of opinion that the class of institutions for the insane, in which the managers and officers have no direct pecuniary interest, might easily be distinguished more than in those which are connected with establishments which are connected for the immediate profit of the proprietors. They therefore respectfully, but earnestly desire that the Bentinck and other Charitable Hospitals may be excluded from the operation of the proposed Bill for the Regulation of the Care and Treatment of Lunatics in England and Wales, except so far as relates to the visitation of Charitable Hospitals by the Commissioners, and the free investigation into the condition of the patients confined in them.

Signed by

JOSEPH HOWLAND	DAVID PATRICKSON
JAMES H. KING	JAMES H. TAYLOR
THOMAS MASON	SAMUEL TAYLOR
THOMAS SMITH	CAROL PATRICKSON

(COPY)

TO THE COMMONS OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND, IN
PARLIAMENT ASSEMBLED.

The Petition of the Undersigned Members of the Committee of "The Friends' Retreat," near York,

Respectfully Sheweth,

That your Petitioners are entrusted with the charge of an institution established about fifty years ago, by the Society of Friends, for the relief of "persons afflicted with disorders of the mind," and that the said institution is supported by charitable contributions and the payments of the patients. They observe with satisfaction, that Parliament is engaged in providing for the proper "maintenance and care of Pauper Lunatics," and also "for the regulation of the care and treatment" of the insane of other classes in England and Wales. They apprehend, however, that in the Bill for the latter object now before Parliament, there are clauses relating to Charitable Hospitals which interfere needlessly with their free course of action, and some of them, in a manner, which would be decidedly opposed to the right management of such establishments.

Your Petitioners do not desire to be exempted from the visitation of the Commissioners, or from the searching enquiry into the management of their institution, which the Bill authorizes the Commissioners to make in all Hospitals except that of Bethlehem. They believe that such visitation, by judicious and competent persons would stimulate the managers and officers in the discharge of their arduous duties, and that it would effectually prevent the recurrence of that system of neglect, which at one time prevailed so extensively in institutions for the insane. But they respectfully submit that the numerous minute and stringent directions proposed to be enacted by the present bill, and which are enforced by as numerous fines and other penalties, are not called for by the present condition of Charitable Hospitals, and that they are calculated to repress right energy, and the exercise of that discretion, on the part of the managers and officers of these institutions, on which their real welfare and excellence essentially depends.

They are of opinion that the class of institutions for the insane, in which the managers and officers have no direct pecuniary interest, might safely be distinguished more than is done by the present Bill, from those establishments which are conducted for the immediate profit of the proprietors.

They therefore respectfully, but earnestly desire that the Retreat and other Charitable Hospitals may be excluded from the operation of the proposed "Act for the Regulation of the Care and Treatment of Lunatics in England and Wales," except so far as relates to the visitation of Charitable Hospitals by the Commissioners, and the free investigation into the condition of the patients confined in them.

Signed by

SAMUEL TUKE,
CALEB FLETCHER,
JAMES H. TUKE,
DAVID PRIESTMAN,

JOSEPH ROWNTREE,
JAMES H. KING,
THOMAS MASON,
THOMAS SMITH.

To THE COMMONS OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND, IN PARLIAMENT ASSEMBLED.

The Petition of the Undersigned Members of the Committee of "The Friends, Retreat," near York,

Respectfully Sheweth,

That your Petitioners are entrusted with the charge of an institution established about fifty years ago, by the Society of Friends, for the relief of "persons afflicted with disorders of the mind," and that the said institution is supported by charitable contributions and the payments of the patients. They observe with satisfaction, that Parliament is engaged in providing for the proper maintenance and care of Pauper Lunatics, and also the regulation of the care and treatment of the insane of other classes in England and Wales. They apprehend, however, that in the Bill for the latter object now before Parliament, there are clauses relating to Charitable Hospitals which interfere needlessly with their free course of action, and some of them, in a manner, which would be decidedly opposed to the right management of such establishments.

Your Petitioners do not desire to be exempted from the visitation of the Commissioners, or from the searching enquiry into the management of their institution, which the Bill authorizes the Commissioners to make in all Hospitals except that of Bethlehem. They believe that such visitation, by Justices and competent persons would stimulate the managers and officers in the discharge of their various duties, and that it would effectually prevent the recurrence of that system of neglect, which at one time prevailed so extensively in institutions for the insane. But they respectfully submit that the anonymous minute and stringent objections proposed to be enacted by the present Bill, and which are enforced by an enormous fine and other penalties, are not called for by the present condition of Charitable Hospitals, and that they are calculated to repress that energy, and the exercise of that discretion, on the part of the managers and officers of these institutions, on which their real welfare and excellence essentially depend.

They are of opinion that the object of institutions for the insane, in which the managers and officers have no direct pecuniary interest, might safely be distinguished more than is done by the present Bill, from those establishments which are conducted for the immediate profit of the proprietors.

They therefore respectfully but earnestly desire that the Retreat and other Charitable Hospitals may be excluded from the operation of the proposed "Act for the Regulation of the Care and Treatment of Lunatics in England and Wales," except so far as relates to the situation of Charitable Hospitals by the Commissioners, and the free insertion into the condition of the patient's contract of them.

Signed by

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| JAMES H. KIRK | JAMES H. KIRK |
| JAMES H. KIRK | JAMES H. KIRK |
| JAMES H. KIRK | JAMES H. KIRK |
| JAMES H. KIRK | JAMES H. KIRK |

(COPY)

TO THE COMMONS OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND, IN
PARLIAMENT ASSEMBLED.

The Petition of the Undersigned Members of the Committee of "The Friends' Retreat," near York,

Respectfully Sheweth,

That your Petitioners are entrusted with the charge of an institution established about fifty years ago, by the Society of Friends, for the relief of "persons afflicted with disorders of the mind," and that the said institution is supported by charitable contributions and the payments of the patients. They observe with satisfaction, that Parliament is engaged in providing for the proper "maintenance and care of Pauper Lunatics," and also "for the regulation of the care and treatment" of the insane of other classes in England and Wales. They apprehend, however, that in the Bill for the latter object now before Parliament, there are clauses relating to Charitable Hospitals which interfere needlessly with their free course of action, and some of them, in a manner, which would be decidedly opposed to the right management of such establishments.

Your Petitioners do not desire to be exempted from the visitation of the Commissioners, or from the searching enquiry into the management of their institution, which the Bill authorizes the Commissioners to make in all Hospitals except that of Bethlehem. They believe that such visitation, by judicious and competent persons would stimulate the managers and officers in the discharge of their arduous duties, and that it would effectually prevent the recurrence of that system of neglect, which at one time prevailed so extensively in institutions for the insane. But they respectfully submit that the numerous minute and stringent directions proposed to be enacted by the present bill, and which are enforced by as numerous fines and other penalties, are not called for by the present condition of Charitable Hospitals, and that they are calculated to repress right energy, and the exercise of that discretion, on the part of the managers and officers of these institutions, on which their real welfare and excellence essentially depends.

They are of opinion that the class of institutions for the insane, in which the managers and officers have no direct pecuniary interest, might safely be distinguished more than is done by the present Bill, from those establishments which are conducted for the immediate profit of the proprietors.

They therefore respectfully, but earnestly desire that the Retreat and other Charitable Hospitals may be excluded from the operation of the proposed "Act for the Regulation of the Care and Treatment of Lunatics in England and Wales," except so far as relates to the visitation of Charitable Hospitals by the Commissioners, and the free investigation into the condition of the patients confined in them.

Signed by

SAMUEL TUKE,
CALEB FLETCHER,
JAMES H. TUKE,
DAVID PRIESTMAN,

JOSEPH ROWNTREE,
JAMES H. KING,
THOMAS MASON,
THOMAS SMITH.

To the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.

The Petition of the Undersigned Members of the Committee of "The Friends' Retreat," near York,

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Your Petitioners do not desire to be exempted from the visitation of the Commissioners, or from the scrutiny which is now made into the management of their institution, which the Bill authorizes the Commissioners to make in all Hospitals except that of Bethlehem. They believe that such visitation, by judicious and competent persons would stimulate the managers and officers in the discharge of their various duties, and that it would effectually prevent the recurrence of that system of neglect, which at one time prevailed so extensively in institutions for the insane. But they respectfully submit that the numerous minute and stipulated directions proposed to be enacted by the present Bill, and which are enforced by numerous fines and other penalties, are not called for by the present condition of Charitable Hospitals, and that they are calculated to remove right energy, and the exercise of that discretion, on the part of the managers and officers of these institutions, on which their real welfare and excellence essentially depend.

They are of opinion that the class of institutions for the insane, in which the managers and officers have no direct pecuniary interest, might easily be distinguished from those in which they have such an interest, and that the provisions which are proposed for the immediate profit of the proprietors of establishments which are conducted for the immediate profit of the proprietors.

They therefore respectfully, but earnestly desire that the Retreat and other Charitable Hospitals may be excluded from the operation of the proposed "Act for the Regulation of the Care and Treatment of Lunatics in England and Wales," except in far as relates to the visitation of Charitable Hospitals by the Commissioners, and the free investigation into the condition of the patients contained therein.

Signed by

- | | |
|---------------|-----------------|
| JOSEPH BOWEN | DAVID PARSONS |
| JAMES H. KING | JAMES H. FERRIS |
| THOMAS ALSON | GARIB PATTERSON |
| THOMAS SMITH | RANDY T. KEE |

(COPY)

TO THE COMMONS OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND, IN
PARLIAMENT ASSEMBLED.

The Petition of the Undersigned Members of the Committee of "The Friends' Retreat," near York,

Respectfully Sheweth,

That your Petitioners are entrusted with the charge of an institution established about fifty years ago, by the Society of Friends, for the relief of "persons afflicted with disorders of the mind," and that the said institution is supported by charitable contributions and the payments of the patients. They observe with satisfaction, that Parliament is engaged in providing for the proper "maintenance and care of Pauper Lunatics," and also "for the regulation of the care and treatment" of the insane of other classes in England and Wales. They apprehend, however, that in the Bill for the latter object now before Parliament, there are clauses relating to Charitable Hospitals which interfere needlessly with their free course of action, and some of them, in a manner, which would be decidedly opposed to the right management of such establishments.

Your Petitioners do not desire to be exempted from the visitation of the Commissioners, or from the searching enquiry into the management of their institution, which the Bill authorizes the Commissioners to make in all Hospitals except that of Bethlehem. They believe that such visitation, by judicious and competent persons would stimulate the managers and officers in the discharge of their arduous duties, and that it would effectually prevent the recurrence of that system of neglect, which at one time prevailed so extensively in institutions for the insane. But they respectfully submit that the numerous minute and stringent directions proposed to be enacted by the present bill, and which are enforced by as numerous fines and other penalties, are not called for by the present condition of Charitable Hospitals, and that they are calculated to repress right energy, and the exercise of that discretion, on the part of the managers and officers of these institutions, on which their real welfare and excellence essentially depends.

They are of opinion that the class of institutions for the insane, in which the managers and officers have no direct pecuniary interest, might safely be distinguished more than is done by the present Bill, from those establishments which are conducted for the immediate profit of the proprietors.

They therefore respectfully, but earnestly desire that the Retreat and other Charitable Hospitals may be excluded from the operation of the proposed "Act for the Regulation of the Care and Treatment of Lunatics in England and Wales," except so far as relates to the visitation of Charitable Hospitals by the Commissioners, and the free investigation into the condition of the patients confined in them.

Signed by

SAMUEL TUKE,
CALEB FLETCHER,
JAMES H. TUKE,
DAVID PRIESTMAN,

JOSEPH ROWNTREE,
JAMES H. KING,
THOMAS MASON,
THOMAS SMITH.

TO THE COMMONS OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND, IN PARLIAMENT ASSEMBLED.

The Petition of the Undersigned Members of the Committee of "The Friends' Review," near York.

Sheweth

That your Petitioners are concerned with the change of an institution established about fifty years ago, by the Society of Friends, for the relief of "persons afflicted with disorders of the mind," and that the said institution is supported by charitable contributions and the payments of the patients. They observe with satisfaction, that Parliament is engaged in providing for the proper "maintenance and care of Pauper Lunatics," and also "for the regulation of the care and treatment" of the insane of other classes in England and Wales. They apprehend, however, that in the Bill for the latter object now before Parliament, there are clauses relating to Charitable Hospitals which interfere needlessly with their free course of action, and some of them, in a manner, which would be decidedly opposed to the right management of such establishments.

Your Petitioners do not desire to be exempted from the visitation of the Commissioners, or from the recurring enquiry into the management of their institutions, which the Bill authorizes the Commissioners to make in all Hospitals except the Asylums. They believe that such visitation, by judicious and competent persons, would stimulate the managers and officers in the discharge of their various duties, and that it would effectively prevent the recurrence of that system of neglect, which at one time prevailed so extensively in institutions for the insane. But they respectfully submit that the numerous omissions and subsequent alterations proposed to be enacted by the present Bill, and which are enforced by as numerous fines and other penalties, are not called for by the present condition of Charitable Hospitals, and that they are calculated to repress right energy, and the exercise of that discretion on the part of the managers and officers in those institutions, on which their real welfare and excellence essentially depend.

They are of opinion, that the class of institutions for the insane, in which the managers and officers have no direct pecuniary interest, might safely be distinguished more than is done by the present Bill, from those establishments which are conducted for the immediate profit of the proprietors.

They therefore respectfully, but earnestly desire that the Hospitals and other Charitable Hospitals may be excluded from the operation of the proposed Bill for the Regulation of the Care and Treatment of Lunatics in England and Wales, except so far as relates to the visitation of Charitable Hospitals by the Commissioners, and the free investigation into the condition of the patients contained in the same.

Signed by

JOHN HOWLAND	WALTER TUCKER
JAMES H. KING	GEORGE FARRINGTON
THOMAS MASON	JAMES H. FURZE
THOMAS BURNETT	DAVID PATRICKSON

(COPY)

TO THE COMMONS OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND, IN
PARLIAMENT ASSEMBLED.

The Petition of the Undersigned Members of the Committee of "The Friends' Retreat," near York,

Respectfully Sheweth,

That your Petitioners are entrusted with the charge of an institution established about fifty years ago, by the Society of Friends, for the relief of "persons afflicted with disorders of the mind," and that the said institution is supported by charitable contributions and the payments of the patients. They observe with satisfaction, that Parliament is engaged in providing for the proper "maintenance and care of Pauper Lunatics," and also "for the regulation of the care and treatment" of the insane of other classes in England and Wales. They apprehend, however, that in the Bill for the latter object now before Parliament, there are clauses relating to Charitable Hospitals which interfere needlessly with their free course of action, and some of them, in a manner, which would be decidedly opposed to the right management of such establishments.

Your Petitioners do not desire to be exempted from the visitation of the Commissioners, or from the searching enquiry into the management of their institution, which the Bill authorizes the Commissioners to make in all Hospitals except that of Bethlehem. They believe that such visitation, by judicious and competent persons would stimulate the managers and officers in the discharge of their arduous duties, and that it would effectually prevent the recurrence of that system of neglect, which at one time prevailed so extensively in institutions for the insane. But they respectfully submit that the numerous minute and stringent directions proposed to be enacted by the present bill, and which are enforced by as numerous fines and other penalties, are not called for by the present condition of Charitable Hospitals, and that they are calculated to repress right energy, and the exercise of that discretion, on the part of the managers and officers of these institutions, on which their real welfare and excellence essentially depends.

They are of opinion that the class of institutions for the insane, in which the managers and officers have no direct pecuniary interest, might safely be distinguished more than is done by the present Bill, from those establishments which are conducted for the immediate profit of the proprietors.

They therefore respectfully, but earnestly desire that the Retreat and other Charitable Hospitals may be excluded from the operation of the proposed "Act for the Regulation of the Care and Treatment of Lunatics in England and Wales," except so far as relates to the visitation of Charitable Hospitals by the Commissioners, and the free investigation into the condition of the patients confined in them.

Signed by

SAMUEL TUKE,
CALEB FLETCHER,
JAMES H. TUKE,
DAVID PRIESTMAN,

JOSEPH ROWNTREE,
JAMES H. KING,
THOMAS MASON,
THOMAS SMITH.

(copy)

To the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.

The Petition of the Undersigned Members of the Committee of "The Friends' Reform," near York.

Respectfully Sheweth,

That your Petitioners are enticed with the change of an institution established about fifty years ago, by the Society of Friends, for the relief of "persons afflicted with disorders of the mind," and that the said institution is supported by charitable contributions and the payments of the patients. They observe with satisfaction, that Parliament is engaged in providing for the proper "maintenance and care of Pauper Lunatics," and also "for the regulation of the care and treatment" of the insane of other classes in England and Wales. They apprehend, however, that in the Bill for the better object now before Parliament, there are clauses relating to Charitable Hospitals which interfere needlessly with their free course of action, and some of them, in a manner, which would be directly opposed to the right management of such establishments.

Your Petitioners do not desire to be exempted from the visitation of the Commissioners, or from the searching enquiry into the management of their institution, which the Bill authorizes the Commissioners to make in all Hospitals except that of Bethlehem. They believe that such visitation, by judicious and competent persons would stimulate the managers and officers in the discharge of their various duties, and that it would effectually prevent the recurrence of that system of neglect, which at one time prevailed so extensively in institutions for the insane. That they respectfully submit that the numerous inquiries and stringent directions proposed to be enacted by the present Bill, and which are enticed by its numerous clauses and other penalties, are not called for by the present condition of Charitable Hospitals, and that they are calculated to remove right enquiry, and the exercise of that discretion, on the part of the managers and officers of these institutions, on which their real welfare and excellence essentially depends.

They are of opinion that the cases of institutions for the insane, in which the managers and officers have no direct pecuniary interest, ought not to be distinguished more than is done by the present Bill, from those establishments which are conducted for the immediate profit of the proprietors.

They therefore respectfully, but earnestly desire that the best and other Charitable Hospitals may be excluded from the operation of the proposed "Act for the Regulation of the Care and Treatment of Lunatics in England and Wales," except so far as relates to the regulation of Charitable Hospitals by the Commissioners, and the free investigation into the condition of the patients committed to them.

Signed by

JOHN BOWEN
JAMES H. KIRK
THOMAS MANN
THOMAS SMITH

GEORGE TUCKER
EDWARD TUCKER
JAMES H. TUCKER
JOHN TUCKER

TO THE COMMONS OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND, IN
PARLIAMENT ASSEMBLED.

The Petition of the Undersigned Members of the Committee of "The Friends' Retreat," near York,

Respectfully Sheweth,

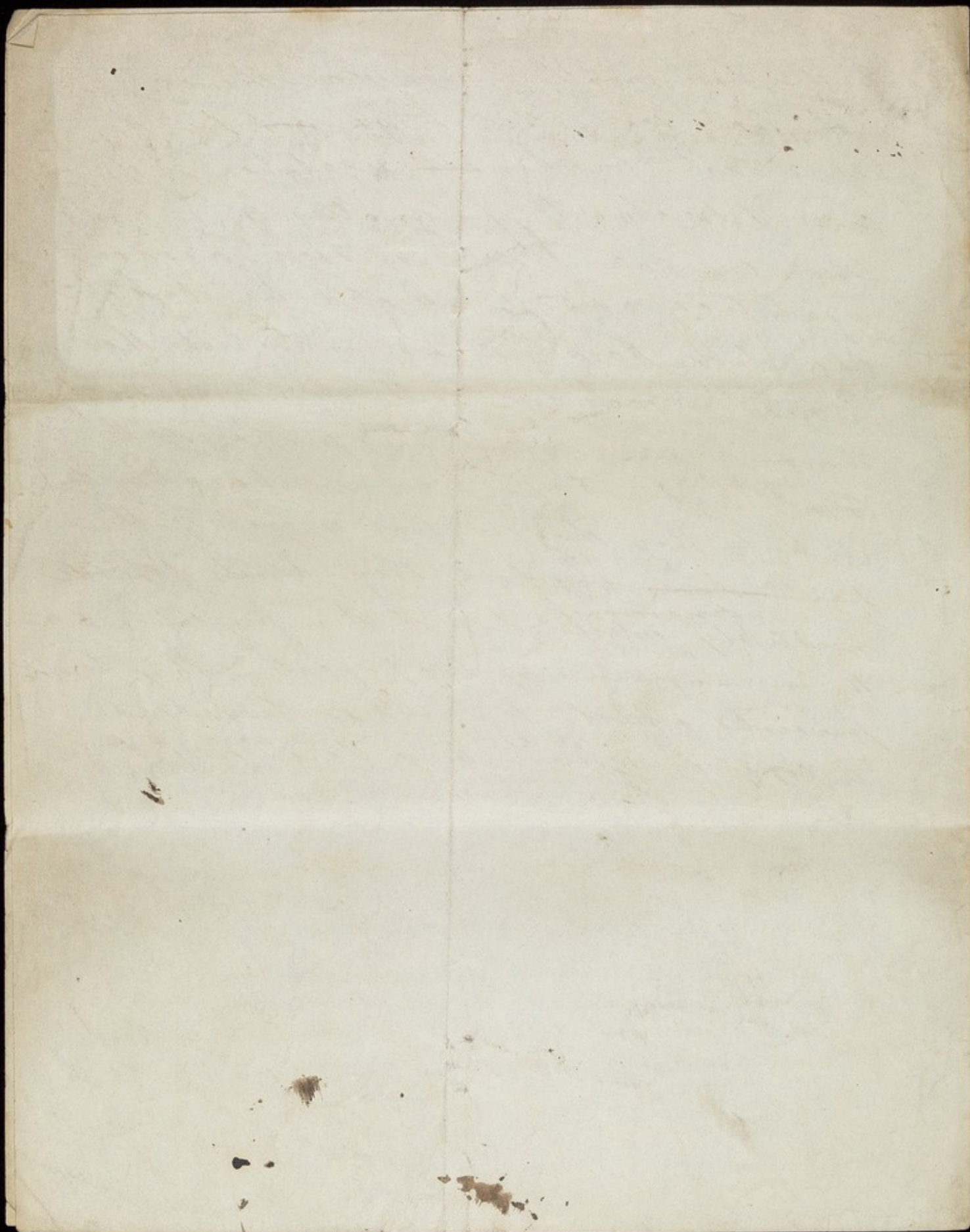
That your Petitioners are entrusted with the charge of an institution established about fifty years ago, by the Society of Friends, for the relief of "persons afflicted with disorders of the mind," and that the said institution is supported by charitable contributions and the payments of the patients. They observe with satisfaction, that Parliament is engaged in providing for the proper "maintenance and care of Pauper Lunatics," and also "for the regulation of the care and treatment" of the insane of other classes in England and Wales. They apprehend, however, that in the Bill for the latter object now before Parliament, there are clauses relating to Charitable Hospitals which interfere needlessly with their free course of action, and some of them, in a manner, which would be decidedly opposed to the right management of such establishments.

Your Petitioners do not desire to be exempted from the visitation of the Commissioners, or from the searching enquiry into the management of their institution, which the Bill authorizes the Commissioners to make in all Hospitals except that of Bethlehem. They believe that such visitation, by judicious and competent persons would stimulate the managers and officers in the discharge of their arduous duties, and that it would effectually prevent the recurrence of that system of neglect, which at one time prevailed so extensively in institutions for the insane. But they respectfully submit that the numerous minute and stringent directions proposed to be enacted by the present bill, and which are enforced by as numerous fines and other penalties, are not called for by the present condition of Charitable Hospitals, and that they are calculated to repress right energy, and the exercise of that discretion, on the part of the managers and officers of these institutions, on which their real welfare and excellence essentially depends.

They are of opinion that the class of institutions for the insane, in which the managers and officers have no direct pecuniary interest, might safely be distinguished more than is done by the present Bill, from those establishments which are conducted for the immediate profit of the proprietors.

They therefore respectfully, but earnestly desire that the Retreat and other Charitable Hospitals may be excluded from the operation of the proposed "Act for the Regulation of the Care and Treatment of Lunatics in England and Wales," except so far as relates to the visitation of Charitable Hospitals by the Commissioners, and the free investigation into the condition of the patients confined in them.

In the sixth month of last year the attention
of the Com^{tee} was called to an act bill then
before Parl^t for the ~~best~~ regulation of the
care & treatment of Lunatics in England
& Wales. This Bill proposed various
regulations which affected the class of
Charitable Hospitals within which the
Bikeat is included. To the visitation by
Commissioners which was proposed the
Com^{tee} had not the least objection they desired
it but they thought that several of the
particulars ⁱⁿ to which they details of the bill
not only ^{temporarily} interfered with their free action & in
the management of the patients - They therefore
presented a bill to Parl^t on the subject
a copy of which they here insert.



Correspondence of Dr Bedford Pierce

Friends comments, (Sam Parker
others,) on book of ? 1814

to Sam's letters on these points

W. F. A. B. J. E.

The Friends who waited ^{yesterday morning} upon George Row
respecting the Bill for regulating Mad Houses
very respectfully submit the enclosed statement
for his kind notice, and ^{they truly expect that} can assure they much
approve of the principle and regulations in
the Bill as one of great benevolence & humanity,
and only wish the Institution ^{near} at York to
be considered merely as a Charitable one, ^{Foundation} & ^{shall} ^{in part}
by voluntary contributions and now ^{being its origin to} ^{supported} ^{by annual contributions;} ^{they are}
supported by annual contributions; ^{see here again accounts of the}
They will wait upon him, as directed at Ten
o'clock on ^{Thursday} day (Saturday) morning, next -
London 15/10/1814

An Act of the Institution published about
a year ago accompanies this

The ... is ...
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... 18th

MS. A. 1. 1. 32

Lunatics

It is proposed that a private Committee be formed for the purpose of promoting Inquiries respecting the Condition of pauper and Lunatic Criminal Lunatics in the United Kingdom.

That an Annual Return be procured from Parliament containing every important Particular relating to the state of every such Lunatic - whether confined in a Gaol, Workhouse or private Establishment at the ^{public} ~~public~~ Expense, ~~at~~ ~~the~~ ~~at~~ private Madhouse, or Lunatic Asylum.

That such Returns be ~~be~~ examined, and that representations be made to the proper Authorities in cases where Lunatics have not been sent to a Lunatic Asylum, or where they are not properly treated in such Asylums.

That Inquiries be made as to what Counties have no public Asylum for the treatment of the Insane, & that the necessity of ~~not~~ forming such Institutions be exposed represented to the most influential persons in such Counties.

That a Report be published at stated periods containing a careful Collection of ^{the} Reports issued from the several Lunatic Asylums throughout the Country - a Digest of the Information furnished by the parly. Returns - together

with such an Analysis & such Observations
as may be considered expedient. This Report might
also contain Notices of Foreign Works, & the Results
of Experiments in Foreign Countries, & also Plates
of the improved Construction of Lunatic Asylums

If funds could be raised for such an Object - Translations
of useful Works might be circulated in So America -
such for instance as P. Tully's Manual -

The Comm^o: to be very select -; each Member undertaking
a distinct Object -

immediately before the clause respecting Bethlem Hospital &c. at p. 15.

Provided always, & if further enacted,
^{where it} that any House for the reception of
Lunatics ~~belonging to~~ ^{such} shall be under
the management of the Trustees or Directors
of any Charitable Institution, or of any
Establishment, ^{by} the ^{Trustees or Directors of} who Profits of or Control
to which shall ~~derive~~ ^{be} profits ~~therefrom~~
shall be ^{received or receivable} ~~derivable~~ ^{from} the ~~same~~
~~to be paid for the License for the keeping of~~
~~such House shall be the same~~ *

* as is here
intended
provided
with re-
spect to any
House for
the recep-
tion of
Pauper
Lunatics
sent by
Parishes
Provided
also,
that

as if ~~inserted~~ ^{it} shall not be necessary
to insert in the License for the keeping
of such House ^{any} ^{names of} the Names of ~~any or all~~
~~of such Trustees, or of such Directors,~~
nor shall they or any of them be required
to enter into any ~~Bond or Bonds,~~ ^{Bond} or Bonds;
but the Master or Superintendent of
such House shall be the person
whose Name shall be inserted in such
License, and who shall be required
to enter into a Bond with 2 sufficient

Secrets in like manner as is hereinafter
provided with respect to the Masters
of any public Hospital.]

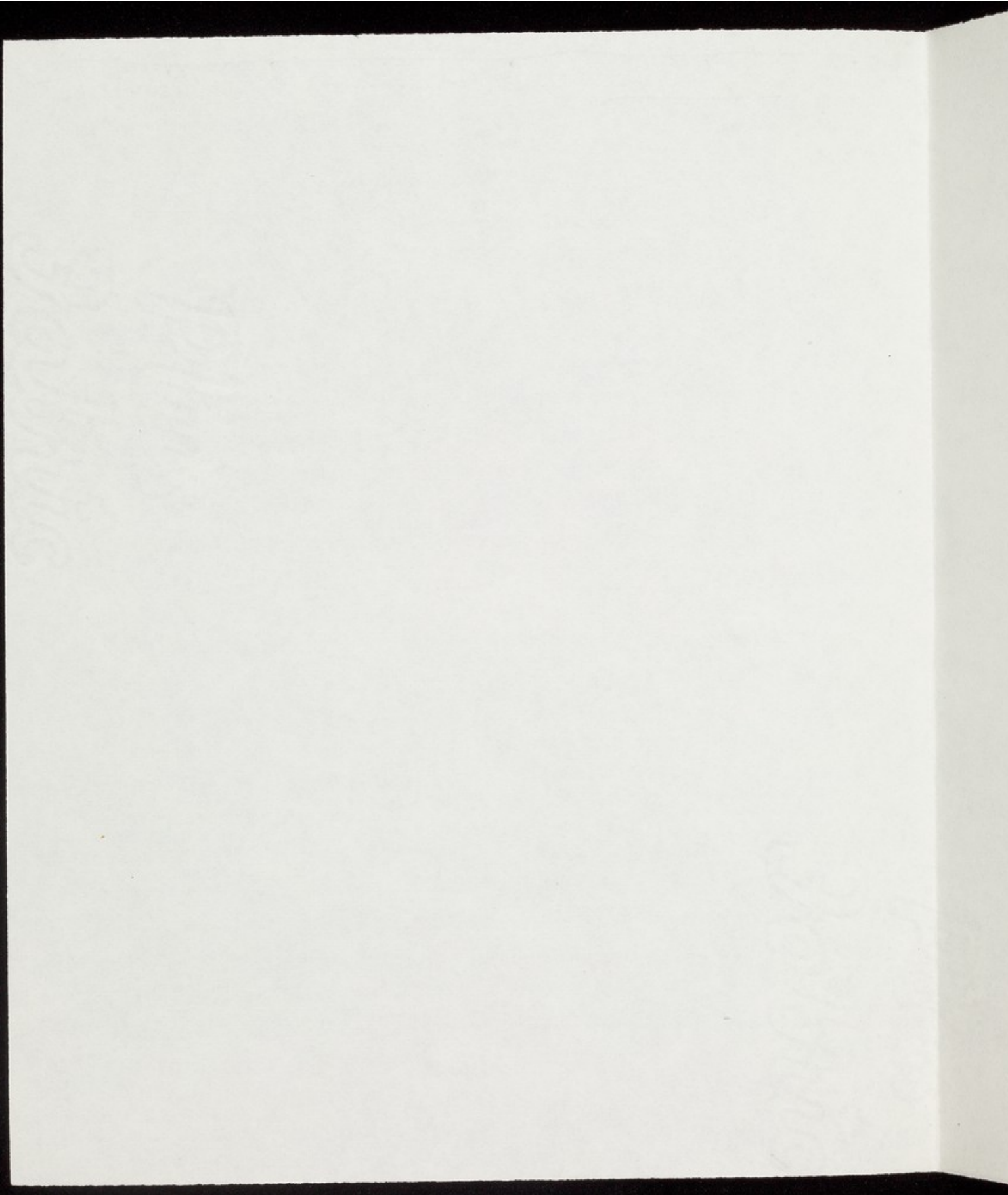
A Clause of which this
is a rough Copy - was
handed to George Rose. 6 mo. 20 1814

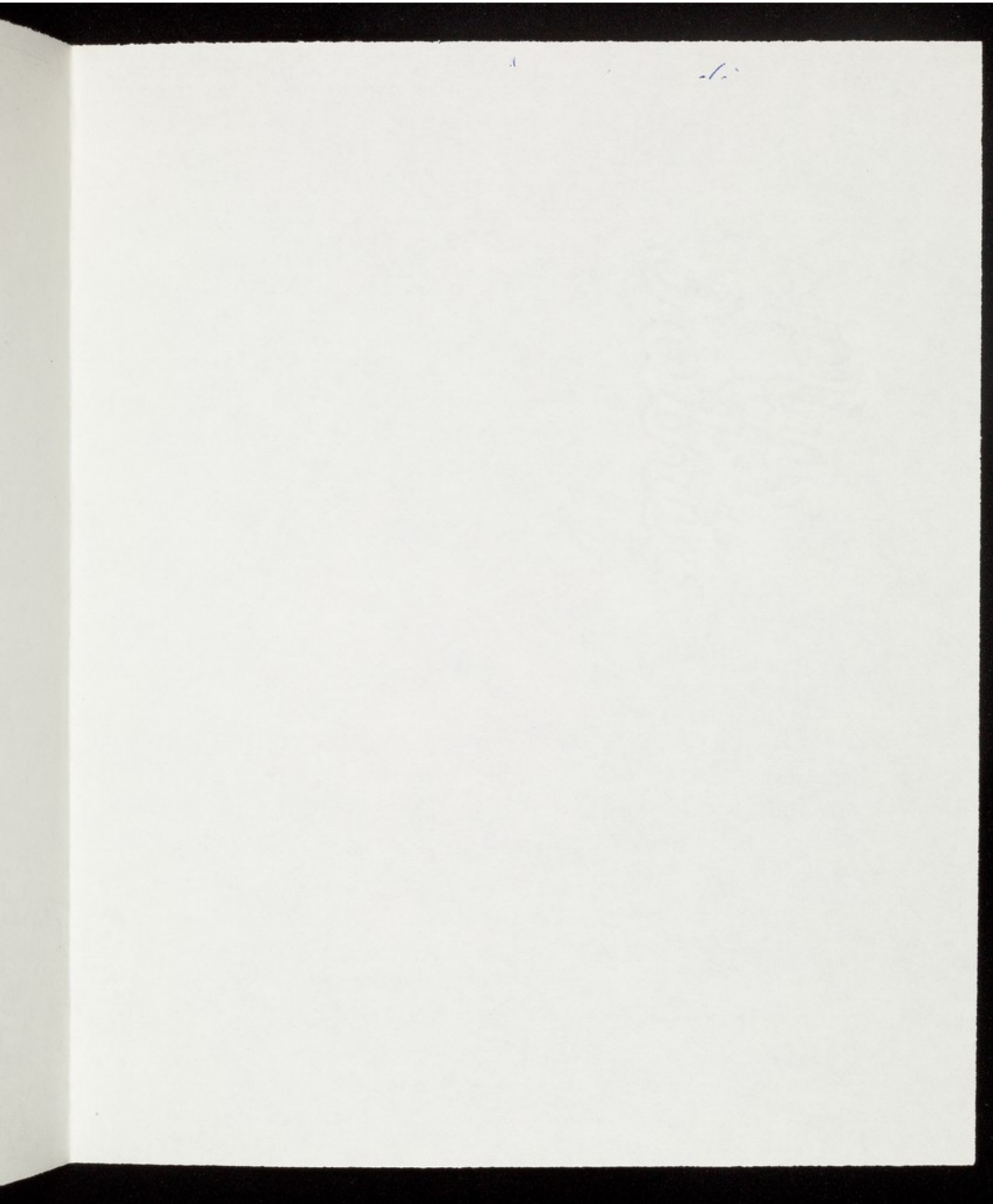
~~George Rose~~

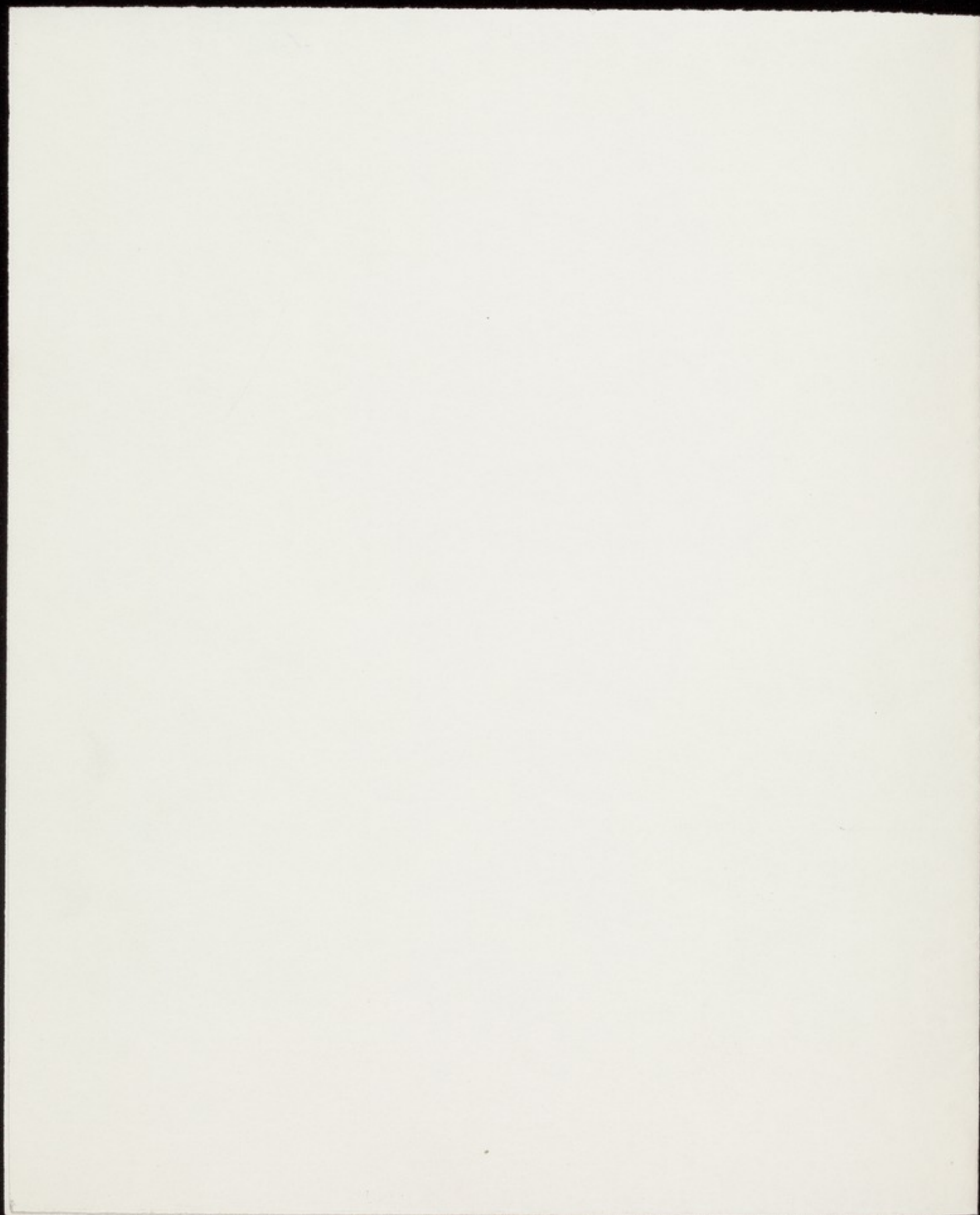
~~Leeds. 1. iv. 93. f. 5. S. Birchall re ^{objection to the} Great
Lamp Letter in my orange file Early Letter~~

7. v. 14. Comments in Tuke's hand re another on Bill of
1814 (?) for inspecting mad houses) raising
question whether Public, or charitable institutions,
in the same category as others.

4 vii 1814 Letter re Sam Tuke & John Elliott re this Bill
1813 B Mand







York 7th mo 14th 1844

(2)

Este^d Friends

J^r Elliott

The Committee of the Retreat are indebted to thee & the other friends in London who have interested yourselves to obtain an alteration in the madhouse bill as it regards the licences to be paid by charitable institutions for the insane. — I am sorry to find, by a copy of the Bill which I received a few days ago, that you did not succeed in obtaining the adoption of the clause you proposed to Geo. Rose; and though, I doubt not, he has intended by the alteration which has been made, to relieve such establishments as the Retreat, yet I am persuaded the clause cannot properly be so construed, that we still remain liable to the full tax paid by private houses —

The words, p. 6. lines 5th "which do not upon the whole afford any profit to such

house or hospital", have been intended, I imagine, to meet our case; but on connecting, as it is necessary to do, this part of the clause with the first part, it appears to me that the description will not include the Retreat - It runs thus, "And that, for each several licence for the keeping of any house or hospital for the reception of pauper lunatics which do not upon the whole afford any profit to such house or hospital, there shall be paid" &c

May observe in the first place, that the Retreat can hardly be designated "a House for the reception of pauper lunatics, ~~and~~ since its primary object was the reformation of all classes in our Society; and, if it might be so entitled, from there being always a majority of the poor class, the word which in the middle of the sentence, evidently relates to pauper lunatics & to them only, so that I conceive one

patient of a superior class would exclude
us from the benefit of this clause —

This is really hard & I imagine unintentionally
so — If you ^{could} get the words,

any public hospital for lunatics, inserted

between the words, "or which," p. 6. line 5,

and the words of lunatics as aforesaid,

instead of the words, "pauper lunatic"

I think it would effectually relieve

& several other similar institutions, to

which the ~~the~~ payment of the license tax

for private houses, would be seriously felt.

The Bill, I find, has passed the House of Com-

mons, but perhaps some alteration may

be obtained in the Lords — Some petitions

I believe will be sent up on the subject

& perhaps it might be the best made of

any proceeding, but if you have it in

your power to assist in any way, I am

persuaded you will readily do it; I will

therefore not trouble you with apologies —

My grandfather is from home or he w^d. probably

have corresponded with you on the subject

My Father is in a very precarious state of
health — I remain, in haste, thy aff^o friend
Sam^l Fiske

PAID
1814
100

To John Elliot
Brotholmeu Close
London.

Established near the City of York, called ~~The Asylum~~ for the
reception of Insane Persons belonging to, or of the profession of the
Faculty of the People called Quakers
Some remarks on the Bill as amended on the recommendation
to repeal an Act of the 11th Year of the present King for regulat-
ing private Mad Houses & making provisions & regulations
in lieu thereof (as amended on Recommendation) (11)

The frequent inspection of Public as well as private
Houses of this description is certainly necessary.
Times for Licenses appear to be reasonable, on such Houses
as are established by one or more Persons for their own emolu-
ment; the profits of which in many Instances are very great.

But the Bill ^{in its present state} does not make any exception respecting in fact
Institutions established by Charitable Contributions, & from
which no Individual is entitled to emolument, beyond that
of stated Salaries.

Such is the Institution near York called ~~the Asylum~~ estab-
lished by Members of the Society of Friends for the reception of
members of their Society (or those professing with them) whose state
of mind may require a quiet & retired situation, with proper
care and medical treatment.

It was established, and continues to be supported by voluntary
Contributions; and although the Income from a few Patients
exceeds the expense of their maintenance, yet so many Poor
Patients are supported on very low Terms, that the Total Income
from Patients is not adequate to its support.

By its Rules, a Donation of £25, or a subscription of an
Individual of £50 for an Annuity of 5^l per Cent: or a Donation
of £100 from any Quarterly or other Meeting; entitles such
Donor, Subscriber or Meeting, to the Privilege of one Poor Patient;
at a time on the lowest Terms, which are 1^l 10^s 6^d & 10^s 6^d & 10^s 6^d
Recommendation in a manner prescribed by the Rules are admitted & taken

All others pay 8 Shillings ^{or more} of week ~~of upwards~~ according to circumstances, at the Discretion of the Committee

The Income from Patients for a very few years was equal to the current expenses of the establishment; but from the Report of the Year ending 31st of 3rd month 1812 it appears, that there was a shortness of £226.47.6 in that Year. The same report further states, that out of 64 Patients, there were 35 who paid only from 4 Shillings to 8 Shillings of week.

The Institution was also at that time encumbered with a Debt of about £2000 on Interest, and also subject to life annuities at 5% Cent on £2650.

^{the Bill} Page 5 towards the bottom, there is a provision respecting Parish Paupers & Lunatics. ^{It may be asked, where comes it from} Why are those maintained as above, at 4 Shillings & 8 Shillings, ^{with the} not Parish Paupers, but because the Society of Friends maintain their own Poor, & thus relieve the Parishes which by Law are liable to their Maintenance? ^{This consideration it is trusted will not fail to plead in favour of the} I trust that the Legislature will make the Retreat liable to a charge for this Act of benevolence of the Society. ^{Institution}

In this Institution, no Person has any Emolument beyond that of their stated Salaries. The Physician has a stated salary and no Fees. He has therefore no inducement to neglect a Poor Patient more than any other; nor improperly to promote the detention of one in superior circumstances.

The management is ^{vested in} under 16 Directors who meet Quarterly (with any other subscribers) and a Committee of 7 who meet once a month, or oftener if necessary. They are both chosen annually. ^{the Bill} Page 7, Clause 8th, ^{it is provided that the} Keepers, with sufficient securities are to enter into a joint & several Bond ^{of any amount} ^{none} of the above

Directors ^{men} or committee reside in the House, nor have any
Emolument; their connexion with the Institution is only
by their voluntary contributions towards its support.
^{It is submitted that it cannot be reasonably expected, they should}
Can it be reasonable for them to enter into Bonds?

Page 11 Clause No. 13 ^{occurs a clause requiring} "All Persons concerned ^{in any licensed House}
^{to be named in the licence}" ~~shall all the contributors to~~
~~the Retreat be named?~~ *

Page 16 Clause No. 14 ^{of medical men to} Requires that the certificates, bearing date
the day they are signed, and not to be in force more than
7 days. ~~This must I presume be intended to relate only to~~
~~London & its vicinity;~~ ^{it is difficult to see how this limitation of time, because} Patients are sent from a great
distance to the Retreat, ^{Establishment} and to prevent difficulties,
~~certificates are often required~~ ^{before leave is given}
for admision.

This I have freely made remarks on the Bill
principally, though not wholly, as they affect the Retreat
I am well assured that much improvement ought to be
made in the mode of treatment of the piteous objects of
the present Bill, & hope that a reformation of Houses
both Public & Private will take place.

York 7th of 5^{mo} 1814

W. Tukey

* In the case of a Char. Inst. which is the case of
Ensl. has many contributors it will be very difficult
to comply with this requirement; if the contributors are con-
sidered as the "persons concerned" in the "licences of Houses"

Received of the

of the

to George White M.D.

Jan. 15. 1844

Dear Friend

York 7th of 5th Month 1814

(12)

R Phillips

A Bill bro. in by G Rose has been a considerable time before the House of Commons for regularizing Grand Houses. Tho' Thompson of Hull a M.P. sent us a copy of the Bill as it amended by the Committee we made several remarks upon it & so I suppose did many others. It was recommitted yesterday & we see again through the favour of J. T. a copy of the 2^d amendment. There are yet divers clauses which can scarcely be acted upon in the Country and several which will materially affect the Retreat, but that especially which will require a License annually at the cost of 40 or 80 pounds a year is a serious one and requires our close attention if possible to prevent. I hope your Parliamentary Committee will some of them apart & then in doing what lies in your power to remedy those difficulties which they will see by the enclosed we should be under if the Bill pass in its present state I should rather than be liable to a Tax of 40 or 80^l a year had you not better employ counsel for us?

I know not whether G Rose has seen Saml Fikes Publications Darton has a number of them if you see us or giving to some Members do so & let Darton & W Alexander inform them

our D^r Henry continues ill. His Complaint lies deep & that it is difficult to say when it is likely to ascertain whether it can be removed or not

My old continues though the cough not so oppressive I will intrude & must conclude with D^r Love to thee & thine thy affectionate M^r

W Luke

W. Tubie

6th 7. 1814



1058
10 7
1814

Richard Phillips
No 32 East Street
Broad Lyon Square
London



Dear Friend

York 14th of 6^{mo} 1814

(13)

I sent to Rich^d Phillips some remarks on the Bill before the House of Commons, several Clauses of which we suppose will materially affect the Retreat. He informs me that he had put what I communicated to him into thy hands and desired me to write to some Members of Parliament. I had wrote some time ago to W^{ill} Wilberforce & also saw Tho^s Thompson of Hull Member for Midhurst when in London with whom my Grandson has corresponded on the Subject & who is Zealous for improvements in the treatment of Insane Patients. I have by this Post wrote to our City Members & explained to them our Ideas of some parts of the Bill so that if thou or any other Friends can converse with them on the Subject I do not doubt but they will give proper attention to what may appear most eligible to be done

I am thy Affectionate Friend

My Son Henry's health is a little improved

W^{ill} Tucker

Dear Sir



[The main body of the letter is written in extremely faint, illegible cursive handwriting. The text is mostly obscured by fading and bleed-through from the reverse side of the page.]

[Faint handwritten text visible on the right edge of the page, likely from the adjacent page.]

1300
WMA

May Charitable Institution for the reception of
Lunatics or ^{any} ~~any~~ ~~any~~ establishment for the
like purpose to the Proprietors of or Contributors
to which no profit is derived

3 or 6 Directors of
Bonds & Securities of

1814

Wm. Lake



York 6th. 14

John Eliot
Bartholomew's Gate
London

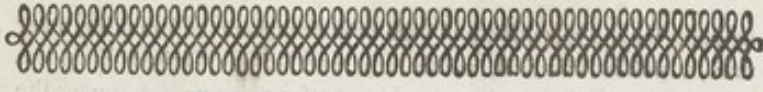
Bill for Regulation of Madhouses
A Bill of Feb. 1817 to repeal former acts of Geo. III (I, "13)

July 1817. Bill for Lunatics in Scotland
" to confer & take care of patients &
furrows, &c. (I, "14)

Comments on 1814 Bill

4/3/1/5

13 February 1817.



A

B I L L

To Repeal an ACT made in the 14th year of His present Majesty, and another Act made in the 55th year of His present Majesty, for regulating Madhouses; and for making other Provisions and Regulations in lieu thereof.

Note.—The Figures in the Margin denote the number of the Folios in the written Copy.

1 **W**HEREAS the several Provisions and Regulations contained in an Act made in the Fourteenth year of the reign of His present Majesty, intituled, "An Act for regulating Madhouses," and in another Act made in the Fifty-fifth year of His present Majesty, intituled, "An Act to regulate Madhouses in Scotland," have been found insufficient for the purposes intended thereby; and it is expedient that the said Two Acts should be Repealed, and that other and more effectual Provisions and Regulations should be enacted in lieu thereof;

Preamble.

2 **B**E it therefore Enacted by the KING's Most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT from and after the *Twentieth day of October, one thousand eight hundred and sixteen* the said Acts, and the several Clauses, Provisions, and Regulations therein contained, shall be and the same are hereby Repealed; save and except as to any Fine, Penalty or Forfeiture, for or in respect of any Offence committed against the Provisions of the said Acts, and the Recovery thereof, in any case in which the same could not be recovered under the Provisions of this Act.

14 Geo. III. c. 49, repealed; except as to recovering of Penalties incurred.

And be it further Enacted, That, from and after the *first day of November 1817* no House shall be

Persons confining Lunatics in Lunatic Houses, without Licence, to forfeit £.

30.

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be

418(9)

be kept for the reception and care or confinement of Lunatics, other than a public Hospital, within any part of the United Kingdom called *Great Britain*, without a Licence for that purpose, under the Provisions of this Act, from the Commissioners hereinafter mentioned; and every Person who shall, upon any pretence whatsoever, conceal, harbour, entertain, or confine, in any House or Place kept for the reception of Lunatics, in any part of *Great Britain*, more than one Lunatic at any one time, without having such Licence as is required by this Act for that purpose, from the Commissioners hereinafter mentioned, according to the Provisions of this Act (except such Lunatics as are committed by the Lord High Chancellor of *Great Britain*, or Lord Keeper, or Commissioners for the Custody of the Great Seal, for the time being, or Court of Session in *Scotland*) shall for every such Offence forfeit and pay the sum of *Three hundred Pounds and costs of suit*.

Appointment of Commissioners, for granting Licences, &c. in England.

AND in order that proper Persons may be appointed for licensing such Houses as may be kept for the reception of Lunatics, and visiting such Houses and all public Hospitals, within that part of the United Kingdom called *England*; BE it Enacted, That His Majesty's Principal Secretary of State for the Home Department, shall annually on the last day of September in every year, or within *twelve days* then next following, appoint *eight* Persons to be Commissioners for that part of the United Kingdom, of whom *four* at the least shall be Fellows or Licentiates of the College of Physicians in *London* or *Edinburgh*, as Commissioners for granting Licences within the said part of the United Kingdom, and for visiting the several Houses therein for the reception of insane Persons within the same, and all public Hospitals for the reception of such Persons, in such Districts or Divisions in *England* as shall be allotted by His Majesty's Principal Secretary of State, so that there shall be *two* of such Commissioners appointed for each District, one of whom shall be a Physician, and shall also appoint a Person to act as Secretary to the said Commissioners at their General Meetings; and the said *eight* Commissioners so to be appointed, shall be and are hereby declared to be Commissioners for granting Licences within the said part of the United Kingdom for the year then next ensuing; provided that *two* at least of the said Commissioners to be so appointed shall be Persons who have not acted as Commissioners for the preceding year; and that no Person whatever shall be capable of acting as a Commissioner for more than *four* years, unless he shall be specially authorized for that service by a new appointment from the Principal Secretary of State.

Commissioners appointed for Scotland.

And be it further Enacted, That in that part of the Kingdom of *Great Britain* called *Scotland*, the Secretary of State for the Home Department shall annually in like manner, and at the same time and under

5 under the like restrictions, appoint *four* Commissioners, *two* of whom shall be Members of the College of Physicians of *London* or *Edinburgh*, for granting Licences for Houses for the reception of insane Persons in that part of the United Kingdom, and also a Secretary to attend them at their General Meetings; provided that no Commissioner shall continue in office for more than *four* years, unless he shall be specially authorized for that service by a new appointment from the Principal Secretary of State.

6 And be it further Enacted, That it shall be lawful for the Secretary of State for the Home Department, to nominate and appoint any number of Persons, not exceeding *six* in the whole, as Commissioners, for the purpose of visiting public Hospitals for the reception of Lunatics, and all Houses licensed under the authority of this Act, in addition to those to be appointed for the several Districts; which additional Commissioners shall be authorized to visit and examine the state of the said Hospitals, and of the licensed Houses, in any part of *Great Britain*, in such and the like manner as any of the other Commissioners to be appointed under the authority of this Act are invested with: Provided always, That the said additional Commissioners shall derive no Profit or Emolument whatever, from acting under the authority hereby given to them.

And be it further Enacted, That as often as any one of the said *eight* Commissioners in *England*, or of the *four* Commissioners in *Scotland*, shall die, or refuse to act, another Commissioner shall be appointed in such manner as aforesaid; and every Commissioner so appointed shall be and is hereby vested with the same power and authority, in all respects whatever, as the Commissioner in whose place he shall be so appointed as aforesaid.

4 Provided always, and be it further Enacted, That no Person shall act as a Commissioner in the execution of this Act (otherwise than in administering an Oath or Affirmation in the Words following to the other Commissioners) until he shall have taken such Oath or Affirmation before any *two* or more of the said Commissioners, who is and are hereby authorized to administer the same; (that is to say)

7 " I *A. B.* do swear, or affirm [*as the case may be*] THAT OATH.
 " I will faithfully and impartially execute all the Trusts
 " committed unto me by virtue of an Act of Parliament,
 " made in the fifty-seventh year of the reign of King
 " *George* the Third, intituled, " An Act to repeal an Act
 " made in the fourteenth year of his present Majesty; and
 " another Act made in the fifty-fifth year of His present
 " Majesty, for regulating Madhouses;" and that I will not,
 " directly or indirectly, give Notice or cause Notice to be
 " given to the Keeper or Person having the care of any
 " House

Secretary of State to appoint Commissioners as Visitors.

New Appointment, in case of Death, &c.

Commissioner not to act until sworn.

to " House or Hospital for the reception of Lunatics, of the
 to " Time of Visitation of such House or Hospital; and that I
 to " will not receive any Fee or Reward for or on account of my
 to " visiting and inspecting any such House or Hospital, as
 to " directed by this Act, other than such Reward as by the
 to " said Act I am authorized to take.

" So help me GOD."

And every Person who shall be appointed a Commissioner as aforesaid, and who shall be summoned by the Secretary of State to take the said Oath at such time and place as shall be mentioned in such Summons, and who shall refuse or neglect to attend, or attending shall refuse to take the said Oath, shall be deemed to have refused to act as a Commissioner, and another Commissioner shall thereupon be appointed in his room, as directed by this Act.

Justices of Peace authorized to nominate Justices to visit licensed Houses, within their Districts.

And be it further Enacted, That the Justices of the Peace assembled at their respective General or Quarter Sessions of the Peace to be holden for any County or Place within that part of the United Kingdom called *Great Britain*, are hereby authorized and empowered to nominate and appoint *two* of the Justices acting for the County, Riding, Division, City or Place, within which any such Licence or Licences shall be granted, to visit and inspect, and who by virtue of such Appointment and Nomination are hereby authorized and empowered to visit and inspect in the manner herein required, such Houses as shall be licensed within such District, and all Hospitals for the reception of insane Persons within the same; and the said Justices so nominated and appointed, shall be and they are hereby required, with or without the Clerk of the Peace or his Deputy, as they shall think fit, to visit and inspect every such House or Hospital, wherein *four* or more Lunatics shall be confined, *twice* at the least in every year, and every such House or Hospital where less than *four* Lunatics shall be confined, once at least in every year; and they are hereby authorized in like manner, at any other time or times, to visit and inspect every such House or Hospital within such District, as often as they shall think necessary; and such Justices so visiting as aforesaid, shall have at all times, and may use and exercise such powers and authorities in visiting and examining any such Houses and Hospitals, and the Premises thereto belonging, and the Persons confined therein, and also, in examining upon oath the Keeper or Keepers of such Houses and Hospitals, and the Attendants therein, as are by this Act given to the Commissioners under this Act.

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Knights of the Shire, and Two Justices annually nominated, to be Visitors.

And be it further Enacted, That the Custos Rotulorum, and the Knights of the Shire for the time being, for the several Counties in *England* and *Wales*, and the Sheriffs Principal and Depute, and Commissioners for Shires in *Scotland*, with *two* Justices of the Peace

Peace to be nominated and appointed as aforesaid, shall have power, when they shall think fit, to visit all Houses and Hospitals for the reception of Lunatics within the said Counties respectively, and shall and may visit and inspect the same in their said respective Counties; and the Names of such Justices shall be forthwith sent to the Secretary of State by the Clerks of the Peace respectively.

And be it further Enacted, That the said Commissioners so to be appointed as aforesaid, or any *three* or more of them, shall meet at such Times and in such Place as the Secretary of State shall think fit; and at all General Meetings of the said Commissioners to be holden for the purposes of this Act, the Person first named in the Commission shall be the Chairman, and such Chairman shall in every case of equality of Votes, at any Meeting of Commissioners under
10 this Act, have a second or casting Vote.

Commissioner Meetings.

And be it further Enacted, That the said Commissioners, or any *three* or more of them, shall meet annually without a special Summons, on the *3rd Wednesday in the Month of June* or within *ten Days* afterwards, in order to grant Licences to Persons for keeping Houses for the reception of Lunatics, for *one year* to be computed from the *first day of 1800* then next ensuing, and a Notice specifying the Place and the Day and the Hour of every Meeting for granting such Licences, according to the form in Schedule (A.) hereunto annexed, shall always be published Three several times in *The London Gazette*, and once in *some Two or more of the Newspapers* published in *London and Edinburgh*, before the day of Meeting for granting any such Licences; and at such Meetings Licences shall be granted to such of the Persons applying for the same, either personally or by Letters, as the said Commissioners shall in their discretion think fit; and all Licences to be granted by the said Commissioners shall be under the hands of *three* or more of the said Commissioners, according to the form in Schedule (B.) hereunto annexed.

Time of the Commissioners Annual Meeting for granting Licences.

11 Provided always, and be it further Enacted, That it shall be lawful for the said Commissioners, or any *three* or more of them, at any other period of the year after such Annual Meeting as aforesaid, to hold any Meeting upon the application of any Person or Persons for any Licence or Licences, whereof *seven* days Notice shall be given by the Commissioners, or by some Person under their authority, and without giving any public Notice or Notices thereof, as is required by this Act for Annual Meetings, and then and there to grant any such Licence or Licences as aforesaid under this Act: Provided always, That every such Licence as last aforesaid shall expire at the same period as the Licences granted at the preceding Annual Meeting.

Licences may be granted at other Periods of the Year, to expire at the same Time as the Annual Licences.

Keepers may
appeal to the
Sessions, in
certain cases.

Provided always, and be it further Enacted, That if any Keeper or Keepers of any House for the reception of Lunatics, shall think himself herself or themselves aggrieved, by the refusal of the said Commissioners to grant any Licence to keep any such House as aforesaid, or by any Declaration of the Forfeiture of any such Licence, either by the said Commissioners or the said Justices so to be appointed as aforesaid, such Keeper or Keepers shall and may appeal to the next General Quarter Sessions to be holden for the County, Riding, Division, City, or Place, where such House shall be situate, he she or they first giving *eight* days Notice of every such Appeal, and of the nature and matter thereof, to the Person or Persons appealed against, and forthwith after such Notice entering into a Recognizance before some Justice of the Peace for such County, Riding, Division, City, or Place, with *two* sufficient Sureties, conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon; and the said Justices (not being the Persons against whose Determination such Appeal shall be made) shall in a summary way finally hear and determine the said Appeal at such General or Quarter Sessions, and make such Order therein, and give such Costs for or against such Keeper or Keepers so appealing, as to them shall seem just and reasonable; but no Proceedings to be taken in pursuance of this Act shall be quashed or vacated for want of form, or be removed by Certiorari or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at Westminster or in Edinburgh or elsewhere; any Law or Statute to the contrary notwithstanding.

Power for the
Commissioners
to transfer
Licences.

Provided always, and be it further Enacted, That it shall and may be lawful to and for the said Commissioners, at the request of any Person or Persons to whom any Licence or Licences shall be granted for keeping of any House for the reception of Lunatics, by virtue of this Act, to transfer such Licence or Licences to any other Person or Persons, or to any other House within their respective Districts, if the said Commissioners shall think fit.

Keepers to
give Bonds.

And be it further Enacted, That before any Licence shall be granted or transferred to any Keeper or Keepers of any House for the reception of Lunatics, in case the number of Lunatics confined or intended to be confined therein shall exceed *thirty*, the Keeper or Keepers of every such House, together with Two sufficient Sureties to be approved of by such Commissioners, or the major part of them, or the said Justices assembled at their General or Quarter Sessions as aforesaid, whereof the Apothecary residing at such Hospital (if any) shall be one, shall enter into a joint and several Bond in the Sum of *£ 200* payable to the Clerk of the Peace for any County, Riding, Division, City or Place, in which such House shall be situate, with a condition, that if the
Lunatics

- Lunatics confined in such House shall, during the continuance of the
- 14 Licences granted to such Keeper or Keepers, be humanely, carefully, and properly attended to, and such Keeper or Keepers shall observe and perform all such Orders, Directions, and Regulations as the said Commissioners, or any *two* of them, shall by virtue of this Act direct to be observed and performed, such Bond shall be void, or otherwise to remain in full force; and in case the number of Lunatics confined or intended to be confined in such House shall not exceed *thirty*, such Keeper or Keepers, with Two such Sureties as aforesaid, whereof the Apothecary residing therein (if any) shall be one, shall enter into a Bond in the sum of *£200* with the same and like condition.

And be it further Enacted, That every Clerk of the Peace or his Deputy, who shall be called upon to act in the execution of this Act, shall from time to time be paid such sum and sums of Money out of the County Rates, for his care and trouble in the execution of this Act, as the Justices under whom he shall act, assembled at any General or Quarter Sessions of the Peace, shall order and direct.

Clerk of the Peace to be paid for his trouble.

- Provided also, and be it further Enacted, That every Person who shall for the first time apply for a Licence to keep a House for the
- 15 reception of Lunatics, or shall apply for the Transfer of any Licence to any other House, shall deliver or cause to be delivered to the said Commissioners, *one month* at the least before the Day appointed for granting of Licences by the said Commissioners, a true and correct Plan and Description of the House required to be licensed, with the Length, Breadth and Height, of every Room and Apartment therein, drawn on a Scale of *one eighth* of an Inch to a Foot, as nearly as the same can be ascertained, each Room to be numbered in succession, together with a Plan or a Map of the Premises thereunto belonging, on the same Scale, and where situate (which Plans or Maps shall be deposited with the Commissioners, and a true and correct Copy thereof shall be hung up in some conspicuous part of the House, of which the same shall be a Description;) to which shall be annexed a Statement, whether the same be in an airy and healthy situation, with a good supply of Water and a Pump belonging thereto, and the greatest number of Patients intended to be kept in such House, and also the Name or Names of the Person or Persons concerned or interested or intended to be concerned or interested in keeping of such House; and shall, before such Licence or Transfer of such Licence to any other House shall be granted, make Oath or Affirmation, as the case may be, before
- 16 the said Commissioners, or any *two* of them, of the truth thereof, which Oath or Affirmation any one of the said Commissioners is hereby authorized to administer; and if in the course of any year after the first Licence or Transfer of any Licence to any

Persons applying for Licences, to deliver Plans of their Houses, with certain Particulars.

other House shall be granted, any Alteration shall have been made in any House licensed under the Authority of this Act, or in the Premises belonging thereto, the same shall be stated distinctly and fully when the Application shall be made for a Renewal or Transfer of such Licence.

Commissioners to make Regulations, and direct Alterations, in Lunatic Houses.

And be it further Enacted, That the said Commissioners, or any *three* of them, are hereby authorized and empowered to direct of what Height, Width and Length, the Apartments for Sleeping, Refreshment or Exercise, in any House hereafter to be licensed for the reception of Lunatics, shall be; and what Alterations shall be made in any House already licensed, for the better and more salutary Accommodation and Treatment of the Persons therein confined.

Alterations to be completed within the Time directed.

And be it further Enacted, That such Alterations, when directed to be made as aforesaid, shall be made and completed within such Time 17 as the said Commissioners, or any *three* of them, shall respectively appoint and determine at the time of directing such Alterations to be made; provided that such Commissioners, or any *two* of them, shall have power and authority, upon good and sufficient reason, to enlarge such Time for such a period as in their judgment they shall think fit.

Keepers not complying with such Directions, liable to Forfeiture of Licence.

And be it further Enacted, That if such Keeper or Keepers shall not within such time or such enlarged time fully and satisfactorily comply with such Direction, it shall and may be lawful to and for the said Commissioners, or any *two* of them, to declare the Licence granted to such Keeper or Keepers to have become null and forfeited, and such Licence shall be forfeited from such time as the said Commissioners, or any *two* of them, shall declare and determine, by an Entry to be made of such Determination in the Register hereinafter mentioned to be kept by the said Commissioners; a Copy or Extract of which Entry shall be forthwith sent and delivered to such Keeper or Keepers, signed by such Commissioners, or any *two* of them.

If more Lunatics are confined than the House shall be licensed for, Penalty of

Pounds for every Person above the Number, and Forfeiture of Licence.

And be it further Enacted, That in case there shall be confined in 18 any House licensed for the reception of Lunatics, more Lunatics at one and the same time than the number for which such House shall be licensed, the Keeper or Keepers of such House shall forfeit and pay the sum of *Twenty Pounds* for every Person confined therein over and above the number for which such House shall be so licensed, with Costs of Suit; and it shall and may be lawful for such Commissioners, or any *two* of them, to declare the Licence of such Keeper or Keepers to have become null and forfeited, and the said Licences shall become null and forfeited from the time of making such Entry and giving such Notice thereof as aforesaid.

And

And be it further Enacted, That in every House licensed under the authority of this Act, in which there shall be *not less than* Patients or upwards, shall be attended daily by a Physician, or a Member of the Colleges of Surgeons in *London or Edinburgh*, or of the Society of Apothecaries in *London*; and upon proof made to the said Commissioners, or any *two* of them, that no such Medical Person has given due and sufficient attendance, in any year ending the *31st day of December* it shall be lawful for the said *two* Commissioners to declare the Licence for such House void, and the same shall be void accordingly, on Notice being given thereof to the Keeper of such House, and being also published in *The London Gazette*.

A Medical Person to attend daily at every House licensed under this Act.

19

AND whereas in the event of a Refusal to grant a new Annual Licence upon the expiration of any Licence to keep a House for the reception of Lunatics, for or on account of the Misconduct or Misbehaviour of any Keeper or Keepers applying for such Licence, great inconvenience might arise if the Lunatics therein confined were immediately to be removed from such House; BE it therefore Enacted, That upon refusal of such Annual Licence, it shall and may be lawful for the said Commissioners, or any *two* of them, to grant a Licence, for a period of time not exceeding *three calendar Months* from the date thereof: Provided always, That every such Person or Persons keeping such House for the reception of Lunatics, by virtue of and under the authority of such last-mentioned Licence, shall be subject and liable to all the Provisions and Penalties of this Act, in as full and ample a manner as any other Person or Persons licensed to keep a House for the reception of Lunatics.

In case of Refusal to grant new Annual Licence, Licence may be granted for a Term not exceeding

Persons so licensed, to be subject to the Provisions of this Act.

And be it further Enacted, That if at the expiration of the time mentioned in such last-mentioned Licence, such Keeper or Keepers shall have or keep in Confinement any Lunatic or Lunatics in such House, or shall, after the date of such Licence, have received or admitted into such House any Lunatic or Lunatics, who were not confined therein at the time of the date of such Licence, such Keeper or Keepers shall forfeit and pay the sum of *Fifty Pounds* with Costs of Suit, for every Person so received or kept in Confinement.

Penalty on Keepers confining Persons after Expiration of Licences, or admitting new Patients after Date thereof.

And be it further Enacted, That if the said Commissioners, or any *two* of them, shall order and cause to be entered in their Register, that any licensed House is become unfit for the reception of Lunatics, Notice of such Entry shall be forthwith given to the Keeper or Keepers of such House, by a Writing signed by the said Commissioners, or any *two* of them; any Keeper or Keepers who, after such Notice given, shall receive or take into

If a licensed House declared unfit for Reception of Lunatics, no other Lunatic to be received till rendered fit, under pain of forfeiting the Licence.

30.

C

such

such House any other Lunatic or Lunatics, until such House shall have been, in the judgment of such Commissioners, or any *two* of them, rendered fit and convenient for the reception of Lunatics, and Notice thereof given to such Keeper or Keepers as hereby required (of which an Entry shall be made in the Register) it shall and 24 may be lawful to and for the said Commissioners, or any *two* of them, to declare the Licence granted to such Keeper or Keepers to have become null and forfeited, and such Licence shall become null and forfeited from the time of making such Entry and giving such Notice thereof as aforesaid.

Persons concerned in licensed Houses, to be named in the Licence, and one of them to superintend the Management.

And be it further Enacted, That every Person concerned and interested in the Receipts and Profits of any House licensed by the Commissioners under this Act, shall be expressly named in the Licence, and shall be responsible for the care of the Patients therein; and one of the Persons so concerned at the least in any such licensed House, shall personally superintend the Management of every such House at all times during the continuance of the Licence.

Commissioners to visit and inspect licensed Houses and public Hospitals.

And be it further Enacted, That *two* of the said Commissioners shall and they are hereby required to visit and inspect every such House as shall have been duly licensed as hereinbefore provided, *twice* in every year, and that in no case the intervals of the Visits shall be more than *eight months* and also every public Hospital for the reception of insane Persons *twice* at least in every year, and also whenever they shall be required 22 by the Lord High Chancellor, or Lord Keeper, or Lords Commissioners for the Custody of the Great Seal, Secretary of State, or by the Lord Chief Justice of the Court of King's Bench, or by the Lord Chief Justice of the Court of Common Pleas in *England*, or by the President of the Court of Session, or the Lord Justice Clerk in *Scotland*, for the time being; and it shall be lawful for the said Commissioners, or any *two* of them, and they are hereby authorized and empowered, in like manner, at any other time or times, and when and as often as they shall think necessary and expedient, to visit and inspect such one or more of the said Houses so by them duly licensed as aforesaid, and all such public Hospitals as they or any *two* or more of them shall think necessary; and the said Commissioners are hereby authorized and empowered, at all such times to remain and continue in any such House or Hospital, and to inspect and examine the same and all the Premises thereto belonging, and also to examine the Persons confined as Lunatics therein, and to examine upon Oath or Affirmation the Keeper or Keepers of every such House, and the Servants or Officers of every such Hospital, and the Attendants therein, in such manner as they shall think proper; 23^a which Oath the said Commissioners, or any One of them, is hereby empowered to administer.

And

And be it further Enacted, That if in any Visit to be made by the Commissioners under the authority of this Act, or by the Justices to be appointed at the Quarter Sessions, as hereinbefore provided, in any House or Hospital for the reception of insane Persons, the Keeper of such House, or the Person acting for him, and the Servants or Officers of every such Hospital, shall not show to the Visitor every Room in the same, and every Patient confined in such House or Hospital, the Person so offending shall forfeit and pay the sum of

Penalty on Keepers refusing to show their Rooms, and Patients, to the appointed Visitors.

And be it further Enacted, That in each Visit the said Commissioners shall enter every Room in each House or Hospital, so as to ascertain that there are in the Houses licensed under this Act, the number of Rooms described in the Plan; and shall further satisfy themselves respecting the following Particulars; (that is to say)

Inquiries to be made by Commissioners.

23^r Whether there are in such Houses no more Patients, by the Testimony of the Servants, or such other Evidence as shall be satisfactory to them, than the greatest number stated in the Licence granted to the Keeper of the House as fit for it to contain; for which purpose the Register kept in such House, licensed under the authority of this Act, shall at all times be open to the inspection of the Visitors?

Whether there are as many Servants as are sufficient for a due and necessary Attendance on the number of Patients in the House or Hospital, regard being had to the state of the Patients?

Whether the Patients are properly classed, so as to guard against the outrageous, or those who are insensible to the calls of nature, being mixed with those who are tranquil and cleanly?

Whether the Patients have the benefit of Air and Exercise, and when capable of enjoying it, Amusement?

Whether Medical Aid is afforded to them for their Mental Complaints?

24 Whether Bodily Restraint is used, except where there is a danger of the Party injuring himself or others; and when that Restraint is unavoidable, whether that is greater than is indispensably necessary?

And to inquire generally, whether there appears to them to be any thing irregular or unfit in any one of the Houses or Hospitals they visit?

And be it further Enacted, That the said Commissioners shall, on or before the *1st day of January 1819, and on or before the first day of January* in every succeeding year, make a Report, to the Secretary of State for the Home Department, stating the days on which they made each of their Visits in the said Houses or Hospitals respectively,

Commissioners to make an Annual Report.

the length of time employed in each, and the number of Patients severally; and if any Pauper Lunatics are Inmates in any of the Houses, a special Statement to be made, whether they appear to be properly attended to.

Inflicting a Penalty on Persons wilfully mistating the name of the Lunatic.

And be it further Enacted, That any Person wilfully mistating the name or description of any Lunatic so confined, or sent to be confined, in any Order, Certificate, Entry or Return, required by this Act, shall forfeit the sum of *One hundred Pounds* with costs of suit.

At such Visitation, the Commissioners are to make Minutes of the State of the Houses;

And be it further Enacted, That the said Commissioners shall at every such Visitation make or cause to be made Minutes in writing of the State and Condition of the Houses and Hospitals which they shall so visit, having regard to the particular inquiries they are hereinbefore directed to make in each Visit, together with such Observations as may appear to them necessary or proper; all which Minutes shall, within *ten* days respectively next after the Visitation at which they shall have been made, be entered by way of Report in a Book or Register to be kept for that purpose, and every such Entry shall be signed by the said Commissioners, or any *two* of them; and in case the said Commissioners, or any *two* of them, upon any such Visitation, or the Justices to be appointed Visitors as before provided, shall discover any thing that in their opinion shall deserve Censure or Animadversion, they shall in the case of Public Hospitals, or in Lunatic Asylums, erected or to be erected under the authority of an Act of the Forty-eighth year of His present Majesty, communicate the same in the first instance to the Governors or Directors, and if the Commissioners on their next Visit shall not find the same properly attended to, they shall report the same to His Majesty's Principal Secretary of State for the Home Department, as the case may require; and such part of the Report as the said Commissioners or Justices shall direct, shall be sent to the Keeper or Keepers of the House or principal Officer of the Hospital which shall be so censured or animadverted upon.

and report to Secretary of State.

Keepers refusing Admittance, &c. to forfeit £.100 and their Licence.

And be it further Enacted, That if at any Visitation such Commissioners or Visitors authorized to visit, or either of them, shall be refused Admittance into any House to be licensed by virtue of this Act, or into any public Hospital, for the reception of insane Persons, or shall be denied full and free Access to any part thereof, or shall be wilfully obstructed in such Examination thereof, or of any part thereof, or of the Premises belonging thereto, which they or any or either of them may deem necessary to inspect and examine, or in the examination of the Persons confined therein; or if the Keeper or Keepers, Attendant or Attendants, in any such licensed House, or the Servants or Officers of any public Hospital, shall

shall refuse to be sworn, or to answer such Questions as shall be asked of them concerning the Persons confined therein, and the treatment of them, or shall conceal any Patient, or falsely and wilfully misrepresent or conceal any facts concerning such treatment;

27 or if it shall appear that the Keeper or Keepers, or Attendant or Attendants, of such House or Hospital, with the knowledge of such Keeper or Keepers, has or have neglected or ill-used any Person or Persons confined in such House or Hospital; or if the Certificates of Admission of Lunatics respectively, shall not upon demand thereof be produced to the said Commissioners or Visitors, or such of them as shall require the same, except upon proof in the event of the Certificate being lost, that such a one was brought with the Patient, such Keeper or Keepers shall forfeit the sum of *one hundred pounds* and it shall and may be lawful for the said Commissioners, or any *two* of them, if they shall see good cause for it, either from their own view, or from a representation from such Visitors, to declare the Licence of such Keeper or Keepers to become null and forfeited, and the said Licence shall become null and forfeited from the time of making such Entry and giving such Notice as aforesaid.

And be it further Enacted, That no Keeper of any House licensed for the reception of Lunatics under the provisions of this Act, in any

28 part of the United Kingdom called *Great Britain*, shall admit, harbour, entertain or confine any Lunatic, without first having an Order in writing under the hand of the Person or Persons by whose direction such Lunatic was sent to such House, in which Order shall be stated the degree of relationship or circumstances of connection in which the Patient stands to the Person who sends him to the House, and the former Residence of the Patient; and also within the Cities of *London* and *Westminster*, and within *seven* Miles of the same, by a Certificate in writing under the hands of Two Fellows or Licentiates of the College of Physicians, or Members of the College of Surgeons, or Members of the Company of Apothecaries in *London*; and in other parts of *Great Britain*, by a Certificate in writing under the hand of some Physician, Surgeon or Apothecary, practising as such, that such Person is of Insane mind, and not being either directly or indirectly concerned or in any manner interested in such House or Place, or the gains or profits thereof; and every such Certificate shall be in the form in Schedule (C.) to this Act annexed; and every such Keeper is hereby required to preserve on a file, to be provided for that

29 purpose, all such Orders and Certificates as aforesaid respectively; and every such Keeper who shall admit, harbour, entertain or confine any Lunatic, without having received such Order in writing as aforesaid, or who shall admit, harbour, entertain or confine any Lunatic in any House more than Forty-eight Hours, without having received such Certificate as aforesaid, or who shall neglect to keep and file

Keepers not to receive Lunatics without an Order and Certificate, &c.;

Forfeiture of Licence, and of £.100 for Neglect.

any such Order or Certificate as aforesaid, unless upon proof of the Certificate having been brought with the Patient, shall for every such Offence forfeit the sum of *one hundred Pounds* with Costs of Suit; and it shall and may be lawful for the Commissioners, or any *two* of them, to declare the Licence of such Keeper or Keepers to have become null and forfeited, and the said Licence shall become null and forfeited from the time of making such Entry and giving such Notice as aforesaid.

Certificates to bear Date the day they are signed, and not to be in force for more than *21* Days.

And be it further Enacted, That every such Certificate shall bear date on the same day on which it is signed by such Physician, Surgeon, or Apothecary as aforesaid; and that no Keeper or Keepers of any House for the reception of Lunatics, shall be authorized to receive into such House any Lunatic, by virtue of such Certificate, unless the same shall be presented to such Keeper or Keepers, and the Lunatic therein mentioned shall be received therein, within *twenty* *one* days after the date of such Certificate. 30

Penalty on Physician, &c. giving Certificate without Examination of the Person, and ascertaining the Lunacy.

And be it further Enacted, That every such Physician, Surgeon, or Apothecary, who shall sign or give any such Certificate as aforesaid, without having carefully visited and examined the Person in relation to whom the Certificate is given, and without having ascertained by such Examination that such Person is to the best of his judgment a Lunatic, and proper to be confined in a House for the reception of Lunatics, shall forfeit and pay for every such Offence or Neglect the sum of *one hundred Pounds* and Costs of Suit.

Where Houses not required to be licensed receive a Patient, Notice to be sent to Secretary of State, &c.

And be it further Enacted, That no Person shall receive for hire any Patient to be confined or detained, without the consent of such Patient, in any House not required to be licensed under the provisions of this Act, and where no other Lunatic shall be confined, without first having an Order in writing under the hand of the Person or Persons under whose directions such Lunatic was sent to such House, in which Order shall be stated the degree of relationship, or circumstances of connection, in which the Patient stands to the Person who sends him to the House, and also a Certificate in writing, under the hand of some Physician, practising as such, that such Person is of Insane mind; and such Person shall and is hereby required, within the space of *ten* days after any Patient shall be received in such House, to cause Notice thereof to be given to His Majesty's Principal Secretary of State for the Home Department; which Notice shall also state the Parish and County where such House shall be situated, and the Occupier's Name; and every such Person so receiving or acting as Keeper of such Patient shall also, and is hereby required, within the space of *fifteen* days after any Patient shall die or be removed or discharged from such House, to cause Notice thereof to be given to the said Secretary of State; and that all such Notices shall 31

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shall be sent sealed up, and marked, "Private Return," and directed to His Majesty's Principal Secretary of State, who is hereby required to preserve all such Notices separate, and also to enter a Copy or Extract therefrom in a separate Register, to be kept at the Office of the said Secretary of State by the Person so appointed as aforesaid; and to enter the Death Removal or Discharge of any Patient opposite to the respective Entries of his or her Admission; and every Person so receiving for hire any Person to be confined or detained in any such House, not required to be licensed under the provisions of this Act, and who, after receiving such Patient, shall omit for the space of *seven* days, to cause Notice thereof to be given to the said Secretary of State, shall forfeit the Sum of *£50* with Costs of Suit.

And be it further Enacted, That the said Commissioners, or any *two* of them, shall have power to visit any House wherein they shall have received Notice as aforesaid, that one Lunatic only is confined or detained, whenever they shall be required by His Majesty's Principal Secretary of State; and the said Commissioners, on the receipt of such Order, are hereby authorized and empowered to visit and inspect such House, and to examine any Person confined as a Lunatic therein, and to examine upon Oath the Keeper of any such House, and the Attendants therein, which Oath the said Commissioners, or any One of them, is hereby empowered to administer; and if the said Commissioners upon any such Visitation, shall discover any thing that in their opinion shall deserve Censure or Animadversion, they shall in that case report the same to the Secretary of State; and any Keeper or Attendant, or other Person refusing admission to such Commissioners, or obstructing them in such examination, or refusing to be sworn, or to answer such questions as may be so asked of them concerning any Patient confined in such House, or shall conceal any Patient, or falsely or wilfully misrepresent or conceal any facts concerning such Patient, shall forfeit the Sum of *One Hundred Pounds* with Costs of Suit.

Commissioners to visit Houses where only one Lunatic is confined.

And be it further Enacted, That the Keeper or Keepers of every House licensed under the provisions of this Act, shall, and every such Keeper and Keepers is and are hereby required, within the space of *seven* days after any Patient shall be received in any such licensed House, cause Notice thereof to be given to the said Commissioners who shall be appointed for the District in which such House shall be situated, which Notice shall contain the Name of every such Person received as a Lunatic into such House, the Name or Names, and place or places of Abode of the Person or Persons by whose direction such Lunatic was sent to such House, and also the Name and place of Abode of the Physician or Surgeon or Apothecary by whose advice such direction was given, according

Notice to be given of the Admission, Death, and Removal of Patients, to the Commissioners, by the Keeper.

according to the Form contained in Schedule (D.) hereunto annexed, and shall affix, in a conspicuous part of such Notice, the Number 34 of the same in the order in which they shall be sent, commencing with the *1st day of January* in each year, to be continued in a regular series for the whole of such year; and every such Keeper shall also on the first day of every month make a Return to the said Commissioners of every Patient who shall quit or be removed from the House kept by him her or them, or shall die within the same, with the Christian and Surname of every such Person; all which Notices shall be sent sealed up, directed to the Commissioners at the Office of His Majesty's Principal Secretary of State for the Home Department, who are hereby required to preserve all such Notices, and also to enter or cause a Copy or Extract therefrom to be entered in the first-mentioned Register within *ten* days after the receipt of such Notices, and to enter the Death or Removal of any Patient or Patients opposite to the respective Entries of his her or their Admission; from which several Registers, one general Register shall be made up in the Office of His Majesty's Principal Secretary of State, by some Person to be appointed by him for that purpose, to contain the Names of every Person who shall be confined in all the Houses in *Great Britain* for the reception of Insane Persons.

General Register of Lunatics.

Requiring a Registry to be kept.

And be it further Enacted, That every Keeper or Keepers of any 35 House licensed for the reception of Lunatics shall keep a Register, stating the name, age, and date of admission of every Lunatic who shall be admitted, or shall be resident in any such House, during any part of each year; and shall specify in the same Register the Names of the Physicians or other Medical Persons giving or signing the Certificate for the admission of such Lunatic; and in case such Lunatic should die, or be cured, or should be discharged uncured, such death, cure or discharge, shall be specified in such Register; and in case a Coroner's Inquest shall be taken on the body of any such Lunatic dying in such House, the verdict of such Coroner's Jury shall be also entered in such Register; and such Register shall be kept in the Form contained in Schedule (E.) hereunto annexed; and such Register shall be preserved in such House for the inspection of the Commissioners and Visitors appointed by this Act; and every Keeper of such House neglecting to keep such Register as aforesaid, or neglecting to fill it up within *one week* after any admission, death or discharge, with or without cure, or Coroner's Inquest shall have taken place, shall be liable for every such neglect to the Penalty of

Register to be kept of Admissions, &c.

And be it further Enacted, That every Keeper or Keepers of any 36 House licensed for the reception of Lunatics, shall keep an Annual Register, stating the number of Admissions, Deaths, Cures and Discharges uncured, in each year, specifying the length of time all such Persons shall have remained in such House at the time of such death, cure.

cure, or discharge, together with the number of Lunatics remaining in the House on the *31st day of December* in each year, the length of time such Persons shall have resided in the House on such *31st day of December*; specifying also, in the cases of cures and discharges, the age of such Persons; and that such Register shall be kept in the form contained in Schedule (F.) hereunto annexed; and that such Register so filled up on the *31st day of December* in each year, shall be kept in a book in such House, for the inspection and information of the Commissioners and Visitors appointed by this Act; and that a Copy of the same shall be, before the first of *February* following, sent sealed up, directed to the Commissioners, at the Office of His Majesty's Principal Secretary of State for the Home Department, who are hereby directed to preserve the same; and that one other Copy of the same shall be sent, before the *1st of February* following, to the Clerk of the Peace for the County in which such House shall be situated, who is hereby directed to show the same to every person wishing to see the same, on the payment of the sum of *one shilling* lawful Money of Great Britain; and every Keeper of such House who shall omit to send a Copy of such Register to the Board of Commissioners, or the Clerk of the Peace, before the *1st of February* as aforesaid, shall be liable, for every such Offence, to the payment of a Fine of *five shillings*, and a further Penalty of *four shillings* for every week until such Register shall be sent.

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And be it further Enacted, That the Person so appointed to keep the said Registers shall, before he enters upon the said Office, take the following Oath; which the said Secretary of State is hereby required to administer:

Registrar to take an Oath.

" I *A. B.* do swear, THAT I will faithfully execute the Office OATH.
 " of Registrar of Lunatics, and will keep secret all Registers
 " committed to my care, and that I will not show the same
 " or disclose the contents thereof to any Person except the
 " Commissioners for licensing Madhouses, or such other
 " Person as is directed by an Act passed in the fifty-seventh
 " year of His Majesty's reign, intituled, ' An Act to repeal
 " an Act made in the fourteenth year of His present
 " Majesty, and another Act of the fifty-fifth year, respecting
 " Madhouses.' " So help me GOD."

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And be it further Enacted, That every Keeper or Keepers of any House licensed for the reception of Lunatics, who shall admit, harbour, entertain or confine any Lunatic in any such House, and shall not give such Notice thereof within the times and in the manner aforesaid, shall for every such Offence or Neglect forfeit and pay the

Penalty on Keepers not giving Notice to the Commissioners.

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sum of *£100* with Costs of Suit; and it shall and may be lawful for the Commissioners, or any *two* of them, to declare the Licence of such Keeper or Keepers to have become null and forfeited, and the said Licence shall become null and forfeited from the time of making such Entry and giving such Notice as aforesaid; and upon Notice given by the said Commissioners to the Clerk of the Peace of any County, Riding, Division, City or Place, in which the House shall be in respect of which such Notice shall not have been sent as aforesaid, the Clerk of the Peace shall cause such Omission, and the Notice thereof, to be publicly read at the next General or Quarter Sessions of the Peace for such County, Riding, Division, City or Place.

Application for Information concerning confined Persons, to be made to the Commissioners.

And be it further Enacted, That it shall be lawful for any one of the Commissioners, upon the application of any Person made to him 39 for Information, whether any particular Person or Persons is or are or has or have been confined as a Lunatic or Lunatics, in every case in which he shall think it reasonable to permit such inquiry to be made, to give directions for searching the Registers of Persons confined as Lunatics; and if it shall appear upon such Search, that the Person or Persons so inquired after hath or have been or is confined in any House licensed under this Act, the said Commissioners shall immediately give to the Persons so applying the Name of the Keeper in whose House, and also the Names of those by whose direction and advice such Person or Persons hath or have been so confined, and the dates of such Confinement.

Certifying Physician to examine Persons confined, annually.

And be it further Enacted, That it shall be lawful in every case where a Physician or other Medical Person shall have certified to the Insanity of any Person, for such Physician or Medical Person, or some other Physician or Medical Person, to examine the Patient at the end of the year from the date of the Certificate, and so at the end of every future year.

Commissioners may order Persons improperly confined, to be liberated.

And be it further Enacted, That in case the said Commissioners shall find any Person or Persons within their respective Districts 40 improperly confined, in any House licensed under this Act, it shall be lawful for the said Commissioners, or any *two* of them, by any Writing under their hands, to direct such Person or Persons so confined to be liberated and discharged; and in case the Keeper or Keepers of any House where such Person or Persons shall be so confined, shall refuse to liberate and discharge such Person or Persons in such Order mentioned, within such Time as shall be mentioned in such Order, such Keeper or Keepers shall forfeit and pay for every such Offence the sum of *£100* and Costs of Suit; and it shall and may be lawful for the said Commissioners, or any *two* of them, as the

the case may be, to declare the Licence of such Keeper or Keepers to have become null and forfeited from the time of making such Entry and giving such Notice as aforesaid, and the said Licence shall become null and forfeited accordingly.

And be it further Enacted, That it shall not be lawful for any Agreement to be made for the Care and Maintenance of any Insane Person, in any House licensed under the authority of this Act, for
 41 any other term than by the Week, the Month, the Quarter, or for one Year; and that if in any case an Agreement shall be otherwise made, the Person carrying or sending the Patient to the House, and the Person keeping the same, shall each forfeit for such Offence the sum of *four hundred pounds*

Penalty on making Agreement with Keepers for any term exceeding one Year.

And be it further Enacted, That no Justice of the Peace appointed to visit licensed Houses under this Act, shall, directly or indirectly, be concerned or interested in the keeping of any House for the reception of Lunatics, on pain of forfeiting for every such Offence the sum of *£200* and Costs of Suit.

Justices appointed Visitors, not to be concerned in the keeping any House for Lunatics, &c.

And be it further Enacted, That it shall and may be lawful for the Commissioners of the Treasury, and they are hereby authorized and required, to issue such Sums from time to time to His Majesty's Principal Secretary of State, as shall be necessary for the purpose of carrying this Act into effect, and to charge the same on the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*.

Commissioners of the Treasury to issue the necessary Sums for the Purposes of the Act.

And be it further Enacted, That an Account of such Monies so issued, and of the Application thereof, shall be annually laid before both Houses of Parliament, within *fourteen* days after the commencement of each Session.

Annual Account to be laid before Parliament.

And be it further Enacted, That the said Commissioners shall in
 42 like manner lay or cause to be laid before each House of Parliament, an Account of all such Licences as shall have been granted by the said Commissioners in the year preceding, with the Names and places of Abode of all Persons to whom Licences shall have been by them granted, and the Name of the Parish or Place where any House so licensed shall be situate, and the Number of Lunatics confined in every such House within their several Districts respectively, and the State and Condition of every such House as affording accommodation to, and as to the care of the Patients therein; and when, by whom, and how often such Houses shall have been visited; together with all such other Particulars and

Commissioners to lay before Parliament an Account of Licences granted, the Number of Lunatics confined, &c.

Circumstances, as to the said Commissioners shall appear worthy to be reported.

Proceedings to be justified in course of Common Law.

AND whereas it is not intended by this Act to give the Keepers of any House so to be licensed as aforesaid, or any other Person concerned in confining any of His Majesty's Subjects therein, any new justification from their being able to prove that the Persons so confined have been sent there by such direction and advice as are required by this Act; BE it therefore further Enacted, That in all Proceedings that shall be had under the Writ of Habeas Corpus, and in all Indictments, Informations and Actions, that shall be preferred and brought against any Person or Persons for confining or ill-treating any of His Majesty's Subjects in any of the said Houses, the Parties complained of shall be obliged to justify their Proceedings according to the course of the Common Law, in the same manner as if this Act had not been made. 43

Physicians, &c. and Keepers not liable to any Indictment.

Provided always, and be it further Enacted, That no Physician, Surgeon, or Apothecary, authorized to grant Certificates as aforesaid, shall be subject or liable to any Indictment, Information or Action, for having given such Certificate as is hereinbefore required; and no Keeper of any House licensed under this Act shall be subject or liable to any Indictment, Information or Action, for having admitted, harboured, entertained, or confined any Person or Persons, as a Lunatic or Lunatics, by authority of such Certificate or Certificates, until the Person by whose direction the Person in question shall be confined as a Lunatic, shall have been first convicted of having unlawfully and without reason directed or caused such Confinement to be made; any thing herein contained to the contrary notwithstanding.

Coroner to take Inquest in cases of sudden or questionable Death.

And be it further Enacted, That in all cases where sudden Death shall happen, or where the Death of any Person shall be alledged or supposed to have been occasioned by the ill-treatment of the Keepers or others, in any House which shall have been licensed under the authority of this Act for the care of Insane Persons, or in any public Hospital for the reception of such Persons, inquiry shall be made by one of the Coroners of the County in which such House or Hospital shall be situated, concerning the manner of the death of the Party; and in every such case the Coroner shall exercise and do his office in all respects according to the Laws now in force. 44

Pauper Lunatics.

AND whereas it is expedient that Provision should be made for the care of Pauper Lunatics in *England*, who may be chargeable to any Parish or Place in Counties wherein no Lunatic Asylum has been or shall

shall be established, under the authority of an Act passed in the Forty-eighth year of His present Majesty; BE it Enacted, That upon its being made known to *two* or more Justices of the Peace of any County wherein no Lunatic Asylum shall be established as aforesaid, that a poor Person chargeable to any Parish or Place within any of the said Counties, is deemed or taken to be Lunatic, or Insane, or a mischievous Idiot, it shall be lawful for the said Justices, by an Order under their hands and seals, if they shall so think fit, to require the Overseers of the Poor of the said Parish or Place to bring the said poor Person before them, or some other Justices of the Peace of the said County, at such time and place as shall be appointed by the said Order; and the said *two* Justices are hereby authorized to call to their assistance a Medical Person, at the charge of the said Parish or Place; and if upon view and examination of the said poor Person or from other proof, the said Justices shall be satisfied that such poor Person is Lunatic, Insane, or a mischievous Idiot, it shall be lawful for the said *two* Justices, by an Order under their hands and seals, directed to the said Overseers of the Poor, according to the Form in the Schedule (G.) annexed to this Act, to cause the said poor Person to be conveyed to, and placed in some House duly licensed for the reception of Insane Persons; and it shall be lawful for the said *two* Justices, or for any other *two* Justices of the Peace, acting in the Division of the said County, wherein the said Parish or Place is situated, from time to time, as occasion may require, to make Order on the Overseers of the Poor of the said Parish or Place for the time being, for the Payment of all such Charges and Expenses as such *two* Justices may deem reasonable, for and on account of the maintenance and care of the said poor Person in such House, licenced for the reception of Insane Persons as before-mentioned, which Overseers of the Poor shall not remove such poor Person from the said House without an Order for that purpose, made by *two* Justices of the Peace for the County, after due inquiry into the circumstances of the case.

Provision for Pauper Lunatics.

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And be it further Enacted by the Authority aforesaid, That if any Overseer of the Poor of any Parish or Place, to which any Lunatic or Insane Person shall be chargeable, shall for the space of *one month* wilfully neglect to give information of the state of such Person to some Justice of the Peace, acting within the Division of the County within which the said Parish or Place is situate, he shall for every such Offence forfeit and pay a sum of Money not exceeding *£20* nor less than *£5* (half to the Informer, and half to the Poor of the said Parish or Place) to be recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the hands and seals of any

Overseer of the Poor neglecting to give Information of the State of any Lunatic chargeable to the Parish, to forfeit a sum not exceeding £20 nor less than £5.

Justices Justices of the Peace for the County within which such Parish or Place is situate.

Persons imprisoned for a Penalty under this Act, shall not take the benefit of Insolvent Debtors Act.

Provided also, and be it Enacted, That no Person or Persons who shall be imprisoned for non-payment of any Penalty or Forfeiture incurred under this Act, shall have or receive any benefit or advantage of any Act for the relief of Insolvent Debtors, nor be deemed to be within the intent or meaning thereof, so as to be discharged under the same.

Penalties and Forfeitures, how to be recovered and applied.

And be it further Enacted, That all Penalties and Forfeitures which shall be incurred for Offences against this Act, shall and may be sued for and recovered in any of the Courts of Record at *Westminster* or *Edinburgh*, by Action of Debt, Bill, Plaint or Information, by the Commissioners to be appointed under the authority of this Act, or any *two* of them, at any time within *twelve calendar months* after the Offence committed; and all such Penalties and Forfeitures, when recovered, shall and are hereby directed to be paid to the said Commissioners, or to some Person to be appointed by them to receive the same; and shall be applied in manner following (that is to say) one Moiety of such Penalties and Forfeitures shall go to the Informer, and the other Moiety towards defraying the Expenses attending the execution of this Act.

Limitation of Actions.

And be it further Enacted, That if any Action or Suit shall be commenced or brought against any Person or Persons for any thing done in pursuance of this Act, the same shall be commenced within *twelve calendar months* next after the Fact committed, and shall be laid or brought in the County, City or Place where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may at his election plead Special or the General Issue, Not Guilty, and give this Act and the special matter in evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the authority of this Act; and if the same shall appear to be so done, or that such Action or Suit shall be brought in any other County, City or Place, or shall not have been commenced within the time before limited for bringing the same, that then the Jury shall find a Verdict for the Defendant or Defendants; and upon a Verdict being so found, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his her or their Action or Suit, after the Defendant or Defendants shall have appeared, or if upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover *double* Costs, and have such Remedy for recovering the same as any Defendant or Defendants hath or have in any other Cases by Law.

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And be it further Enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

Public Act.

And be it further Enacted, That this Act shall continue in force for the Term of *two years, and from thence to the end of the third year of the next Session of Parliament.*

Continuance of Act.

Schedule (B)

FORM OF LICENSE

IN THE MATTER OF THE LICENSING ACT, 1876
I, the undersigned, do hereby certify that the following is the true and correct copy of the License granted to the said Licensee, and that the same is in full force and effect.

Given under my hand and the seal of the said Council, this _____ day of _____, 18__.

Schedule (C)

ATTEST
I do hereby certify that the following is the true and correct copy of the License granted to the said Licensee, and that the same is in full force and effect.

Given under my hand and the seal of the said Council, this _____ day of _____, 18__.

Schedule (A.)

59

FORM of NOTICE in the GAZETTE, &c.

[Date.]

IN pursuance of an Act, passed in the _____ year of the reign of His present Majesty King *George* the Third, intituled, "An Act [here insert the Title of this Act] Notice is hereby given, That the Commissioners appointed for licensing Houses for the Reception of Lunatics, within that part of the United Kingdom called *England* [or, *Scotland*], will meet at _____ on _____ the _____ day of _____ instant, at _____ of the clock in the _____ in order to grant Licences, pursuant to the Directions of the said Act.

By Order of the Commissioners,

Secretary.

Schedule (B.)

51

FORM of LICENCE.

WE, the underwritten Commissioners for licensing Houses for the reception of Lunatics, appointed in pursuance of an Act, passed in the _____ year of the reign of His present Majesty King *George* the Third, intituled "An Act [here insert the Title of this Act] Do hereby give Licence to _____ to keep One House for the reception of _____ Lunatics, situate at No. _____ in _____ Street, in the Parish of _____ for One year from the First day of _____ next [or, last].

Given under our hands, the _____ day of _____ in the year of our Lord one thousand eight hundred and _____

Schedule (C.)

52

MEDICAL CERTIFICATE for the Reception of a Patient into a Lunatic House.

AT the Desire of _____ the Friend [or, Relative] and in consequence of sufficient personal Examination of _____ I do hereby certify _____ to be of Insane Mind; and I am of Opinion that suitable Confinement of _____ in a House for the Reception of Lunatics, is necessary and proper.

Dated this _____ Signed by _____ day of _____ one thousand eight hundred and _____

To Mr.

N. B. To be signed by some Physician, Surgeon, or Apothecary; and his Residence, and Branch of the Profession, to be added.

53

Schedule (D.)

NOTICE of Admission of Patient, by the Keeper, to the Commissioners.

No.

Name of the Person received.

Date of Admission into a Lunatic House.

Date of the Order.

Name and place of Abode of the Relative or other Person, by whose direction the Lunatic is received.

Name and place of Abode of the Physician, Surgeon, or Apothecary, under whose written Certificate the Lunatic is received.

Date of the Certificate.

Signed

Keeper.

Dated this
hundred and

day of

one thousand eight

To be directed

To the Commissioners for licensing Madhouses, at the Office of His Majesty's Principal Secretary of State for the Home Department.

54

Schedule (E.)

Name of Patient.	Names of certifying Physicians.	Date of Admission.	Date of Discharge Cured.	Date of Discharge Uncured.	Age.	Date of Death.	Coroner's Verdict.
A. B.	L. X. M. Y.	April 3, 1815.	March 5, 1816.	—	22	—	—
B. C.	N. D. M. C.	May 10, 1816.	—	—	27	June 20, 1817.	Lunacy.
C. D.	N. D. L. X.	July 3, 1816.	—	August 27, 1816.	45	—	—
E. F.	M. C. L. X.	August 11, 1814.	—	—	25	—	—

30.

G

Schedule (F.)

Remaining in the Hospital, Jan. 1, 1818.	RETURN from January 1, 1817, to January 1, 1818.						Died.	Having continued in the House,
	Discharged cured, under 50 years old.	Discharged uncured, under 50 years old.	Discharged cured, from 50 to 50.	Discharged uncured, from 50 to 50.	Discharged cured, above 50.	Discharged uncured, above 50.		
								under 1 Month.
								1 and under 2.
								2 and under 3.
								3 and under 5.
								5 and under 8.
								8 and under 12.
								12 and under 18.
								18 and under 24.
								4 Years and under 3.
								3 and under 4.
								4 and under 6.
								6 and under 8.
								8 and under 10.
								11 and upwards.

YOU are
on the Parish
for the recep
Act, passed
that proper
said A. B.

To the
of

56

Schedule (G.)

YOU are hereby required to cause *A. B.* a Lunatic, chargeable on the Parish of *C.* to be conveyed to the House of *D. E.* licensed for the reception and cure of Lunatics, under the authority of an Act, passed in the Fifty-seventh year of *George* the Third, in order that proper means may be there used for the cure and care of the said *A. B.*

E. F. G. H. Justices of the Peace for the County of *K.*

To the Overseers of the Poor
of the Parish of *C.*

Schedule (G.)

YOU are hereby required to cause M. B. a Linnæus, changeable on the Parish of C. to be conveyed to the House of D. E. licensed for the reception and care of lunatics under the authority of an Act, passed in the fifth-seventh year of George the Third, in order that proper means may be there used for the cure and care of the said A. B.

E. F. G. H. Justices of the Peace for the County of K.

To the Overseers of the Poor of the Parish of C.

Sees. 1817.

A

B I L L

To Repeal an ACT made in the 14th year of His present Majesty, and another Act made in the 35th year of His present Majesty, for regulating Madhouses; and for making other Provisions and Regulations in lieu thereof.

Ordered, by The House of Commons, to be Printed, 13 February 1817.

8 July 1817.



A

B I L L

To provide proper Places for the Confinement and Care of Lunatics in Scotland.

Note.—The Figures in the Margin denote the Number of the Folios in the written Copy.

1 **W**HEREAS great Misery has been experienced in that part of the United Kingdom called *Scotland*, from the want of fit Places wherein to confine and take care of fatuous and furious Persons :

Preamble.

And whereas this has been chiefly experienced in the case of such destitute fatuous and furious Persons as have no means whereby they may be maintained :

And whereas it is expedient that Provision should be made to remedy these Evils, by the erection of Asylums, in the manner hereinafter directed ;

2 **Be it therefore Enacted** by The KING's Most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT for the purposes of this Bill, that part of the United Kingdom called *Scotland* shall be divided into

Scotland divided into Districts.

Not very large

Districts; and the Counties and Stewartries thereof shall be classed and comprised in these Districts, as follows ; *videlicet*,

and in each of these Districts, an Asylum or Place for the reception and care of fatuous and furious or insane Persons, shall be erected and maintained in the manner directed by this Act, at an expense not exceeding the following Sums, in each of the said several Districts ; *videlicet*,

An Asylum to be erected in each.

Meetings to be held.

And be it Enacted, That within after the passing of this Act, upon a Requisition to that effect from the General Commissioners appointed by this Act, as hereinafter directed, a General Meeting shall be held in each County or Stewartry of the Freeholders and Commissioners of Supply therein, in the manner in which such Meetings are held in *Scotland*, for the purpose of electing one Commissioner for such County or Stewartry, who with the Commissioners elected for the other Counties or Stewartries in the District in which such Counties or Stewartries are situated, shall be the Commissioners for such District, who shall execute, or cause to be executed, all the Powers and Authorities granted to District Commissioners by this Act: Provided always, That if such General Meeting shall not be held by any County or Stewartry within the time aforesaid, or if at such Meetings when held, a Commissioner shall not be elected as hereby directed; then it shall and may be lawful for the General Commissioners appointed by this Act, and they are hereby in such case required, to nominate some fit Person to act as a District Commissioner, in the execution of this Act, in the place of the Commissioner who ought to have been elected by such County or Stewartry; and such Person so nominated, shall and may act as one of the District Commissioners in such District, in the same manner as if he had been elected by the County or Stewartry for which he shall have been so nominated.

3
4

District Meetings to be held.

And be it Enacted, That within after being thereunto required by the General Commissioners appointed by this Act, the said District Commissioners shall meet at such time and place within their District, as they shall and may agree upon among themselves, for the purpose of considering of a proper scite for the erection of a Lunatic Asylum or Place for the reception and care of fatuous and furious or insane Persons in such District, in the manner directed by this Act; and of directing Advertisements for Plans and Estimates thereof, if a new Erection shall be necessary; or of converting into such Asylum or Place for such reception and care, any Building which may be found in such District fit for such purpose; and such District Commissioners shall have power, and are hereby authorized to adjourn from time to time, and to hold such Meetings at such times and places as they shall think fit, for the purpose of executing the powers and duties committed to them by this Act.

5
6

Accounts and Plans to be transmitted to General Commissioners;

And be it Enacted, That after having determined upon the situation and description of a Lunatic Asylum or Place for the reception and care of fatuous and furious or insane Persons, in any District, the District Commissioners by whom the same shall have been so determined, shall transmit or cause to be transmitted, an Account thereof, with the Plans appertaining thereto, to the General Commissioners appointed by this Act.

and submitted to General Meetings.

And be it Enacted, That before transmitting an Account or Description of such Lunatic Asylum or Place for the reception and care of

of

of fatuous and furious or insane Persons, so fixed upon in any District, with the Plans thereof, to the said General Commissioners, it shall and may be lawful for the said District Commissioners, to submit the same to any General Meeting, to be called in any or each of the respective Counties or Stewartries comprized in such District, in the manner in which General Meetings are held in Counties or Stewartries in Scotland; and it shall and may be lawful for any such County or Stewartry, to require that such Account or Description with such Plans and Estimates, shall be submitted to a General Meeting of such County or Stewartry, before the same shall be transmitted to the said General Commissioners; and it shall and may be lawful for such General Meeting to come to such Resolution or Resolutions thereupon, as to such General Meeting shall appear proper, either for the consideration of the said District Commissioners or of the said General Commissioners.

And be it Enacted, That the following Persons shall be and they are hereby appointed General Commissioners for carrying this Act into execution, without receiving or being entitled to any Fee or Reward, or any Emolument for the same whatsoever; *videlicet*,

General Commissioners appointed.

And be it Enacted, That the said General Commissioners shall meet at *Edinburgh*, upon the _____ after the passing of this Act, and may adjourn from time to time, and meet thereafter at such times and as often as shall be found necessary for the purposes of this Act; and shall and may elect a Preses or Chairman of their Meetings; and at every Meeting, in case of an equality of voices, the Preses or Chairman shall have a casting Vote.

First Meeting of General Commissioners.

And be it Enacted, That within _____ after the passing of this Act, the said General Commissioners shall transmit, or cause to be transmitted to the Clerk of Supply of every County or Stewartry, a Requisition for the summoning and holding of a General Meeting of every such County or Stewartry within _____ for the purpose of electing a Commissioner for such County or Stewartry, to be a District Commissioner for the execution of this Act, in the District in which such County or Stewartry shall be situated.

Requisition to be transmitted to Clerk of Supply, for Choice of District Commissioners.

District Commissioners to be notified to General Commissioners.

And be it Enacted, That within

after such District Commissioners shall have been so elected, the Names of the District Commissioners so elected shall be notified to the said General Commissioner, who shall thereupon require the District Commissioners of each District, to meet for the purpose of considering of a proper Lunatic Asylum or Place for the reception and care of fatuous and furious or insane Persons in such District, and after having fixed upon the same, and after having received Plans and Estimates thereof, and after having determined upon the same, to transmit an Account and Description thereof with such Plans, to the said General Commissioners in the manner directed by this Act.

9

Commissioners to inquire into sufficiency of Asylums.

Some sense of judgment & experience will be requisite amongst the Commissioners

And be it Enacted, That as soon as conveniently may be after receiving such Account and Description from any District, the said General Commissioners shall consider the same, and whether the Asylum will be sufficient as well in respect of accommodations as of size and dimensions, for the reception comfort and cure of all the fatuous and furious or insane Persons that ought to be received therein, and shall notify to the said District Commissioners what shall appear to them thereupon, and shall and may have such communications with such District Commissioners as to the said General Commissioners shall appear necessary; and the said District Commissioners shall and may have such communications with the said General Commissioners as they shall deem necessary, for the purpose of settling what will be a proper Lunatic Asylum or Place for the reception and care of fatuous and furious or insane Persons in such District: Provided always, That the said General Commissioners shall finally determine the same.

10

For making Contracts, &c.

Furnitures

And be it Enacted, That as soon as the Description and Plan of any District Asylum shall have been so finally determined, the said General Commissioners shall notify the same to the District Commissioners of the District in which the same shall be situated; and the said District Commissioners shall thereupon proceed to make Contracts or Agreements for the building or altering such Asylum, as the case may be, and of fitting the same for the reception and care of fatuous or furious or insane Persons, as soon as conveniently may be.

11

For transmitting Abstracts of Returns of Number of Persons to be placed in Asylums.

And be it Enacted, That for the purpose of enabling as well the said District Commissioners as the said General Commissioners, to ascertain and determine the number of fatuous and furious or insane Persons, for whose reception and care a proper Place ought to

to

- 12 to be provided in each District, Abstracts of all the Returns which have been made in consequence of an Address to His Royal Highness The Prince Regent, from either House of Parliament, of fatuous and furious Persons in any Parish or Place in *Scotland*, shall be transmitted or cause to be transmitted, by His Majesty's Principal Secretary of State for the Home Department, both to the said District Commissioners and to the said General Commissioners; and if further information shall be necessary, it shall and may be lawful either for the said District Commissioners, or for the said General Commissioners, to require from the Minister and Kirk Session of any Parish or Place in *Scotland*, and upon such Requisition every such Minister and Kirk Session is and are hereby directed to furnish all such In-
- 13 formations regarding fatuous and furious or insane Persons within their respective Parishes or Places, as either of the said Commissioners may require.

And be it Enacted, That as soon as the Place and Description of any such Lunatic Asylum or Place for the reception and care of fatuous and furious or insane Persons shall have been settled, the said District Commissioners shall apportion the Expense thereof among the different Counties or Stewartries comprized in such District, in proportion to the Population of each County or Stewartry in such District, according to the Returns made pursuant to an Act passed in the Fifty-first year of the reign of His present Majesty, intituled, "An Act for taking an Account of the Population of *Great Britain*, "and of the Increase and Diminution thereof."

For apportion-
ing Expenses.

*Should not regard be
had to the property
possessed in each
District &c.*

- 14 And be it Enacted, That upon the Proportions being ascertained which are to be borne by each County or Stewartry, of the Expense of providing a suitable Asylum for the purposes of this Act, for the District within which such Counties or Stewartries shall be comprized, the said District Commissioners shall send or cause to be sent a Duplicate of the Account of such Expense approved of by them, and of the Apportionment thereof made by them as aforesaid, to the Clerk of Supply of each County or Stewartry comprized in the District to which such Apportionment shall relate, in order that an Assessment may be made in the manner directed by this Act for the whole of such Expense, in such parts and portions, and payable at such times
- 15 as the said District Commissioners shall direct.

For sending
Duplicates.

And be it Enacted, That every Clerk of Supply, upon receiving such Account and Apportionment, shall summon a Meeting of the Commissioners of Supply, in the manner in which Commissioners of Supply are summoned to meet in *Scotland*, to be held within after such Account and Apportionment shall have been received by such Clerk of Supply; and any Clerk of Supply neglecting or delaying to summon such Meeting, shall for every offence forfeit and pay the sum of to be recovered and applied in the manner directed by this Act.

For summon-
ing Meeting
of Supply.

For making Assessment.

And be it Enacted, That the Commissioners of Supply so summoned shall meet and assemble at the time appointed, and shall make an Assessment for the purpose of raising a sum equal to the proportion of the said Expense appertaining to their County or Stewartry, in the following manner; that is to say, upon Land, according to the valued rent thereof, and upon Houses according to the yearly rent or value thereof rated to the House Tax, in the following proportions; *videlicet*, for every that shall be levied upon the valued rent of such County or Stewartry, there shall be levied the sum of upon the rent or yearly value of Houses within the said County or Stewartry, as the same shall be rated to the House Tax; one half of every such Assessment to be borne by the Owners, and the other by the Occupiers, whether of Houses or Lands: Provided always, That any Heritor paying for his Land, shall not also be assessed in respect of his House in the same County or Stewartry.

Houses of low rent exempt of valuation the Poor

Clerks of Supply to send Orders to Collectors;

And be it Enacted, That every Clerk of Supply shall within after such Assessment shall have been made, send an Order to the Collector of the County or Stewartry to levy the same; and any Clerk of Supply neglecting to send such Order, shall forfeit and pay the sum of to be recovered and applied in the manner directed by this Act.

for levying of Assessments.

And be it Enacted, That every Collector to whom such Order shall be transmitted, shall forthwith proceed to levy the same, and shall pay the amount thereof, as collected by him, to such Person or Persons, Bank or Banking Company, as aforesaid District Commissioners shall direct; for which purpose they are hereby required to notify their Directions in this behalf to each Clerk of Supply at the time they transmit to him the Account and Apportionment aforesaid; and such Clerk of Supply shall notify such directions to the Collector of the County or Stewartry at the time the order for levying the Assessment is transmitted to him; and any Clerk of Supply neglecting to notify such Directions, and any Collector neglecting to levy such Assessment, or to obey the Directions notified to him as aforesaid, shall for every offence forfeit and pay the sum of to be recovered and applied in the manner directed by this Act.

Collectors entitled to Allowance.

Provided always, and be it Enacted, That every Collector shall be entitled to the same Allowance for levying the Assessment directed by this Act, that he is entitled to receive for levying any other County Assessment, for which Provision shall be made in the amount of the Assessment directed to be made by this Act.

For apportioning Excess.

And be it Enacted, That any Excess beyond the Estimate which may be required for providing a suitable Asylum in any District for the purposes of this Act, shall be apportioned and raised by an Assessment in the manner directed by this Act.

And

And be it Enacted, That all other Expenses necessarily incurred in carrying this Act into execution, sanctioned and approved of by the said General Commissioners, shall be paid and defrayed by an Assessment in the manner directed by this Act.

For payment of Expenses.

And be it Enacted, That it shall and may be lawful for the said District Commissioners, and they are hereby authorized and empowered, if it shall appear expedient to them so to do, and the approbation of the said General Commissioners, to direct that suitable accommodation may be made in any District Asylum provided for the purposes of this Act, for the reception and care of fatuous and furious or insane Persons possessed of means sufficient to maintain them, or whose Friends may be willing to contribute such means; who may be placed therein at a Board or Stipend, which may assist in defraying the expense of the Establishment: Provided always, That where especial Directions shall not be given in this behalf, every Asylum provided under this Act shall be limited to the reception and care of poor or destitute fatuous and furious or insane Persons.

Accommodation may be given, in District Asylums, to other than poor insane Persons.

And be it Enacted, That it shall and may also be lawful for the said District Commissioners to make arrangements and agreements with the Directors or Managers of any Lunatic Asylum already established, whereby any Asylum directed to be provided by this Act may be connected with or become a part of any such Establishment.

Establishments.

And be it Enacted, That it shall and may be lawful for any Person or Persons to grant Donations, in Land or Money, or to make Bequests and subscribe Money, either for the purpose of contributing to the Expense of purchasing or building or fitting up any District Asylum for the purposes of this Act, or of being applied in aid of the Expenses of the Establishment, or to any class of Patients receivable therein, as the Grantors of such Donations may think fit; and it shall and may be lawful for the said District Commissioners to receive all such Donations and Bequests, unless it shall be otherwise provided by the Grantor or Grantors thereof.

Allowing Grants and Donations.

And be it Enacted, That after any Asylum directed to be provided by this Act shall be finished, the said District Commissioners are hereby required to report the same to any Commissioners who may have been appointed by Parliament for the General Regulation of Madhouses in Scotland; who shall direct the same to be inspected and regulated, as the Act or Acts of Parliament by which they may have been appointed shall direct; and if no such Commissioners shall have been appointed at the time when any Asylum, directed to be provided by this Act, shall have been finished, then the same shall be reported to the said General Commissioners appointed by this Act; and it shall and may be lawful for the General Commissioners appointed by this Act, and they are hereby in that case authorized and directed, to inspect or cause the same to be inspected, in order that they may be satisfied that

Reporting Asylums when complete.

the Work has been properly executed, and that the Place is fit for the purposes for which it is intended; and upon being satisfied that it is fit for such purposes, the said General Commissioners shall and may arrange the number of Medical Assistants, and the Officers and Servants necessary for the Establishment, and shall fix and regulate the whole management and economy thereof, and shall make Rules and Regulations for this purpose (not being repugnant to the Law for the time, or the provisions of this Act,) and to enforce the observance thereof by such sanction, and by such pecuniary Mulcts or Penalties, not exceeding the sum of 24
as the said General Commissioners shall think proper; and to direct the same, written or printed in legible characters, to be hung up and continued in some conspicuous place or places in each Asylum to which such Rules or Regulations shall relate.

Advice and Assistance.

Provided always, and be it Enacted, That before proceeding to settle the management and economy of the Establishment in the manner before directed, in the event before specified, the said General Commissioners shall request the advice and assistance of the said District Commissioners, and also the advice and assistance of such Medical Persons and others qualified to inform them, as may be necessary in this behalf; and the said District Commissioners, and all such Persons, are hereby directed to give such advice and assistance, and to furnish such suggestions in this behalf, as to the said District Commissioners and such other Persons, shall appear proper.

General Commissioners may alter the management and economy of the Establishment; but every Asylum to be subject to existing Acts of Parliament.

And be it Enacted, That it shall and may be lawful for the said 25
General Commissioners, in the event before specified, and after due inquiry, to alter any matter or thing relating to the Medical Assistants, Officers, Servants, or the management and economy of the Establishment, as often as alteration may appear to be necessary: Provided always, That every Asylum, provided by virtue of this Act, shall be subject to any Act of Parliament already passed, or that shall be passed, for the regulation of Madhouses in *Scotland*.

For relief of poor Persons.

And be it Enacted, That the said District Commissioners shall ascertain and fix, from time to time, the annual Sum that will be required to be paid for or in respect of each poor or destitute fatuous and furious or insane Person, admitted into each District Asylum, regard being had to the situation of the Establishment, and to the aid which may be derived from Donations, and from the Monies paid upon account of such fatuous and furious or insane Persons, as may be enabled to do more than maintain themselves, and who may have been 26
received into such Asylum.

Parishes to bear Expenses.

And be it Enacted, That such Sum as shall be so ascertained as the Expense of each poor or destitute fatuous and furious or insane Person, received into any Asylum pursuant to this Act, shall be borne and defrayed by the Parish to which each such destitute fatuous and furious or insane Person shall belong, in the same manner as if such 27
destitute

27 destitute fatuous and furious or insane Person, were maintained in the Parish to which he or she belongs: Provided nevertheless, That the amount of such annual Sum as shall be required for each such fatuous and furious or insane Person, shall be paid in the manner and the time or times directed by the said District Commissioners, by those liable to pay the same, pursuant to any Act of the Parliament of Scotland, passed in the third Session of the first Parliament of King Charles the Second, intituled, "Act concerning Beggars and Vagabonds;" and if the Money shall not be so paid, every Parish so failing or delaying to pay the same, shall be liable in the amount thereof, with expenses of Process, to be recovered before any of His Majesty's Justices of the Peace of the County or Stewartry in which such Parish is situated, in the name of any Person or Persons authorized by the said District Commissioners to sue for the same; and if either Party shall consider themselves aggrieved by the Sentence or Decree of such Justices, it shall and may be lawful for such Party to appeal against the same to the next General Quarters Sessions of the Peace, in and for the County or Stewartry in which such Parish shall be situated; and the Determination of the said Justices at their Quarter Sessions shall be final and conclusive, without being subject to advocacion or suspension, review or stay of execution, in any manner whatsoever.

28

And be it Enacted, That as soon as any Asylum, to be provided under this Act, shall be ready for the reception and care of destitute fatuous and furious or insane Persons, the said District Commissioners shall notify the same in writing to the Minister of every Parish situated in the Counties or Stewartries comprized in the District within which such Asylum shall be situated; and forthwith upon receiving such notice, such Minister shall lay the same before the Kirk Session of his Parish, and the Kirk Session shall thereupon order and direct every fatuous and furious or insane Person who by reason of his poverty is or ought to be taken care of and maintained by their Parish, to be carried before some Justices of the Peace, acting in and for the County or Stewartry in which such Parish is situated; and such Justices of the Peace shall thereupon direct every such destitute fatuous and furious or insane Person to be examined by a Medical Person, being either a Physician or having a Diploma from the Royal College of Surgeons in *Edinburgh* or *London*, or from the Faculty of Surgeons of *Glasgow*, or who has acquired a Right to practice from having served in the Army or Navy, where a Medical Person of this description can be conveniently found, who shall certify to such Justice whether such Person is fatuous and furious or insane, and ought to be placed in a Lunatic Asylum or Place for the reception and care of fatuous and furious or insane Persons, provided by this Act; and such Justices shall grant their Warrant for conveying every such Person so certified to be fatuous and furious or insane, to the Asylum of the District in which such Parish is situated; and every such fatuous and furious or insane Person shall thereupon be conveyed

29

Persons to be sent to Asylums by Magistrates.

conveyed to such Asylum at the expense of such Parish, in the way and manner in which any poor Person or Pauper is passed from or through a Parish to which he does not belong, to the Parish bound by Law to maintain him. 30

For taking charge of them.

And be it Enacted, That every Person so sent to any Lunatic Asylum provided by this Act, shall be received therein and taken care of, agreeable to the Rules and Regulations of the Establishment, and the Laws in force for the time for the Regulation of Madhouses in Scotland.

Justices to issue Warrants.

And be it Enacted, That after such Notice shall have been transmitted to the Minister of any Parish as aforesaid, the Kirk Session of every such Parish shall be bound and obliged, as often as any destitute fatuous and furious or insane Person shall be found in such Parish, to send every such destitute fatuous or furious Person before some Justices of the Peace acting in and for the County or Stewartry in which the Parish is situated, who shall ascertain by the Examination and Certificate of a Medical Person, whether such Person is fatuous or furious or insane, and ought to be placed in any such Asylum; and if so certified, shall grant Warrant for his or her Conveyance to the Asylum of the District within which such Parish shall be situated; and if any Kirk Session shall neglect to send every such destitute fatuous or furious or insane Person before some Justices of the Peace, or

if the Medical Person required by such Justices to examine and certify whether such Person is fatuous or furious or insane, and ought to be placed in any such Asylum, shall neglect or refuse to certify, every such Kirk Session neglecting to send any such Person to such Justices, and such Medical Person neglecting or refusing to certify whether such Person is fatuous or furious or insane, and ought to be placed in such Asylum, shall severally forfeit and pay the sum of

for every such offence, to be recovered and applied in the manner directed by this Act. 32

Care of Persons deemed harmless.

Provided always, and be it Enacted, That if upon such Examination any fatuous or insane Person shall be deemed harmless and incurable, and it shall appear that he can be maintained in his Parish with benefit to himself and without annoyance to others, it shall and may be lawful for the Medical Person before whom he or she shall have been examined, to grant a Certificate to this effect; in which case it shall and may be lawful for the Justice before whom this Certificate shall be produced, to consider whether such fatuous or insane Person may remain in the Parish to which he or she belongs, and shall not be sent to the Asylum of the District in which his or her Parish is situated, and to make such Order and to do in the premises as to such Justices shall seem proper.

Reward to Medical Men.

And be it Enacted, That every Medical Person required to examine and certify whether any Person is fatuous or furious or insane, as directed 33

directed by this Act, shall receive such Compensation for his trouble, not exceeding the sum of for each Examination and Certificate, as shall be awarded to him by such Justices, to be paid by the Parish in respect of any destitute fatuous or furious or insane Person, with reference to whom such Examination shall take place, and such Certificate shall be granted.

OK

And be it Enacted, That until the Asylum of their District shall be opened for the reception and care of fatuous and furious or insane Persons, the said District Commissioners shall make a Report of their Proceedings at least in every calendar months, to the said General Commissioners, who shall make a Report once in every year to His Majesty's Secretary of State for the Home Department, and also to the Two Houses of Parliament, giving a detail of the Proceedings under this Act for the year preceding that in which such Report shall be made, with such Observations as shall occur to them thereupon; and after any such Asylum shall have been opened for the reception and care of fatuous and furious or insane Persons, the same shall be and become subject to the Law or Laws existing at the time for the regulation of Madhouses in Scotland.

Commissioners to make Reports.

34

And be it Enacted, That if any Vacancy shall arise among the said General Commissioners, before the Asylums directed to be provided by this Act shall have been compleated, it shall and may be lawful for the said General Commissioners, or any of them, and they are hereby required to fill up the same by nominating some Person to be a General Commissioner; and every Person so nominated by the said General Commissioners *ex officio*, shall have the same Powers and be entitled to act in the same manner, as if he had been named a General Commissioner in this Act; and upon the Asylums directed to be provided by this Act being open for the reception and care of fatuous and furious or insane Persons, the Powers hereby granted to the said General Commissioners shall cease and determine.

For appointing other Commissioners.

35

And be it Enacted, That as often as any Vacancy shall arise among the said District Commissioners, it shall and may be lawful for the County or Stewartries by whom the District Commissioner, in respect of whom a Vacancy may have arisen, to choose another District Commissioner in his place; and every District Commissioner, so appointed, shall have the same Powers and Authorities as the District Commissioner had, to supply whose place he shall have been chosen.

District Commissioners.

36

And be it Enacted, That it shall and may be lawful for the said General Commissioners to appoint a Clerk or Clerks, Surveyor or Surveyors; and for the said District Commissioners to appoint a Clerk or Clerks, a Treasurer or Treasurers, a Surveyor or Surveyors, and such other Officers as the said District Commissioners shall find necessary for carrying this Act into execution; and it shall and may be

Appointment of Clerk and Officers.

lawful for such General or District Commissioners respectively to allow to every Person so appointed, such Salary Reward or Recompence as the said Commissioners respectively shall think adequate for their services, taking such Security from them for the due and faithful discharge of their offices, as the said Commissioners respectively shall think proper.

Recovery of
Fines.

And be it Enacted, That all pecuniary Fines and Penalties imposed by this Act, shall and may be recovered by application made to any one of His Majesty's Justices of the Peace of the County or Stewartry within which the same shall have been incurred, in the name of any Person or Persons authorized by the said General or District Commissioners to sue for and recover the same; the recovery of which shall and may be enforced by all or any of the means by which the Sentence or Determination of Justices of the Peace may be enforced in *Scotland*; and all such Fines and Penalties so recovered, shall be applied in aid of the Expense attending the Asylum of the District within any County or Stewartry comprized in which they shall have been incurred: And if any Person or Persons shall think himself or themselves aggrieved by the Sentence or Determination of any such Justice or Justices of the Peace, it shall and may be lawful to the Party aggrieved to appeal to the next General Quarter Sessions of the Peace of the County or Stewartry in and for which such Justice shall act; and the Determination of such Justices of the Peace, upon such Appeal, shall be final and conclusive to all intents and purposes, without being liable to any advocacy or suspension, or to any review or any stay of execution whatsoever.

37
38

Limiting the
Time in which
Actions may
be brought

And be it Enacted, That every Prosecution for any Fine or Penalty incurred under this Act, and every Action or Suit which shall be commenced against any Person or Persons for any thing done or acted in pursuance of this Act, shall be commenced within calendar months after the Fact committed, and not afterwards; and every Action or Suit (except Prosecutions for Penalties) shall be brought in the Court of Session in *Scotland*; and if the Defender or Defenders shall be assoilzied, or the Pursuer or Pursuers shall suffer the Action or Suit to fall asleep, or a Decision shall be pronounced against the Pursuer or Pursuers upon the Relevancy, the Defender or Defenders shall have Expenses of Process, which he or they shall and may recover in such and the same manner as any Defender can by Law recover such Expenses in other cases.

39

Act may be
altered.

And be it Enacted, That this Act may be repealed in the whole or in any part thereof, or in any manner altered or amended, during the present Session of Parliament.

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10, Abchurch Lane, London, E.C. 4.

Sess. 1817.

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B I L L

To provide proper Places for the Confinement
and Care of Lunatics in Scotland.

Ordered, by The House of Commons, to be Printed,
8 July 1817.

485.



SUMMARY,
SHOWING, ACCORDING TO THE RETURNS FROM THE PAROCHIAL CLERGY IN SCOTLAND,
THE NUMBER OF LUNATICS IN EACH PRESBYTERY;

Distinguishing, as far as they have been distinguished in the Returns, Those in confinement from those at large; Males from Females; Adults from Non-Adults; and Furious from Fatuous Persons;—also, distinguishing those who are entirely maintained by the Parochial Funds, from those who are in part so maintained, and from such as receive no Parochial Relief whatever.

PRESBYTERIES.	AT LARGE.	CON- FINED.	Male.	Female.	Adult.	Non- Adult.	Furious.	Fatuous.	Main- tained by Parish.	Partly by Parish.	Wholly by Eccle- sions.	TOTAL.
Edinburgh - - -	48	118	47	96	133	10	36	106	8	5	27	166
Linlithgow - - -	44	4	18	30	43	4	4	40	11	7	21	48
Biggar - - -	19	-	10	9	12	2	4	10	4	5	9	19
Peebles - - -	24	-	6	18	13	7	4	20	5	3	13	24
Dalkeith - - -	32	64	41	55	90	6	12	32	14	15	64	96
Haddington - - -	42	2	20	24	39	2	7	36	7	7	18	44
Dunbar - - -	6	7	6	7	11	2	2	10	2	4	9	13
Dunse - - -	19	20	18	21	28	8	4	32	7	8	2	39
Chirnside - - -	10	1	8	3	8	3	1	7	2	-	6	11
Jedburgh - - -	22	9	12	19	27	3	7	25	9	4	16	31
Selkirk - - -	28	4	20	12	15	16	5	27	13	3	5	32
Kelso - - -	26	6	12	18	24	4	20	10	10	7	1	32
Lauder - - -	15	-	6	9	10	5	1	14	5	4	4	15
Annan - - -	14	-	6	8	13	(*)	2	12	1	6	7	14
Lochmaben - - -	17	1	12	6	12	6	2	16	2	-	14	18
Langholm - - -	28	-	16	12	21	7	5	23	8	4	16	28
Dumfries - - -	40	1	21	18	25	7	4	37	2	11	10	41
Penpont - - -	24	-	16	8	15	8	1	23	1	5	10	24
Wigton - - -	20	-	9	11	12	5	-	20	5	4	11	20
Stranraer - - -	39	-	16	23	23	14	4	35	6	4	28	39
Kircudbright - - -	47	1	26	22	40	8	5	29	7	6	19	48
Hamilton - - -	78	23	42	59	71	15	19	81	24	12	32	101
Irvine - - -	52	9	35	26	37	18	6	55	11	11	24	61
Faisley - - -	64	79	74	69	123	20	29	114	62	37	31	143
Ayr - - -	76	21	48	49	75	18	15	82	19	17	30	97
Glasgow - - -	150	27	85	92	152	25	33	125	37	62	57	176
Lanark - - -	37	7	14	14	37	7	9	29	20	3	14	44
Dunbarton - - -	64	4	43	25	54	9	13	58	7	38	18	68
Dunkeld - - -	102	11	61	44	88	21	17	96	18	35	31	113
Perth - - -	32	5	18	17	26	11	5	30	8	8	19	37
Auchterarder - - -	29	7	20	16	19	2	14	22	6	15	9	36
Stirling - - -	22	7	18	11	24	5	2	27	4	9	5	29
Carried forward -	1,270	438	806	851	1,320	278	292	1,283	245	359	580	1,797

NUMBER OF LUNATICS IN EACH

PRESBYTERIES.	AT LARGE.	CON- FINED.	Male.	Female.	Adult.	Non- Adult.	Furious.	Fatuous.	Main- tained by Parish.	Partly by Parish.	Wholly by Rela- tions.	TOTAL.
Brought forward -	1,270	438	806	851	1,320	278	292	1,283	345	339	580	1,707
Dunblane - - - -	32	3	21	14	22	9	3	27	4	10	17	35
Kirkcaldy - - - -	61	3	30	34	45	10	7	56	12	11	18	64
Dunfirmline - - -	6	3	5	4	9	-	2	7	-	3	3	9
Cupar - - - - -	53	21	35	39	59	16	13	55	8	26	38	74
St. Andrews - - -	37	6	16	26	32	2	15	26	8	8	19	43
Forfar - - - - -	11	11	11	11	18	4	5	17	4	4	14	22
Dundee - - - - -	43	5	28	20	39	9	7	41	9	4	29	48
Brechin - - - - -	30	27	20	38	52	5	4	50	9	9	13	57
Meikle - - - - -	31	2	15	17	29	5	4	21	6	1	11	33
Aberbrothock - - -	55	6	25	36	52	9	19	42	17	10	25	61
Fordown - - - - -	58	1	27	32	48	10	4	55	9	24	7	59
Kincardine (O'Neil) -	38	3	20	21	32	9	2	31	9	12	11	41
Aberdeen - - - -	129	41	63	107	162	8	46	130	22	27	21	170
Garioch - - - - -	12	2	3	11	12	2	1	13	-	4	10	14
Alford - - - - -	25	1	11	15	18	8	3	22	4	10	5	26
Ellon - - - - -	7	8	9	6	14	-	4	11	5	2	5	15
Fordyce - - - - -	40	1	17	24	39	2	10	31	3	22	6	41
Turreff - - - - -	73	6	40	39	66	8	20	57	13	12	13	79
Deer - - - - -	68	2	40	30	63	18	6	64	7	19	18	70
Strathbogie - - - -	75	10	36	49	72	13	27	55	20	21	17	85
Abernethy - - - - -	35	-	21	14	21	13	4	31	2	16	5	35
Aberlour - - - - -	34	2	11	20	32	4	9	27	2	23	11	36
Forres - - - - -	21	-	6	9	17	4	7	14	2	1	2	21
Elgin - - - - -	36	2	16	22	32	6	2	36	-	10	10	38
Inverness - - - - -	53	2	26	27	51	4	16	38	1	18	24	55
Nairn - - - - -	29	6	12	23	26	9	13	22	-	29	1	35
Chanonry - - - - -	29	4	14	12	23	10	2	31	-	26	1	33
Tain - - - - -	38	1	22	17	30	9	1	38	-	29	5	39
Dingwall - - - - -	22	5	14	13	27	-	6	21	-	19	8	27
Dernoch - - - - -	29	-	18	11	25	4	3	26	2	3	8	29
Tongue - - - - -	12	1	8	5	13	-	3	10	-	9	-	13
Carried forward -	2,492	623	1,446	1,597	2,500	488	560	2,388	523	781	965	3,114

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PRESBYTERIES.	AT LARGE.	CON- FINED.	Male.	Female.	Adult.	Non- Adult.	Furious.	Fatuous.	Main- tained by Parish.	Partly by Parish.	Wholly by Rela- tions.	TOTAL.
Brought forward -	2,492	623	1,446	1,597	2,500	488	560	2,388	523	781	965	3,114
Caithness - - - -	66	19	50	31	56	25	17	64	- -	54	20	85
Inverary - - - -	8	- -	2	6	3	5	- -	8	- -	3	5	8
Dunoon - - - -	31	- -	19	12	31	- -	4	27	- -	17	7	31
Kintyre - - - -	99	5	55	49	72	29	19	85	9	41	1	104
Lorn - - - -	-	-	-	-	-	-	-	-	-	-	-	-
Mull - - - -	-	-	-	-	-	-	-	-	-	-	-	-
Abertarph - - - -	-	-	-	-	-	-	-	-	-	-	-	-
Lochcarron - - -	26	2	6	13	22	4	12	9	- -	19	- -	26
Sky - - - -	6	- -	2	4	5	1	1	5	- -	- -	- -	6
Uist - - - -	15	- -	12	3	13	2	3	12	- -	1	7	15
Lewis - - - -	13	- -	6	7	9	4	1	12	- -	6	- -	13
Kirkwall - - - -	15	- -	8	7	11	4	- -	15	- -	6	1	15
Cairston - - - -	12	- -	5	7	12	- -	2	10	- -	4	8	12
North Isles - - -	29	- -	15	14	21	8	3	25	1	- -	1	29
Zetland - - - -	28	- -	17	11	14	6	- -	28	- -	12	5	28
	2,840	649	1,643	1,761	2,769	576	622	2,688	533	944	1,020	3,486
Besides the Numbers in 259 Parishes, from whence no Returns have been received.												

*The total number
of Parishes is about 250*

Note.—IN some of the Returns it is not stated, whether the Numbers returned are confined, or at large. In this case they have been put down as at large.

In some of the Returns it is not stated how the Persons returned are supported, while in others it is stated, that so many of them are "wholly maintained by their Relations,"—and in others, they are returned, as "receiving no Parish aid." This last being equivocal, and often appearing to mean that these Persons are supported by begging, or left to casual charity for their support; whenever no Return is made under this head, or where the Return is, "receiving no Parish aid," it is designated by (*) in the column, intitled, "wholly by their Relations," in which also only so many are put down, as are stated to be maintained by their Relations.

