Lunatic Asylums and Regulations Acts Amendment Bill [as amended in Committee]

Publication/Creation

13 July 1855

Persistent URL

https://wellcomecollection.org/works/y2qsjnbv

License and attribution

You have permission to make copies of this work under a Creative Commons, Attribution, Non-commercial license.

Non-commercial use includes private study, academic research, teaching, and other activities that are not primarily intended for, or directed towards, commercial advantage or private monetary compensation. See the Legal Code for further information.

Image source should be attributed as specified in the full catalogue record. If no source is given the image should be attributed to Wellcome Collection.



Lunatic Asylums and Regulations Acts Amendment Bill.

[AS AMENDED IN COMMITTEE.]

ARRANGEMENT OF CLAUSES.

Any single County or Borough may unite with the Subscribers to a Hospital, and any Committee of Visitors of an existing Asylum may so unite; Sect. 1.

The Proportion of Expenses between any County and Borough may be fixed with reference to Accommodation likely to be required; 2.

Agreements for uniting to be hereafter entered into to stipulate for Contribution by Counties and Boroughs according to their relative Populations for the Time being, where not fixed according to foregoing Provision; 3.

Where Expenses are to be contributed in proportion to Population, the same to be ascertained by last Census for the Time being; 4.

Where there is a Dissolution of a Union, a new Asylum to be provided; 5.

Provisions to apply to Councils of Boroughs where they have taken upon themselves the Execution of the Lunatic Asylums Act, 1853;

CLAUSE A. Places becoming Boroughs after the Commencement of the Lunatic Asylums Act, 1853, to be deemed Boroughs annexed to the Counties in which they are situate; 7.

Powers given by Sect. 77. of Lunatic Asylums Act, 1853, to Visitors of an Asylum to order Removal of Pauper Lunatics, extended; 8.

Powers of Commissioners and Visitors to continue applicable to a House which has been licensed after Expiration of Licence, while any Patients are therein; 9.

CLAUSE B. Contracts under Forty-second Section of Lunatic Asylums Act, 1853, may be renewed; 10.

CLAUSE C. Provision for Burial of Pauper Lunatics; 11.

CLAUSE D. Power to enter into Agreements with Cemetery Company or Burial Board; 12.

Act to be read with the Acts amended as One Act; 13.

[AS AMENDED IN COMMITTEE]

Amend the Lunatic Asylums Act, 1853, and the Acts passed in the Ninth and Seventeenth Years of Her Majesty, for the Regulation of the Care and Treatment of Lunatics.

[Note.—The Clauses A. to D. were added in Committee.]

E it enacted by the Queen'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, as follows:

I. Section Three of the Lunatic Asylums Act, 1853, shall extend Any single to empower the Justices of any One County or Borough to autho- County or Borough rize any Committee of Justices elected for such County or Borough may unite thereunder to treat and enter into an Agreement for uniting with the withthe Sub-Subscribers to any such Hospital as therein mentioned, and it shall a Hospital,

10 not be necessary that any other County or Borough be a Party to and any Committee such Agreement; and Section Five of the said Act shall extend to of Visitors empower any such Committee of Visitors as therein mentioned to of an existenter into an Agreement for uniting with the Subscribers to any ing Asylum such Hospital alone.

[Bill 244.]

A 2

II. When

portion of Expenses between any County and Borough with reference to Ac-

. II. When Two or more Committees agree to unite under the Lunatic Asylums Act, 1853, or under that Act as amended by this Act, the Proportion in which the Expenses of carrying into execution the Purposes of the said Act shall be charged upon and raised may be fixed by each County and Borough so uniting may be calculated and fixed 5 according to the Extent of the Accommodation which in the Judgment commodation of the Committees entering into such Agreement will be required for the Pauper Lunatics of such County and Borough respectively; and the Power in Section Sixteen of the Lunatic Asylums Act, 1853, of repealing or altering the Stipulations of any Agreement for uniting, 10 shall extend to authorize the Alteration thereof by readjusting the Proportions in which the Expenses aforesaid shall be charged on each County and Borough and the Subscribers (if any) uniting, or any of the said Parties, and, where the Committee of Visitors think fit, by fixing as aforesaid, according to the probable Extent of Accommoda- 15 tion required, the Proportion in which each County and Borough is to contribute to such Expenses; and where the Proportions of any Contributions are fixed according to the probable Extent of Accommodation required as aforesaid the Agreement shall specify that such Proportions are fixed according to that Basis. 20

Agreements for uniting to to stipulate Counties and Boroughs according to their relative Populations being, where not fixed according to foregoing Provision.

III. Where an Agreement for uniting is hereafter entered into under the Lunatic Asylums Act, 1853, or under that Act as amended by this Act, and the Proportion in which the Expenses of carrying the Purposes of the said Act into execution are to be charged upon each County and Borough is not fixed, under the 25 foregoing Provision, with reference to the probable Extent of Accommodation required, the Agreement shall stipulate that such Expenses, or, where any Committee of Subscribers of a Lunatic Hospital are a Party to the Agreement, then that the aggregate Amount to be contributed by the Counties and Boroughs towards 30 such Expenses, shall be from Time to Time charged upon and raised by the Counties and Boroughs in proportion to their respective Populations as stated in the last Return for the Time being made of the same under the Authority of Parliament, and such Agreement shall be varied from the Form in Schedule (A.) to the Lunatic 35 Asylums Act, 1853, accordingly.

Where Exbe contributed in proportion to Population, the same to be ascertained by last Cen-

IV. Where an Agreement for uniting has been already entered penses are to into under the Lunatic Asylums Act, 1853, or any former Act, the Expenses of carrying into execution any such Act, or, where any Committee of Subscribers is a Party to the Agreement, the aggregate 40 Amount to be contributed by such Counties and Boroughs, shall be from Time to Time charged upon and raised by the Counties and Boroughs united in proportion to their respective Populations as

state unde adjus probs

of es

10 st a

150126 of th provi an As

25 ferre them this A

30 VII from a Definit

Netict of Two 4) Membe Count

be dec

Exper

stated in the last Return for the Time being made of the same sus for the under the Authority of Parliament, save where such Expenses are adjusted and fixed under the foregoing Provision according to the probable Extent of Accommodation required.

V. To the Intent that due Provision may be made for the Recep- Where there tion and Care of the Pauper Lunatics of Counties and Boroughs is a Dissolution of a Parties to Unions, upon the Dissolution of such Unions; the Justices Union a new of every County and Borough united (either alone or with any Asylum to be provided. Subscribers,) shall, before any Dissolution of their Union takes effect,

- 10 at a General or Quarter Sessions for such County, or at a Special Meeting of the Justices of such Borough, (as the Case may require,) elect a Committee to provide an Asylum for their County or Borough, and authorize such Committee to proceed for that Purpose in manner by the Lunatic Asylums Act, 1853, provided in the Case
- 15 of a County or Borough not having an Asylum; and all the Provisions of the said Act and this Act applicable to a Committee elected to provide an Asylum in the Case of a County or Borough not having an Asylum shall be applicable to the Committee elected under this Provision.
- VI. Where the Council of a Borough has taken upon itself, Provisions under the Lunatic Asylums Act, 1853, the Duties, Powers, and to apply to Councils of Authorities imposed or conferred upon or given to the Justices of Boroughs the Borough, such Council shall be subject to and have and exercise where they

the Duties, Powers, and Authorities by this Act imposed or con- upon them-25 ferred upon the Justices of a Borough, or any Committee elected by Execution of them; and such Council may confer upon any Committee appointed the Lanatic by them such of the said Duties, Powers, and Authorities as under Asylums Act, 1853 this Act are or may be conferred upon a Committee elected by the

VII. Any Place which has become a Borough within the Definition Places becontained in Section One hundred and thirty-two of the Lunatic coming Bo-Asylums Act, 1853, since the Commencement of that Act, shall, the Comfrom and after the passing of this Act, be deemed to be a Borough mencement of the Lunaannexed to the County in which the same is situate, and any Place tie Asylums

35 which after the passing of this Act becomes a Borough within such Act, 1853, Definition shall, from and after the Time of becoming such Borough, Boroughs be deemed a Borough so annexed, and the Provisions contained in annexed to the Counties Section Nine in the Lunatic Asylums Act, 1853, for the Appointment in which of Two Justices of a Borough annexed thereunder to a County to be they are

40 Members of the Committee of Visitors of the Asylum of such situate. County, and in relation to the Contribution by such Borough to the Expenses of the Asylum of such County, shall extend to any Borough annexed under this Enactment.

[244.]

Justices of a Borough.

ider the

by this

raised

d fixed s

; and

iiting, 10

IV of

, by

h is

my

35

ods- 15

VIII. The

Powers given by Sect. 77. of Lunatic Asylums Act, 1853, to Visitors of an Asylum to order Removal of Pauper Lunatics extended,

VIII. The Power given by Section Seventy-seven of the Lunatic Asylums Act, 1853, to any Two of the Visitors of any Asylum, being Justices, to order any Pauper Lunatic chargeable to any Parish or Union within the County or Borough, or any County or Borough to which such Asylum wholly or in part belongs, or to any such 5 County, and who may be confined in any other Asylum, or in any registered Hospital or licensed House, to be removed to such firstmentioned Asylum, shall be extended so as to authorize such Visitors to order any Pauper Lunatic chargeable to any Parish or Union within any County or Borough, or to any County for the Reception 10 of the Pauper Lunatics whereof into such first-mentioned Asylum there is a subsisting Contract, and who may be confined as aforesaid, to be removed to such first-mentioned Asylum, and also to order any such Pauper Lunatic as herein-before mentioned to be removed from such first-mentioned Asylum to any Asylum, registered Hospital, 15 or licensed House, subject nevertheless to the Restriction contained in Section Seventy-eight of the Lunatic Asylums Act, 1853.

Powers of Commissioners and Visitors to continue applicable to a House which has been licensed after Expiration of Licence, while any Patients are therein.

IX. The Powers of the Commissioners and Visitors under the Lunatic Asylums Act, 1853, and the Acts of the Eighth and Ninth Years of Her Majesty, Chapter One hundred, and the Six-20 teenth and Seventeenth Years of Her Majesty, Chapter Ninety-six, with reference to any licensed House and the Inmates thereof, and all Powers and Provisions of the said Acts having reference to the Discharge, Removal, and Transfer of such Inmates, shall, after the Expiration or Revocation of any Licence granted in respect of 25 such House, continue in force for all Purposes, so long as any Lunatics are detained therein, in the same Manner as if the Licence subsisted.

CLAUSE B. Contracts under Fortysecond Section of Lunatic Asylums Act, 1853, may be renewed.

X. Whereas Doubts have been entertained whether under the Forty-second Section of the Lunatic Asylums Act, 1853, a Contract 30 for the Reception of Pauper Lunatics thereby authorized can be renewed: Be it declared and enacted, That upon or after the Expiration or other Determination of any Contract for any of the Purposes of the said Section it shall be lawful for every Committee of Visitors, under and subject to the several Provisions of the said Act applicable 35 thereto, from Time to Time to enter into a new Contract for any of the Purposes mentioned in the said Section with the Committee of Visitors of any Asylum, or with the Subscribers to any Hospital registered or the Proprietor of any House licensed for the Reception of Lunatics, and for the Committee of Visitors of any Asylum, or 40 the Subscribers to any registered Hospital or the Proprietor of any licensed House, to contract with any Committee of Visitors accordingly.

XI. Where

XI.

Boroug

Behalf,

Burial

5 taken]

MYING

conseq

as afore

would

may be

the Co

Provid

visions for the

such (

receive

20 XI

to Ti

establ

Board

Buri

25 Visito

such .

III SUC

shall l

be vall

XIII

said A

One hi

Majesty

constru

contain

igning

the Lu

を動物を

0 Burial

XI. Where the Visitors of Lunatic Asylums for Counties and Provision Boroughs in England, or any of their Officers duly authorized in that of Pauper Behalf, shall undertake the Burial of any Pauper Lunatic, and the Lunatics. Burial cannot take place in the Parish where the Death shall have

- 5 taken place by reason of the public Burial Ground of such Parish having been closed, and no other having been provided, or where, in consequence of the crowded State of such Burial Ground, the Visitors as aforesaid are of opinion that the Burial of such dead Body therein would be improper, it shall be lawful to bury such Body in a public
- 10 Burial Ground of or in some other Parish as near as conveniently may be to the Parish wherein the Death shall have taken place, with the Consent of the Minister and Churchwardens of such Parish: Provided, that in all Cases of Burial under the Direction of the Visitors or their Officers as aforesaid the Fee or Fees payable by the
- 15 Custom of the Place where the Burial may be, or under the Provisions of any Act of Parliament, shall be paid by the said Visitors for the Burial of each such Body to the Person or Persons who by such Custom or under such Act of Parliament shall be entitled to receive such Fee or Fees.

XII. The Visitors of Lunatic Asylums in England may from Time Power to to Time enter into Agreements with the Proprietors of any Cemetery enter into established under the Authority of Parliament, or with any Burial with Ceme-Board duly constituted under the Statutes in that Behalf, for the tery Company or Bu-Burial of the dead Bodies of any Pauper Lunatics which such rial Board.

25 Visitors may undertake to bury; and thereupon the Burial of any such Body, under the Directions of the said Visitors or their Officer, in such Cemetery, or in the Burial Ground of such Burial Board, shall be lawful: Provided, however, that no such Agreement shall be valid unless made in such Form and with such Stipulations as the 30 Commissioners in Lunacy shall approve.

XIII. This Act, so far as the same amends or affects the Act to be said Acts of the Eighth and Ninth Years of Her Majesty, Chapter read with One hundred, and of the Sixteenth and Seventeenth Years of Her amended as Majesty, Chapter Ninety-six, or either of them, shall be read and One Act.

35 construed together with the said Acts as One Act, and the Provision contained in Section One hundred and six of the said Act of the Eighth and Ninth Years of Her Majesty shall extend to Offences against this Act; and this Act, so far as the same amends or affects the Lunatic Asylums Act, 1853, shall be read and construed there-

40 with as One Act.

STREAM

Lunatic Asylums and Regula-tions Acts Amendment.

[AS AMENDED IN COMMITTEE]

To amend the Lunatic Asylums Act, 1853, and the Acts passed in the Ninth and Seventeenth Years of Her Majesty, for the Regulation of the Care and Treatment of Lunatics.

Sir George Grey and Mr. Comper.) (Prepared and brought in by

Ordered, by The House of Commons, to be Printed, 18 July 1855.

[Bill 244.]

Under 1 oz.