

An act (8 & 9 Vict. c. 100) for the regulation of the care and treatment of lunatics. With explanatory notes ['A history of the legislation on ... lunacy'], etc., and comments / Edited by Forbes Winslow, M.D.

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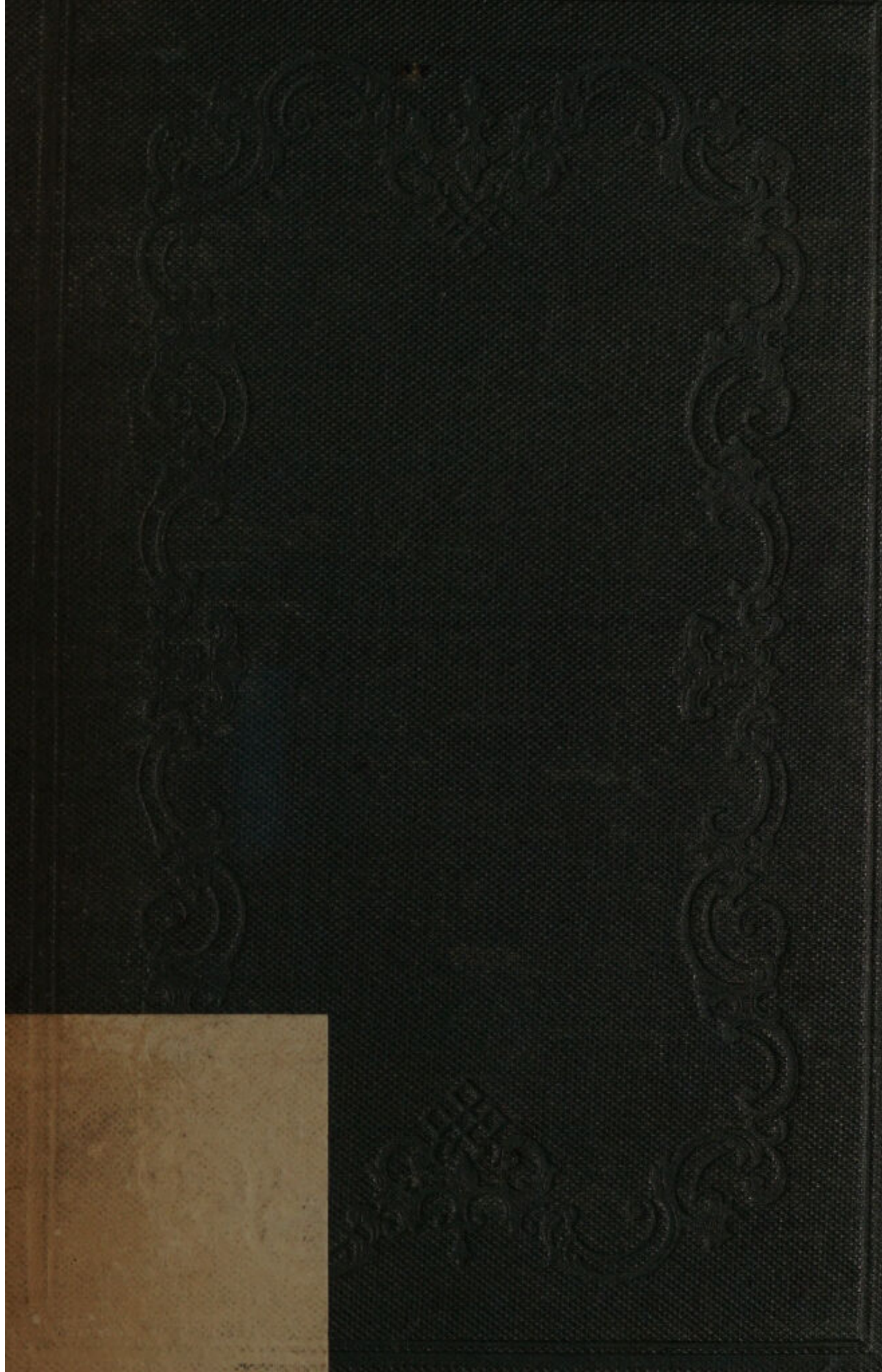
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G. B. Statutes

W. A. Greenhall,
April 1849.
from Miss Twining. —

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D^r Twining M.D.
with the Editor,
A N A C T *complete.*

(8 & 9 VICT. c. 100)

FOR THE REGULATION OF THE CARE AND TREATMENT
OF
LUNATICS.

With Explanatory Notes and Comments,

ETC. ETC.

EDITED BY

FORBES WINSLOW, M.D.

AUTHOR OF

"THE PLEA OF INSANITY IN CRIMINAL CASES," "THE ANATOMY OF SUICIDE,"

ETC. ETC.

LONDON:

W. BENNING AND CO., 43, FLEET STREET;

AND

HENRY RENSHAW, 356, STRAND.

MDCCCXLV.

5400

ACT

OF THE REGULATION OF THE MEDICAL PROFESSION
IN THE DISTRICT OF COLUMBIA

LUNATICS.

My dear Sir,

I am very glad to hear in passing

your kind and generous offer to publish this volume

under your distinguished name.

Yours very truly,
J. H. W. WASHINGTON, M.D.

The deep interest which you have invariably

taken in the condition of those suffering from

the various forms of human affliction, and the un-

ceasing and successful exertions you have made in

their behalf, are well known to all who are

concerned in the cause of the unfortunate.



Very truly,
J. H. W. WASHINGTON, M.D.

TO

THE RIGHT HON. LORD ASHLEY, M.P.

&c. &c. &c.

MY LORD,

I ESTEEM it an honour in having your lordship's permission to publish this volume under your distinguished auspices.

The deep interest which you have invariably taken in the condition of those suffering from the heaviest of human afflictions, and the unceasing and successful exertions you have made in their behalf, necessarily suggested, that to your lordship this work would be most appropriately dedicated.

Trusting that the miscellaneous matter which
has been appended to the Act may meet with your
approbation,

I have the honour to be,

My Lord,

Your most obedient servant,

FORBES WINSLOW.

September, 1845.

PREFACE.

It is not my intention to detain the reader by any lengthened prefatory observations.

When the idea first occurred to me of editing Lord Ashley's new "Act for the Regulation of the Care and Treatment of Lunatics," it was my purpose to add to its various clauses numerous explanatory notes and comments; but, upon consideration, I thought the object I had in view would be better attained were I to make an elaborate analysis of the act, for the guidance of those specially associated with the management of lunatic asylums.

That was my object, and the reader will be the best judge how far it has been accomplished.

I hope the observations upon the many valuable amendments effected in the law, and the analysis of the act, will be of service to the reader.

The article in the Appendix, on the "Present Condition of Lunacy in England and Wales," is based upon the recent valuable reports of the Commissioners in Lunacy. The facts embodied in that paper are taken from the reports above referred to.

The tabular statements are also copied from the parliamentary returns.

I have added to the volume a copious Index, which, I trust, will very much facilitate any special references which the reader might wish to make to the particular sections of the statute.

Sept. 1845,

Sussex House, Hammersmith.

The Masters in Lunacy.

FRANCIS BARLOW, ESQ.

EDWARD WINSLOW, ESQ.

Office—45, LINCOLN'S-INN-FIELDS.

The Commissioners in Lunacy.

LORD ASHLEY, (*Chairman.*)

LORD SEYMOUR.

R. V. SMITH, M.P.

ROBERT GORDON, ESQ.

F. BARLOW, ESQ.

Honorary Commissioners.

Barristers.

BRYAN W. PROCTOR, ESQ.,

OF GRAY'S-INN.

J. W. MYLNE, ESQ.,

OF LINCOLN'S-INN.

J. HANCOCK HALL, ESQ.,

OF THE MIDDLE TEMPLE.

Paid Commissioners.

Physicians.

THOMAS TURNER, M.D.

J. C. PRICHARD, M.D.

J. R. HUME, M.D.

Secretary—R. W. S. LUTWIDGE, ESQ., OF LINCOLN'S-INN.

Office—ABINGDON STREET, WESTMINSTER.

The History of the

HISTORY

OF THE

REPUBLIC OF THE UNITED STATES

OF AMERICA

BY

JOHN F. JOHNSON

NEW YORK: JOHNSON & JOHNSON, 1875.

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A HISTORY
OF THE
LEGISLATION ON THE SUBJECT
OF
LUNACY.

It is not my purpose to consider at any length this subject. Were I disposed to do so, I should find but little difficulty in awakening the kindly sympathies of the humane, or in appalling the most callous hearts, by entering into a detail of the barbarous treatment to which all those unhappily afflicted with a loss of reason were in former times subjected. The public mind has been made sufficiently conversant with facts like these. The insane are no longer treated like wild beasts; the lunatic asylum no longer resembles the Spanish Inquisition, or the hold of a slave-ship; the poor, wretched inmates of these establishments are not now exposed to the painful infliction of the whip, nor are they chained like felons to the floor of some dreary, pestilential dungeon, and exhibited to the gaze of those anxious to gratify a morbid curiosity. Thanks and immortal honour be to those who laid bare these great enormities!

The condition of these unhappy sufferers had, for some period antecedent to the introduction of

any legislative measure, attracted the attention of parliament, and had given rise to some discussion in the House of Commons. The subject was specifically brought under the notice of parliament in the year 1763 ; but ten years were allowed to elapse before any measure was proposed for the regulation of establishments in which the insane were confined. Prior to this period, a committee was appointed to examine into the condition of the lunatic asylums, and the following is the Report which Mr. Townsend, as the chairman of the committee, made to the house.

“The committee being sensible how much a subject of this nature is liable to frequent digression and irregularity in the examination of witnesses, and thinking to keep the inquiry as much as possible from running unnecessarily into the stories and transactions of private life, they resolved, very early in their proceedings, to confine themselves to the two points which seemed in their judgment to be referred to them by the house, and they now beg leave to be permitted to follow the same method.

These two points are—

1st, The manner of admitting lunatics into houses now kept for the reception of lunatics.

2nd, The treatment of them during their confinement.

The first person who appeared before the committee was a Mrs. Hester Williams, complaining of her having been carried by stratagem to a house kept for the reception of lunatics, and of the severe treatment she received during her confinement.

The next complainant was Mrs. Hawley, whose representations to the committee are as follow:—

‘That being, on the 5th of September, invited, in an affectionate letter by her mother and husband, to go on a party of pleasure to Turnham-green, she was by them carried to a madhouse at Chelsea, kept by Turlington; that upon being carried into the house, she knelt down and exhorted the keeper to let her go, who refused her, upon the authority of her mother directing him to keep her confined. She alleged that she was shut up night and day in a chamber locked and barricaded, refused the use of pen and paper, no notice permitted to be carried to relation or friend, and treated with severity; and she added, that during the whole time, she was never visited by her mother, nor ever desired to take any medicines whatever; that she continued under confinement at the said house until the 4th of October, when she was, in pursuance of a writ of habeas corpus granted by Lord Mansfield, carried before his lordship, who discharged her.’

In support of this representation, Mrs. Hawley called Mr. La Fortune, who declared that he had known Mrs. Hawley for above two years past; that on the 5th of September, the day of her confinement, she had dined at his house, and that she then told him she had received an affectionate letter from her mother, desiring her to go with a party to Turnham-green; that he advised her not to trust too much to sudden changes of temper, and to be on her guard; that upon his stating this objection, she desired him, that in case she was absent more than two days, to inquire after her; and that upon inquiring for her, and being told she was gone down to Sion, and upon going down to Sion without finding her there, he suspected she was put in a madhouse; upon which he applied to Lord Mansfield for a habeas corpus, who refused

the writ, on the suggestion that he was not a relation; but, at the same time, ordered Dr. Riddle, a surgeon in Marlborough-street, to visit Mrs. Hawley.

To pursue the thread of this evidence, Mr. Riddle was called before the committee, who said, that upon being ordered to go to Turlington's Madhouse, at Chelsea, he was refused admittance, and assured that no such person was there; that during the dispute, Mrs. Hawley coming to the window, he saw her and spoke to her, and that on his return to Lord Mansfield, he informed his lordship of what had happened, and declared he believed Mrs. Hawley to be in her senses. Mrs. Hawley having been asked whether she knew of any other persons in the same circumstances with herself, confined in the same house, and she naming Mrs. Smith, the committee thought it necessary to order her to attend.

Mrs. Smith informed the committee that she had been carried to Turlington's Madhouse by her husband, who left her there with an assurance that he would return very soon; that Mr. King, the keeper of the house, told her that her husband had taken this lodging for that night; that her husband told her, in a letter which she received the next day, that he was glad that he had left her in so pleasant a situation—to which she returned no answer; that she was told from time time that she must make herself easy; that she should have been happy to put an end to her confinement, and that it was now two years since she had been carried to this house. She added, that during her confinement, she has been attended by no physician or apothecary whatever.

The next person who attended the committee was Mrs. Durant, who complained that about eight years ago she was carried to M . . . Mad-

house, at ———, and that during her confinement there, she was ordered no medicines, nor attended by anybody; that she was refused all opportunity of sending to her friends during the three weeks of her confinement, and that she was released by her mother, attended by Mr. Ledrard, a justice of the peace, upon whose arrival, as Mrs. Durant alleges, her chains were privately knocked off.

Mrs. Gold, the mother of Mrs. Durant, informed the committee, that upon receiving an anonymous letter, giving her an account that her daughter went away about three weeks before with her husband, and had not since been heard of, she applied to her son-in-law, insisting upon knowing from him where her daughter was; that upon his refusal to give her any satisfactory account of his wife, she applied to Mr. Ledrard, a justice of the peace, who drew from Mr. Durant a confession that his wife was gone to M . . . Madhouse; that upon the mother and the justice going to M . . . they were refused the sight of Mrs. Durant, upon the pretence that Mr. M . . . was not at home, until upon Mr. Ledrard being understood to be a magistrate, they were admitted. Mrs. Durant was then brought into the parlour, where Mrs. M . . . confessed to Mr. Ledrard that she did not think her mad, and that, on the contrary, she was only confined there on her husband's order.

Mr. Morrison, attending at the desire of Mrs. Durant to prove that she was not insane at the time of her being forced into confinement, he declared that he was at Mrs. Gold's when the anonymous letter came, informing her of her daughter's confinement; that he had seen Mrs. Durant frequently near the time of her being carried into confinement, and never had the least

doubt of her being in her senses; that he was present the next day when the conversation passed between Mrs. Gold, Mr. Ledrard, and Mr. Durant, in which Mr. Durant acknowledged that his wife was in a madhouse; and that being present also when Mr. Ledrard and Mrs. Gold returned from the madhouse, he then saw Mrs. Durant, who had no marks whatever of any degree of insanity; and that Mr. Durant, the husband, and the wife, did then and there make up all disagreements at his interposition.

It having appeared to the committee that the extraordinary imprisonments, upon the imputation of lunacy, have happened in the houses kept by Turlington and M . . . , your committee think they should ill discharge their duty if they did not summon Mr. Turlington himself.

Mr. Turlington informed the committee that he kept a house at Chelsea for the reception of lunatics; but added, that he usually leaves the management of the house and the admission of the patients to Mr. King, his agent. Upon being asked what instructions he gave to Mr. King in respect to the admission of patients, he avowed that the rule was general to admit all patients who were brought; he added, that though the house is intended for the reception of lunatics, other persons are admitted as lodgers; that no physicians attend the house; that no register of the persons is kept; that he considered Mrs. Smith merely as a boarder, and that he took her into confinement merely at the desire of her husband, who alleged that the neighbours were afraid she would set the house on fire; that he received 6*l.* 6*s.* per quarter for her maintenance, and that it was not in her power to go out of the house if she would. He acknowledged that he remembered Mrs. Hawley, whom,

he said, he believed to have been a lunatic, and that she was released by a habeas corpus, directed to Mr. King; he denied in general the severities charged upon the house by other witnesses, and expressly asserted that chains were never used.

Mr. King (Turlington's assistant) said he had been in the wool trade, but for six years past he had been employed by Mr. Turlington; he received no written directions from him; that he found several persons in the house on being employed, and all lunatics; that since he had been employed, he had admitted several for drunkenness. As to the treatment, he said that they had the liberty of walking in the garden, and passing from one room to another; and as to their diet and apartments, he said it was according to the allowance they paid, which was from 60*l.* to 20*l.* per year. He admitted that he knew Mrs. Hawley; that she was confined at the representation of a woman who called herself her mother; and that the reason alleged was drunkenness. He said he did not remember that she was refused pen, ink, and paper; but at the same time acknowledged it was the established order of the house that no letter should be sent by any of the persons confined to their friends and relations.

Being asked on what authority he admitted people charged only with drunkenness into a house of confinement kept for the reception of lunatics, he answered, Upon the authority of the persons who brought them; and he frankly confessed that out of the whole number of persons whom he had confined, he had never admitted one as a lunatic during the six years he had been entrusted with the superintendence of the house.

To close this evidence, and to bring it to a clear and final issue, Mr. King was asked this general question,—

Whether, if two strangers should come to his house, one calling herself the mother of the other, and charging her daughter with drunkenness, he would confine the daughter upon this representation? He said he certainly should.

Dr. Battie gave it as his opinion to the committee that the private madhouses required some better regulations; that the admission of persons brought as lunatics is too loose, and too much at large, depending upon persons not competent judges; and that frequent visitation is necessary, for the inspection of the lodging, diet, cleanliness, and treatment.

Being asked if he ever had met with persons of sane mind in confinement for lunacy, he said it frequently happened. He related the case of a woman perfectly in her senses, brought as a lunatic by her husband to a house under the Doctor's direction, whose husband, upon Dr. Battie's insisting he should take his wife home, justified himself by frankly saying he understood the house to be a sort of Bridewell, or House of Correction.

The Doctor also related a case of a person whom he visited in confinement for lunacy in Macdonald's house, and who had been, as the Doctor believes, for some years in this confinement. Upon being desired by Macdonald to attend him, by the order, as Macdonald pretended, of the relations of the patient, he found him chained to his bed, and without ever having had the assistance of a physician before! But some time after, upon being sent for by one of the relations to a house in the city, Macdonald then told him he had received no orders for desiring his (the Doctor's) attendance. The Doctor understood this to be a dismissal, and he never heard anything more of the unhappy patient till Macdonald told him, some

time afterward, that he died of a fever, without having had further medical assistance ; and a sum of money devolved, upon his death, to the person who had the care of him.

Dr. Monro informed the committee that he does not doubt that several persons have been improperly confined upon the pretence of lunacy ; and he cited two particular instances happening in two different madhouses.

He gave it as his opinion that the method and ground of admitting patients for lunacy is too loose, and too much at large ; that in the case of Mr. Durant, mentioned in this report, M . . . , the keeper of the madhouse at ———, confessed to the Doctor that he had been imposed upon ; and Dr. Monro said that, in his opinion, the present state of the private madhouses required regulation with respect to persons permitted to keep such houses, the admission of patients, and the visitation.

Your committee are sensible that in their inquiry they confined themselves to a few cases and to a few houses : but to obviate any conclusion from thence, that cases existing are rare, and the abuse, the misconduct only of particular persons, they beg leave to assure the house that a variety of other instances arising in other houses offered themselves for examination, and that Turlington's house was in no degree a selected case, but taken up by the committee in the course of the inquiry, and merely as it presented itself on the report of the witnesses, your committee restraining themselves, out of a regard to the peace of private families, from the examination of more cases than they judged to be necessary and sufficient to establish the reality of the too great abuses complained of in the present state of private mad-

houses, the force of the evidence and the testimony of the witnesses being at the same time so amply confirmed and materially strengthened by the confessions of persons keeping private madhouses, and by the authority, opinions, and expressions, of Dr. Battie and Dr. Monro.

Whereupon the committee came to the following resolution :

Resolved—That it is the opinion of this committee that the present state of madhouses in this kingdom requires the interposition of the legislature.*

The matter having thus been laid upon the table of the house, the question could not be allowed to rest. The report of the committee gave rise to a discussion, but nothing was done until 1774, when the first act was passed for the regulation of madhouses. The following is an abstract of that act :—

The first proviso of the act was, that after the 20th of November, 1774, if any person in England receive more than one lunatic without a licence for the purpose, (excepting such lunatics as are committed by the Lord High Chancellor of Great Britain,) he shall be fined 100*l*.

The next clause in the act was, that in order to appoint proper persons for visiting such houses as shall be licensed and kept for the reception of lunatics within the cities of London and Westminster, and within seven miles thereof, and within the county of Middlesex, the president and members of the College of Physicians for the time being shall elect five fellows of the said college for granting such licences as aforesaid, and that the five

* Parliamentary History, vol. xv. par. 1290.

fellows so elected shall be declared to be commissioners for granting such licences for the year next ensuing. No person, however, shall be qualified to act as commissioner for three years successively.

If, however, there be not a sufficient number of fellows, a licentiate may act. Each commissioner was compelled to take an oath, that he should never give notice to any keeper or person having the care of lunatics, as to the time of his visitation of such a place. For refusal to take the oath, a fine of 5*l.* was levied. The meetings of the commissioners were to be held in the hall of the college. The commissioners shall meet annually on the third Wednesday in the month of October, for granting licences, or within ten days after ; the licence to extend for one year from the 20th of November next ensuing.—Notice of the day and place of such meeting shall always be published three several times in the *London Gazette*.—The licences to be granted on a five-shilling stamp, and shall be under the hands and seals of three or more of the said commissioners, for each of which there shall be paid to the secretary the following sums :—

For every house where the number of lunatics shall not exceed ten, 10*l.* ; above ten, the sum of 15*l.* ; and the sum of 6*s.* 8*d.* shall be paid as a fee to the secretary.

No one licence can authorize a person to keep more houses than one for the reception of lunatics, nor shall the licence continue in force for more than one year.

No commissioner shall keep a house for reception of lunatics under a penalty of 50*l.* Two commissioners may call a meeting, and the chairman to have the casting vote.

That the commissioners shall visit the houses

which they license at least once a-year, to examine their state, and the condition of the lunatics.

At every visitation they shall make minutes in writing of the state and condition of all the houses which they may visit, all which minutes shall be entered by the secretary into a book at the College of Physicians, kept for the purpose; and the same shall be read to and signed by the commissioners at their next meeting. But no minute impeaching the character of any house, shall be so entered, unless the minute shall have been previously signed by three or more of the said commissioners; and in case there is any cause for censure, the commissioners shall report the same; and such part of their report shall be hung up in the censor's room in the college.

Refusal of admittance, by a keeper, of a commissioner, will lead to the forfeit of the licence. Commissioners shall keep an exact account of their proceedings.

That if any person shall apply to one of the commissioners, in order to be informed whether any particular person is confined in any of the licensed houses, the commissioners shall deem it reasonable that such inquiries shall be made, and the secretary shall be directed to search.

Keepers are requested to give notice to the commissioners of the reception of a lunatic, within three days after his admission.

The notice shall contain his name, the place of his abode, the name of the person by whose direction he was sent, and the name and place of abode of the physician and surgeon or apothecary by whose advice such direction was given. If a keeper admits a lunatic without an order, he is liable to a penalty of 100*l*. No more than one lunatic is to be received in a house not licensed.

Regulations for the Licensing of Madhouses not within the Jurisdiction of the above-said Commissioners.

Justices of the Peace, at any of the quarter sessions, are authorized and required to grant licences to such persons as shall apply for the purpose, and they shall authorize one physician to visit those houses which they have licensed.

The visiting physician is to make minutes as to the condition of the house and the patients. Keepers refusing admittance to justice or physician to forfeit his licence.

If notice of reception of a lunatic is not given within fourteen days, the keeper to forfeit 100*l*. And no licence shall be granted to any person unless he shall enter into a recognizance, his heirs and successors, to the amount of 100*l*., with two efficient securities, each in the sum of 50*l*., or one efficient security to the amount of 100*l*., for his good behaviour. The Chancellor shall have power to direct, or the Lord Chief Justice of the Court of King's Bench, or the Lord Chief Justice of the Court of Common Pleas, shall have power, at any time, to direct the commissioners, or the justices of the peace, or appointed visitors, to visit and inspect any house which is licensed, and shall have the power of examining registers and all parties concerned, and persons disregarding these orders shall be guilty of contempt of the Court of Chancery.

This does not extend to public hospitals.

All proceedings against keepers to be justified in the courts of common law. Action is limited within the period of six months after the committal of the offence, and the action shall be brought in the county where the cause of action has risen, and not

elsewhere: and the defendant in every such action may plead specially, or the general issue not guilty, and give this act, and the special matter in evidence, at any trial, that the same was done in pursuance of this act: and if the same appear to be so done, or that such action shall be brought, in any other county, 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; and upon a verdict being so formed, or if the plaintiff shall be nonsuited after the defendant shall have appeared, then the defendant shall recover treble costs, and have such remedies for recovering the same as any defendant hath in other cases by law. This act shall be deemed, and taken to be, a public act. And be it further enacted, that it shall continue in force for the term of five years.

At the expiration of this act, it was thought expedient that it should be continued in force for the further term of seven years; and, in the twenty-sixth year of the reign of George III., the act was made perpetual. The subject again excited great public and parliamentary attention, in consequence of the gross mismanagement of the — Lunatic Asylum. A bill for the better regulation of these institutions was brought into Parliament, by Mr. Rose, in 1813. This was opposed, and afterwards withdrawn. Another bill passed the House of Commons in 1814, but was ultimately rejected by the House of Lords. This led to the motion for a committee of the House of Commons, to inquire into the management of the lunatic asylums in the United Kingdom. The committee was appointed in 1814, but did not commence examining witnesses until May, 1815. The evidence submitted to this committee was of a most startling character. In 1816,

the committee again sat, and instituted a most rigid inquiry into the condition of the insane. The result of that investigation fully satisfied every impartial person that immediate legislative interference was necessary. The following are some of the facts which were brought under the cognizance of the committee. With regard to the treatment to which the patients confined in — Lunatic Asylum were subjected, the following statement was made upon oath:—

“The Rev. Mr. — was a clergyman, reduced to indigence, in consequence of his mental complaint; he had at times, and for considerable periods, intervals of reason. In those intervals, when he was perfectly capable of understanding everything that was done to him, repeatedly, in the presence of his wife, he was exposed to personal indignity; and, on one occasion, he was inhumanly kicked down stairs by the keepers, and told, in the presence of his wife, that he was looked upon as no better than a dog. His person swarmed with vermin; and, to complete this poor man's misery, the keepers insulted his wife with indecent ribaldry, in order to deter her from visiting him in his unfortunate situation. . . . He had a gold watch, which was lost there, and which his wife could never recover.”

It appears also, that in—

“The Annual Reports of this institution, 144 deaths out of 365 *were suppressed*;—the funds intended for the support of poor patients had been grossly misapplied;—and the steward had *burned the suspected books* during the progress of the inquiry. In a copy of the Rules delivered to the house-keeper, ten out of fifteen intended for the regulation of her conduct were *omitted*;—the servants were in the habit of taking the clothes of the patients, ‘when they considered them as having been worn a sufficient time;’—and there was no approach to subordination or discipline in the establishment. It is further in proof, that a female patient, of good previous character, had become pregnant by one of the keepers, who, after a service of twenty-six years, received from the governors, *who were never informed of this transaction*, a piece of plate, as a *reward* for his good conduct; and,

at the time of investigation, he actually kept a private mad-house at York! *

With regard to the condition of this house, Mr. Higgins gave the following particulars:—

“At eight in the morning of the day of meeting, I went to the Asylum, determined to examine very carefully every part of it. After having seen (as I was told by Atkinson, the steward) all the rooms for the reception of patients, I went with him to the kitchen apartments. I there caused several doors to be opened; and being at last struck with the retired appearance of one door, which was almost concealed from observation, by another opening upon it, I ordered one of the keepers to unlock it. I thought I perceived fear and hesitation. I repeated my order in somewhat stronger language. The men-servants' key was tried, but would not open it, as it was the door of cells for female patients. The key not being readily forthcoming, I grew warm, and declared I would soon find a key that would unlock it at the kitchen fire-side. It was then opened. I went in, and discovered a row of cells, four in number, with a door out of the furthest into the yard. On entering the first cell, I found it in a state dreadful beyond description. Some miserable bedding was lying on straw, which was daubed and wet with excrement and urine; the boarded floor perfectly saturated with filth; the walls also besmeared with excrement; the round air-hole, about eight inches in diameter, partly filled with it. This cell was about eight feet and a half square, perfectly dark when the door was shut, and the stench almost intolerable. I was told these cells were occupied at night by *thirteen women*, who were then up stairs. I ordered one of the men to conduct me to them. I found thirteen of these wretched inmates in a room, *twelve feet long, by seven feet ten inches wide*, with a window, which, *not opening*, would not admit of ventilation. After looking at these miserable objects, I returned to examine the cells more minutely: except in the first, there was no other bedding than straw, which appeared to have been in use a long time, as it was absolutely saturated with wet.”

Mr. Edward Wakefield brought before the committee the following facts relative to the treatment of the patients confined in Old Bethlem. Describing a visit he made to this establishment, he says—

* Edinburgh Review.

'At this visit, attended by the steward of the hospital, and likewise by a female keeper, we first proceeded to visit the women's galleries. One of the side rooms contained about ten patients, each chained by one arm or leg to the wall; the chain allowing them merely to stand up by the bench or form affixed to the wall, or to sit down on it. The nakedness of each patient was covered by a blanket gown only. The blanket gown is a blanket formed something like a dressing-gown, *with nothing to fasten it in front*; this constitutes *the whole covering*; the feet even were naked. One female in this side room, thus chained, was an object remarkably striking. She mentioned her maiden and married names, and stated, that she had been a teacher of languages; the keepers described her as a very accomplished lady, mistress of many languages, and corroborated her account of herself. The committee can hardly imagine a human being in a more degraded and brutalizing situation than that in which I found this female, who held a coherent conversation with us, and was, of course, fully sensible of the mental and bodily condition of those wretched beings who, equally without clothing, were closely chained to the same wall with herself. Unaware of the necessities of nature, some of them, though they contained life, appeared totally inanimate, and unconscious of existence. The few minutes which we passed with this lady, did not permit us to form a judgment of the degree of restraint to which she ought to be subject; but I unhesitatingly affirm, that her confinement with patients, in whom she was compelled to witness the most disgusting idiocy, and the most terrifying distraction of the human intellect, was injudicious and improper.'—*Minutes of 1815*, p. 11.

'In one of the cells of the lower gallery, we saw William Norris. He stated himself to be 55 years of age, and that he had been confined about fourteen years; that in consequence of attempting to defend himself from what he conceived the improper treatment of his keeper, he was fastened by a long chain, which, passing through a partition, enabled the keeper, by going into the next cell, to draw him close to the wall at pleasure; that, to prevent this, Norris muffled the chain with straw, so as to hinder its passing through the wall; that he afterwards was confined in the manner we saw him—namely, a stout iron ring was riveted round his neck, from which a short chain passed to a ring, made to slide upwards or downwards on an upright massive iron bar, more than six feet high, inserted into the wall. Round his body, a strong iron

bar, about two inches wide, was riveted. On each side the bar, was a circular projection, which, being fashioned to, and enclosing each of his arms, pinioned them close to his side. This waist-bar was secured by two similar bars, which, passing over his shoulders, were riveted to the waist-bar both before and behind. The iron ring round his neck was connected to the bars on his shoulders by a double link. From each of these bars, another short chain passed to the ring on the upright iron bar. We were informed he was enabled to raise himself, so as to stand against the wall, on the pillow of his bed, in the trough bed in which he lay; but it is impossible for him to advance from the wall, in which the iron bar is soldered, on account of the shortness of his chains, which were only twelve inches long. It was, I conceive, equally out of his power to repose in any other position than on his back; the projections, which, on each side of the waist-bar, enclosed his arms, rendering it impossible for him to lie on his side, even if the length of the chains from his neck and shoulders would permit it. His right leg was chained to the trough, in which he had remained thus encaged and chained more than twelve years. To prove the unnecessary restraint inflicted on this unfortunate man, he informed us that he had, for some years, been able to withdraw his arms from the manacles which encompassed them. He then withdrew one of them, and, observing an expression of surprise, he said, that when his arms were withdrawn, he was compelled to rest them on the edges of the circular projections, which was more painful than keeping them within. His position, we were informed, was mostly lying down; and that, as it was inconvenient to raise himself, and stand upright, he very seldom did so; that he read a great deal of books of all kinds, history, lives, or anything that the keepers could get him; the newspaper every day, and conversed, perfectly coherently, on the passing topics, and the events of the war, in which he felt particular interest. On each day that we saw him, he discoursed coolly, and gave rational and deliberate answers to the different questions put to him.—(p. 12.) And Mr. Western confirms this statement at page 175.

Similar abuses existed in St. Luke's, and, in fact, in all the private and public institutions for the treatment of the insane.

With the view to the amelioration of the condition of these unhappy persons, a new bill was in-

troduced into the House of Commons, under the direction of the committee, the extract from whose reports I have previously given; but was not passed into a law. This bill—

“Proposed to subject to inspection *all houses and hospitals* for the reception of the insane; and to require from all of them, returns of their inmates, under certain regulations, and to annex such penalties to the neglect of its enactments, as will effectually insure their being attended to. It authorized the appointment of eight Commissioners for England, and four for Scotland, who are to grant licences under certain conditions, and are *required* to visit all public hospitals and madhouses within their respective districts. Two Justices of the Peace, to be named at quarter-sessions, are also *required* to visit all houses within their jurisdiction, once or twice a year, according to the number of the patients. And the power of visiting, at their discretion, is conferred on certain official persons in every county, and on a limited number of other persons also, to be named by the Secretary of State; who shall have equal powers of examination with the commissioners, but no emolument. All keepers of *houses for the reception of more than one patient*, to take out a licence; and, on receiving it, to give a bond for the proper treatment of persons committed to their care, and to furnish a plan of their premises, and to notify subsequent alterations; the commissioners being empowered to order such changes and improvements as they may think necessary. No lunatic to be received, without a written order from the friends, requiring his confinement, and a certificate of his insanity, under the signature of two medical persons;—in London, members of the College of Physicians, or Surgeons, or of the Apothecaries’ Company; and, in other places, of some physician, surgeon, or apothecary, practising as such. The keepers to retain an accurate register of all their inmates, stating their names, and those of their friends and physicians on whose authority they were admitted, with the duration and extent of their malady respectively. The originals to be open, on all occasions, to the inspection of Commissioners, and other persons authorized for that purpose; and prompt and distinct returns to be transmitted, from time to time, to London, together with copies of the yearly register, of which, also, copies are to be sent to the Clerks of the Peace of their respective counties. To facilitate inquiry respecting persons detained in houses that receive more than one patient,

abstracts of the returns for each county shall be formed by the Clerks of the Peace ; and, in London, a general abstract, containing the names of all persons confined as lunatics throughout the kingdom. These abstracts to be kept under oath of secrecy, and not shown but through the medium of Commissioners, and at their discretion. And finally, to prevent the undue detention of lunatics, on the return of reason, physicians shall be authorized to visit patients in madhouses from year to year, and Commissioners shall, at all times, have the power of releasing any person, whom they shall consider as improperly confined. Keepers of *houses for the reception of one person only*, to be exempt from licence ; but to receive no patient, except under the precautions as to certificates, above mentioned ; to be visited for the purpose of inspection, when required by the Secretary of State ; and to transmit to the Secretary of State's office, returns similar to those above described, containing the names of patients, friends, and physicians, which will be kept apart, marked 'private,' and entered in a separate register, accessible only under certain special restrictions. The whole expense attending the execution of these various provisions to be paid by the treasury."

Matters were allowed to remain in this state until the year 1828, when Mr. R. Gordon submitted a motion to the house for leave to bring in a bill to amend the law relative to the regulation of lunatic asylums. This motion was made, Feb. 19th, 1828. The following is a portion of Mr. Gordon's speech upon the occasion :—

"He next begged to call the attention of the house to the manner in which those who were the proper objects of this system of coercion were treated in lunatic asylums, with the view to their recovery. He would suppose of any individual belonging to a parish about twenty miles from the metropolis, so that the distance would render the visits of his friends rare. He would place him in (the hon. member mentioned the name of a particular asylum.) What probability was there that his malady would be removed by the curative process followed in that place ? From the defective skill of the medical attendants, it was evident that no

care was taken of his bodily health. The house would be surprised to learn that in an hospital comprising 400 patients, they only received the attendance of one medical person. This was a Mr. , who, however, attended but every other day, for an hour or two at a time. He was also the surgeon of St. Luke's Hospital, and he attended all Mr. 's other establishments, besides having a fair share of private practice. It appeared, too, that out of these 400 patients, in May last, eight only were under the treatment of medicine. It was clearly established by the evidence of those who were most acquainted with the subject, that they considered insanity a disorder which might be removed by medical treatment, or moral cure.

"But if this was the case of the unfortunate patient as to his mind and body, what was his condition as to general accommodation? "In the house of Mr. there was no attempt at classification. He (the patient) was placed in a box six feet long, covered with straw, and chained down by the arms and legs. In this state he was left the whole night through, without attendance or assistance, or the possibility of either. In these cribs they were insensible to the calls of nature, and were left to wallow all the night in their own filth. In Bethlem and St. Luke's the lunatics in good health were kept in separate cells. But if these unhappy patients of Mr. suffered in the week, what must their condition be on Sunday? They were confined in this horrible place from Saturday night until Monday morning,—fifteen human beings wallowing in their filth throughout the whole of Sunday!

"There was evidence also given, descriptive of the mode in which they were treated on the Monday morning. In a state of nudity, covered with sores and ordure, they were carried into the yard, and

plunged suddenly into cold water, even when ice was swimming on the pails."

Mr. Gordon then alluded to the infirmary connected with the establishment. He said—"It was impossible, with the strongest language, to describe the horrors of this place. He read a passage, stating, 'that the air of the infirmary was so highly oppressive, that the witnesses could not breathe.' It also was represented as disgusting in the highest degree, the horrible exhalations of excrementitious matter arising from the patients. He (Mr. Gordon) could not refrain from quoting another sample of the conduct of Mr. establishment. In September last, an inquest was held on the body of a patient who had died there. In the inquiry before the committee, it appeared, beyond all doubt, there were no sick stores in the infirmary, and no medical attendance, except that of, every other day. In his evidence, Mr. asserts roundly, that every possible attention was shown to the patients, to whom, he said, arrow-root, wine, and light puddings, were administered as they needed them. The committee asked the superintendent if he had any bills for the sago, and other articles provided for the sick? He stated in reply that he had no bill. His (Mr. Gordon's) impression of this evidence was, that it was false, the whole of it.

"The law at present directed that the physicians should visit these houses, and keep a register of their proceedings. He would relate one instance, to show how this duty of supervision was performed. A married lady, named Pettingall, was, in May, 1825, confined as a lunatic, but she did not appear to the committee of magistrates as then labouring under insanity; and it also appeared, that she had not exhibited any marks of insanity

for twelve months. Under these circumstances, they directed a communication to be made to her husband. About the same time, in 1827, she was still reported to be conducting herself with propriety; but the husband had taken no notice of the application for her release. When the committee met, they learned, on inquiry, from the medical attendant, Dr. Bright, that the husband had refused to liberate her, because, he said, she was a troublesome woman, and not fit to be at large. 'There,' he added, 'she shall remain.' When he (Mr. Gordon) came to town at the end of November, he sent for Dr. Bright, to ascertain whether Mrs. Pettingall were still in confinement. He found that the doctor had remonstrated in vain with her husband. As he considered the lady as perfectly sane, he gave notice, that if she was not immediately liberated, he would move a suit of habeas corpus at his own expense; and it was not till three days before the meeting of parliament that she was finally released.

"The hon. gentleman then referred to the report of the physicians, as to some of these houses. Holt's house was represented as very disorderly and dirty. In another, twenty patients were together in one small room, the air of which was close and offensive. In another, two patients were found lying in an outhouse, and others chained down by their legs, arms, and wrists. Their wrists were blistered, and their persons covered only with rags. One female was the only servant they had to attend to them."

Leave was then given to bring in the bill, of which the following is an abstract:—

After providing for the repeal of former acts, it enacts that the Secretary of State of the Home

Department shall, on the 1st of June, every year, or within ten days following, appoint not less than fifteen persons to be commissioners during the space of one year, for licensing and visiting all houses within the cities of London and Westminster, and within seven miles thereof, and within the county of Middlesex, for the reception of insane patients, of which commissioners six, at least, shall be physicians or surgeons. The act provides that no physician or surgeon appointed to such commission shall professionally attend upon the patients in any house so to be licensed for the reception of insane patients. These commissioners have power to grant licences within the aforesaid jurisdiction. They are to be allowed 1*l*. for every hour employed in visitation, exclusive of travelling expenses, provided the number of commissioners shall not exceed three for one visitation.

In case of illness, refusal, or death, the Secretary of State is empowered to appoint another commissioner.

No person shall be appointed to a commissionership who shall, directly or indirectly, have been interested in the keeping of any house licensed for the reception of the insane for two years previously.

Keeping a house will render the commissionership null and void.

It is enacted that the said commissioners, or any five or more of them, two of whom at the least shall not be physicians or surgeons, shall meet at such a place as his Majesty's principal Secretary of State for the Home Department may direct, on the first Wednesday in the months of January, April, July, and October, in order to receive applications from persons requiring licences within the cities of London and Westminster, and within

seven miles thereof, and in the county of Middlesex.

It is enacted, that in all other parts of England the justices of the peace assembled in general quarter sessions, shall have authority within their respective counties to grant licences, if they shall think fit. Provided always, that no justice of the peace shall act in granting such licence who shall be directly or indirectly interested in keeping any such house for the reception of insane persons.

The said justices shall at the Michaelmas grand quarter sessions appoint three or more justices of the peace, and also one or more physician or apothecary, to act as visitors of each house, and such visitor, being a physician, surgeon, or apothecary, shall be allowed and paid, for every day he shall be employed in executing the duties imposed upon him, such sum as the justices in general quarter sessions shall be pleased to direct.

And be it further enacted, that all persons who shall apply for a licence for keeping a house for the reception of the insane, shall give notice to the clerk for the time being of the said commissioners, or to the clerk of the peace, of the county, fourteen days at least prior to the quarterly meeting of the said commissioners; and the notice shall contain the true Christian name, and surname of the person so applying and the place of his abode, and it shall be accompanied by a plan of every such house proposed to be licensed, to be drawn upon a scale of not less than one eighth of an inch to a foot, with a description of the situation thereof, and of every room and apartment therein, and a statement of the greatest number of patients to be received into such house.

It is also enacted, that notice of any additions or alterations that shall have been made to any

house licensed under this act, shall be given to the clerks of the justices, by the person to whom the licence is granted; and if there shall be wilful omission, for the purpose of deceiving, it shall constitute a misdemeanor.

These plans are to be verified, and the licences are to be renewed yearly. There shall be paid to the clerk of the commissioners, or clerk of the peace, exclusive of the sum to be paid for the stamp, 2s. 6d. for every parish patient, and 10s. for every other patient: provided that for no licence to be so granted shall be paid less than 15*l*. All licences shall be duly stamped with a *ten shilling stamp*, and shall be under the hand and seal of the said commissioners.

It is further enacted, that if at any time a majority of any five commissioners appointed by the act (one thereof not being a physician or surgeon), or any three visitors, shall recommend to the Secretary of State that any licence should be revoked, he shall, after inquiries, have authority to do it, such revocation to take effect not exceeding three calendar months from the time notice shall be given thereof in the *London Gazette*.

That when justices or commissioners refuse to grant a licence, such refusal shall be communicated to the Secretary of State.

Every person keeping a house without a licence shall be deemed guilty of a misdemeanor, nor shall any licence continue for longer than thirteen calendar months.

Every house so licensed shall be visited by at least three of the said commissioners, at least four times a year, on such hours between eight in the morning and six in the evening, from September 21 to March 21, and between six in the morning and eight in the evening, from the 21st of March

to the 21st of September, with or without notice, for such length of time as they shall deem fit.

That in case of supposed mal-practices, the justices may visit by night.

Commissioners are authorized to summon witnesses, who are subject to a penalty if they neglect to attend, not exceeding 50*l.*, nor less than 10*l.*

Visitation commissioners to make minutes. These minutes to be transcribed into a register, and within one month prior to the 1st of June in each year there shall be prepared a full and complete report of the several houses within their respective jurisdiction for the reception of insane persons, and this report shall be forwarded to the Secretary of State and to the clerk of the commissioners.

No person, not being a parish patient, shall be received into any house kept for the reception of two or more insane patients without a certificate ; and if any person shall knowingly receive an insane person without such certificate, bearing date not more than fourteen days previous to such reception, and shall not make a minute of all the circumstances, he will be guilty of a misdemeanor.

Every certificate shall be signed by two medical practitioners, who shall have separately visited the patient. The certificate shall state that such a person is proper to be confined, and the day on which he shall be so examined ; the Christian, surname, and place of abode of the person by whose authority he is examined, and the degree of relationship to the patient ; the name, age, place of residence and occupation, date and commencement of the lunacy, and the asylum, if any, in which such patient shall have been confined. If not signed by two medical practitioners,

the reason shall be assigned. A patient may be admitted into an asylum with the certificate of one medical man only, provided that it shall be further signed by some other medical practitioner within seven days next after the admission of such patient into any such licensed house as aforesaid.

But no medical practitioner shall sign who has an interest in an asylum, or is the regular medical attendant.

Notice is to be given to the clerk of commissioners within seven days after the admission of a patient.

Notice shall be given of removal or death of a lunatic within three days.

In case of inquiry whether any particular patient is in confinement, the commissioners may give an order to the clerk, who shall furnish the information.

In every house of reception for two or more insane patients there shall, if it contain one hundred patients, be a resident physician, surgeon, or apothecary; and in case such house shall not be kept by a physician, surgeon, or apothecary, it shall be visited thrice a week by some medical man.

The patient shall be visited once in six months by the person by whose authority the patient is sent, or by some one duly delegated by him.

Commissioners have power to liberate those who are improperly confined. Inquiry is to be made as to whether divine service is performed in such houses, and if not, the reason of its omission.

No person shall receive a single lunatic under his care, except he be a relative, or a commissioner appointed by the Lord Chancellor, &c., without first having an order and certificate, signed by two

medical men, as is required on the admission of any insane person into a licensed house.

Patients under the care of their relatives may be ordered to be visited by the Lord Chancellor and Secretary of State.

For regulations respecting Appeal to Quarter Sessions—Limitation of actions, &c., *see Act.*

Actions, however, are not to be brought except by order of the commissioners. This act does not extend to Bethlem and other public hospitals.

The difference, then, between the Act of 1828 and the Act of 14th Geo. III., and the Act of the 19th of Geo. III. cap. 15, and the Act of the 26th of Geo. III. cap. 99, had reference to the granting of licences and certificates; the power of refusing and revoking licences, and the obligation which rested upon persons to visit their relatives confined in asylums, as well as the power of extended visitation given to the commissioners, with liberty, under certain restrictions granted to the commissioners, to liberate patients from confinement.

Prior to the Act of 1828, there existed, as Lord Ashley says, “no power of punishing any offence—there was not even the power of revoking or refusing any licence. There was also extreme laxity in the signature of certificates, one only being deemed sufficient; and that might be, nay, it often was, signed by a person not duly qualified, or by the proprietor of the madhouse in his medical capacity; and to the care of this person the alleged lunatic was consigned. Houses licensed under this Act were not required to be visited more than once a year. There was no power to discharge any patient who might prove to be of sound mind. Licences could be granted only on one day in the year. Pauper lunatics were sent

without medical certificates; there was no return of pauper patients made to the Board; and no plans were required of houses previously to the granting of licences. There were no returns of the cases of lunatics kept singly in houses for gain; there were no visits of medical persons to the patients required."

Without minutely specifying the particular provisions of the bills which followed this, and the bills of 1832, 1833, and the continuation bills of 1835, 1838, 1841, and the measure of 1842 and 45, I may state generally that many valuable and important amendments were introduced into the law; and as an effect, the condition of persons confined as insane in establishments licensed for that purpose, has been greatly improved, although there still exist many abuses which the law is unable to touch. It is now generally admitted that in our principal private and public establishments, everything that humanity can suggest is done to mitigate the sufferings of the unfortunate inmates. To expect perfection in any system would be most irrational. Considering the vigilant scrutiny which is exercised over asylums of this kind by the commissioners in lunacy, I cannot conceive the possibility of the former state of things being reverted to.

OBSERVATIONS ON THE ACT.

It would, perhaps, be impossible to select a more difficult question upon which to legislate than that which forms the basis of this enactment.

In considering this subject, we have to deal with one of the most subtle principles in nature—viz., the human mind, and that mind, too, not in a healthy, but in a dilapidated condition—not in the exercise of its pristine powers, but in a state of wreck and ruin, prostrated to the earth by a disorder of the physical structure with which it is associated.

The statesman who attempts to grapple with so complicated, so intricate a question, has difficulties of no ordinary character to contend with. To expect, then, perfection, or even an approach to it, in any act which has for its object the regulation of those to whom are entrusted the care and treatment of the insane, would be absurd and unreasonable in the extreme. Looking, then, in this spirit at the statute before us, I do not hesitate in pronouncing it to be a most admirable measure—a great advance in the right road—one which reflects great credit upon the talent, the humanity, and industry of the noble lord with whom it originated. If its provisions be carried out in the spirit with

which they have been conceived, they cannot but be productive of great and lasting benefit.

It is not my intention to point out specifically all the alterations which this act introduces into the old law, but merely to direct attention to some of the more important and vital amendments effected by its provisions.

§3rd We have, in the first place, secured by this act a permanent body of able and experienced gentlemen to officiate as visiting commissioners. The number of these commissioners is certainly reduced; but this circumstance will not in the slightest degree interfere with their efficiency. They are required by the act to devote their time exclusively to the performance of their official duties. They are not permitted to hold any other office for which they derive remuneration, or to be connected either directly or indirectly with any public or private establishments for the reception of the insane; neither can they exercise their respective professions of law and medicine. Instead of being paid by fees, as under the former bill, they are to receive liberal salaries; and the appointment, instead of being annual, is for life. This is a valuable alteration in the law. The commissioners are empowered not only to visit private lunatic asylums, but gaols, workhouses, and hospitals—in fact, *every place* in which insane persons are confined. They are to institute the most rigid scrutiny into their condition, with the view of ascertaining whether they are unjustly confined, improperly treated, and if such should be the case, to report accordingly to the Lord Chancellor, who is invested with full authority to redress any injury which may have been inflicted upon these unfortunate persons.

§4th By this bill, a very useful alteration is made in the character of the medical certificates required

of those who have the power of consigning a fellow-creature to an asylum on the ground of mental unsoundness. Formerly, the physician, surgeon, or apothecary, was merely called upon to certify to the abstract fact of the presence of unsoundness of mind in any given case; but, according to the present law, it will be necessary, in order to make the certificate valid, for the person signing it to state the facts in connexion with the case upon which he has founded his opinion. Independently of thus affording an additional protection to the public, a body of valuable information will be obtained, which, I trust, will be turned by the commissioners to useful account. In connexion with this branch of the subject, I may refer to the medical case-book, which the act requires every medical superintendent of the insane to keep for the inspection of the commissioners. He is not merely (as under the old law) to enter the name, form of the malady, the place of abode, age, social condition of each patient intrusted to his care, but he is, at the same time, to give in writing *a correct description of the medicine and other remedies prescribed for the treatment of their disorder*. This is a most important amendment. If the *data* thus acquired be made a subject of special consideration, most valuable results may be obtained relative to the therapeutics of insanity.

§ 60his

Among the minor, but still important, amendments effected in the law, I may mention the following: The Act enables a proprietor of an asylum to retake a patient who may have escaped from confinement. Although this power was exercised under the former law, strictly speaking, it was illegal. Again, parties guilty of ill-treating a patient may be proceeded against for misdemeanor. Individuals considering themselves to

have been ill-treated, or wilfully neglected, may, after having regained their liberty, obtain, upon application to the secretary of the commissioners, a copy of the medical certificates and order, with the view to legal proceedings. This is an excellent amendment. In the case of the death of any patient, a statement of the cause of the death, with the name of any person who may have been present, is to be drawn up and signed by the medical attendant, a copy of which is to be sent to the commissioners. Patients may now be transferred, with the consent of the party signing the order, from one licensed house to another, without renewing the medical certificates. Under the former Act, the proprietor had to procure fresh certificates for each patient before such a change of residence could be effected. The seventy-first clause gives the commissioners the power of making a night visitation to any house in which they may have reason to believe that the patients are subjected to ill treatment. This is a most admirable amendment. Again, by the seventy-fifth clause, no patient pronounced by the medical superintendent to be "dangerous" can be removed from an establishment, unless for the purpose of transferring him to another, without the consent of the commissioners. The eighty-second clause, I am glad to find, gives the commissioners the power of regulating the dietary of pauper patients confined in licensed houses and hospitals. There is, I am pleased to see, to be a weekly meeting of the board for the consideration of, and adjudication upon, any matters touching the working of this Act. This will very much facilitate the practical operation of the law, as the commissioners have the power to apply an immediate remedy for any abuse which may be brought under their notice.

The appointment of a secretary to the commissioners in lunacy, is one of the admirable provisions of the bill. Mr. Lutwidge is to act in this capacity. He is in every respect fully qualified for the duties of the office ; and having for some years officiated as one of the commissioners, he adds to his other excellent qualifications great practical acquaintance with the questions which it will be his special duty to consider.

Proprietors of asylums are, by the new law, much more effectually protected than under the former act. If a party insane, or alleged to be so, is received into a licensed house or hospital, with a written order for his reception and two medical certificates, the person so admitting him, having complied with the provisions of the act of parliament, is protected from any vexatious actions which might be brought against him by persons representing themselves to have been unjustly confined and detained. The Act is very clear and satisfactory upon this point. It enables the proprietor, superintendent, servants, and any person engaged in receiving, detaining, retaking, and confining a person legally certified to be insane, to plead the order and certificates in bar of all proceedings at law. No action can be maintained against any individual who has, in respect of such persons, kept within the strict letter of the enactment. This I conceive to be a most important, and a highly beneficial amendment in the law.

Again, the Act allows the superintendent and proprietor fourteen days to retake a patient who may have made his escape from an asylum, without the necessity of having to procure a fresh order and medical certificates.

But, perhaps, the most important provision in

the new Act, is that which relates to single patients confined in unlicensed houses and cottages; and if this were the only amendment effected in the law, Lord Ashley would be entitled to the gratitude of every humane mind for having introduced it.

Under the former Act, persons said to be insane could be confined in unlicensed houses, no return being required by the commissioners, unless such patients were in one place of residence for a period not exceeding twelve months.

Nothing was easier than to evade this law. Parties having such persons under their superintendence, had only, at the expiration of eleven months, to remove them, for a day or two, from the place in which they were confined, in order to avoid the necessity of making the return required by the act of parliament. The law in this respect was worse than useless.

By the present Act, no one insane, or said to be so, can be sent to, or received in, any unlicensed place, unless two medical certificates have been obtained, certifying to the patient's insanity. The person taking charge of such patient is immediately to make a return of his name to the commissioners, and he is subject to their visitation. The friends or relatives of the patients are compelled by the act to appoint a medical superintendent to visit occasionally persons confined in unlicensed places; and they are required to enter into a "medical case-book" all the particulars connected with each case, with an account of the medical and moral treatment adopted. This book is to be open to the inspection of the commissioners. This provision will, it is hoped, effectually do away with what is termed "the cottage system of treatment." None but those who have had opportunities of making themselves practically conversant with this subject can form any idea of the

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visitation

brutality to which these single patients, shut up in cottages, lodgings, and other unlicensed places, were subjected. These patients were frequently placed under the sole control and management of coarse and unfeeling keepers, who had an interest in prolonging the duration of the malady, and who were always prepared to advocate, with great vehemence, the necessity of keeping them in a constant state of confinement. Independently of the horrible cruelties to which these unfortunate persons were of necessity exposed, was it possible, I ask, under these unfavourable circumstances, to carry out successfully anything like a scientific or efficient plan of medical treatment? Little or nothing could be done to re-establish mental health. Shut out from society,* pent up like a wild beast in a small ill-ventilated apartment, left to the exclusive surveillance of a person whose existence, perhaps, depended upon the party continuing in a state of

* In the application of agents for the cure of insanity, I do not think we have sufficiently considered the importance of allowing, under certain restrictions, the insane to associate with persons of sane mind. In many individuals, the idea of the treatment of insanity is indissolubly connected with perfect isolation and seclusion. Directly indications of derangement of mind are manifested, it is by many thought indispensably necessary that the party so afflicted should be immediately confined in one or a suite of rooms, under the immediate surveillance of an experienced attendant; the medical practitioner, or proprietor of the establishment, only occasionally visiting the party in question. This mode of procedure is, I have no doubt, absolutely necessary in certain cases and stages of this distressing malady; but experience convinces me that this seclusion is, in the majority of cases, carried beyond its legitimate extent. In all establishments for the treatment of insanity, the patients ought to be permitted, when there exists nothing in connexion with the case to contra-indicate it, to associate as much as possible with the family of the proprietor or resident superintendent. I have witnessed the happiest effects from the adoption of this course; and although an occasional personal inconvenience and annoyance may be occasioned by this circumstance, these ought willingly to be submitted to if any advantages are likely to result to those unfortunate persons placed under their

derangement, no prospect of cure could be entertained. As far as *data* will enable us to form a judgment, it has been satisfactorily established that the ratio of cures in cases of insanity confined in unlicensed houses, only amounted to ten per cent., whilst in licensed establishments it averaged forty! This is a startling fact, and ought at once to awaken the attention of those whose friends or relations are exposed to these disadvantageous results. By this act, I repeat, (irrespective of many minor improvements,) four important amendments in the law relating to the regulation of lunatics and lunatic asylums are introduced. First, by the establishment of a permanent body of experienced commissioners, authorized to inspect every place in which the insane are confined, (excepting those placed under the care of persons who derive no remuneration for undertaking their management,

care. The great, the paramount object in all institutions for the reception of the insane should be their permanent restoration to health. Every other consideration ought to yield to this. By permitting patients labouring under harmless delusions, or merely suffering from hypochondriasis, to associate with persons of healthy mind and cheerful disposition, we may, in many instances, effectually re-establish mental soundness and happiness. Nothing is more calculated to lengthen the duration of insanity, and to permanently establish its existence, than the system of confining insane persons by themselves in small rooms until the patient is pronounced cured, or some essential change has taken place in the character of the malady. When the patient is not violent, destructive, or offensive, (and these are not usual concomitants,) he ought to be allowed to participate in the pleasures of social life. I have seen patients who were the personification of wretchedness when confined to their own apartments, become happy, cheerful, and delightful companions when permitted to form part of the family circle. Viewed in the light of a remedial measure, I can conceive no course of moral treatment so calculated to benefit the insane as that to which I have referred. An advantage appears to be derived from the clashing, or communion, of unhealthy with healthy minds, which, under judicious supervision, cannot but be productive of great and essential service to those unhappily afflicted with this terrible calamity.

or those who have been the subject of a commission of lunacy, and who are residing with the committee appointed by the Lord Chancellor,) a more vigilant and searching scrutiny into the condition of the insane will be enforced. 2ndly, The law throws an additional protection around those who are authorized to keep establishments for the treatment of insanity. 3rdly, By the alteration required in the character of the medical certificates, and the statement which the act compels every medical superintendent to keep of the particulars of the medical treatment adopted by him in each case under his care, a valuable collection of facts connected with the pathology of insanity will be recorded, from the study and classification of which, important conclusions may be deduced. 4thly, The abolition of the cottage system of treating the insane cannot but be productive of the most advantageous results. These unhappy persons will now have a fair chance of being restored to health and to the enjoyment of their social rights and privileges. As the objects for which they were formerly confined in cottages and other unlicensed places—viz., privacy and secrecy—no longer exist, it is hoped that the insane will now be sent to well-conducted private establishments, where they will have a chance of being restored to sanity. This act, I should not omit to mention, extends to Wales. This might have been predicated by those who had perused the supplement to the last annual report of the commissioners relative to the melancholy condition of the insane of North Wales. It is gratifying to think that this state of things will now receive an effectual check. An efficient surveillance will, it is trusted, be exercised by the commissioners over the asylums, workhouses, gaols, and other places to which the insane are sent in that country.

In the preceding observations, I have merely taken a cursory glance of the principal alterations made by this act in the law relative to the treatment of persons confined as insane in licensed asylums, hospitals, &c. The character of the noble lord who presides as "permanent chairman" over the commission is a sufficient guarantee to the public that the provisions of this enactment will be carried out with spirit and energy; and of this I feel convinced, that he will be efficiently seconded in his exertions to ameliorate the condition of the insane by the able and experienced gentlemen who are to officiate as the commissioners in lunacy under this act.

ANALYSIS OF THE ACT.

Repeal of former Acts of Parliament.—This Act repeals the 2nd and 3rd of Will. IV., c. 107 ; 3 and 4 Will. IV., c. 67 ; 5 and 6 Will. IV., c. 22 ; 1 and 2 Vict., c. 73 ; 5 Vict., c. 4 ; 5 and 6 Vict., c. 87.

Masters in Lunacy.—The two gentlemen who were appointed under the bill, entitled "*An act to alter and amend the practice and course of proceedings under commissions in the nature of Writs de Lunatico Inquirendo*," and who were by that Act designated "The Commissioners in Lunacy," are henceforth to be called "The Masters in Lunacy," and are to take the same rank and precedence as the Masters in Ordinary of the High Court of Chancery. They sit as judges in all cases of lunacy which are made the subject of a commission. The Masters in Lunacy are, Francis Barlow and Edward Winslow, Esqs. The latter gentleman acted for many years as a judicial commissioner in lunacy, under a former bill. They receive a salary of 2000*l.* a-year, and an allowance for travelling expenses.

Commissioners in Lunacy.—Six gentlemen are appointed to act as commissioners in lunacy—three of whom are barristers, and three physicians.

The commissioners are Dr. Turner, Dr. Hume, Dr. J. C. Prichard, Bryan Walter Proctor, Esq., James William Mylne, Esq., John Hancock Hall, Esq., barristers-at-law. There are five unpaid commissioners—viz., Lord Ashley, Lord Seymour, R. V. Smith, Esq., M.P., Robert Gordon, Esq., Francis Barlow, Esq.

Commissioners cannot hold any other office.—The physicians and barristers appointed under this act hold their offices during good behaviour. They cannot accept, hold, or carry on any other office or situation, or any profession or employment, from which profit shall be derived.

Qualification of Commissioners.—They must be physicians, surgeons, or barristers of five years' standing.

Remuneration of Commissioners.—Each commissioner receives a yearly salary of 1500*l.*, over and above his travelling and other expenses, whilst employed in the exercise of his official duties.

Oath of Commissioners.—The commissioners in lunacy have to take oath that they will keep secret all matters coming within their knowledge, in the exercise of the duties of their office.

Seal.—The commissioners are to have a common seal, which is to be attached to all licences, orders, and instruments.

Chairman.—The commissioners are to elect a permanent chairman. He is not to be either a physician or barrister, or to receive any salary.

Secretary to the Commissioners.—R. W. S. Lutwidge, Esq., is appointed secretary to the commissioners. His salary is 800*l.* a-year. The appointment is for life. Mr. Lutwidge formerly acted as one of the visiting commissioners in lunacy under the late act.

Jurisdiction of Commissioners.—Commissioners are empowered to grant licences to houses within

the following places :—Cities of London and Westminster, county of Middlesex ; borough of Southwark, Brixton, Battersea, St. Mary Magdalen, Bermondsey, Christ Church, Clapham, St. Giles, Camberwell, Dulwich, St. Paul Deptford, Gravenay, Kew Green, Kennington, St. Mary Lambeth, Mortlake, Merton, Mitcham, St. Mary Newington, Norwood, Putney, Peckham, St. Mary Rotherhithe, Roehampton, Streatham, Stockwell, Tooting, Wimbledon, Wandsworth, and Walworth, in the county of Surrey ; Blackheath, Charlton, Deptford, Greenwich, Lewisham, Lee, Southend, and Woolwich, in the county of Kent ; and East Ham, Layton, Laytonstone, Low Layton, Plaistow, West Ham, and Walthamstow, in the county of Essex, and also within any other place (if any) within the distance of seven miles of any part of the said cities of London and Westminster, or of the said borough of Southwark.

Visitation of Commissioners.—Two of the commissioners (one being a physician and one a barrister) are required, without previous notice, to visit, at the least four times in every year, every licensed house within their jurisdiction. Houses beyond their jurisdiction are to be visited twice in every year ; and every hospital in which lunatics are received is to be visited once, at the least, in every year. They may visit every part of the house, out-house, or hospital, or place and building communicating with such hospital, and ascertain all particulars with reference to every patient confined. The same power is vested in the visitors of houses not within the immediate jurisdiction of the commissioners. Proprietors or superintendents refusing to show any part of such licensed house or hospital are guilty of a misdemeanor.

Inquiries to be made by Commissioners.—As to the number of patients, when divine service is per-

formed; the nature of the occupations and amusements provided for the patients; and the result thereof. Inquiries are also to be made with regard to the system of non-coercion, and system of classification of patients. The commissioners are to inspect the books kept by the medical attendant, and examine all the orders and certificates relative to the admission of patients. A book, called "The Visitors' Book," and "The Patients' Book," are to be kept, in the former of which a copy of the Lunacy Act is to be bound. In "The Patients' Book," the visiting commissioners are to enter such observations as they think fit, with regard to the house, or patients confined.

Circumstances which disqualify persons to act as Commissioners.—No person can act as a commissioner who has been, either directly or indirectly, interested in any lunatic asylum within one year preceding. He must neither have participated in the profits of any establishment for the reception of insane patients. The commissioners are not allowed to sign any certificate for the admission of any patient into any licensed house or hospital, neither are they permitted to attend professionally any patient confined in any licensed establishment. If directed to visit such patient by the person upon whose order he has been admitted into a licensed house, or by the Lord Chancellor, or Secretary of State for the Home Department, or by a committee appointed by the Lord Chancellor, he may do so.

Copy of Commissioners' Reports to be forwarded to them.—Within three days after the visit of the commissioners to any licensed house or hospital, the proprietor, or resident superintendent is to transmit copies of all such entries made by them (the commissioners) in the various books required to be kept in the asylum, to the commissioners; and within three days after such visitation, by the

visitors, a copy of these entries is to be made and sent to the commissioners, and to the clerk of the visitors.

Doubtful cases confined in licensed houses and hospitals.—Commissioners visiting a house licensed by justices, are to make an entry in "The Patients' Book" as to the state of mind of any doubtful patient, and the same to be sent to the clerk of the visitors, who are thereupon to visit such patient.

Visitations by night.—In certain cases, two or more commissioners, or any two visitors, may visit any licensed house or hospital, at any hour of the night they think proper. No visitor is to have this power of night visitation to any licensed house beyond his jurisdiction.

Reports of Commissioners.—Commissioners are to make, at the expiration of every six months, a report to the Lord Chancellor of the number of visits, number of patients they have seen, and number of miles they have travelled. On the first day of January, each year, a return is to be made of their travelling expenses. In the month of June, of every year, the commissioners are to make a report to the Lord Chancellor of the state and condition of the several houses, hospitals, and asylums, and other places visited by them, of the care of the patients therein, and of such other particulars as they shall think deserving of notice; and a true copy of such reports, showing the number of visits made, the number of patients seen, and the number of miles travelled, and also a copy of such return of sums received for travelling expenses, or on any other and what account, shall be laid before parliament within twenty-one days next after the commencement of any session of parliament.

Private Committee.—The permanent chairman for the time being, and two of the commissioners

appointed by the Lord Chancellor, one being a physician, or surgeon, or barrister, shall constitute the private committee.

§90. *Single patients confined in unlicensed houses.*—No person, except a person deriving no profit, or the committee, is to board or lodge, in any house, other than an hospital registered under this act, or an asylum or a house licensed under this act, or under one of the acts hereinbefore repealed, or take the care or charge of any ONE PATIENT as a lunatic, or alleged lunatic, without the like order and medical certificates in respect of such patient as are hereinbefore required on the reception of a patient (not being a pauper) into a licensed house; and that every person (except a person deriving no profit from the charge, or a committee appointed by the Lord Chancellor) who shall receive to board or lodge in any unlicensed house, not being a registered hospital or an asylum, or take the care or charge of any one patient as a lunatic, or alleged lunatic, shall, within seven clear days after so receiving or taking such patient, transmit to the secretary of the commissioners a true and perfect copy of the order and medical certificates on which such patient has been so received, and a statement of the date of such reception, and of the situation of the house into which such patient has been received, and of the christian and surname and occupation of the occupier thereof, and of the person by whom the care and charge of such patient has been taken; and every such patient shall, at least once in every two weeks, be visited by a physician, surgeon, or apothecary, not deriving, and not having a partner, father, son, or brother who derives, any profit from the care or charge of such patient; and such physician, surgeon, or apothecary, shall enter in a book, to be kept at the house or hospital for that purpose, to

be called "The Medical Visitation Book," the date of each of his visits, and a statement of the condition of the patient's health, mental and bodily, and of the condition of the house in which such patient is; and such book shall be produced to the commissioners on every visit, and shall be signed by them. The persons having the charge of, and receiving such patient, shall transmit to the secretary of the commissioners the same information required of patients received into licensed houses. Parties receiving single patients, without the order and two medical certificates, or who have received any such patient, failing to comply with this law, are guilty of a misdemeanor. Such particulars the secretary to the commissioners is to enter into a book called "The Private Register." Any one member of the private committee, or any two members, may visit any unlicensed house in which one patient only is received, unless the person receiving such patient derives no profit from the charge, or he be under the care of a committee appointed by the Lord Chancellor. The commissioners are empowered to make the report. The Lord Chancellor has the power, on the report of the private committee, to remove any patient from an unlicensed house, and to make an order for the removal of the patient from the charge of the person under whose care he may be placed. Parties disobeying this order are guilty of a misdemeanor.

Misapplication of Property of Lunatics.—Commissioners are to report to the Lord Chancellor if the property of lunatics be not duly protected or administered. The Lord Chancellor is to direct the Masters in Lunacy to report as to the lunacy of any person detained as a lunatic, and to appoint guardians of his person and estate, and direct the application of his income.

Criminal Lunatics and Persons under the care of a Committee appointed by the Lord Chancellor.

—The commissioners, on the order of the Lord Chancellor, are to visit persons under the care of a committee appointed by himself. The Secretary of State for the Home Department can order a visitation to state and criminal lunatics. The Lord Chancellor and Secretary of State for the Home Department can authorize a special visitation of any place where a lunatic is represented to be confined.

Commissioners and Visitors may summon witnesses to give evidence. They are liable to a penalty for non-compliance. Reasonable expenses of witnesses are to be paid. Upon complaint of any violation of this act, the justices are to require the attendance of the person charged, and adjudicate thereon. Penalties may be recovered, when the complaint is laid or brought by the direction of the commissioners; the penalties recovered are to be paid to the secretary of the commissioners for the purpose of carrying out the provisions of the act.

Commissioners to visit Gaols and Workhouses.—Two or more of the commissioners are empowered to visit every gaol and workhouse in which there shall be, or alleged to be, any lunatic, and shall ascertain whether the provisions of the law have been carried out, and make inquiries as to the arrangements, visitations, and management of such gaols and workhouses; as to the dietary, accommodation, and treatment of lunatics confined in these places.

Dangerous Patients.—No patient to be removed from any house or hospital under any of the preceding powers, if certified to be dangerous, unless the commissioners or visitors consent, or for the purpose of transfer to some other asylum.

Discharge of Patients by Commissioners.—The commissioners have the power of discharging any patient confined in a licensed house, if, after two distinct and separate visits, seven days intervening between each visit, such visiting commissioners consider that such patient is confined without sufficient cause. Two of the commissioners have power to make special visits to discharge any patient confined in a house licensed by justices or in an hospital. Similar powers are given to two visitors as to houses within their jurisdiction. It is not lawful for the commissioners or visitors to order the discharge of any patient without having previously, if the medical attendant should desire it, examined him with respect to his opinion of the fitness of such discharge. Should the medical attendant object to such discharge, he is to state his reasons in writing, and they are to be transmitted to the commissioners or the clerk of the visitors, and registered and entered in a book kept for that purpose. Before discharging such patient the commissioners or visitors are required to give seven days' previous notice before such second special visit shall be made, to the proprietor or superintendent of the house, and such proprietor or superintendent shall, if possible, transmit a copy of such notice to the person by whose authority such patient was admitted, or by whom the last payment on account of such patient was made. In case of paupers, notice is to be sent to the guardians of his parish or union, or to the overseers, and in the case of any patient detained in any house licensed by justices, to the clerk of the visitors of such house.

These powers restricted.—Preceding powers of discharge not to extend to persons found lunatic

by inquisition, or confined under the authority of the Secretary of State.

Dietary.—The visiting commissioners and visitors have power to regulate the dietary of pauper patients.

LICENCES.

When granted.—The commissioners meet for the purpose of granting licences on the first Wednesday in the months of February, May, July, and November, in each year. Five commissioners must be present. The commissioners have the power of meeting at any other time, if duly summoned, to receive applications from persons requiring houses to be licensed.

Licences granted under former Acts remain in force for the period for which they were respectively granted.

Applications for Licences are to be made, if within the jurisdiction of the commissioners, to the commissioners, if not, to the Clerk of the Peace for the county or borough in which such house is situate.

Fourteen clear days' Notice must be given by those applying for a licence, prior to some quarterly or other meeting of the commissioners, or to some general or quarter sessions for such county or borough, as the case may be.

Form of Application.—Such application must be accompanied by the true Christian and surname, place of abode and occupation, of the person to whom such licence is to be granted, as well as a full description of his interest in such house. If the party applying does not intend to reside in the house, the name of the party who is to reside must

be given at full length. If the house has not been previously licensed, the application for the licence must be accompanied by a *plan of the house*, drawn upon a scale of not less than one-eighth of an inch to a foot, number and size of rooms, the quantity of land attached, &c. The number of patients to be received must also be stated, and the means of classifying each, and if the house is to be licensed for both male and female patients.

Licences granted by the Justices.—A copy of these must be transmitted to the commissioners.

Renewal of Licences.—Applications for a renewal of licences must be signed by the person so applying, and such application must be accompanied by the names and number of the patients of each or either sex then detained in such house, distinguishing the private and the pauper patients. Persons obtaining a licence without complying with this regulation forfeit for every offence 10*l*. If a false return be made, he is guilty of a misdemeanor.

Duration of Licence.—The licence cannot be for a longer period than thirteen calendar months. Licences cannot be granted by the visitor or clerk appointed by the justices for any borough without the consent of the recorder of such borough.

Amount to be paid for Licence.—Exclusive of the amount to be paid for the stamp, the sum of 10*s*. is to be paid for every private, and 2*s*. 6*d*. for every pauper, patient proposed to be received into any such house. If the total amount of such sums of 10*s*. and 2*s*. 6*d*. shall not amount to 15*l*., then so much more is to be paid as shall make up the sum of 15*l*. The secretary to the commissioners is to receive the sums paid for licences, which is to be applied towards the payment of the expenses of carrying out the provisions of this act.

Licences to include only one house.—The commissioners and justices, as the case may be, have the power of including, in one licence, any buildings detached from the principal house, if described in the notice and plan required to be sent in when application is made for a licence: provided such building or buildings be not separated from the house by any ground belonging to any other person.

Persons obtaining a Licence to reside in the house.—No person hereafter receiving a licence for the first time, shall receive any licence for the reception of lunatics in any lunatic asylum who shall not reside on the premises for which he is licensed.

No two Patients to be admitted without house being licensed.

Incapacity or Death of the person licensed.—Should any person to whom a licence has been granted die, or become incapable, by illness or by any cause, of keeping any such house, the commissioners, or any three justices for the county or borough, have the power, by writing, endorsed on such licence, under the seal of the commissioners, or under the hands of such three justices, of transferring the said licence to any other individual approved of by the commissioners or justices.

Revocation of Licences.—The commissioners or justices of any county or borough have the power of recommending to the Lord Chancellor the revocation and the prohibition of renewal of licences granted. Seven clear days' notice previously to the transmission of such recommendation to the Lord Chancellor, must be given to the party holding the licence, or to the resident superintendent of the licensed house. The notice may be left at the licensed house.

Discharge of Private Patients.—The party who signed the “order” for the admission of a patient (not being a pauper) into a private asylum, has the power of directing his discharge, or of removing such patient. In the former case it must be by a written order. Should this person, by insanity, absence from England, or otherwise, be rendered incapable of writing such order for the discharge of the patient, then this may be effected by the husband or wife, and if no husband or wife, then by the father of the patient or nearest of kin, or by the person making the last payment on account of such patient.

Discharge of Pauper Patients.—Such patients may be discharged by the guardians of any parish or union.

Medical Certificates.—No lunatic or alleged lunatic, or boarder or lodger, in respect of whom money is received, or agreed to be received, for board, lodging, or accommodation, shall be received or detained as a lunatic without an order required by the Act, nor without two medical certificates, such certificates being signed by two physicians, surgeons, or apothecaries, not in partnership, and who shall have separately from the other persons signing the certificate, examined the alleged lunatic not more than seven days prior to the admission of such patient into such private asylum or hospital. THE CERTIFICATE TO SPECIFY FACTS UPON WHICH THOSE WHO SIGNED IT FOUNDED THEIR OPINIONS.

Patients admitted on one Certificate.—Under especial circumstances, it is legal to receive a patient on a certificate signed by *one* medical practitioner, only provided in every such case another medical certificate be signed by a legally qualified medical practitioner, unconnected with

such house or hospital, within three days after the admission of such patient into any establishment.

Persons who cannot sign such Certificates.—No medical practitioner, who is wholly or partly proprietor of, or a regular professed attendant, in a licensed house or hospital, in which the patient is to be confined, or whose father, brother, son, or partner is in the same position, shall sign any medical certificate for the reception of such patient or patients into any house or hospital. No party signing the order can sign the medical certificate, and no physician, surgeon, nor apothecary, whose brother, son, or partner, who signs the order, shall sign any certificate for the reception of such patient.

MANAGEMENT OF THE ASYLUMS AND HOSPITALS
FOR THE INSANE.

Transfer of Patients from one house to another.—This may be effected by making an application to the commissioners, or to two or more of the visiting justices for the county or borough in which the house is situate. One pound is to be paid for the licence, exclusive of the sum for the stamp. Notice of the transfer must be accompanied by the same plans, statements, and descriptions of the intended new house that are required when the application was made for the original licence. A statement must be made of the cause for such change, except when the change is occasioned by fire or tempest; unless under these circumstances, seven clear days' previous notice of the intended removal must be sent by the person to whom the licence for keeping the original house shall have been granted, to the person who signed the order for the reception of each patient not being a pauper, or to the person by whom the last payment on account of such patients shall have

been made. Before removing pauper patients, the same notice must be given to the relieving officer, or overseer of the union or parish to which each patient, being a pauper, is chargeable, or by the person by whom the last payment has been made.

A Book of Admissions is to be kept, into which an entry is to be made two days after the reception of any patient into the house, and within seven days after the admission of such patient; the form of his disorder is to be entered into such book, called "*The Book of Admissions.*"

Notice of Admissions to the Commissioners must be given two clear days, and before the expiration of seven clear days from the day on which any patient shall have been received into any such house or hospital, which notice is to be accompanied by a copy of the medical certificates and order, according to the printed form required by the Act.

Escape of Patients.—Notice to be given to the commissioners or to the clerk of such visitors, if such house be within the jurisdiction of any visitors, two clear days after such escape. Such notice is to be accompanied by a statement of the christian and surname of the patient, his then state of mind, and the circumstances connected with his escape. If such patient should be brought back, the proprietor, or resident superintendent, is required to send a notice of the fact to the commissioners within two clear days of such patient being brought back. Fourteen days are allowed to recapture a patient, without the necessity of having fresh order or certificates.

Death or Discharge of a Patient.—In case of the removal, discharge, or death of a patient, an entry of the fact must be made within two clear days, in a book kept for that purpose. Notice of the

circumstances is to be transmitted to the commissioners within the same period. The cause of the death is to be stated, with the name of any person present at the time. This statement must be drawn up by the medical attendant, and forwarded to the commissioner, to the person signing the order for such patient's confinement, and to the registrar of deaths for the district; and if the house be within the jurisdiction of any visitors, then also to the clerk of such visitors, within forty-eight hours after the death of such patient.

Ill-treatment of Patients.—Persons employed in any licensed house, or registered hospital, abusing or ill-treating any patient, are guilty of a misdemeanor, and may be proceeded against.

Unjust Confinement of Patients.—Persons who consider themselves to have been unjustly confined are, upon application to the clerk of the commissioners, to be furnished, without fee, with a copy of the certificates and order upon which they have been confined. Upon the report of the commissioners and visitors of any asylums, the Home Secretary may direct the Attorney-General to prosecute, on the part of the Crown, any person connected with the unjust confinement or ill-treatment of a patient.*

Medical attendants of Licensed Houses and Hospitals.—Houses licensed for 100 patients, or

* Parties alleged to be insane, and who are detained for the period of twelve months then passed upon an order and legal certificates, and whose cases have been made the subjects of the special reports of the commissioners, are to be visited by the master in lunacy. He is deputed personally to examine such person, is to call for information, and take evidence upon the matter. He is to make a special report to the Lord Chancellor of the state of such party's mind, and the Lord Chancellor has the power of appointing a guardian, for the purpose of taking and protecting such person, should he be a lunatic. The guardian is to have the same powers and authorities as a committee of a person found a lunatic by inquisition.

more, must have a legally qualified medical attendant. Houses licensed for less than 100, and more than fifty patients, in case such house shall not be kept by, or have, a resident medical officer, shall be visited daily by a legally qualified practitioner; where less than fifty patients are admitted, the house is to be visited twice in every week by a medical man. When the house is licensed for less than eleven patients, the commissioners have the power of lessening the number of medical visits.

Medical Case-books to be kept in Asylums &c.—In every licensed house and hospital, books, entitled, "The Medical Visitation Book," and "Medical Case Book," are to be kept, into which entries are to be made of the particulars connected with the history of the case and medical treatment of each patient confined in the house. In the medical case-book, entries of the mental state and bodily condition of each patient are to be made, together with a correct description of the medicine and other remedies prescribed for the treatment of his disorder. Commissioners have the power of directing the form in which such case-book is to be kept, and of demanding a copy of the same.

Plan of House is to be hung up in a conspicuous part of any licensed house or hospital.

Actions brought against persons receiving, or detaining, or recapturing, a party insane, or alleged to be so.—Patients, having been received into a licensed house or hospital, with two medical certificates signed by persons authorized by the act, and an order, cannot sustain an action against the proprietor or superintendent of any such licensed house or hospital, or against any of the servants and assistants employed in such house. The order and certificates for taking, confining, detaining, or re-

taking such lunatic, or alleged lunatic, may be pleaded in bar of all proceedings at law, and shall be a justification for receiving and confining such patient. Actions brought against persons for anything done in pursuance of this act, or any acts that have been repealed, must be commenced within two calendar months of the release of such party from confinement, and the defendant may plead that he acted in pursuance and by authority of this act. The jury shall find a verdict for the defendant. Upon such a verdict being found, or the plaintiff non-suited, or should he discontinue his action or suit after the defendant shall have appeared, or if, upon demurrer, judgment should be given against the plaintiff, then the defendant shall have double costs, and shall have full power of recovering the same in a court of law.

Prosecutions for any Violations of this Act are to be brought by the secretary of the commissioners, on their order, or by the clerk of any visitors, on their order, against persons violating the provisions of this act, within the jurisdiction of such visitors. Offenders against the provisions of any of the repealed acts may be prosecuted under this act. No person to be punishable for omitting to send any copy, list, notice, statement, or other document required to be transmitted or sent by such person, &c., if proved to have been put in the post, or left at the proper office.

Search for persons confined in Lunatic Asylums.—Any visitor may, upon application by any party wishing to ascertain whether any particular person is confined in any licensed house, within the jurisdiction of such visitor, if he think it reasonable to permit such inquiry to be made, give an order to the clerk of the visitors to search and give information. On the payment of a sum of 7s. a search

is to be made amongst the returns, whether such person has been confined within the last twelve calendar months in any licensed house within their jurisdiction. The clerk is to deliver to the person a written statement, specifying the situation of the house in which the person is, or appears to be, or has been confined, the name of the superintendent, the date of the patient's admission, his removal, or discharge.

The same power given to Commissioners.—The commissioners have, upon application, the power of giving an order to the secretary of the commissioners to search and give information whether any particular person is or has been within twelve months confined in any house or hospital.

Visits of Friends to Patients.—One commissioner, or visitor, has the power of giving an order for the admission to any patient of any friend or relation, or any person named by a friend or relation, at all reasonable times, either with or without any restriction. Any party refusing to obey such order, or preventing or obstructing the visits of such persons having the proper order for admission, is to forfeit a sum not exceeding 20*l*.

Temporary removal of Patients for the benefit of their health.—It is lawful for the proprietor or superintendent of any licensed house, or of any hospital, with the consent, in writing, of any two of the commissioners, or in the case of a house licensed by justices, of any two of the visitors of such house, to send or take, under proper control, any patient to any specified place, for any definite time, for the benefit of his health. Before such consent is given by any commissioners, or visitors, the approval in writing of the person who signed the order for the reception of such patient, or by whom the past payment on account of such patient

was made, shall be produced to such commissioners, or visitors, unless they shall, on cause being shown, dispense with the same.

Power of Commissioners to obtain evidence.—The commissioners have authority to summon any person before them, to testify upon oath the truth of any matter touching this Act. Persons summoned are to have their reasonable expenses paid. Parties are subject to a penalty for non-compliance.

Hospitals receiving Lunatics are required to have printed regulations with regard to the treatment of such lunatics, which are to be hung up in the visitors' room of such hospital. Complete copies of these regulations are to be transmitted to the commissioners. Each hospital must have a resident medical superintendent, who is to apply to the commissioners to have such house registered. Twenty pounds is the penalty for non-compliance with this proviso.

AN ACT

FOR THE

REGULATION OF THE CARE & TREATMENT

OF

LUNATICS.

ANNO OCTAVO ET NONO VICTORIÆ REGINÆ, CAP. 100.

[4th August, 1845.]

BE 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, That from and after the passing of this act, an act passed in the session of Parliament holden in the second and third years of the reign of his late Majesty King William the Fourth, intituled 'An Act for regulating for Three Years, and from thence until the end of the then next Session of Parliament, the Care and Treatment of Insane Persons in England;' and an act passed in the session of Parliament holden in the third and fourth years of the reign of his said late Majesty, intituled 'An Act to amend an Act of the Second and Third Year of His present Majesty, for regulating the Care and Treatment of Insane Persons in England;' and an act passed in the session of Parliament holden in the fifth and sixth years of the reign of his said late Majesty, intituled 'An Act to continue for Three Years, and from thence to the end of the then next Session of Parliament, Two Acts of the Second and Third Year and the Third and Fourth Year of His present Majesty, relating to the Care and Treatment of Insane Persons in England;' and an act passed in the session of Parliament holden in the first and second years of the reign of her present Majesty, intituled 'An Act to continue for Three Years, and from thence to the end of the then next Session of Parliament, Two Acts relating to the Care and Treatment of Insane Persons in England;' and an act passed in the session of Parliament holden in the fifth year of the reign of her said present Majesty, intituled 'An Act to continue for Three Years, and from thence to the end of the then next Session of

The following acts repealed, except as they repeal other acts:

2 & 3 W. 4.
c. 107.

3 & 4 W. 4.
c. 64.

5 & 6 W. 4.
c. 22.

1 & 2 Vict.
c. 73.

5 Vict. c. 4.

5 & 6 Vict.
c. 87.

Proviso
that present
visitors and
clerk shall
act under
this act till
new ones
are ap-
pointed;
and that li-
cences
heretofore
granted
shall re-
main in
force, un-
less, &c.

Commis-
sioners in
lunacy un-
der 5 & 6
Vict. c. 84,
to be
henceforth
called
"The Mas-
ters in Lu-
nacy."

Appoint-
ment of
"The Com-
missioners
in Lunacy."

Parliament, Two Acts relating to the Care and Treatment of Insane Persons in England; and an act passed in the session of Parliament holden in the fifth and sixth years of the reign of her said present Majesty, intituled 'An Act to amend and continue for Three Years, and from thence to the end of the next Session of Parliament, the Laws relating to Houses licensed by the Metropolitan Commissioners and Justices of the Peace for the Reception of Insane Persons, and for the Inspection of County Asylums and Public Hospitals for the Reception of Insane Persons,' shall be and the same are hereby repealed, save and except so far as they or any of them repeal any other act: Provided always, that until the appointment for any jurisdiction of visitors and their clerk under the provisions of this act, the visitors and clerk appointed for such jurisdiction under the said repealed acts or any of them shall respectively have and perform the powers, authorities, and duties which they would have respectively had or performed if appointed under this act: Provided also, that all licences heretofore granted shall remain in force for the periods for which they were respectively granted, unless revoked as hereinafter provided; and that all orders, matters, and things which have been granted, made, done, or directed to be done in pursuance of the said repealed acts or any of them, shall be and remain as good, valid, and effectual to all intents and purposes as if the said repealed acts had not been repealed, except so far as such orders, matters, or things are expressly made void or affected by this act; and that all fees, charges, and expenses which have become payable under the said repealed acts or any of them, shall be payable in the same manner and from the same funds as would have been applicable thereto in case such acts had not been repealed.

2. And be it enacted, That the persons already appointed and hereafter to be appointed under an act passed in the session of parliament holden in the fifth and sixth years of the reign of her present Majesty, intituled 'An Act to alter and amend the Practice and Course of Proceeding under Commissions in the Nature of Writs *De lunatico inquirendo*,' whereby the Lord Chancellor is empowered to appoint two persons, to be called 'The Commissioners in Lunacy,' shall henceforth be and be called 'The Masters in Lunacy,' and shall take the same rank and precedence as the Masters in Ordinary of the High Court of Chancery.

3. And be it enacted, That the Right Honourable Lord Ashley, the Right Honourable Lord Seymour, the Right Honourable Robert Vernon Smith, Robert Gordon, of Lewiston in the county of Dorset, Esquire, Francis Bar-

low of Montagu Square, Esquire, Thomas Turner of Curzon Street, Esquire, Henry Herbert Southey of Harley Street, Esquire, John Robert Hume of Curzon Street aforesaid, Esquire, Bryan Waller Procter of Gray's Inn, Esquire, James William Mylne of Lincoln's Inn, Esquire, and John Hancock Hall of the Middle Temple, Esquire, (which said Thomas Turner, Henry Herbert Southey,* and John Robert Hume, and no other of the said persons, are physicians, and which said Bryan Waller Procter, James William Mylne, and John Hancock Hall, and no other of the said persons, are practising barristers at law of ten years' standing at the bar and upwards,) and their respective successors, to be appointed as hereinafter provided, shall be commissioners for the purposes of this act, to be called 'The Commissioners in Lunacy;' and that such commissioners for the time being shall respectively hold their offices during good behaviour, and shall not, so long as they shall remain such commissioners, and receive any salary under this act, accept, hold, or carry on any other office or situation, or any profession or employment, from which any gain or profit shall be derived;† and that there shall be paid to each of the six commissioners for the time being who shall be physicians, surgeons, or barristers of five years' standing and upwards, out of the monies or funds hereinafter mentioned, over and above their respective travelling and other expenses whilst employed in visiting any houses, hospitals, asylums, gaols, workhouses, or other places, in pursuance of this act, the yearly salary of one thousand and five hundred pounds, by four equal quarterly payments, on the twenty-ninth day of September, the twenty-fifth day of December, the twenty-fifth day of March, and the twenty-fourth day of June in every year, the first of each such payments (or a proportionate part thereof, to be computed, in the case of the commissioners appointed by this act, from the passing of the act, and in case of the commissioners to be appointed as hereinafter provided, from the time of the respective appointments of such commissioners) to be made to such commissioners respectively on such of the same days of payment as shall first happen after the passing of this act, or after the dates of their respective appointments, as the case may be.‡

4. And be it enacted, That as often as any commissioner

* This gentleman has resigned, and Dr. Pritchard has succeeded him.

† By this proviso those professional gentlemen who are appointed commissioners will have to devote their time exclusively to the performance of their official duties.

‡ The commissioners, under the act of Will. 4. cap. 107, were paid by fees. They received the sum of 1*l.* for every

In case of death, disqualification, refusal, or inability of commissioners, others to be appointed.

Provision for retiring pension to incapacitated commissioners. 4 & 5 W. 4, c. 24.

appointed by this act or to be appointed under this present provision shall die, or be removed for ill-behaviour, or be disqualified, or resign, or refuse to act, or become unable by illness or otherwise to perform the duties or exercise the powers of this act, the Lord Chancellor shall appoint a person to be a commissioner in the room of the commissioner who shall die, or be removed, or be disqualified, or resign, or refuse or become unable to act as aforesaid, but so that every person so appointed in the room of a physician shall be a physician or surgeon, and every person so appointed in the room of a barrister of five years' standing at the bar and upwards shall be a practising barrister of not less than five years' standing at the bar, and every person appointed in the room of any other commissioner shall be neither a physician nor a surgeon, nor a practising barrister; and until such appointment it shall be lawful for the continuing commissioners or commissioner to act as if there were no such vacancy.

5. And be it enacted, That any superannuation allowance to be granted to any commissioner appointed or to be appointed under this act shall be granted only in respect of services performed under this act, and shall be subject to the provisions of an act passed in the fourth and fifth years of his late Majesty King William the Fourth, intituled 'An Act to alter, amend, and consolidate the Laws for regulating the Pensions, Compensation, and Allowances to be made to Persons in respect of their having held Civil Offices in His Majesty's Service,' so far as such provisions relate to officers and clerks who had entered or might enter the public service subsequent to the fourth day of August one thousand eight hundred and twenty-nine.

hour they were employed in the discharge of the duties of their office as commissioners, when attending the board, exclusive of travelling expenses, and 6*l.* 6*s.* a day whilst they were in the country. The following gentlemen, who were commissioners under the former act, no longer officiate in that capacity:—Mr. Lutwidge, J. Barneby, Esq., Col. Sykes, J. R. Gowan, Esq., Drs. Bright, Southey, Hawkins, and Waterfield; Drs. Bright and Southey are still commissioners connected with the Court of Chancery. The commissioners under the act of 1828, 9 Geo. 4, cap. 41, were, Lord G. Somerset, Lord R. Seymour, Lord Ashley, R. Gordon, Esq., M.P., Right Hon. C. W. Wynn, Sir G. H. Rose, Hon. F. G. Calthorpe, W. Ward, Esq., M.P., F. Baring, Esq., M.P., Geo. Byng, Esq., M.P., C. N. Palmer, Esq., M.P., Thos. B. Lennard, Esq., M.P., C. W. Ross, Esq., M.P., Sir G. F. Hampson, Bart., Hon. B. Bouverie, Col. Clitheroe, Dr. Thomas Turner, Dr. J. Bright, Dr. H. H. Southey, Dr. W. Drever, and Dr. J. R. Hume.

6. And be it enacted, That every person hereby or hereafter appointed a commissioner under this act, shall, before he acts in the execution of his duty as a commissioner, take an oath to the following effect; (that is to say,)

Commissioners to take the following oath.

'I, A. B. do swear, That I will discreetly, impartially, and faithfully execute all the trusts and powers committed unto me by virtue of an act of parliament made in the ninth year of the reign of her Majesty Queen Victoria, intituled [here insert the title of the act]; and that I will keep secret all such matters as shall come to my knowledge in the execution of my office, (except when required to divulge the same by legal authority, or so far as I shall feel myself called upon to do so for the better execution of the duty imposed on me by the said act.)

'So help me GOD.'

Which oath it shall be lawful for the Lord Chancellor to administer to every such commissioner; and any three of the commissioners who shall have previously taken the oath are hereby authorized to administer such oath to any other commissioner.

7. And be it enacted, That the commissioners shall cause to be made a seal of the commission, and shall cause to be sealed or stamped therewith all licences, orders, and instruments granted or made, or issued, or authorized by the commissioners, in pursuance of this act, except such orders or instruments as are hereinafter required or directed to be given or signed and sealed by one commissioner or two commissioners; and all such licences, orders, and instruments, or copies thereof, purporting to be sealed or stamped with the seal of the commission, shall be received as evidence of the same respectively, and of the same respectively having been granted, made, issued, or authorized by the commissioners, without any further proof thereof; and no such licence, order, or instrument, or copy thereof, shall be valid, or have any force or effect, unless the same shall be so sealed or stamped as aforesaid.

Commissioners to have a common seal.

8. And be it enacted, That the commissioners or any five of them shall, as soon as may be after the passing of this act, meet at the usual office or place of business now occupied or used by the Metropolitan Commissioners in Lunacy, or at such other place as the Lord Chancellor shall direct, and elect one of the same commissioners (not being a physician or a barrister receiving any salary by virtue of this act) to be the permanent chairman of the commission; and in case such permanent chairman, or any other permanent chairman who shall thereafter be elected in pursuance of this provision, shall die, or decline or become incapable to act as chairman, or shall cease to be a

Commissioners to elect a permanent chairman.

commissioner, then and as often as the same shall happen the commissioners for the time being, or any five of them, at any meeting to be specially summoned for that purpose, shall elect another person to be the permanent chairman of the commission in the place of the chairman who shall so die, or decline or become incapable to act, or cease to be a commissioner as aforesaid; and in case the permanent chairman for the time being shall be absent from any meeting, it shall be lawful for the majority of the commissioners present at any such meeting to elect a chairman for that meeting; and in all cases every question shall be decided by a majority of voters, (the chairman, whether permanent or temporary, having a vote,) and in the event of an equality of votes the chairman for the time being shall have an additional or casting vote.*

Appoint-
ment of
secretary.

9. And be it enacted, That Robert Wilfred Skeffington Lutwidge of Lincoln's Inn, Esquire, shall be the secretary to the commissioners; and that the said Robert Wilfred Skeffington Lutwidge, and every secretary to be hereafter appointed, shall be removable from his office by the Lord Chancellor, on the application of the commissioners; and that as often as the said Robert Wilfred Skeffington Lutwidge, or any secretary to be appointed under this present provision, shall die, or resign, or be removed from his office, the commissioners, with the approbation of the Lord Chancellor, shall appoint a person to be secretary in the room of the said Robert Wilfred Skeffington Lutwidge, or other the secretary who shall die, or resign, or be removed as aforesaid; and that the secretary for the time being shall, in the performance of all his duties, and in all respects, be subject to the inspection, direction, and control of the commissioners; and that there shall be paid to the secretary for the time being, out of the monies and funds hereinafter mentioned, the yearly salary of eight hundred pounds, by four equal quarterly payments, on the twenty-ninth day of September, the twenty-fifth day of December, the twenty-fifth day of March, and the twenty-fourth day of June in every year, the first of such payments (or a proportionate part thereof, to be computed, in the case of the said Robert Wilfred Skeffington Lutwidge, from the passing of this act, and in case of every other secretary, from the time of his appointment) to be made to the said Robert Wilfred Skeffington Lutwidge on such of the same days of payment as shall first happen after the passing of this act, and to every other secretary for the time being on such of the same days of payment as shall first happen after his appointment.

* Lord Ashley has been elected the permanent chairman.

10. And be it enacted, That any superannuation allowance to be granted to any secretary appointed or to be appointed under this act, shall be granted only in respect of services performed under this act, and shall be subject to the provisions of an act passed in the fourth and fifth years of his late majesty King William the Fourth, intituled 'An act to alter, amend, and consolidate the laws for regulating the pensions, compensation, and allowances to be made to persons in respect of their having held civil offices in his Majesty's service,' so far as such provisions relate to officers and clerks who had entered or might enter the public service subsequent to the fourth day of August one thousand eight hundred and twenty-nine.

Provision
for retiring
pension to
secretary.

4 & 5 W. 4,
c. 24.

11. And be it enacted, That it shall be lawful for the commissioners to appoint, during pleasure, any two persons as clerks to the commissioners, and to allow to such two clerks any such yearly or other salaries (not exceeding in the whole the yearly sum of two hundred pounds for such two clerks) as the commissioners shall think proper; and further, that it shall be lawful for the commissioners, at any time hereafter, in case they shall find it expedient so to do, for the due performance of the business of the commission, with the consent of the Lord High Treasurer, or of the commissioners of her majesty's treasury, or of any three or more of them, to appoint one or two other clerks, (in addition to the two clerks firstly hereinbefore mentioned,) and to allow to such one or two additional clerk or clerks any such yearly or other salaries as the commissioners shall think fit, (not exceeding in the whole the yearly sum of two hundred pounds;) and such salaries shall be paid out of the monies or funds hereinafter mentioned.

Power for
the com-
missioners
to appoint
two clerks.

12. And be it enacted, That every person appointed to be secretary or clerk as aforesaid shall, before he shall act as such secretary or clerk, take the following oath, to be administered by any one of the commissioners:

Secretary
and clerks
to take an
oath.

'I, A.B. do swear, That I will faithfully execute all such trusts and duties as shall be committed to my charge as secretary to the commissioners in lunacy, [or as clerk to the commissioners in lunacy, as the case may be;] and that I will keep secret all such matters as shall come to my knowledge in the execution of my office, (except when required to divulge the same by legal authority.)

'So help me GOD.'

13. And be it enacted, That immediately after the passing of this act, the clerk to the metropolitan commissioners in lunacy appointed under the said act of the second and third years of the reign of his late Majesty King William the Fourth, or under any of the other acts hereby repealed,

Clerk of the
metropoli-
tan com-
missioners
to deliver

all documents to the commissioners under this act.

Jurisdiction within which commissioners are to grant licences, and termed their immediate jurisdiction, defined.

Commissioners to hold quarterly and special meetings for granting licences.

shall forthwith deliver up every book, paper, and document, and all goods, property, and effects which may be in his possession by virtue of his said office, or in consequence thereof, or connected with the business thereof, to the commissioners in lunacy hereby appointed; and every book, paper, and document, and all goods, property, and effects respectively, which shall be so delivered unto or shall hereafter come into the possession of the commissioners in lunacy by virtue of their office, shall thereupon be vested in and shall be deemed to be the property of the commissioners in lunacy for the time being.

14. And be it enacted, That it shall be lawful for the commissioners (if and when they shall think fit) to grant a licence to any person to keep a house for the reception of lunatics, or of any sex or class of lunatics, within the places following; (that is to say,) the cities of London and Westminster, the county of Middlesex, the borough of Southwark, and the several parishes and places hereinafter mentioned; (that is to say,) Brixton, Battersea, Barnes, Saint Mary Magdalen Bermondsey, Christ Church Clapham, Saint Giles Camberwell, Dulwich, Saint Paul Deptford, Gravenay, Kew Green, Kennington, Saint Mary Lambeth, Mortlake, Merton, Mitcham, Saint Mary Newington, Norwood, Putney, Peckham, Saint Mary Rotherhithe, Roehampton, Streatham, Stockwell, Tooting, Wimbledon, Wandsworth, and Walworth, in the county of Surrey; Blackheath, Charlton, Deptford, Greenwich, Lewisham, Lee, Southend, and Woolwich, in the county of Kent; and East Ham, Layton, Laytonstone, Low Layton, Plaistow, West Ham, and Walthamstow, in the county of Essex; and also within every other place (if any) within the distance of seven miles from any part of the said cities of London or Westminster, or of the said borough of Southwark; all which cities, county, borough, parishes, and places aforesaid shall be and are hereafter referred to as the immediate jurisdiction of the commissioners.

15. And be it enacted, That the commissioners or some five of them shall meet at the usual office or place of business which shall for the time being be occupied or used by the said commissioners, or at such other place as the Lord Chancellor may direct, on the first Wednesday in the months of February, May, July, and November, in every year, in order to receive applications from persons requiring houses to be licensed for the reception of lunatics within the immediate jurisdiction of the commissioners, and (if they shall think fit) to license the same; and in case on any such occasion five commissioners shall not be present, the meeting shall take place on the next succeed-

ing Wednesday, and so on weekly until five commissioners shall be assembled; and the commissioners assembled at every such meeting shall have power to adjourn such meeting from time to time and to such place as they shall see fit: Provided always, nevertheless, that it shall be lawful for any five of the commissioners at any other time, at any meeting duly summoned under the provisions in that behalf hereinafter contained, to receive applications from persons requiring houses to be licensed as aforesaid, and, if they shall think fit, to license the same.

16. And be it enacted, That when and so often as any commissioner shall, by writing under his hand, require the secretary to convene a meeting of the commissioners for a purpose or purposes specified in such writing, or for the general despatch of business, such secretary is hereby required to convene such meeting by summons to the other commissioners, or such of them as shall be then in England, and shall have an address known to the secretary, and to give them, as far as circumstances will admit, not less than twenty-four hours' notice of the place, day, and hour, where and on and at which such meeting is intended to be held, and also to state in the summons the purpose or purposes of such meeting, as specified by the commissioner requiring the same to be convened; and then and in every such case it shall be lawful for any three of the commissioners to assemble themselves to consider, and (if they shall think fit) to execute the purpose or purposes of such meeting: Provided always, nevertheless, that nothing shall be done at any such meeting, at which less than five commissioners shall be present, which by this act is required to be done by five commissioners: Provided also, that every such meeting shall, as far as circumstances will admit, be held at the usual office or place of business of the commissioners.

Provision
for sum-
moning
special
meetings.

17. And be it enacted, That in all places not being within the immediate jurisdiction of the commissioners, the justices for the county or borough assembled in general or quarter sessions shall have the same authority within their respective counties or boroughs to license houses for the reception of lunatics as the commissioners within their immediate jurisdiction; and that the said justices shall, at the Michaelmas general or quarter sessions in every year, appoint three or more justices, and also one physician, surgeon, or apothecary, or more, to act as visitors of every or any house or houses licensed for the reception of lunatics within the said counties or boroughs respectively; and such visitors shall at their first meeting take the oath required by this act to be taken by the commissioners,

The jus-
tices of the
Peace in
General or
Quarter
Sessions in
all other
parts of
England to
license
houses for
the recep-
tion of lu-
natics, and
to appoint
visitors.

mutatis mutandis, such oath to be administered by a justice.

For ap-
pointment
of a visitor
in the place
of one dy-
ing, being
unable, dis-
qualified,
&c.

Lists of vi-
sitors to be
published
by the clerk
of the
peace in a
newspaper,
and to be
sent to the
commis-
sioners.
Penalty for
default.

Every visi-
tor, being a
physician,
surgeon, or
apothecary,
to be remun-
erated.

Clerk of the
peace, or
some other
person, to
be appoint-
ed to be
clerk to
visitors;

18. And be it enacted, That in case at any time of the death, inability, disqualification, resignation, or refusal to act of any person so appointed a visitor as aforesaid, it shall be lawful for the justices of the county or borough, at any general or quarter sessions, to appoint a visitor in the room of the person who shall die, or be unable or be disqualified, or resign, or refuse to act as aforesaid.

19. And be it enacted, That a list of the names, places of abode, occupations, or professions of all visitors appointed as hereinbefore is directed, shall, within fourteen days from the date of their respective appointments, be published by the clerk of the peace of the county or borough for which they shall be respectively appointed, in some newspaper commonly circulated within the same county or borough, and shall, within three days from the date of their respective appointments, be sent by the clerk of the peace to the commissioners; and every clerk of the peace making default in either of the respects aforesaid shall for every such default forfeit a sum not exceeding two pounds.

20. And be it enacted, That every such visitor as aforesaid, being a physician, surgeon, or apothecary, shall be paid out of the monies or funds hereinafter mentioned for every day during which he shall be employed in executing the duties of this act, such sum as the justices of the county or borough shall in general or quarter sessions direct.

21. And be it enacted, That the clerk of the peace, or some other person to be appointed by the justices for the county or borough in general or quarter sessions, shall act as clerk to the visitors so appointed as aforesaid, and such clerk shall summon the visitors to meet at such time and place, for the purpose of executing the duties of this act, as the said justices in general or quarter sessions shall appoint; and every such appointment, summons, and meeting shall be made and held as privately as may be, and in such manner that no proprietor, superintendent, or person interested in or employed about or connected with any house to be visited shall have notice of such intended visitation; and such clerk to the visitors shall, at their first meeting, take the oath required by this act to be taken by the secretary of the commissioners, *mutatis mutandis*, such oath to be administered by one of the visitors, being a justice; and the name, place of abode, occupation, and profession of the clerk to the visitors, (whether the same shall be the clerk of the peace or any other person,) shall within fourteen days after the appointment be published

by the clerk of the peace for the county or borough in some newspaper commonly circulated therein, and within three days from the date of the appointment be communicated by the said clerk of the peace to the commissioners; and every clerk of the peace making default in either of the respects aforesaid, shall for every such default forfeit a sum not exceeding two pounds; and every such clerk to the visitors shall be allowed such salary or remuneration for his services (to be paid out of the monies or funds hereinafter mentioned) as the justices for the county or borough shall in general or quarter sessions direct.

his duties
and remuneration.

22. And be it enacted, That if the clerk of any visitors shall at any time desire to employ an assistant in the execution of the duties of his office, such clerk shall certify such desire and the name of such assistant to one of the visitors, being a justice; and if such visitor shall approve thereof, he shall administer the following oath to such assistant:—

Provision
for assistants to the clerk of the visitors.

‘ I, A. B. do solemnly swear, That I will faithfully keep secret all such matters and things as shall come to my knowledge in consequence of my employment as assistant to the clerk of the visitors appointed for the county [or borough] of _____ by virtue of an act of parliament passed in the ninth year of the reign of her Majesty Queen Victoria, intituled [here insert the title of the act], unless required to divulge the same by legal authority,

Oath of assistant.

‘ So help me GOD.’

And such clerk may thereafter, at his own cost, employ such assistant.

23. And be it enacted, That no person shall be or act as a commissioner, or visitor, or secretary, or clerk to the commissioners, or clerk or assistant-clerk to any visitors, or act in granting any licence, who shall then be, or shall within one year then next preceding have been, directly or indirectly interested in any house licensed for the reception of lunatics, or the profits of such reception; and no physician or surgeon, (being a commissioner,) and no physician, surgeon, or apothecary, (being a visitor,) shall sign any certificate for the admission of any patient into any licensed house or hospital, or shall professionally attend upon any patient in any licensed house or hospital, unless he be directed to visit such patient by the person upon whose order such patient has been received into such licensed house or hospital, or by the Lord Chancellor, or her Majesty's Principal Secretary of State for the time being for the Home Department, or by a committee appointed by the Lord Chancellor; and if any such commissioner, or visitor, or secretary or clerk to the commissioners, or clerk or

Persons interested in any licensed house, or being medical attendant on any patient therein, disqualified to act as commissioner, visitor, secretary, clerk, or assistant.

Disquali-
fied persons
acting, a
misde-
meanor.

Physicians
&c. contra-
vening, pe-
nalty 10*l*.

Fourteen
days' pre-
vious notice
of intended
application
for and
plan of li-
censed
house to
be given to
the com-
missioners
or clerk of
the peace.

assistant-clerk to any visitors, shall, after his appointment, be or become so interested in any house licensed for the reception of lunatics, or the profits of such reception, such commissioner, visitor, secretary, or clerk, or assistant-clerk, as the case may be, shall immediately thereupon be disqualified from acting, and shall cease to act in such capacity; and if any person, being disqualified as aforesaid, shall take the office of commissioner, visitor, secretary, clerk, or assistant-clerk, or, being a commissioner, visitor, secretary, clerk, or assistant-clerk, shall become disqualified as aforesaid, and shall afterwards continue to act in such capacity, such person shall be guilty of a misdemeanor; and if any physician or surgeon, (being a commissioner,) or any physician, surgeon, or apothecary, (being a visitor,) shall sign any certificate for the admission of any patient into any licensed house or hospital, or shall professionally attend any patient in any licensed house or hospital, (except as aforesaid,) such physician, surgeon, or apothecary (as the case may be) shall for each offence against this provision forfeit the sum of ten pounds.

24. And be it enacted, That every person who shall desire to have a house licensed for the reception of lunatics shall give a notice, if such house be situate within the immediate jurisdiction of the commissioners, to the commissioners, and if elsewhere, to the clerk of the peace for the county or borough in which such house is situate, fourteen clear days at the least prior to some quarterly or other meeting of the commissioners, or to some general or quarter sessions for such county or borough, as the case may be; and such notice shall contain the true Christian and surname, place of abode, and occupation of the person to whom the licence is desired to be granted, and a true and full description of his estate or interest in such house; and in case the person to whom the licence is desired to be granted does not propose to reside himself in the licensed house, the true Christian and surname and occupation of the superintendent who is to reside therein; and such notice, when given for any house which shall not have been previously licensed, shall be accompanied by a plan of such house, to be drawn upon a scale of not less than one-eighth of an inch to a foot, with a description of the situation thereof, and the length, breadth, and height of, and a reference by a figure or letter to, every room and apartment therein, and a statement of the quantity of land, not covered by any building annexed to such house, and appropriated to the exclusive use, exercise, and recreation of the patients proposed to be received therein, and also a statement of the number of patients

proposed to be received into such house, and whether the licence so applied for is for the reception of male or female patients, or of both, and if for the reception of both, of the number of each sex proposed to be received into such house, and of the means by which the one sex may be kept distinct and apart from the other; and such notice, plan, and statement, when sent to the clerk of the peace, shall be laid by him before the justices of the county or borough at such time as they shall take into their consideration the application for such licence: Provided always, that it shall be lawful for any person to whom a licence shall be granted to remove the superintendent named in the notice, and at any time or times to appoint another superintendent, upon giving a notice containing the true Christian and surname and occupation of the new superintendent to the commissioners or the visitors of the house, as the case may require: Provided always, that all plans heretofore delivered shall be deemed sufficient for the purposes of this act, if the commissioners or justices, as the case may be, shall so think fit.

25. And be it enacted, That no one licence shall include or extend to more than one house; but if there be any place or building detached from a house to be licensed, but not separated therefrom by ground belonging to any other person, and if such place or building be specified, delineated, and described in the notice, plan, and statement hereinbefore required to be given, in the same manner in all particulars as if the same had formed part of such house, then such detached place or building may be included in the licence for the house, if the commissioners or justices, as the case may be, shall think fit, and if so included shall be considered part of such house for the purposes of this act: Provided always, that no person hereafter receiving a licence for the first time shall receive any licence for the reception of lunatics in any lunatic asylum who shall not reside on the premises for which he is licensed.

No licence to include more than one house; but detached buildings, in certain cases, to be considered part of the house.

26. And be it enacted, That no addition or alteration shall be made to, in, or about any licensed house, or the appurtenances, unless previous notice in writing of such proposed addition or alteration, accompanied with a plan of such addition or alteration, to be drawn upon the scale aforesaid, and to be accompanied by such description as aforesaid, shall have been given by the person to whom the licence shall have been granted to the commissioners or to the clerk of the peace, as the case may be, and the consent in writing of the commissioners, or of two of the visitors, as the case may be, shall have been previously given.

Notice of all additions and alterations to be given to the commissioners or clerk of the peace.

Untrue statement, a misdemeanor.

A copy of every licence granted by justices to be sent to the commissioners.

Every person applying for the renewal of a licence to furnish a statement of the number and class of patients then detained.

Licences to be made out in a given form, &c., and to be for not more than thirteen months.

No licence &c. in any borough without consent of recorder. Charge for licences to

27. And be it enacted, That if any person shall wilfully give an untrue or incorrect notice, plan, statement, or description of any of the things hereinbefore required to be included in any notice, plan, or statement, he shall be guilty of a misdemeanor.

28. And be it enacted, That in every case in which a licence for the reception of lunatics shall, after the passing of this act, be granted by any justices, the clerk of the peace for the county or borough shall, within fourteen days after such licence shall have been granted, send a copy thereof to the commissioners; and any clerk of the peace omitting to send such copy within such time shall for every such omission forfeit a sum not exceeding two pounds.

29. And be it enacted, That in every case in which any person shall apply for the renewal of a licence already granted or hereafter to be granted, such person, if applying to the commissioners, shall with such application transmit to the commissioners, and if applying to any justices shall with such application transmit to the clerk of the peace for the county or borough, and also at the same time to the commissioners, a statement signed by the person so applying, containing the names and number of the patients of each or either sex then detained in such house, and distinguishing whether such patients respectively are private or pauper patients; and any person who shall hereafter obtain the renewal of a licence without making such return or returns shall for every such offence forfeit the sum of ten pounds; and any person who shall make any such return untruly shall be guilty of a misdemeanor.

30. And be it enacted, That every licence shall, as nearly as conveniently may be, be according to the form in the Schedule (A.) annexed to this act, and shall be stamped with a ten-shilling stamp, and shall be under the seal of the commissioners, if granted by them, and if by any justices, under the hands and seals of three or more such justices in general or quarter sessions assembled, and shall be granted for such period, not exceeding thirteen calendar months, as the commissioners or justices, as the case may be, shall think fit.

31. And be it enacted, That no licence shall be granted or visitor or clerk appointed by the justices for any borough, without the consent in writing of the recorder of such borough to such grant or appointment.

32. And be it enacted, That for every licence to be hereafter granted there shall be paid to the secretary of the commissioners, or to the clerk of the peace, according

as the licence shall be granted by the commissioners or justices, (exclusive of the sum to be paid for the stamp,) the sum of ten shillings and no more for every patient not being a pauper, and the sum of two shillings and sixpence and no more for every patient being a pauper, proposed to be received into such house, and if the total amount of such sums of ten shillings and two shillings and sixpence shall not amount to fifteen pounds, then so much more as shall make up the sum of fifteen pounds; and no such licence shall be delivered until the sum payable for the same shall be paid: Provided always, that if the period for which a licence shall be granted be less than thirteen calendar months, it shall be lawful for the commissioners or the justices, as the case may be, to reduce the payment to be made on such licence to any sum not less than five pounds.

be granted in pursuance of this act.

Power to reduce the charge for the licence in certain cases.

33. And be it enacted, That all monies received for licences granted by the commissioners, and for searches made in pursuance of the provision for that purpose hereinafter contained, shall be retained by the secretary of the commissioners, and be applied by him in or towards the payment of the salaries and travelling and other expenses of the commissioners and of their secretary and clerks, and in or towards the payment or discharge of all or any costs, charges, and expenses incurred by or under the authority of the commissioners in the execution of or under or by virtue of this act.

Application of monies received for licences by the secretary of the commissioners.

34. And be it enacted, That the secretary of the commissioners shall make out an account of all monies received and paid by him as aforesaid, and of all monies otherwise received and paid by him, and of all charges and expenses incurred under or by virtue of or in the execution of this act; and such account shall be made up to the first day of August in each year, and shall be signed by five at least of the commissioners; and such account shall specify the several heads of charge and expenditure, and shall be transmitted to the Lord High Treasurer, or to the Commissioners of her Majesty's Treasury, who shall thereupon audit such account, and, if he or they shall deem it expedient, direct the balance (if any) remaining in the hands of the said secretary to be paid into the Exchequer to the account of the Consolidated Fund; and such accounts shall be laid before Parliament on or before the twenty-fifth day of March in each year, if Parliament be then sitting, or if Parliament be not then sitting, then within one month after the then next sitting of Parliament.

Secretary of the commissioners to make out an annual account, to be laid before the lords commissioners of the treasury, of all receipts and payments by him under this act.

35. And be it enacted, That it shall be lawful for the

Balance of payments

over re-
ceipts may
be paid out
of the con-
solidated
fund.

Lord High Treasurer, or the Commissioners of her Majesty's Treasury, or any three or more of them, and they are hereby directed and empowered, from time to time, (on an application to them, agreed to at some quarterly or other meeting of the commissioners, attended by five at least of the commissioners, and certified under their hands,) to cause to be issued and paid out of the Consolidated Fund to the secretary of the commissioners such a sum of money as the commissioners shall in such application have certified to be requisite to pay and discharge so much of the salaries, costs, charges, and expenses hereinbefore directed to be paid out of the monies received by the said secretary for licences and otherwise as aforesaid as such monies shall be inadequate to pay, and the said secretary shall thereupon apply such money in or towards the payment or discharge of such salaries, costs, charges, and expenses respectively; and that it shall be lawful for the Lord High Treasurer or the Commissioners of her Majesty's Treasury, or any three or more of them, from time to time to advance by way of imprest to the said secretary such sum or sums of money as to such Lord High Treasurer or Commissioners of her Majesty's Treasury may appear requisite and reasonable, for or towards the payment or discharge of all or any such salaries, costs, charges, or expenses as aforesaid, such sum or sums to be accounted for by the said secretary in his then next account.

Application
of monies
received for
licences by
clerks of
the peace.

36. And be it enacted, That all monies to be received for licences granted by any justices shall be applied by the clerk of the peace for the county or borough in or towards the payment of the salary or remuneration of the clerk to the visitors for such county or borough, and in or towards the remuneration of such of the same visitors as are hereinbefore directed to be remunerated, and in or towards the payment or discharge of all costs, charges, and expenses incurred by or under the authority of the same justices or visitors in the execution of or under or by virtue of this act.

Clerks of
the peace to
make out
annual ac-
counts, to
be laid be-
fore the jus-
tices in ses-
sion, of all
receipts and
payments

37. And be it enacted, That the clerk of the peace for every county or borough shall keep an account of all monies received and paid by him as aforesaid, and of all monies otherwise received or paid by him under or by virtue of or in the execution of this act; and such account shall respectively be made up to the first day of August in each year, and shall be signed by two at least of the visitors for the county or borough; and every such account shall be laid by the clerk of the peace before the justices at the Michaelmas general or quarter sessions,

who shall thereupon direct the balance (if any) remaining in the hands of the clerk of the peace to be paid into the hands of the treasurer for such county or borough, in aid and as part of the county or borough rate.

38. And be it enacted, That it shall be lawful for the justices for any county or borough in general or quarter sessions assembled, if they shall think fit, to order to be paid to the clerk of the peace of such county or borough, out of the rates or funds thereof, such sum or sums of money as they shall on examination deem to be necessary to pay and discharge so much of the salary, remuneration, costs, charges, and expenses hereinbefore directed to be paid out of the monies received by such clerk of the peace for licences and otherwise as aforesaid as such monies shall be inadequate to pay; and also that it shall be lawful for the justices in general or quarter sessions assembled, if they shall think fit, from time to time to order to be advanced out of the rates or funds of such county or borough, to the clerk of the peace, such sum or sums of money as to such justices may appear requisite and reasonable, for or towards the payment or discharge of any such salary, remuneration, costs, charges, or expenses as last aforesaid: and every such sum of money as aforesaid shall be paid and advanced out of the rates or funds of such county or borough by the treasurer thereof, and shall be allowed in his accounts, on the authority of the aforesaid order by the justices for the payment or advance thereof.

39. And be it enacted, That if any person to whom a licence shall have been granted under this act, or under any of the acts hereinbefore repealed, shall by sickness or other sufficient reason become incapable of keeping the licensed house, or shall die before the expiration of the licence, it shall be lawful for the commissioners or for any three justices for the county or borough, as the case may be, if they shall respectively think fit, by writing endorsed on such licence, under the seal of the commissioners or under the hands of such three justices, to transfer the said licence, with all the privileges and obligations annexed thereto, for the term then unexpired, to such person as shall at the time of such incapacity or death be the superintendent of such house, or have the care of the patients therein, or to such other person as the commissioners or such justices respectively shall approve, and in the meantime such licence shall remain in force and have the same effect as if granted to the superintendent of the house; and in case a licence has been or shall be granted to two or more persons, and before the expiration thereof

made under
this act.

Balance of
payments
over re-
ceipts may
be paid out
of the funds
of the
county or
borough.

Provision
in case of
the incapa-
city or
death of the
person
licensed.

any or either of such persons shall die, leaving the other or others surviving, such licence shall remain in force and have the same effect as if granted to such survivors or survivor.

In case of a licensed house being taken for public purposes, or accidentally rendered unfit, or of the keeper wishing to transfer his patients to a new house.

40. And be it enacted, That if any licensed house shall be pulled down or occupied under the provisions of any act of parliament, or shall by fire, tempest, or other accident be rendered unfit for the accommodation of lunatics, or if the person keeping such house shall desire to transfer the patients to another house, it shall be lawful for the commissioners, (if the new house shall be within their immediate jurisdiction,) at any quarterly or other meeting, or for any two or more of the visiting justices for the county or borough within which the new house is situate, as the case may be, upon the payment to the secretary of the commissioners or the clerk of the peace, as the case may be, of not less than one pound for the licence, (exclusive of the sum to be paid for the stamp,) to grant to the person whose house has been so pulled down, occupied, or so rendered unfit, or who shall desire to transfer his patients as aforesaid, a licence to keep such other house for the reception of lunatics, for such time as the commissioners or the said justices, as the case may be, shall think fit: Provided always, that the same notice of such intended change of house, and the same plans and statements and descriptions of and as to such intended new house, shall be given as are required when application is first made for a licence for any house, and shall be accompanied by a statement in writing of the cause of such change of house; and that, except in cases in which the change of house is occasioned by fire or tempest, seven clear days' previous notice of the intended removal shall be sent, by the person to whom the licence for keeping the original house shall have been granted, to the person who signed the order for the reception of each patient, not being a pauper, or the person by whom the last payment on account of such patient shall have been made, and to the relieving officer or overseer of the union or parish to which each patient being a pauper is chargeable, or the person by whom the last payment on account of such patient shall have been made.

Power of revocation of licences granted by justices.

41. And be it enacted, That if a majority of the justices of any county or borough in general or quarter sessions assembled shall recommend to the Lord Chancellor that any licence granted by the justices for such county or borough, either before or after the passing of this act, shall be revoked, it shall be lawful for the Lord Chancellor to revoke the same by an instrument under his hand and seal, such revocation to take effect at a period to be named in

such instrument, not exceeding two calendar months from the time a copy or notice thereof shall have been published in the 'London Gazette;' and a copy or notice of such instrument of revocation shall be published in the 'London Gazette,' and shall before such publication be transmitted to the person to whom such licence shall have been granted, or to the resident superintendent of the licensed house, or be left at the licensed house: Provided always, that in case of any such revocation being recommended to the Lord Chancellor, notice thereof in writing shall, seven clear days previously to the transmission of such recommendation to the Lord Chancellor, be given to the person the revocation of whose licence shall be recommended, or to the resident superintendent of the licensed house, or shall be left at the licensed house.

42. And be it enacted, That if the commissioners shall recommend to the Lord Chancellor that any licence granted either by the commissioners or by any justices, either before or after the passing of this act, shall be revoked or shall not be renewed, it shall be lawful for the Lord Chancellor, by an instrument under his hand and seal, to revoke or prohibit the renewal of such licence; and in the case of a revocation the same shall take effect at a period to be named in such instrument, not exceeding two calendar months from the time a copy or notice thereof shall have been published in the 'London Gazette;' and a copy or notice of such instrument of revocation shall be published in the 'London Gazette,' and shall before such publication be transmitted to the person to whom such licence shall have been granted, or to the resident superintendent of the licensed house, or shall be left at the licensed house: Provided always, that in case of any such revocation or prohibition to renew being recommended to the Lord Chancellor, notice thereof in writing shall, seven clear days previously to the transmission of such recommendation to the Lord Chancellor, be given to the person the revocation or prohibition of renewal of whose licence shall be recommended, or to the resident superintendent of the licensed house, or shall be left at the licensed house.

43. And be it enacted, That the regulations as to lunatics of every hospital in which lunatics are or shall be received shall be printed, and complete copies thereof shall be sent to the commissioners, and also kept hung up in the visitors' room of such hospital; and that every such hospital shall have a physician, surgeon, or apothecary resident therein, as the superintendent and medical attendant thereof; and such superintendent shall immediately after the passing of this act (or immediately after the establish-

Power of revocation and of prohibition of renewal of licences granted by the commissioners or by justices.

Hospitals receiving lunatics to have their regulations printed, and a resident medical attendant, and to be registered.

ment of such hospital, as the case may be,) apply to the commissioners to have such hospital registered, and thereupon such hospital shall be registered in a book to be kept for that purpose by the commissioners; and in case the superintendent of any such hospital shall at any time omit to have copies of such regulations sent or hung up as aforesaid, or to apply to have such hospital registered as aforesaid, he shall for every such omission forfeit a sum not exceeding twenty pounds.

No house
to be kept
for the re-
ception of
two or more
lunatics
without a
licence.

44. And be it enacted, That after the passing of this act it shall not be lawful for any person to receive two or more lunatics into any house, unless such house shall be an asylum or an hospital registered under this act, or a house for the time being duly licensed under this act, or one of the acts hereinbefore repealed; and any person who shall receive two or more lunatics into any house other than a house for the time being duly licensed as aforesaid, or an asylum or an hospital duly registered under this act, shall be guilty of a misdemeanor.

No person
(not a pau-
per) to be
received
without an
order and
medical
certificate.*

45. And be it enacted, That no person (not a pauper), whether being or represented to be a lunatic, or only a boarder or lodger, in respect of whom any money shall be received or agreed to be received for board, lodging, or any other accommodation, shall be received into or detained in any licensed house, and no person (not a pauper) shall be received into or detained as a lunatic in any hospital, without an order under the hand of some person according to the form and stating the particulars required in schedule (B.) annexed to this act, nor without the medical certificates, according to the form in schedule (C.) annexed to this act, of two physicians, surgeons, or apothecaries, who shall not be in partnership, and each of whom shall separately from the other have personally examined the person to whom it relates, not more than seven clear days previously to the reception of such person into such house or hospital, and shall have signed and dated the same on the day on which such person shall have been so examined;

* The following is a literal copy of a medical certificate upon which a patient was admitted into a lunatic asylum. It was brought before a committee of the House of Commons, by Dr. Finch, in 1815. I give it as an example of the Esculapian literature of that period. "Hev Broodway A Potcarey of Gillingham Certefy that Mr. J^s Burt Misfortin hapened by a plow in the Hed which is the ocaisim of his Ellness and by the Rising and Falling of the Blood And I think a Blister and Bleeding and Meddeson Will be a Very Great thing But Mr. Jame Burt wold not A Gree to be don at Home.

March 24, 1809.

Hev Broodway."

and every person who shall receive or detain any such person as aforesaid in any such house or hospital as aforesaid without such order and medical certificates as aforesaid, and any physician, surgeon, or apothecary who shall knowingly sign any such medical certificate as aforesaid which shall untruly state any of the particulars required by this act, shall be guilty of a misdemeanor.

46. Provided always, and be it enacted, That every physician, surgeon, or apothecary signing such certificate shall specify therein any fact or facts (whether arising from his own observation or from the information of any other person) upon which he has formed his opinion that the person to whom such certificate relates is a lunatic or an insane person, or an idiot, or a person of unsound mind.

47. Provided always, nevertheless, and be it enacted, That any person (not a pauper) may, under special circumstances, be received into any such house or hospital as aforesaid, upon such order as aforesaid, with the certificate of one physician, surgeon, or apothecary alone, provided that such order state the special circumstances which have prevented the person from being examined by two medical practitioners; but in every such case another such certificate shall be signed by some other physician, surgeon, or apothecary, not being connected with any such house or hospital, who shall have especially examined such person within three days after his reception into such house or hospital; and every person who, having received any person into any house or hospital as aforesaid upon the certificate of one medical practitioner alone, as aforesaid, shall keep or permit such person to remain in such house or hospital beyond the said period of three days without such further certificate as aforesaid, shall be guilty of a misdemeanor.

48. And be it enacted, That no pauper shall be received into or detained in any licensed house, or any hospital, without an order and statement according to the form and stating the particulars required in schedule (D.) annexed to this act, under the hands of one justice or an officiating clergyman, with the relieving officer or one of the overseers of the union or parish from which such pauper shall be sent, (which said justice or which said clergyman and relieving officer or overseer, as the case may be, shall have personally examined such pauper previously to signing such order,) nor without a medical certificate according to the form in the said schedule (D.) annexed to this act, and dated not more than seven clear days previously to the reception of such pauper into such house or hospital;

Medical practitioner signing such certificate to specify facts upon which opinion formed.

Proviso that in certain cases a person may be received on a certificate signed by one medical practitioner only.

No pauper to be received into any house or hospital for lunatics without a certain order and certificate.

and every such certificate shall be signed by a physician, surgeon, or apothecary (not being the medical officer of such parish or union) on the day whereon he shall examine such pauper; and every person who shall receive any pauper into any such house or hospital as aforesaid without such order and medical certificate as last aforesaid shall be guilty of a misdemeanor.

No medical practitioner who is interested in or attends a licensed house or hospital, to sign a certificate for admission of a patient into such place.

49. And be it enacted, That no physician, surgeon, or apothecary who, or whose father, brother, son, or partner, is wholly or partly the proprietor of or a regular professional attendant in a licensed house or an hospital, shall sign any certificate for the reception of a patient into such house or hospital; and no physician, surgeon, or apothecary who, or whose father, brother, son, or partner, shall sign the order hereinbefore required for the reception of a patient, shall sign any certificate for the reception of the same patient; and any physician, surgeon, or apothecary who shall sign any certificate contrary to any of the provisions hereinbefore contained, or without having complied with all the provisions hereby required in the case of the patient to whom the same shall relate, or who shall in such certificate describe his medical qualification untruly, or shall untruly state anything therein, shall be guilty of a misdemeanor.

Every person receiving a person as a lunatic into any house or hospital to make an entry thereof in a certain form.

50. And be it enacted, That every proprietor or superintendent who shall receive any patient into any licensed house or any hospital shall, within two days after the reception of such patient, make an entry with respect to such patient in a book to be kept for that purpose, to be called 'The Book of Admissions,' according to the form and containing the particulars required in schedule (E.) annexed to this act, so far as he can ascertain the same, except as to the form of the mental disorder, and except also as to the discharge or death of the patient, which shall be made when the same shall happen; and every person who shall so receive any such patient, and shall not within two days thereafter make such entry as aforesaid (except as aforesaid), shall forfeit a sum not exceeding two pounds; and every person who shall knowingly and willingly in any such entry untruly set forth any of the particulars shall be guilty of a misdemeanor.

Form of patient's disorder to be entered in 'The Book of Admissions'

51. And be it enacted, That the form of the mental disorder of every patient received into any licensed house or any hospital shall, within seven days after his reception, be entered in the said Book of Admissions by the medical attendant of such house or hospital; and every such medical attendant who shall omit to make any such entry within

the time aforesaid shall for every such offence forfeit a sum not exceeding two pounds.

52. And be it enacted, That the proprietor or resident superintendent of every licensed house, (whether licensed by the commissioners or by any justices,) and the superintendent of every hospital, shall after two clear days, and before the expiration of seven clear days from the day on which any patient shall have been received into such house or hospital, transmit a copy of the order and medical certificates or certificate on which such person shall have been received, and also a notice and statement according to the form in schedule (F.) annexed to this act, to the commissioners; and the proprietor or resident superintendent of every house licensed within the jurisdiction of any visitors shall also within the same period transmit another copy of such order and certificates or certificate, and a duplicate of such notice and statement, to the clerk of the visitors; and every proprietor or superintendent of any such house or hospital who shall neglect to transmit such copy, notice, or statement to the commissioners, or (where the same is required) to the clerk of the visitors, shall be guilty of a misdemeanor.

53. And be it enacted, That whenever any patient shall escape from any licensed house or any registered hospital, the proprietor or superintendent of such house or hospital shall, within two clear days next after such escape, transmit a written notice thereof to the commissioners, and if such house be within the jurisdiction of any visitors, then also to the clerk of such visitors; and such notice shall state the christian and surname of the patient who has so escaped, and his then state of mind, and also the circumstances connected with such escape; and if such patient shall be brought back to such house or hospital, such proprietor or resident superintendent shall, within two clear days next after such person shall be so brought back, transmit a written notice thereof to the commissioners, and also, if such house be within the jurisdiction of any visitors, to the clerk of such visitors; and such notice shall state when such person was so brought back, and the circumstances connected therewith, and whether with or without a fresh order and certificates or certificate; and every proprietor or resident superintendent omitting to transmit such notice, whether of escape or of return, shall for every such omission forfeit a sum not exceeding ten pounds.

54. And be it enacted, That whenever any patient shall be removed or discharged from any licensed house or any hospital, or shall die therein, the proprietor or superinten-

by the medical attendant.

Every person receiving a patient into any house or hospital to transmit a notice thereof to the commissioners, and if within the jurisdiction of any visitors, then also to the clerk of such visitors.

Notices to be given in case of the escape of any patient, and of his being brought back.

Entry to be made, and notice

given, in case of the death, discharge, or removal of any patient.

In case of the death of a patient, a statement of the cause of death to be transmitted to the commissioners, and, if within the jurisdiction of any visitors, to the clerk of the visitors also.

Abuse or ill-treatment or (in certain cases) neglect of a patient to be a misdemeanor.

dent of such house or hospital shall, within two clear days next after such removal, discharge, or death, make an entry thereof in a book to be kept for that purpose according to the form and stating the particulars in schedule (G. 1) annexed to this act, and shall also within the same two days transmit a written notice thereof, and also of the cause of his death, to the commissioners, and also, if such house shall be within the jurisdiction of any visitors, to the clerk of such visitors, according to the form and containing the particulars in schedule (G. 2) annexed to this act; and every proprietor or superintendent of any such house or hospital who shall neglect to make such entry or transmit such notice or notices, or shall therein set forth anything untruly, shall be guilty of a misdemeanor.

55. And be it enacted, That in case of the death of any patient in any licensed house or any hospital, a statement of the cause of the death of such patient, with the name of any person present at the death, shall be drawn up and signed by the medical attendant of such house or hospital, and a copy thereof, duly certified by the proprietor or superintendent of such house or hospital, shall by him be transmitted to the commissioners, and also to the person signing the order for such patient's confinement, and to the registrar of deaths for the district, and if such house be within the jurisdiction of any visitors, then also to the clerk of such visitors, within forty-eight hours after the death of such patient; and every medical attendant, proprietor, or superintendent who shall neglect or omit to draw up, sign, certify, or transmit such statement as aforesaid, shall for every such neglect or omission forfeit and pay a sum not exceeding fifty pounds.

56. And be it enacted, That if any superintendent, officer, nurse, attendant, servant, or other person employed in any licensed house or registered hospital shall in any way abuse or ill-treat any patient confined therein, or shall wilfully neglect any such patient, he shall be deemed guilty of a misdemeanor; and that in the event of the release of any person from confinement in any asylum or private house who shall consider himself to have been unjustly confined, a copy of the certificates and order upon which he has been confined shall at his request be furnished to him or to his attorney by the clerk to the commissioners, without any fee or reward for the same; and it shall be lawful for the home secretary, on the report of the commissioners or visitors of any asylums, to direct her Majesty's attorney general to prosecute on the part of the crown any person who shall have been concerned in the unlawful taking or confinement of any of her Majesty's

subjects as an insane patient, and likewise any person who shall have been concerned in the neglect or ill-treatment of any patient or person so confined.*

57. And be it enacted, That in every house licensed for one hundred patients or more, there shall be a physician, surgeon, or apothecary resident as the superintendent or medical attendant thereof; and that every house licensed for less than one hundred and more than fifty patients, (in case such house shall not be kept by or have a resident physician, surgeon, or apothecary,) shall be visited daily by a physician, surgeon, or apothecary; and that every house licensed for less than fifty patients (in case such house shall not be kept by or have a resident physician, surgeon, or apothecary) shall be visited twice in every week by a physician, surgeon, or apothecary: Provided always, that it shall be lawful for the visitors of any licensed house to direct that such house, and for the commissioners to direct that any licensed house, shall be visited by a physician, surgeon, or apothecary, at any other time or times, not being oftener than once in every day.

58. Provided always, and be it enacted, That when any house is licensed to receive less than eleven lunatics it shall be lawful for any two of the commissioners or any two of the visitors of such house, if they shall respectively so think fit, by any writing under their hands, to permit that such house shall be visited by a physician, surgeon, or apothecary, at such intervals more distant than twice in every week, as such commissioners or visitors shall appoint, but not at a greater interval than once in every two weeks.

59. And be it enacted, That every physician, surgeon, or apothecary, where there shall be only one, keeping or residing in or visiting any licensed house or any hospital, and where there shall be two or more physicians, surgeons, or apothecaries keeping or residing in or visiting any licensed house or any hospital, then one at least of such physicians, surgeons, or apothecaries, shall, once in every week, (or, in the case of any house at which visits at more

Houses having 100 patients to have a resident medical attendant, and houses having less, to be visited by a medical attendant.

The commissioners and visitors, in houses licensed for less than eleven persons, may lessen the number of medical visits.

A book to be kept, to be called 'The Medical Visitation

* Under the act of 1774, the power of censure was limited to hanging up a statement of the names of delinquents in the censor's room of the College of Physicians, where they might perchance have been seen by two dozen members of that body. The commissioners had the power of withdrawing the person's licence, but they could not refuse a new one to the same party at the expiration of the year; and although penalties were annexed to certain offences, there existed no fund out of which the expenses of the prosecution could be paid.

Book,' in which a weekly entry is to be made, showing the condition of the house and of the patients.

distant intervals than once a week are permitted, on every visit,) enter and sign in a book to be kept at such house or hospital for that purpose, to be called 'The Medical Visitation Book,' a report, showing the date thereof, and also the number, sex, and state of health of all the patients then in such house or hospital, the christian and surname of every patient who shall have been under restraint, or in seclusion, or under medical treatment, since the date of the last preceding report, the condition of the house or hospital, and every death, injury, and act of violence which shall have happened to or affected any patient since the then last preceding report, according to the form in schedule (H.) annexed to this act; and every such physician, surgeon, or apothecary who shall omit to enter or sign such report as aforesaid, shall for every such omission forfeit and pay the sum of twenty pounds; and every such physician, surgeon, or apothecary who shall in any such report as aforesaid enter anything untruly shall be guilty of a misdemeanor.

A Medical Case Book to be kept.

60. And be it enacted, That there shall be kept in every licensed house and in every hospital a book to be called 'The Case Book,' in which the physician, surgeon, or apothecary keeping or residing in or visiting such house or hospital shall from time to time make entries of the mental state and bodily condition of each patient, *together with a correct description of the medicine and other remedies prescribed for the treatment of his disorder,** and that it shall be lawful for the commissioners from time to time, by any order under their common seal, to direct the form in which such Case Book shall be kept by such physician, surgeon, or apothecary; and immediately after a copy of such order shall have been transmitted by the secretary of the commissioners to such physician, surgeon, or apothecary, such physician, surgeon, or apothecary shall thereupon keep such Case Book in the form which shall be directed by such order; and that it shall be lawful for the commissioners (whenever they shall see fit) to require, by an order in writing under their common seal, such physician, surgeon, or apothecary to transmit to the commissioners a correct copy of the entries or entry in any Case Book kept under the provisions of this act, relative to the

* This is an excellent alteration of the law. The medical superintendent of every licensed house or hospital will have to enter into a 'Case Book' the details of his management of each case under his care, and thus, it is hoped, a valuable record will be obtained of the effects of certain medicinal and moral agents in the treatment of the varied forms of mental derangement.

case of any lunatic who is or may have been confined in any such licensed house or hospital; and every such physician, surgeon, or apothecary who shall neglect to keep the said Case Book, or to keep the same according to the form directed by the commissioners, or to transmit a copy of the said entry or entries, pursuant to such order or orders as aforesaid, shall for every such neglect forfeit any sum not exceeding ten pounds.

61. And be it enacted, That every licensed house shall, without any previous notice, be visited by two at least of the commissioners (one of whom shall be a physician or surgeon, and the other a barrister) four times at the least in every year, if such house shall be within the immediate jurisdiction of the commissioners, and if not, twice at least in every year; and every hospital in which lunatics shall be received shall, without any previous notice, be visited by two at least of the said commissioners (one of whom shall be a physician or surgeon, and the other a barrister) once at least in every year; and every such visit shall be made on such day or days, and at such hours of the day, and for such length of time, as the visiting commissioners shall think fit, and also at such other times (if any) as the said commissioners in lunacy shall direct; and such visiting commissioners, when visiting such house or hospital, may and shall inspect every part of such house or hospital, and every outhouse, place, and building communicating with such house or hospital, or detached therefrom, but not separated by ground belonging to any other person, and every part of the ground or appurtenances held, used, or occupied therewith, and see every patient then confined in such house or hospital, and inquire whether any patient is under restraint, and why, and inspect the order, and certificates or certificate for the reception of every patient who shall have been received into such house or hospital since the last visit of the commissioners, and in the case of any house licensed by justices shall consider the observations made in the Visitors' Book for such house by the visitors appointed by the

All licensed houses and hospitals to be visited by the commissioners.*

* By the act of 1828, sect. 36, the party by whose authority a person is consigned to an asylum was directed to visit the person so confined once in six months, or to depute a visitor for that purpose. The party so visiting was required to enter into a journal kept at such house his name and date of his visit. The proviso was made in consequence of the suggestion of Sir H. Hallford, "that a relation who commits a patient to one of these houses, should be bound, by himself or by some other person of authority, to visit that patient once at least in three months."—ED.

justices, and enter in the Visitors' Book of such house or hospital a minute of the then condition of the house or hospital, and of the patients therein, and the number of patients under restraint, with the reasons thereof, as stated, and such irregularity (if any) as may exist in any such order or certificates as aforesaid, and also whether the previous suggestions (if any) of the visiting commissioners or visitors have or have not been attended to, and any observations which they may deem proper as to any of the matters aforesaid or otherwise, and also, if such visit be the first after granting a licence to the house, shall examine such licence, and, if the same be in conformity with the provisions of this act, sign the same, but if it be informal enter in such Visitors' Book in what respect such licence is informal: Provided also, that it shall be lawful for the Lord Chancellor, on a representation by the commissioners setting forth the expediency of such alteration, by any writing under his hand, to direct that any house licensed by justices shall (during such period as he shall therein specify, or until such his direction shall be revoked) be visited by the commissioners once only in the year, and also to direct that any house licensed by the commissioners, and not receiving any pauper patients therein, shall (during such period as he shall therein specify, or until such his direction shall be revoked) be visited by the commissioners twice only in the year.*

Licensed houses not within the immediate jurisdiction of the commissioners to be inspected four times a year at least, by the visitors.

62. And be it enacted, That every licensed house within the jurisdiction of any visitors appointed by justices shall be visited by two at least of the said visitors (one of whom shall be a physician, surgeon, or apothecary,) four times at the least in every year, on such days, and at such hours in the day, and for such length of time as the said visitors shall think fit, and also at such other times (if any) as the justices by whom such house shall have been licensed shall direct; and such visitors, when visiting any such house, may and shall inspect every part of such house, and every house, outhouse, place, and building communicating therewith, or detached therefrom, but not separated by ground

* By the 14th of Geo. 3, c. 49, five commissioners, appointed by the Royal College of Physicians, London, had to visit all licensed houses *once* a year. Since 1800, that provision had never been carried into effect. It was said, that the visitation was attended with no good results, and was therefore abandoned. Thus, as Mr. R. Gordon said, (*speech, House of Commons, Feb. 19, 1828,*) "the law for the protection of these unfortunate beings was violated." Upon inquiry, it was found that these five visiting commissioners had "done nothing—literally nothing."

belonging to any other person, and every part of the ground or appurtenances held, used, or occupied therewith, and see every patient then confined therein, and inquire whether any patient is under restraint, and why, and inspect the order and certificates or certificate for the reception of every patient who shall have been received into such house since the last visit of the visitors, and enter in the Visitors' Book a minute of the then condition of the house, of the patients therein, and the number of patients under restraint, with the reasons thereof as stated, and such irregularity (if any) as may exist in any such order or certificates as aforesaid, and also whether the previous suggestions (if any) of the visitors or visiting commissioners have or have not been attended to, and any observations which they may deem proper as to any of the matters aforesaid or otherwise.

63. And be it enacted, That the proprietor or superintendent of every licensed house or hospital shall show to the commissioners and visitors respectively visiting the same every part thereof respectively, and every person detained therein as a lunatic; and every proprietor or superintendent of any licensed house or any hospital who shall conceal or attempt to conceal, or shall refuse or wilfully neglect to show any part of such house or hospital, or any house, outhouse, place, or building communicating therewith, or detached therefrom, but not separated as aforesaid, or any part of the ground or appurtenances held, used, or occupied therewith, or any person detained or being therein, from any visiting commissioners or visitors, or from any person authorized under any power or provision of this act to visit and inspect such house or hospital, or the patients confined therein or any of them, shall be guilty of a misdemeanor.

64. And be it enacted, That the visiting commissioners and visitors respectively, upon their several visitations to every licensed house and to every hospital, shall inquire when divine service is performed, and to what number of the patients, and the effect thereof; and also what occupations or amusements are provided for the patients, and the result thereof; and whether there has been adopted any system of non-coercion, and, if so, the result thereof; and also as to the classification of patients; and also as to the condition of the pauper patients (if any) when first received; and also as to the dietary of the pauper patients (if any); and shall also make such other inquiries as to such visiting commissioners or visitors shall seem expedient; and every proprietor or superintendent of a licensed house or an hospital who shall not give full and true answers

The proprietor or superintendent of every house and hospital to show every part and every patient to the visiting commissioners and visitors.

Inquiries to be made by the commissioners and visitors on their several visitations.

to the best of his knowledge to all questions which the visiting commissioners and visitors respectively shall ask in reference to the matters aforesaid, shall be guilty of a misdemeanor.

Books and documents to be produced to visiting commissioners and visitors.

65. And be it enacted, That upon every visit of the visiting commissioners to any licensed house or to any hospital, and upon every visit of the visitors to any licensed house, there shall be laid before such visiting commissioners or visitors (as the case may be), by the proprietor or superintendent of such licensed house or of such hospital, a list of all the patients then in such house or hospital (distinguishing pauper patients from other patients, and males from females, and specifying such as are deemed curable), and also the several books by this act required to be kept by the proprietor or superintendent and by the medical attendant of a licensed house or an hospital, and also all orders and certificates relating to patients admitted since the last visitation of the commissioners or visitors (as the case may be), and also, in the case of a licensed house, the licence then in force for such house, and also all such other orders, certificates, documents, and papers relating to any of the patients at any time received into such licensed house or hospital, as the visiting commissioners or visitors shall from time to time require to be produced to them; and the said visiting commissioners or visitors, as the case may be, shall sign the said books as having been produced to them.

A book to be kept called 'The Visitors' Book,' for the result of inspection and inquiries; and a book, called 'The Patients' Book,' for observations as to state of patients.

66. And be it enacted, That there shall be hung up in some conspicuous part of every licensed house a copy of the plan given to the commissioners or justices on applying for the licence for such house; and that there shall be kept in every licensed house, and in every hospital in which lunatics shall be received, a Queen's printer's copy of this act, bound up in a book to be called 'The Visitors' Book,' and that the said visiting commissioners and visitors respectively shall at the time of their respective visitations enter therein the result of the inspections and inquiries hereinbefore directed or authorized to be made by them respectively, with such observations (if any) as they shall think proper; and that there shall also be kept in every such house and hospital a book to be called 'The Patients' Book,' and that the said visiting commissioners and visitors respectively shall, at the times of their respective visitations, enter therein such observations as they may think fit respecting the state of mind or body of any patient in such house or hospital.

Proprietor or resident

67. And be it enacted, That the proprietor or resident superintendent of every licensed house and of every hos-

pital shall, within three days after every such visit by the visiting commissioners as aforesaid, transmit a true and perfect copy of the entries made by them in 'The Visitors' Book,' 'The Patients' Book,' and 'The Medical Visitation Book,' respectively, (distinguishing the entries in the several books,) to the commissioners, and shall, within three days after every such visitation by the visitors, transmit a true and perfect copy of the entries made by them as aforesaid (distinguishing as aforesaid) to the commissioners and also to the clerk of the visitors; and the copies so transmitted to the clerk of the visitors of all such entries relating to any licensed house, and made since the grant or last renewal of the licence thereof, shall be laid before the justices on taking into consideration the renewal of the licence to the house to which such entries shall relate; and every such proprietor or superintendent as aforesaid who shall omit to transmit, as hereinbefore directed, a true and perfect copy of every or any such entry as aforesaid, shall for every such omission forfeit a sum not exceeding ten pounds.

68. And be it enacted, That the commissioners visiting any house licensed by justices shall carefully consider and give special attention to the state of mind of any patient therein confined, as to the propriety of whose detention they shall doubt (or as to whose sanity their attention shall be specially called), and shall, if they shall think that the state of mind of such patient is doubtful, and that the propriety of his detention requires further consideration, make and sign a minute thereof in the Patients' Book of such house; and a true and perfect copy of every such minute shall, within two clear days after the same shall have been made, be sent by the proprietor or superintendent of such house to the clerk of the visitors of such house, and such clerk shall forthwith communicate the same to the said visitors, or some two of them (of whom a physician, surgeon, or apothecary shall be one), and such visitors shall thereupon immediately visit such patient, and act as they shall see fit; and every such proprietor or superintendent who shall omit to send a true and perfect copy, as hereinbefore directed, of every or any such last-mentioned minute, and every clerk who shall neglect to communicate the same to two of the visitors as aforesaid, shall be guilty of a misdemeanor.

69. And be it enacted, That the visiting commissioners shall, after every visitation by them to every licensed house not being within their immediate jurisdiction, and to every hospital, report in writing the general result of their inspection thereof (together with such special circumstances,

superintendent to transmit all entries by visitors and visiting commissioners to the clerk of the visitors and to the commissioners.

Commissioners visiting a house licensed by justices to make an entry in the Patients' Book as to the state of mind of any doubtful patient, and the same to be sent to the clerk of the visitors, who are thereupon to visit such patient.

Visiting commissioners to report on every house and hospi-

tal not
within their
immediate
jurisdic-
tion.

Power for
the com-
missioners
or any five
of them to
make rules.

Power in
certain
cases to
visit by
night.

The person
who signed
the order
for the re-
ception of a
private pa-
tient may
order his
discharge
or removal.

Provision
for the dis-
charge of a
private pa-
tient when
the person
who signed
the order
for his re-
ception is
incapable.

if any, as they may deem proper to notice), to the commissioners, and the secretary of the commissioners shall thereupon enter the same in a book to be kept for that purpose.

70. And be it enacted, That it shall be lawful for the commissioners or any five of them, at any quarterly or special meeting, by any resolution or resolutions under their common seal, or to be entered in a book to be kept for that purpose, and signed by five at least of the commissioners present at such meeting, from time to time to make such orders and rules as they shall think fit for regulating the duties of the commissioners or any of them, or of their secretary, clerks, and servants, or for the due or better performance of the business of the commission: Provided nevertheless, that the secretary of the commissioners shall give to every commissioner, so far as circumstances will admit, not less than seven days' notice of every such special meeting, and shall, in the summons for such special meeting, state the purposes for which the same is intended to be held.

71. And be it enacted, That it shall be lawful for any two or more of the commissioners, or any two visitors, to visit and to inspect any licensed house or hospital at such hour of the night as they shall think fit: Provided nevertheless, that no such visitor shall make any such visitation or inspection except of a licensed house within their jurisdiction.

72. And be it enacted, That if and when any person who signed the order on which any patient (not being a pauper) was received into any licensed house or into any hospital, shall, by writing under his hand, direct that such patient shall be discharged or removed, then, and in such case, such patient shall forthwith be discharged or removed, as the person who signed the order for his reception shall direct.

73. And be it enacted, That if the person who signed the order on which any patient (not being a pauper) was received into any licensed house or into any hospital be incapable by reason of insanity or absence from England or otherwise, of giving an order for the discharge or removal of such patient, or if such person be dead, then and in any of such cases the husband or wife of such patient, or if there be no such husband or wife, the father of such patient, or if there be no father, the mother of such patient, or if there be no mother, then any one of the nearest of kin for the time being of such patient, or the person who made the last payment on account of such patient, may, by any writing under his or her hand, give such direction

as aforesaid for the discharge or removal of such patient, and thereupon such patient shall be forthwith discharged or removed, as the person giving such direction shall direct.

74. And be it enacted, That the guardians of any parish or union may, by a minute of their board, or an officiating clergyman of any parish not under a board of guardians, and one of the overseers thereof, or any two justices of the county or borough in which such last-mentioned parish is situate, may, by writing under the hands respectively of such clergyman and overseer or of such justices, direct that any pauper patient belonging to such parish or union, and detained in any licensed house or any hospital, shall be discharged or removed therefrom, and may direct the mode of such discharge or removal; and if a copy of such minute or such writing be produced to the proprietor or superintendent of such licensed house or such hospital, he shall forthwith discharge or remove such patient, or cause or suffer such patient to be discharged or removed accordingly.

Mode of removal or discharge of pauper patients.

75. Provided always, nevertheless, and be it enacted, That no patient shall be discharged or removed, under any of the powers hereinbefore contained, from any licensed house or any hospital, if the physician, surgeon, or apothecary by whom the same shall be kept, or who shall be the regular medical attendant thereof, shall by writing under his hand certify that in his opinion such patient is dangerous and unfit to be at large, together with the grounds on which such opinion is founded, unless the commissioners visiting such house or the visitors of such house shall, after such certificate shall have been produced to them, give their consent in writing that such patient shall be discharged or removed; provided that nothing herein contained shall prevent any patient from being transferred from any licensed house or any hospital to any other licensed house or any other hospital, or to any asylum, but in such case every such patient shall be placed under the control of an attendant belonging to the licensed house, hospital, or asylum to or from which he shall be about to be removed for the purpose of such removal, and shall remain under such control until such time as such removal shall be duly effected.

No patient to be removed under any of the preceding powers, if certified to be dangerous, unless the commissioners or visitors consent, or for the purpose of transfer to some other asylum.

76. And be it enacted, That it shall be lawful for any two or more of the commissioners to make visits to any patient detained in any house licensed by the commissioners, on such days and at such hours as they shall think fit; and if after two distinct and separate visits so made (seven days at least to intervene between such

Commissioners may discharge any patient confined in a house licensed by themselves.

visits) it shall appear to such visiting commissioners that such patient is detained without sufficient cause, it shall be lawful for the commissioners, if they shall think fit, to make such order as to the commissioners shall seem meet for the discharge of such patient, and such patient shall be discharged accordingly.

Two commissioners may make special visits to discharge any patient confined in a house licensed by justices or in an hospital.

Similar powers for two visitors as to houses within their jurisdiction.

Every order for the discharge of a patient under the last preceding powers to be signed by the persons exercising them, and to be subject to certain restrictions.

The last preceding

77. And be it enacted, That it shall be lawful for any two or more of the commissioners, of whom one shall be a physician and one a barrister, to make special visits to any patient detained in any house licensed by the justices, or in any hospital, on such days and at such hours as they shall think fit; and if after two distinct and separate visits so made it shall appear to such visiting commissioners that such patient is detained without sufficient cause, they may make such order as to them shall seem meet for the discharge of such patient, and such patient shall be discharged accordingly.

78. And be it enacted, That it shall be lawful for any two or more of the visitors of any licensed house, of whom one shall be a physician, surgeon, or apothecary, to make special visits to any patient detained in such house, on such days and at such hours as they shall think fit; and if after two distinct and separate visits so made it shall appear to such visitors that such patient is detained without sufficient cause, they may make such order as to them shall seem meet for the discharge of such patient, and such patient shall be discharged accordingly.

79. Provided always, and be it enacted, That every such order by any commissioners or visitors for the discharge of a patient from any house licensed by justices, or from any hospital, shall be signed by them, and that each of such special visits shall be by the same commissioners or visitors; and that it shall not be lawful for such commissioners or visitors to order the discharge of any patient from any such last-mentioned house or hospital without having previously, if the medical attendant of such house or hospital shall have tendered himself for that purpose, examined him as to his opinion respecting the fitness of such patient to be discharged; and if such commissioners or visitors shall, after so examining such medical attendant, discharge such patient, and such medical attendant shall furnish them with any statement in writing containing his reasons against the discharge of such patient, they shall forthwith transmit such statement to the commissioners or to the clerk of the visitors, as the case may require, to be kept and registered in a book for that purpose.

80. Provided also, and be it enacted, That not less than seven days shall intervene between the first and second

of such special visits; and that such commissioners or visitors shall, seven days previously to the second of such special visits, give notice thereof, either by post or by an entry in the Patients' Book, to the proprietor or superintendent of the house licensed by justices or of the hospital in which the patient intended to be visited is detained; and that such proprietor or superintendent shall forthwith, if possible, transmit by post a copy of such notice, in the case of a patient not being a pauper, to the person by whose authority such patient was received into such house, or by whom the last payment on account of such patient was made, and in the case of a pauper, to the guardians of his parish or union, or if there be no such guardians, to one of the overseers for the time being of his parish, and also in the case of any patient detained in a house licensed by justices, to the clerk of the visitors of such house.

81. Provided always, nevertheless, and be it enacted, That none of the powers of discharge hereinbefore contained shall extend to any person who shall have been found lunatic by inquisition or under any inquiry directed by the Lord Chancellor, in pursuance of the powers in that behalf hereinafter given to him, nor to any lunatic confined under any order or authority of her Majesty's Principal Secretary of State for the Home Department, or under the order of any court of criminal jurisdiction.

82. And be it enacted, That it shall be lawful for the visitors of any licensed house at any time to determine and regulate the dietary of the pauper patients therein; and that it shall be lawful for the visiting commissioners at any time to determine and regulate the dietary of the pauper patients in any licensed house or in any hospital; and that if such determination and regulation of any visitors and of the visiting commissioners shall not agree with each other, then the determination and regulation of the visiting commissioners shall be followed: Provided always, nevertheless, that every such regulation shall be made to take effect only from such time as not to affect any contract existing on the first day of June last, for the maintenance of pauper patients before the first day of June one thousand eight hundred and forty-six, or the expiration of such contract, whichever shall first happen.

83. And be it enacted, That if any person shall apply to any visitor in order to be informed whether any particular person is confined in any licensed house within the jurisdiction of such visitor, the said visitor, if he shall think it reasonable to permit such inquiry to be made, shall sign an order to the clerk of the visitors, and the said clerk

powers to be exercised under certain other restrictions.

Preceding powers not to extend to persons found lunatic by inquisition, or confined under authority of Secretary of State.

Power for visitors and visiting commissioners to regulate the dietary of pauper patients.

Power for any visitor to give an order to the clerk of the visitors to

search and
give infor-
mation.

Power for
any com-
missioner
to give an
order to the
secretary of
the com-
missioners
to search
and give in-
formation
whether
any parti-
cular per-
son is or
has been
within
twelve
months
confined in
any house
or hospital.

Any one
commis-
sioner or
visitor
may give

shall, on receipt of such order, and on payment to him of a sum not exceeding seven shillings for his trouble, make search amongst the returns made to him in pursuance of this act whether the person inquired after is, or has been within the then last twelve calendar months, confined in any licensed house within the jurisdiction of such visitor; and if it shall appear that such person is or has been so confined, the said clerk shall deliver to the person so applying a statement in writing, specifying the situation of the house in which the person so inquired after appears to be or to have been confined, and of the name of the proprietor or resident superintendent thereof, and also the date of the admission of such person into such licensed house, and (in case of his having been removed or discharged) the date of his removal or discharge therefrom.

84. And be it enacted, That if any person shall apply to any commissioner in order to be informed whether any particular person is confined in any licensed house, or in any hospital, asylum, or other place by this act made subject to the visitation of the commissioners, such commissioner, if he shall think it reasonable to permit such inquiry to be made, shall sign an order to the secretary of the commissioners, and the secretary shall, on the receipt of such order, and on payment to him of a sum not exceeding seven shillings (to be applied as hereinbefore provided), make search amongst the returns made in pursuance of this act, or of any of the acts hereby repealed, whether the person inquired after is, or has been within the last twelve calendar months, confined in any house, hospital, asylum, or place by this act made subject to the visitation of the commissioners; and if it shall appear that such person is or has been so confined, the secretary shall deliver to the person so applying a statement in writing, specifying the situation of the house, hospital, asylum, or place in which the person so inquired after appears to be or to have been confined, and also (so far as the said secretary can ascertain the same from any register or return in his possession) the name of the proprietor, superintendent, or principal officer of such house, hospital, asylum, or place, and also the date of the admission of such person into such licensed house, hospital, asylum, or other place, and (in case of his having been removed or discharged) the date of his removal or discharge therefrom.

85. And be it enacted, That it shall be lawful for any one of the commissioners, as to patients confined in any house, hospital, or other place (not being a gaol) hereby authorized to be visited by the commissioners, and also for any one of the visitors of any licensed house as to

patients confined in such house, at any time to give an order in writing under the hand of such one commissioner or visitor for the admission to any patient of any relation or friend of such patient, (or of any medical or other person whom any relation or friend of such patient shall desire to be admitted to him,) and such order of admission may be either for a single admission, or for an admission for any limited number of times, or for admission generally at all reasonable times, and either with or without any restriction as to such admission or admissions being in the presence of a keeper or not, or otherwise; and if the proprietor or superintendent of any such house, hospital, or place, shall refuse admission to, or shall prevent or obstruct the admission to any patient of, any relation, friend, or other person who shall produce such order of admission as aforesaid, he shall for every such refusal, prevention, or obstruction, forfeit a sum not exceeding twenty pounds.*

an order
for the
admission
to any pa-
tient of any
friend or
relation, or
any person
named by a
friend or re-
lation.

86. And be it enacted, That it shall be lawful for the proprietor or superintendent of any licensed house or of any hospital, with the consent in writing of any two of the commissioners, or in the case of a house licensed by justices, of any two of the visitors of such house, to send or take, under proper control, any patient to any specified place for any definite time for the benefit of his health: Provided always, nevertheless, that before any such consent as aforesaid shall be given by any commissioners or visitors, the approval in writing of the person who signed the order for the reception of such patient, or by whom the past payment on account of such patient was made, shall be produced to such commissioners or visitors, unless they shall, on cause being shown, dispense with the same.

Proprietor
or superin-
tendent,
with con-
sent of two
commis-
sioners or
visitors,
may take or
send a pa-
tient to any
place for his
health.

* The following course will, I understand, be pursued in the case of relatives or friends applying to the commissioners for an order of admission to see any patient who may be confined in a licensed establishment:—The secretary of the commissioners will, upon the receipt of such an application, immediately write to the proprietor or medical superintendent of the asylum, stating to him the fact that such an application has been made, and requesting to know whether such persons have been refused admission, and the grounds for such refusal? The reply of the medical superintendent or proprietor will be brought before the commissioners at the next board-day, and it will be for them to consider whether the request of the parties applying ought to be complied with. It is presumed that the same rule will be followed when similar applications are made to see patients confined in houses beyond the jurisdiction of the commissioners.

In case of the removal of a patient, or of his escape and re-capture within fourteen days, the original order for his reception to remain in force.

Commissioners to report to the Lord Chancellor periodically.

Constitution of the private committee.

No person (except a person deriving no profit, or a committee) to take charge

87. And be it enacted, That in every case in which any patient shall, under any of the powers or provisions of this act, be removed temporarily from the house or hospital into which the order for his reception was given, or be transferred from such house or hospital into any new house, and also in every case in which any patient shall escape from any house or hospital, and shall be retaken within fourteen days next after such escape, the certificate or certificates relating to, and the original order, for the reception of such patient shall respectively remain in force, in the same manner as the same would have done if such patient had not been so removed or transferred, or had not so escaped and been retaken.

88. And be it enacted, That the commissioners shall, at the expiration of every six calendar months, report to the Lord Chancellor the number of visits which they shall have made, the number of patients whom they shall have seen, and the number of miles which they shall have travelled during such months, and shall, on the first day of January in each year, make a return to the Lord Chancellor of all sums received by them for travelling expenses, or upon any other and what account, and shall also in the month of June in every year make to the Lord Chancellor a report of the state and condition of the several houses, hospitals, asylums, and other places visited by them under this act, and of the care of the patients therein, and of such other particulars as they shall think deserving of notice; and a true copy of such reports, showing the number of visits made, the number of patients seen, and the number of miles travelled, and also a copy of such return of sums received for travelling expenses, or on any other and what account, shall be laid before Parliament within twenty-one days next after the commencement of every session of Parliament.

89. And be it enacted, That the permanent chairman for the time being of the commissioners, and two other of the commissioners to be appointed by the Lord Chancellor from time to time as occasion may require, (one of whom shall be a physician or surgeon, and the other a barrister,) shall be a committee, to be called 'The private committee,' for the purposes hereinafter mentioned.

90. And be it enacted, That no person (unless he be a person who derives no profit from the charge, or a committee appointed by the Lord Chancellor) shall receive to board or lodge in any house, other than an hospital registered under this act, or an asylum, or a house licensed under this act, or under one of the acts hereinbefore repealed, or take the care or charge of any one patient as a

lunatic or alleged lunatic, without the like order and medical certificates in respect of such patient as are hereinbefore required on the reception of a patient (not being a pauper) into a licensed house; and that every person (except a person deriving no profit from the charge, or a committee appointed by the Lord Chancellor) who shall receive to board or lodge in any unlicensed house, not being a registered hospital or an asylum, or take the care or charge of any one patient as a lunatic or alleged lunatic, shall, within seven clear days after so receiving or taking such patient, transmit to the secretary of the commissioners a true and perfect copy of the order and medical certificates on which such patient has been so received, and a statement of the date of such reception, and of the situation of the house into which such patient has been received, and of the Christian and surname and occupation of the occupier thereof and of the person by whom the care and charge of such patient has been taken; and every such patient shall at least once in every two weeks be visited by a physician, surgeon, or apothecary, not deriving, and not having a partner, father, son, or brother who derives, any profit from the care or charge of such patient; and such physician, surgeon, or apothecary, shall enter in a book, to be kept at the house or hospital for that purpose, to be called 'The Medical Visitation Book,' the date of each of his visits, and a statement of the condition of the patient's health, both mental and bodily, and of the condition of the house in which such patient is, and such book shall be produced to the visiting commissioner on every visit, and shall be signed by him as having been so produced; and the person by whom the care or charge of such patient has been taken, or into whose house he has been received as aforesaid, shall transmit to the secretary of the commissioners the same notices and statements of the death, removal, escape, and re-capture of such lunatic, and within the same periods as are hereinbefore required in the case of the death, removal, escape, and re-capture of a patient (not being a pauper) received into a licensed house; and that every person who shall receive into an unlicensed house, not being a registered hospital nor an asylum, or take the care or charge of any person therein as a lunatic, without first having such order and medical certificates as aforesaid, or who, having received any such patient, shall not within the several periods aforesaid transmit to the secretary of the commissioners such copy, statement, and notices as aforesaid, or shall fail to cause such patient to be so visited by a medical attendant as aforesaid, and every such medical attendant who shall make an untrue entry in

of a single lunatic, except upon such order and medical certificates as aforesaid, and under certain obligations.

the said Medical Visitation Book, shall be guilty of a misdemeanor.*

Copy of the order and certificates &c. with respect to lunatics received into an unlicensed house to be entered in a private register.

91. And be it enacted, That the secretary to the commissioners shall preserve every copy transmitted as aforesaid of the order and certificates for the reception of any patient as a lunatic into an unlicensed house, and every statement and notice which may be transmitted to such secretary with respect to any such patient as aforesaid, and shall enter the same (in such form as the private committee shall direct) in a book to be kept for that purpose, to be called 'The Private Register,' and such private register shall be kept by such secretary in his own custody, and shall be inspected only by the members for the time being of the said private committee, and by such other persons as the Lord Chancellor shall by writing under his hand appoint.

Members of the private committee to visit unlicensed houses receiving a single patient, and report.

92. And be it enacted, That it shall be lawful for any one member of the said private committee, on the direction of such committee, or of any two members thereof, (of whom the one member aforesaid may be one,) at all reasonable times to visit every or any unlicensed house in which one patient only is received as a lunatic, (unless such patient be so received by a person deriving no profit from the charge, or by a committee appointed by the Lord Chancellor,) and to inquire and report to the said private committee on the treatment and state of health, both bodily and mental, of such patient; and a copy of every or any such report shall be entered in a private register, to be kept for that purpose, by the secretary of the commissioners, and another copy thereof shall, if such private committee think it expedient, be laid before the Lord Chancellor.

The Lord Chancellor, on such

93. And be it enacted, That it shall be lawful for the Lord Chancellor, on the representation of the said private committee, accompanied with a copy of a report made as

* This is one of the most admirable provisions of the bill; by it that abominable system, called the "cottage treatment" of the insane, is at once abolished. Under the former law, hundreds and thousands of poor creatures could be confined in small cottages, houses, and in lodgings, at the mercy of any person who might be placed over them as their keeper. No certificates in the majority of cases were obtained, and no return of their incarceration was required by the commissioners, unless the party alleged to be insane was confined for the period of twelve months. "The house had no notion of the abominations which prevailed in those asylums. It was the concession of absolute, secret, and irresponsible power to the relatives of lunatics and the keepers of the asylums, and exposing them to temptations which he believed human nature was too weak to resist. There were many patients in these single houses, for whom were paid not less than 500*l.* per annum. This was

last aforesaid as to any patient received or detained as a lunatic in an unlicensed house as aforesaid, to make an order that such patient shall be removed from such house, and from the care and charge of the person under whose care and charge such lunatic may be; and any person detaining such lunatic in such house, or in such care or charge, for the space of three days after a copy of such order shall have been left at such house or served on such person, shall be guilty of a misdemeanor.

94. And be it enacted, That whenever the commissioners shall have reason to suppose that the property of any person detained or taken charge of as a lunatic is not duly protected, or that the income thereof is not duly applied for his maintenance, such commissioners shall make such inquiries relative thereto as they shall think proper, and report thereon to the Lord Chancellor.

95. And be it enacted, That when any person shall have been received or taken charge of as a lunatic upon an order and certificates, or an order and certificate, in pursuance of the provisions of this act, or of any act hereinbefore repealed, and shall either have been detained as a lunatic for the twelve months then last past, or shall have been the subject of a report by the commissioners in pursuance of the provision lastly hereinbefore contained, it shall be lawful for the Lord Chancellor to direct that one of the said masters in lunacy shall, and thereupon one of the said masters shall personally examine such person, and shall take such evidence and call for such information as to such master shall seem necessary to satisfy him whether such person is a lunatic, and shall report thereon to the Lord Chancellor, and such report shall be filed with the secretary of lunatics; and it shall be lawful for the Lord Chancellor from time to time to make orders for the appointment

report, and the representation of the private committee, may order a lunatic to be removed.

Commissioners to report if property of lunatics be not duly protected or applied.

The Lord Chancellor to direct the master in lunacy to report as to the lunacy of any person detained as a lunatic, and to appoint guardians of his person and estate, and direct the application

a temptation to keep such a patient in perpetual confinement, because with the returning health of the sufferer the allowance would be discontinued. So strong was his opinion of the bad effects of this, that if Providence should afflict any near relative of his with insanity, he would consign him to an asylum in which there were other patients, and which was subjected to official visitations. The only control they had over the single houses was this—that if a patient resided in one more than twelve months, the owner of the house was compelled to communicate, under seal, the name of that patient to the clerk of the commissioners. But, for the most part, no notice was taken of this law, and it was frequently avoided by removing the patient, after a residence of eleven months, to some other lodging.”—*Lord Ashley's Speech, House of Commons, July, 23, 1844.*

of his income.*

of a guardian, or otherwise for the protection, care, and management of the person of any person who shall by any such report as last aforesaid be found to be a lunatic, and such guardian shall have the same powers and authorities as a committee of the person of a lunatic found such by inquisition now has, and also to make orders for the appointment of a receiver, or otherwise for the protection, care, and management of the estate of such lunatic, and such receiver shall have the same powers and authorities as a receiver of the estate of a lunatic found such by inquisition now has, and also to make orders for the application of the income of such lunatic, or a sufficient part thereof, for his maintenance and support, and in payment of the costs, charges, and expenses attending the protection, care, and management of the person and estate of such lunatic, and also as to the investment or other application for the purpose of accumulation of the overplus, if any, of such income, for the use of such lunatic, as to the Lord Chancellor shall from time to time in each case seem fit: Provided always, that such protection, care, and management shall continue only during such time as such lunatic shall continue to be detained as a lunatic upon an order and certificates or certificate as aforesaid, and for such further time, not exceeding six months, as the Lord Chancellor may fix: Provided also, that it shall be lawful for the Lord Chancellor in any such case, either before or after directing such inquiry by such master as aforesaid, and whether such master shall have made a report as aforesaid or not, to direct a commission, in the nature of a writ *De Lunatico Inquirendo*, to issue, to inquire of the lunacy of such person.

Masters in lunacy to have all necessary powers of inquiry, and to make inquiries referred to them.

96. And be it enacted, That such masters shall have power, in the prosecution of all inquiries and matters which may be referred to them as aforesaid or otherwise under this act, to summon persons before them, and to administer oaths, and take evidence, either *vivâ voce* or on affidavit, and to require the production of books, papers, accounts, and documents; and that the Lord Chancellor may by any order (either general or particular) refer to the said masters any inquiries under the provisions of this act relating to the person and estate of any lunatic as to whom a report shall be made by a master as aforesaid, in

* This is a new and very important provision, as it gives the lunatic the full benefit of his income, without its being absolutely necessary to sue out the expensive process of a commission in nature of a writ *De Lunatico Inquirendo*.

like manner as inquiries relating to the persons and estates of lunatics found such by inquisition are now referred to them.

97. And be it enacted, That it shall be lawful for the Lord Chancellor from time to time to make such orders as shall to him seem fit for regulating the form and mode of proceeding before the Lord Chancellor and before the said masters, and of any other proceedings pursuant to the provisions of this act, for the due protection, care, and management of the persons and estates of lunatics as to whom such reports shall be made by the said masters as aforesaid, and also for fixing, altering, and discontinuing the fees to be received and taken in respect of such proceedings, as to the Lord Chancellor shall from time to time seem fit: Provided nevertheless, that all fees to be so received and taken shall be paid into the Bank of England, and placed to the credit of the accountant-general of the Court of Chancery, to the account intituled 'The Suitors' Fee Fund Account,' in like manner as and together with the fees payable under the act passed in the fifth and sixth years of her present Majesty, intituled 'An Act to alter and amend the Practice and Course of Proceeding under Commissions in the Nature of Writs De Lunatico Inquirendo,' and be applied in like manner as such last-mentioned fees.

Lord Chancellor to make orders and regulations, and fix fees.

5 & 6 Vict.
c. 84.

98. And be it enacted, That the travelling and other expenses of the said masters and their clerks shall be paid to them, by virtue of any order or orders of the Court of Chancery, out of the said fund, intituled 'The Suitors' Fee Fund Account,' in the same manner as their expenses under the said last-mentioned act.

Masters' expenses, how to be paid.

99. And be it enacted, That every proprietor and superintendent of a licensed house or registered hospital, and every other person hereby or by any of the acts hereinbefore repealed authorized to receive or take charge of a lunatic upon an order, and who shall receive or has received a proper order, in pursuance of this act or any of the said repealed acts, accompanied with the required medical certificates or certificate, for the reception or

Proprietors, superintendents, and other authorized persons, may plead the order and certificates for receiving any lunatic in bar of all proceedings at law.*

* "A '*Plea in Bar*' of an action may be defined as one which shows some ground for barring or defeating an action. A plea in bar is therefore distinguished from all pleas of a dilatory class, as impugning the right of action altogether, instead of merely tending to divert the proceedings to another jurisdiction, or suspend them, or abate the particular writ or declaration. It is, in short, a substantial and conclusive answer to the action."—STEPHEN'S *Principles of Pleading*, 4th edit., p. 58.

taking charge of any person as a lunatic, and the assistants and servants of such proprietor, superintendent, or other person, shall have power and authority to take charge of, receive, and detain such patient until he shall die, or be removed or discharged by due authority, and in case of the escape at any time or times of such patient, to retake him at any time within fourteen days after such escape, and again to detain him as aforesaid; and in every writ, indictment, information, action, and other proceeding which shall be preferred or brought against any such proprietor, superintendent, or other person authorized as aforesaid, or against any assistant or servant of any such proprietor, superintendent, or authorized person, for taking, confining, detaining, or retaking any person as a lunatic, the party complained of may plead such order and certificates or certificate in defence to any such writ, indictment, information, action, or other proceeding as aforesaid, and such order and certificates or certificate shall, as respects such party, be a justification for taking, confining, detaining, or retaking such lunatic or alleged lunatic.

Commissioners and visitors may summon witnesses to give evidence, with a penalty for non-compliance.

100. And be it enacted, That it shall be lawful for the commissioners, or any two of them, and also for the visitors of any licensed house, or any two of such visitors, from time to time, as they shall see occasion, to require, by summons, under the common seal of the commission, if by the commissioners, and if by two only of the commissioners or by two visitors, then under the hands and seals of such two commissioners or two visitors, as the case may be, (according to the form in schedule (I) annexed to this act, or as near thereto as the case will permit,) any person to appear before them to testify on oath the truth touching any matters respecting which such commissioners and visitors respectively are by this act authorized to inquire, (which oath such commissioners or visitors are hereby empowered to administer;) and every person who shall not appear before such commissioners or visitors pursuant to such summons, or shall not assign some reasonable excuse for not so appearing, or shall appear and refuse to be sworn or examined, shall, on being convicted thereof before one of her Majesty's justices for the county or borough within which the place at which such person shall have been by such summons required to appear and give evidence is situate, shall for every such neglect or refusal forfeit a sum not exceeding fifty pounds.

Provision for the payment of witnesses' expenses.

101. And be it enacted, That it shall be lawful for any commissioners or visitors who shall summon any person to appear and give evidence as aforesaid, to direct the secretary of the commissioners, or the clerk of such visitors,

as the case may be, to pay to such person all reasonable expenses of his appearance and attendance in pursuance of such summons, the same to be considered as expenses incurred by such commissioners and visitors respectively in the execution of this act, and to be taken into account and paid accordingly.

102. And be it enacted, That every complaint or information of or for any offence against this act, where any pecuniary penalty is hereby imposed, (except when hereby otherwise provided for,) may be made before one justice; and when any person shall be charged upon oath before a justice for any such offence against this act, such justice may summon the person charged to appear at a time and place to be named in such summons, and if he shall not appear accordingly, and upon proof of the due service of the summons, (either personally or by leaving the same at his last or usual place of abode,) any two justices may either proceed to hear and determine the case, or may issue their warrant for apprehending such person, and bringing him before any two justices; and any two justices shall and may, upon the appearing of such person pursuant to such summons, or upon such person being apprehended with such warrant, or upon the non-appearance of such person, hear the matter of every such complaint or information, and make any such determination thereon as such justices shall think proper; and upon conviction of any person, such justices may, if they shall think fit, reduce the amount of the penalty by this act imposed for such offence to any sum not less than one-fourth of the amount thereof, and shall and may issue a warrant under their hands and seals for levying such penalty or reduced penalty, and all costs and charges of such summons, warrant, and hearing, and all incidental costs and charges, by distress and sale of the goods and chattels of the person so convicted; and it shall be lawful for any such two justices to order any person so convicted to be detained and kept in the custody of any constable or other peace officer until return can be conveniently made to such warrant of distress, unless the said offender shall give security, to the satisfaction of such justices, by way of recognizance or otherwise, for his appearance before such justices on such day as shall be appointed for the return of such warrant of distress, such day not being more than seven days from the time of taking any such security; but if upon the return of such warrant of distress it shall appear that no sufficient distress can be had whereupon to levy the said penalty, and such costs and charges as aforesaid, and the same shall not be

Upon complaint made of any offence against this act, justices to require the attendance of the person charged and adjudicate thereon.

Recovery of penalties, and application thereof.

forthwith paid, or in case it shall appear to the satisfaction of such justices, either by the confession of the offender or otherwise, that the offender hath not sufficient goods and chattels whereupon the said penalty, costs, and charges may be levied, such justices shall and may, by warrant under their hands and seals, commit such offender to the common gaol or house of correction for any term not exceeding three calendar months, unless such penalty, and all such costs and charges as aforesaid, shall be sooner paid; and all such penalties, when recovered, shall be paid, when the complaint or information shall be laid or brought by or by the direction of the commissioners, to the secretary of the commissioners, to be by him applied and accounted for as hereinbefore directed with respect to monies received for licences granted by the commissioners, and when the complaint or information shall be laid or brought by the direction of any visitors, to the clerk of the peace for the county or borough, to be by him applied and accounted for as hereinbefore directed with respect to monies received for licences granted by the justices of such county or borough; and the overplus (if any) arising from such distress and sale, after payment of the penalty and all costs and charges as aforesaid, shall be paid, upon demand, to the owner of the goods and chattels so distrained.

Form of
conviction
before jus-
tices.

103. And be it enacted, That the justices before whom any person shall be convicted of any offence against this act for which a pecuniary penalty is imposed, may cause the conviction to be drawn up in the following form, or in any other form to the same effect, as the case may require; and that no conviction under this act shall be void through want of form:—

“Be it remembered, that on the day of in the year of our Lord at in the county [or borough] of A.B. was convicted before us of her Majesty's justices of the peace for the said county [or borough], for that he the said did and we the said adjudge the said for his offence to pay the sum of”

Appeal to
quarter
sessions.

104. Provided always, and be it enacted, That any person who shall think himself aggrieved by any order or determination of any justices under this act, may, within four calendar months after such order made or given, appeal to the justices at general or quarter sessions, the person appealing having first given at least fourteen clear days' notice in writing of such appeal, and the nature and matter thereof, to the person appealed against, and forthwith after such notice entering into a recognizance before some justice, with two sufficient sureties, condi-

tioned to try such appeal, and to abide the order and award of the said court thereupon; and the said justices at general or quarter sessions, upon the proof of such notice and recognizance having been given and entered into, shall in a summary way hear and determine such appeal, or, if they think proper, adjourn the hearing thereof until the next general or quarter sessions, and, if they see cause, may mitigate any penalty to not less than one-fourth of the amount imposed by this act, and may order any money to be returned which shall have been levied in pursuance of such order or determination, and shall and may also award such further satisfaction to be made to the party injured, or such costs to either of the parties, as they shall judge reasonable and proper; and all such determinations of the said justices at general or quarter sessions shall be final, binding, and conclusive upon all parties to all intents and purposes whatsoever.

105. And be it enacted, That if any action or suit shall be brought against any person for anything done in pursuance of this act or of any of the acts hereby repealed, the same shall be commenced within twelve calendar months* next after the release of the party bringing the action, and shall be laid or brought in the county or borough where the cause of action shall have arisen, and not elsewhere; and the defendant in every such action or suit may, at his election, plead specially 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 or borough than as aforesaid, or shall not have been commenced within the time before limited for bringing the same, then the jury shall find a verdict for the defendant; and upon a verdict being so found, or if the plaintiff shall be nonsuited, or discontinue his action or suit after the defendant shall have appeared, or if, upon demurrer, judgment shall be given against the plaintiff, then the defendant

Actions to be commenced within six calendar months.

Act may be given in evidence.

* It was six months under the former act.

† Under the act of 2 & 3 Will. 4, cap. 107, the defendant, under similar circumstances, could recover treble costs. The whole of the provisions in this statute relative to actions brought against persons alleging that they have been unjustly confined in houses licensed for the reception of insane patients, are great improvements upon the former bill. Under the former act, the parties complained of were obliged to justify their proceedings according to the course of the common law.

shall recover double costs,† and have such remedy for recovering the same as any defendant hath or may have in any other cases by law.

Offenders to be prosecuted, and penalties sued for by the secretary of the commissioners and the clerk of any visitors, and by no person without the authority of the commissioners or visitors.

106. And be it enacted, That it shall be lawful for the secretary of the commissioners, on their order, to prosecute any person for any offence against the provisions of this act, and to sue for and recover any penalty to which any person is made liable by this act; and all penalties sued for and recovered by such secretary shall be paid to him, and be by him applied and accounted for as hereinbefore directed with respect to monies received for licences granted by the commissioners; and that it shall be lawful for the clerk of any visitors, on their order, to prosecute any person for any offence against the provisions of this act committed within the jurisdiction of such visitors, and to sue for and recover any penalty to which any person within the jurisdiction of such visitors is made liable by this act; and all penalties sued for and recovered by any such clerk shall be paid to him, and be by him paid to the clerk of the peace for such county or borough, and be by such clerk of the peace applied and accounted for as hereinbefore directed with respect to monies received for licences by such clerk of the peace; and it shall not be lawful for any one to prosecute any person for any offence against the provisions of this act, or to sue for any penalty to which any person is made liable by this act, except by order of the commissioners or of visitors having jurisdiction in the place where the cause of prosecution has arisen or the penalty been incurred, or with the consent of her Majesty's attorney-general or solicitor-general for England for the time being.

Offenders against the provisions of any of the repealed acts may be prosecuted under this act.

107. And be it enacted, That, notwithstanding the repeal of the several acts hereinbefore repealed, every offence heretofore committed against any of the provisions of any of the same acts may be prosecuted, and every penalty heretofore incurred by any person for any offence against the provisions of any of the same acts may be sued for and recovered, by the secretary of the commissioners, in the same manner and with all the same powers and rights as if such offence had been committed or such penalty incurred for an offence against the provisions of this act; and every penalty so recovered shall be applied in the same manner as a penalty recovered for an offence against the provisions of this act.

No person to be punishable for omitting to send

108. And be it enacted, That when any person shall be proceeded against, under the provisions of this act, for omitting to transmit or send any copy, list, notice, statement, or other document hereinbefore required to be transmitted or sent by such person, and such person shall

prove by the testimony of one witness upon oath that the copy, list, notice, statement, or document in respect of which such proceeding is taken was put into the post in due time, or (in case of documents required to be transmitted or sent to the commissioners or a clerk of the peace) left at the office of the commissioners or of the clerk of the peace, and shall have been properly addressed, such proof shall be a bar to all further proceeding in respect of such omission.

any copy, &c., if proved to have been put in the post, or left at the proper office.

109. And be it enacted, That the costs, charges, and expenses incurred by or under the authority or order of the commissioners in proceedings under this act shall be paid by the secretary of the commissioners, and included by him in the account of receipts and payments hereinbefore directed to be kept by him; and that the costs, charges, and expenses incurred by or under the order of any visitors in proceedings under this act shall be paid by the clerk of the peace of their county or borough, and included by him in the account of receipts and payments hereinbefore directed to be kept by him.

Costs incurred by the commissioners to be paid by their secretary, and costs incurred by visitors, by the clerk of the peace.

110. And be it enacted, That two or more of the commissioners, one at least of whom shall be a physician or surgeon, and one at least a barrister, shall and may, once or oftener in each year, on such day or days, and at such hours of the day, and for such length of time as they shall think fit, visit every asylum for lunatics, and every gaol in which there shall be or alleged to be any lunatic, and shall inquire whether the provisions of the law have been carried out as to the construction of each asylum visited, and as to its visitation and management, and also as to the regularity of the admissions and discharges of patients therein and therefrom; and whether divine service is performed therein; and whether any system of coercion is in practice therein, and the result thereof; and as to the classification or non-classification of patients therein, and the number of attendants on each class; and as to the occupations and amusements of the patients, and the effects thereof; and as to the condition, as well mental as bodily, of the pauper patients when first received; and also as to the dietary of the pauper patients; and shall also make such other inquiries as to every or any such asylum, and all such inquiries as to the lunatics in any gaol, as to such visiting commissioners shall seem meet.

Commissioners to visit asylums and gaols.

111. And be it enacted, That two or more of the commissioners, one at least of whom shall be a physician or surgeon, and one at least a barrister, shall and may, once or oftener in each year, on such day or days, and such hours in the day, and for such length of time as they

Commissioners to visit work-houses.

shall think fit, visit every parish and union workhouse in which there shall be or alleged to be any lunatic, and shall inquire whether the provisions of the law as to lunatics have been carried out as to the arrangements, visitation, and management of such workhouse, and as to the dietary, accommodation, and treatment of the lunatics in such workhouse, and shall report in writing thereon to the Poor Law Commissioners for England and Wales.

Provision
for the visi-
tation of
lunatics
under the
care of com-
mittees,
and also of
state and
criminal
lunatics,
and other
lunatics
not com-
prised in
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ceding pro-
visions.

112. And be it enacted, That it shall be lawful for the Lord Chancellor, in the case of any lunatic under the care of a committee appointed by the Lord Chancellor, and for the Lord Chancellor, or her Majesty's Principal Secretary of State for the Home Department, in the case of any lunatic under the care of any person receiving or taking the charge of such one lunatic only, and deriving no profit from the charge, and in the case of any person confined as a state lunatic, or as a lunatic under the order of any criminal court of justice, and in the case of every other person detained or taken charge of as a lunatic, or represented to be a lunatic, or to be under any restraint as a lunatic, at any time, by an order in writing under the hand of the Lord Chancellor or the said Secretary of State, as the case may be, directed to the commissioners or any of them, or to any other person, to require the persons or person to whom such order shall be directed, or any of them, to visit and examine such lunatic or supposed lunatic, and to make a report to the Lord Chancellor or to her Majesty's Principal Secretary of State for the Home Department, of such matters as in such order shall be directed to be inquired into.

Power for
the Lord
Chancellor
and Secre-
tary of State
for the
Home De-
partment
to authorize
a special
visitation
of any place
where a
lunatic is
represented
to be con-
fined.

113. And be it enacted, That it shall be lawful for the Lord Chancellor or her Majesty's Principal Secretary of State for the Home Department to employ any commissioner appointed under this act, or other person, to inspect or inquire into the state of any asylum, hospital, gaol, house, or place wherein any lunatic, or person represented to be lunatic, shall be confined or alleged to be confined, and to report to him the result of such inspection and inquiry; and every such person so employed, and not being a commissioner, may be paid such sum of money for his attendance and trouble as to the Lord Chancellor or her Majesty's Principal Secretary of State for the Home Department shall seem reasonable; and every such person so employed, whether a commissioner or not, shall be allowed his reasonable travelling or other expenses while so employed; and such sum of money for attendance and trouble, and such expenses, shall be charged on and shall be paid out of the Contingency Fund of the Home Office.

114. And be it enacted, That in this act and the schedules thereto the words and expressions following shall have the several meanings hereby assigned to them, unless there shall be something in the subject or context repugnant to such construction ; (that is to say,)

Interpreta-
tion clause.

‘Borough’ shall mean every borough, town, and city corporate having a separate quarter sessions, recorder, and clerk of the peace :

‘County’ shall mean every county, riding, division of a county, county of a city, county of a town, liberty, and other place having a separate commission of the peace, and not being a ‘borough’ within the meaning aforesaid :

‘The Lord Chancellor’ shall mean the Lord High Chancellor, the Lord Keeper or Commissioners of the Great Seal of Great Britain, and other the person or persons for the time being intrusted, by virtue of the queen’s sign manual, with the care and commitment of the custody of the persons and estates of persons found idiot, lunatic, or of unsound mind :

‘Barrister’ shall mean a barrister and a serjeant at law ; and a serjeant at law who shall have been called to the bar five years or more before his appointment to be a commissioner shall be considered as a barrister of five years’ standing :

‘Lunatic’ shall mean every insane person, and every person being an idiot or lunatic or of unsound mind :

‘Parish’ shall mean any parish, township, hamlet, vill, tithing, extra-parochial place, or place maintaining its own poor :

‘Officiating clergyman of a [or the] parish’ shall mean a clergyman regularly officiating and acting as the minister or one of the ministers of a parish, chapelry, or ecclesiastical district :

‘Borough rate’ shall mean a borough rate, and any funds assessed upon or raised in or belonging to any borough in the nature of a borough rate, and applicable to the purposes to which borough rates are applicable :

‘County rate’ shall mean a county rate, and any funds assessed upon or raised in or belonging to any county in the nature of a county rate, and applicable to the purposes to which county rates are applicable :

‘Pauper’ shall mean every person maintained wholly or in part at the expense of any parish, union, county, or borough :

‘Patient’ shall mean every person received or detained as a lunatic, or taken care or charge of as a lunatic :

‘Private patient’ shall mean every patient who is not a pauper :

‘Proprietor’ shall mean every person to whom any licence has been granted under the provisions of any act hereby repealed, or shall be granted under the provisions of this act, and every person keeping, owning, having any interest or exercising any duties or powers of a proprietor in any licensed house :

‘Clerk of the peace’ shall mean every clerk of the peace and person acting as such, and every deputy duly appointed :

‘Medical attendant’ shall mean every physician, surgeon, and apothecary who shall keep any licensed house, or shall in his medical capacity attend any licensed house, or any asylum, hospital, or other place where any lunatic shall be confined :

‘Justice’ shall mean a justice of the peace :

48 G. 3.
c. 96.

‘Asylum’ shall mean any lunatic asylum already erected and established under an act passed in the forty-eighth year of the reign of his late Majesty King George the Third, intituled ‘An Act for the better Care and Maintenance of Lunatics, being paupers or criminals, in England,’ or erected and established, or hereafter to be erected and established, under or which have been made subject or liable to any of the provisions of an act passed in the ninth year of the reign of his late Majesty King George the Fourth, intituled ‘An Act to amend the Laws for the Erection and Regulation of County Lunatic Asylums, and more effectually to provide for the Care and Maintenance of Pauper and Criminal Lunatics, in England,’ or hereafter to be erected and established under the provisions of any act for the erection or regulation of county or borough lunatic asylums :

9 G. 4.
c. 40.

‘Hospital’ shall mean any hospital or part of an hospital or other house or institution (not being an asylum) wherein lunatics are received, and supported wholly or partly by voluntary contributions, or by any charitable bequest or gift, or by applying the excess of payments of some patients for or towards the support, provision, or benefit of other patients :

‘Licensed house’ shall mean a house licensed under the provisions of this act, or of some act hereby repealed, for the reception of lunatics :

‘Oath’ shall mean an oath, and every affirmation or other declaration or solemnity lawfully substituted for an ‘oath’ in the case of quakers or other persons

exempted by law from the necessity of taking an oath :

Words importing the singular number shall include the plural number, and words importing the plural number shall include the singular number, and words importing the masculine gender shall include females.

115. And be it enacted, That for the purposes of this act, every borough and county shall include every place situate within the limits of such borough or county, and not having a separate commission of the peace ; and for the purposes of this act every place situate within the limits of any borough or county, and not having a separate commission of the peace, shall be within the jurisdiction of the justices of such borough or county ; and that the justices of every borough shall, for the purposes of this act, assemble in special sessions at such times as the quarter sessions for such borough shall be holden ; and that all acts hereinbefore required to be done by the justices of counties in general or quarter sessions assembled may be done by the justices of boroughs at such special sessions.

Boroughs and counties to comprise all places therein, not having separate commission of the peace.

116. And be it enacted, That nothing in this act contained shall extend to the Royal Hospital of Bethlehem, or any building adjacent thereto and used therewith : Provided always, that it shall be lawful for any commissioner or other person whom the Lord Chancellor or any one of her Majesty's principal secretaries of state shall at any time, by an order in writing under the hand of the said Lord Chancellor or Secretary of State, direct, to visit and examine the Royal Hospital of Bethlehem, and every or any building adjacent thereto as aforesaid, and every or any person confined therein.

Act not to extend to Bethlehem Hospital.

117. And be it enacted, That this act shall extend only to England and Wales.

Act to be confined to England and Wales.

118. And be it enacted, That this act may be amended or repealed by any act to be passed in this present session of parliament.

Alteration of act.

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.) Section 30.

FORM OF LICENCE.

KNOW ALL MEN, that we, the Commissioners in Lunacy, [or we the undersigned Justices of the Peace, acting in and for in general [or quarter or special] sessions assembled,] do hereby certify, that A. B., of in the parish of in the county of hath delivered to us [or the clerk of the peace,] a plan and description of a house and premises proposed to be licensed for the reception of lunatics, situate at in the county of [or, in the case of a renewed licence, hath delivered to us [or the clerk of the peace] a list of the number of patients now detained in a house and premises licensed on the day of last, for the reception of lunatics, situate at in the county of], and we, having considered and approved the same, do hereby authorize and empower the said A. B., (he intending [or not intending] to reside therein) to use and employ the said house and premises for the reception of male [or female, or male and female] lunatics, of whom not more than shall be private patients, for the space of calendar months from this date.

Sealed with our common seal [or given under our hands and seals], this day of in the year of our Lord 18 .

Witness,

Y. Z., Secretary to the Commissioners of Lunacy.
[or Clerk of the Peace.]

SCHEDULE (B.) Section 45.

ORDER FOR THE RECEPTION OF A PRIVATE PATIENT.

I, the undersigned, hereby request you to receive A. B., a lunatic [or an insane person, or an idiot, or a person of

unsound mind], as a patient into your house [or hospital].
Subjoined is a statement respecting the said A. B.

(Signed) Name.
Occupation (if any).
Place of abode.
Degree of relationship (if any),
or other circumstances of
connexion with the patient.

Name of patient, with Christian name at length.

Sex and age.

Married, single, or widowed.

Condition of life, and previous occupation (if any).

Previous place of abode.

Religious persuasion, so far as known.

Duration of existing attack.

Whether first attack.

Age (if known) on first attack.

Whether subject to epilepsy.

Whether suicidal or dangerous to others.

Previous place of confinement (if any).

Whether found lunatic by inquisition, and date of commission.

Special circumstances (if any) preventing the patient being examined, before admission, separately by two medical practitioners.

Special circumstances (if any) preventing the insertion of any of the above particulars.

Dated this day of (Signed) Name.
hundred and one thousand eight

To proprietor [or superintendent] of
[describing the house or hospital by situation and name,
if any].

SCHEDULE (C.) Section 45.

FORM OF MEDICAL CERTIFICATE IN THE CASE OF PRIVATE PATIENTS.

I, being a physician, or surgeon, or an apothecary, duly authorized to practise as such, hereby cer-

tify, that I have this day, separately from any other medical practitioner, visited and personally examined A.B., the person named in the accompanying statement and order, and that the said A. B. is a lunatic [or, an insane person, or an idiot, or a person of unsound mind], and a proper person to be confined, and that I have formed this opinion from the following fact or facts; viz.

	(Signed)	Name.
		Place of abode.
Dated this	day of	one thousand eight
hundred and		

SCHEDULE (D.) Section 48.

ORDER FOR THE RECEPTION OF A PAUPER PATIENT.

We, the undersigned, having called to our assistance a physician [or surgeon, or apothecary, as the case may be], not being the medical officer of the parish or union to which the said A. B. belongs, and having personally examined A. B., a pauper, and being satisfied that the said A. B. is a lunatic [or, an insane person, or an idiot, or a person of unsound mind,] and a proper person to be confined, hereby request you to receive the said A. B. as a patient into your house or hospital.

Subjoined is a statement respecting the said A. B.

(Signed)	Name.
A Justice of the Peace for the city or borough of	[or an or the
Officiating Clergyman of the parish of].

Name.

With the relieving officer of the union or parish of [or with an overseer of the parish of].

STATEMENT.

Name of patient, and Christian name at length.

Sex and age.

Married, single, or widowed.

Condition of life, and previous occupation (if any).

Previous place of abode.

Religious persuasion, so far as known.

Length of time insane.

Whether first attack.

Age (if known) on first attack.

Whether subject to epilepsy.

Whether suicidal or dangerous to others.

Previous places of confinement (if any).

I certify that to the best of my knowledge the above particulars are correctly stated.

(Signed)

[To be signed by the relieving officer or overseer signing the order.]

Dated this day of one thousand eight hundred

To proprietor [or superintendent] of
[describing the house or hospital by situation and name, if any].

MEDICAL CERTIFICATE.

I, being a physician, or surgeon, or an apothecary, duly authorized to practise as such, hereby certify, that I have this day personally examined A. B., the person named in the statement and order, and that the said A. B. is a lunatic [or, an insane person, or an idiot, or a person of an unsound mind], and a proper person to be confined.

(Signed)

Name.

Place of abode.

Dated this day of one thousand eight hundred and

SCHEDULE (E.) SECTION 50.

REGISTRY OF ADMISSIONS.

REGISTER OF PATIENTS.

[illegible]

SCHEDULE (F.) Section 52.

NOTICE OF ADMISSION.

I hereby give you notice, that A. B. was received into this house [or hospital] as a private [or pauper] patient on the _____ day of _____ and I hereby transmit a copy of the order and medical certificates [or certificate] on which he was received.

Subjoined is a statement with respect to the mental and bodily condition of the above-named patient.

(Signed)

Superintendent
[or proprietor] of

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

STATEMENT.

I have this day seen and personally examined the patient named in the above notice, and hereby certify that with respect to mental state he [or she] _____ and that with respect to bodily health and condition he [or she] _____

(Signed)

Medical proprietor [or superintendent, or attendant.]

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

SCHEDULE (G.I.) SECTION 51

SCHEDULE (G. 1.) SECTION 54.

REGISTER OF DISCHARGES AND DEATHS.

Date of Discharge or Death.	Date of last Admission.	No. in Register of Patients.	Christian and Surname at Length.	Sex and Class.				Discharged.				Died.		Assigned Cause of Death.	Age at Death.		Observations.
				Private.		Pauper.		Reco- vered.	Relieved.		Not improved.	M.	F.		M.	F.	
				M.	F.	M.	F.		M.	F.								M.	F.
1846: Sept. 1	1846: Jan. 3.	1	William Johnson	..	..	1	..	M.	F.	M.	F.	M.	F.		M.	F.	
1848: Dec. 2.	1848: June 9	4	William Johnson	..	..	1	..	M.	F.	M.	F.	M.	F.				
1853: June 8.	1852: May 6	7	William Johnson	..	..	1	..	..	..	..	..	..	..	1	..	Phthisis 27	

SCHEDULE (G. 2.) Section 54.

FORM OF NOTICE OF DISCHARGE OR DEATH.

I hereby give you notice, that a private [or
pauper] patient, received into this house [or hospital] on
the day of was discharged therefrom re-
covered [or relieved, or not improved,] by the authority of
 [or died therein, on the day of].

(Signed)

Superintendent [or proprietor] of
house [or hospital] at

Dated this day of one thousand eight
hundred and

In case of death, add, "and I further certify, that
A. B. was present at the death of the said ; and
that the apparent cause of death of the said
[ascertained by post mortem examination (if so)] was
"

FORM OF MEDICAL JOURNAL AND WEEKLY REPORT.

[illegible]

SCHEDULE (I.) Section 100.

FORM OF SUMMONS.

We, the Commissioners in Lunacy [or we whose names are hereunto set and seals affixed, being two of the Commissioners in Lunacy, or Visitors] appointed under or by virtue of an act passed in the year of the reign of her present Majesty, intituled [here insert the title of the act], do hereby summon and require you personally to appear before us at in the parish of in the county of on next the day of at the hour of in the noon of the same day, and then and there to be examined, and to testify the truth touching certain matters relating to the execution of the said act.

Sealed with the common seal of "The Commissioners in Lunacy" [or given under our hands and seals], this day of in the year of our Lord one thousand eight hundred and

APPENDIX.

PRESENT CONDITION OF LUNACY IN ENGLAND.

Statistics of Insanity.—There are 20,000 persons ascertained to be insane in England and Wales. This is, however, considerably below the actual number. They belong to every station in society; two-thirds, however, of the whole are objects of charity, and are maintained entirely at the public expense. There are 3790 private patients confined in asylums in England and Wales, out of which 1989 are males, and 1801 females. The number of paupers so confined is 7482; males 3532, females 3950; making, in the aggregate of private and pauper patients, 11,272 confined in asylums in England and Wales.

Probability of Recovery.—Out of the number above specified, 2519 are said to be “curable”—viz., 1045 private, and 1474 pauper patients. Incurable cases, 8736—males 4331, females 4405. Of epileptics there were 951, idiots 598, homicidal patients 278, suicidal cases 696.

Civil State.—There were of the 11,272, married 3165, single 6328, widowed 1138, not known 409.

Class of Life.—Upper and middle class 2704, agricultural 1652, artisan and in-door 3868, others 2816.

Criminal Lunatics 257; found lunatic by inquisition 233.

*General Statement of the Total Number of Persons ascertained to be Insane, in England and Wales.
January 1, 1844.*

Where Confined.	PRIVATE PATIENTS.			PAUPERS.			TOTAL.		
	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.
County Asylums.	130	115	245	1924	2231	4155	2054	2346	4400
Ditto, under Local Acts	—	—	—	38	51	89	38	51	89
Military and Naval Hospitals . .	164	4	168	—	—	—	164	4	168
Bethlem and St. Luke's Hospitals .	178	264	442	86	35	121	264	299	563
Other Public Asylums	249	287	536	177	166	343	426	453	879
Licensed Houses:—									
" Metropolitan	520	453	973	360	494	854	880	947	1827
" Provincial	748	678	1426	947	973	1920	1695	1651	3346
* Workhouses and elsewhere . . .	—	—	—	4169	5170	9339	4169	5170	9339
Single Patients under Commission	172	110	282	—	—	—	172	110	282
Totals	2161	1911	4072	7701	9120	16,821	9862	11,031	20,893

* Including 30 male, and 3 female criminal lunatics, in gaols, according to the Parliamentary Return for April, 1843. The numbers given under this head have been obtained by deducting from the total estimated number of pauper lunatics on the 1st of January, 1844, those confined in asylums on that day, including *county* and vagrant paupers, which are not distinguished from others in the returns made to this board, and which (as has been stated) were not comprised in the Poor Law returns; consequently the numbers of pauper Lunatics "in workhouses and elsewhere," on the 1st of January, 1844, as well as the grand totals given above, exceeded the numbers in the table by the number of *county* and vagrant paupers so deducted.

Private Lunatic Asylums.—The number of metropolitan private licensed houses amounts to thirty-three in number, that is, those which are exclusively confined to the reception of private patients. The number confined in the private metropolitan lunatic asylums amounts to 618; three of them not included in the above estimate—viz., Peckham House, Hoxton House, and Bethnal Green, receive pauper patients also. In Peckham House there are 48 private patients and 203 paupers; in Hoxton House there are 81 private, and 315 pauper; and, in Bethnal Green, there are 226 private, and 336 pauper. The number of licensed houses in the provinces of England which receive private patients exclusively amounts to 55, and the houses which receive pauper patients in addition to the others are 44 in number.

Some of the establishments which receive private patients only, possess every accommodation and convenience which comfort and even luxury can require, and in them the patients are generally treated kindly and judiciously. These remarks apply not only to the houses which are situated in the metropolitan district, but also to many in the provinces. There are, however, certain irregularities connected with some, which ought to be pointed out. In one instance, there were three certified patients and eight others, ladies and gentlemen, who were reported to us as not insane, located in a lunatic establishment as boarders. These parties were examined by the visiting justices, and it was decided that three of them were of sound mind, that one was insane, and the mental condition of the fifth was doubtful. In another instance, a boarder was found residing in a licensed house without a certificate; and, on several occasions, in the same establishment, patients were permitted to execute deeds affecting property.

The commissioners are decidedly of opinion that all houses licensed for the reception of the insane should be kept exclusively for that purpose, and the reception of nervous, imbecile, and dejected persons, is open to

serious objection. The general admission of persons without orders and certificates is certainly contrary to law, and is liable to great abuse. The object of granting certificates manifestly is, that every individual under confinement is examined by official visitors, whose duty is to satisfy themselves not only that he is properly treated, but that he is a fit person to be detained.

In one instance, on the examination of an asylum, the proprietor was absent for several days, and there was neither superintendent, keeper, or nurse, to take charge of the patients, and there was only one female servant and a boy of sixteen years of age in the house. In some instances there has been found to be too much restraint; in others, but little provision for the cure of the lunatics; in some, the accommodations have been objectionable, and the places out of repair.

Provincial Houses which receive Pauper Patients.—There are many instances where private mansions have been converted into asylums; and where this is the case, they usually require extensive alterations—the proprietor and his family often occupying the most eligible portion of the house, and the paupers consigned to buildings which were formerly used as out-houses.

In some instances there has been but one yard for the accommodation of the male and female lunatics, which they have been compelled to use alternately; and, in some instances, the males had no day room, except the confined space in a narrow sleeping gallery, and some of the paupers still sleep in a cellar-like place on the basement story.

In one of the houses of industry, containing from eighty to ninety insane persons, they were nearly all fastened by the wrists to their beds at night, but, in consequence of remonstrance, this excessive restraint has been discontinued.

Some of the metropolitan houses are worthy of great eulogium; the accommodation is good; there are extensive grounds for exercise and amusement, and the

patients are treated with care and kindness. In other instances, it is necessary to complain of the yards, which are dull and confined, and the internal accommodations, which are inconvenient. In another case, the diet has always been the subject of complaint, and the licence is delayed in consequence.

Defects and Abuses in Asylums, &c., which deserve unqualified censure.—The defects hitherto alluded to have been but partial, but the commissioners have met with abuses which deserve the greatest censure.

In one asylum, the commissioner had reported in 1842 that there was a total absence of every comfort and convenience, that the rooms were small and ill ventilated, being almost dark, and the interior in a state of dilapidation. The two day rooms in which the less violent patients were confined (one having seven males, and the other five females) each measured about twelve feet by nine. The floors were of soft stone, but parts of it had been torn up and destroyed. There were no articles of furniture, not even seats, in the women's apartment, and nothing but a table in the men's room. The men and women were either standing or sitting on the floor. There were large holes in some of the walls and ceilings. The dress of the patients was almost, in every instance, dirty, ragged, and insufficient. There was not a single change of linen, either for the beds or the person, in the whole asylum. There were no sheets or blankets to cover the patients—simply rugs.

The matron complained to the commissioner of the state of the asylum, which was dreadful, and she expressed her hope that some persons would speedily interfere on behalf of the "poor creatures who are confined there."

With regard to restraint, there were no bolts, handlocks, or strait-jackets, but the refractory patients were confined in strong chairs, their arms being fastened to the chair. Two were thus confined—one was a boy, the other was a woman, who was entirely

naked. Both of these were dirty patients, and the stench was abominable.

There was no place of exercise during bad weather, nor was there any attempt to employ or amuse the patients; prayers were never read, and no clergyman ever visited the asylum.

The food was insufficient, and of a bad quality.

This same establishment was revisited in 1843, and though there were symptoms of improvement, it was pronounced totally unfit for the reception of the insane.

In another case, there was neither day-room, eating-room, nor kitchen, for the women, distinct from their sleeping apartments, and the only place in which they (40 in number) could take exercise, was a small passage, or paved yard, at one end of the hospital. There were no means of classification, of exercise, or employment.

In another asylum, first visited in 1842, there were 13 males and 16 females. Each sex had only one sitting-room, with windows that did not admit of any prospect, and the violent and the quiet, the dirty and the clean, were all shut up together. There was only one small yard, and when one sex was in it, the other was shut up. In the small, cheerless day-room of the males, with only one unglazed window, five men were restrained by leg-locks, called hobbles, and two were wearing, in addition, iron hand-cuffs and fetters, from the wrist to the ankle.

At another asylum, the day-rooms—of which there were three on the male side, and the same number on the female—were confined and gloomy. Chains were attached to the floor in several places, and it was the practice to chain the patients by the leg on their admission, in order, as it was said, to see what they would do. The bedding was filthy—the male patients were ragged and filthy, listless and unemployed. One old woman, who had attempted suicide, was chained by the leg to the fire-guard. In one of the houses where many of the abuses previously mentioned were

in existence, a lady was found confined, who was represented to be a visitor: the lady was subsequently liberated on the remonstrances of the commissioners.

On the visit of the commissioners to another establishment, which had drawn forth censure in the visit of 1842, on the visitation of 1843, the straw rooms for both sexes were unfit for use; there was only one day-room and one airing court for each sex; the noisy, the violent, the refractory, and the dangerous, were promiscuously mingled together. There were seven females under restraint: two had strait-waistcoats—two had their arms fixed in iron frames, and three had iron leg-locks.

The following is an extract from a report of the commissioners respecting an asylum:—"In one of the cells in the upper court for the women, the dimensions of which were 8 feet by 4, and in which there was no table, and only two wooden seats fastened to the wall, we found three females confined. There was no glazing to the window, and the floor of this place was perfectly wet with urine. The two dark cells used for a day-room, which adjoin the cell, are the sleeping places for these unfortunate beings. Two of them sleep in two cribs in one cell. The floor in the cell with two cribs was actually reeking with filth and urine. In the other cell, the patient had broken her crib to pieces. The straw itself was most filthy, and the floor wet with urine. These cells have no window, and no place for light or air, except a grate over the doors."

Public Hospitals.—Public hospitals and parts of hospitals, or other charitable institutions, are supported wholly or partly by voluntary contributions. Of this class are the lunatic asylums at Exeter, Lincoln, and Northampton, the Warneford at Oxford, the Retreat at York, the York asylum, St. Luke's hospital, the Bethel hospital at Norwich, the lunatic ward of Guy's hospital, the hospital at Manchester, and the Liverpool asylum.

These hospitals differ materially from other hospitals

for the sick, in this respect, that although most of them derive some portion of their income from a charitable foundation, the patients admitted into them invariably pay the greater part, and sometimes the whole expenses of their own maintenance and medical attendance. The lunatic ward of Guy's hospital, and to a certain extent the Bethel hospital at Norwich, are exceptions to this rule. The sum received for private patients, and for board and lodging, in the year 1842, at the Retreat, York, was 4139*l.* 2*s.* 11*d.*; at St. Luke's, 1526*l.* 8*s.*; at Lincoln, (1843), 3559*l.* 19*s.* 11*d.*; at Exeter, 1735*l.*; at the Warneford, 1098*l.* 10*s.* 6*d.*; at Northampton, 5141*l.* 18*s.* 5*d.* The internal accommodations of the Retreat, near York, are admirably adapted to promote the benevolent objects for which the asylum was instituted. The Lincoln asylum is extremely well situated, but there is no land to it. The Warneford asylum deserves praise. St. Luke's hospital is ill placed, and is deficient in airing grounds, but it has extensive galleries. The asylum at Northampton is admirably placed, but the Norwich and Manchester institutions are ill adapted, from their site and localities, for the reception of the insane.

In some of these public hospitals, the governing bodies claim exemption from visitation, but the opinion of the commissioners is, that no institutions should be exempt from the inspection of the authorized authorities. At the Lincoln asylum, the day-rooms, of which there are eight in each division of the asylum, are warmed by open fires. The galleries, which appeared as likely to be very cold in winter, are not artificially warmed, the stoves and flues, formerly in use, having been discontinued in the year 1836. The committee of management of the Lincoln asylum, among other regulations for the guidance of their medical officers, have established the following rule,—“That the process of subduing violence by the use of tartarized antimony or of narcotics, the practice of enforcing sleep by opiates and courses of drastic medicines, are hereby interdicted, except in special cases, otherwise medically requiring the same.” The Retreat at York was

established in the year 1796, and introduced a milder system of managing the insane. This admirable institution has, from its foundation, steadily pursued the same humane and benevolent mode of treating the patients.

Hanwell.—At Hanwell there are certain disadvantages in situation, the ward for the worst class of females, and the large exercising ground for women, are both liable to annoyance, being only separated from the land of other proprietors by a wooden paling. At the same institution there has been a scarcity of water; one well failed, and an artesian well has been sunk, at an expense of 1483*l*. There is a want of proper ventilation in some of the wards at Hanwell, more especially on the basement story on the female side, and its magnitude is a source of great disadvantage. The two resident medical officers have between them nearly 1000 patients to attend, and are required by the rules to see every patient twice a day, and the vast number of inmates is calculated to increase the difficulty of maintaining order.

In 1834, the resident physician called the attention of the magistrates to the fact of the house being filled with old and incurable cases, which he attributed almost entirely to the neglect of proper remedies in the early stages of the disease; and in 1836, he also stated, that the additional room made for the patients during the year, had been almost entirely filled up by old and incurable cases, only ten, said to be of recent date, being admitted.

The non-restraint system is followed to the utmost extent at Hanwell.

FORMS OF DISEASE.—The principal forms are comprehended in the tables which accompany this report, under the following heads.—

- I. Mania—which is thus divided, into
 1. Acute Mania, or Raving Madness.
 2. Ordinary Mania, or Chronic Madness of a less acute form.
 3. Periodical or Remittent Mania, with comparatively lucid intervals.

- II. Dementia, or decay and obliteration of the intellectual faculties.
- III. Melancholia.
- IV. Monomania.
- V. Moral Insanity.

The three last mentioned forms are sometimes comprehended under the term Partial Insanity.

- VI. Congenital Idiocy.
- VII. Congenital Imbecility.
- VIII. General Paralysis of the Insane.
- Epilepsy.

To these may be added Delirium Tremens.

I. *Mania*.—This term is used to designate a particular kind of madness, as affecting all the operations of the mind. Maniacs are incapable of carrying on, in a calm and collected manner, any process of thought—their disorder betrays itself in conversation, conduct, gesture, and behaviour, which are absurd and irrational. It is also accompanied by hurry and confusion of ideas, and by more or less excitement of feeling and expression. This in excessive degree is termed

1. *Mania, or Raving Madness*.—This is often the first stage of the disease, which often becomes gradually milder in its character. In other cases, the raving state continues throughout the whole of the disease, and becomes fatal through the consequent exhaustion and want of rest. It is also attended with considerable disturbance of the vital functions.

2. *Chronic Mania*.—This is attended with less excitement of the passions, less rapidity of utterance, and violence of action. The disorder of the mind in this stage is not always perceptible, but it soon becomes apparent that the patient is incapable of continued rational conversation or self-control. A great proportion of these cases labour under hallucinations and illusions, or false impressions as to matters of fact, but they are often tranquil and harmless. Many of them are capable of being employed in agricultural

and other pursuits, and of amusing themselves by reading and music, and other active games.

3. *Intermittent Mania*.—This, attended with lucid intervals, is by no means so frequent as might be inferred from the writings of authors on medical jurisprudence, &c. Some medical writers deny the existence of lucid intervals altogether. In all large asylums, there are patients subject to occasional paroxysms of raving madness, who have intervals of comparative tranquillity and rest.

Recurrent Insanity differs from intermittent mania, though often confounded with it. In intermittent mania, paroxysms occur either after regular or irregular periods, and this is the ordinary character of the disease. Recurrent insanity is applied to any form of mental disorder when the patient recovers perfectly, but suffers from relapses after considerable periods of time.

II. *Dementia*.—Of this, chronic and protracted mania is often the prelude. It differs from all the forms of insanity: from mania, in which the intellectual powers still exist, though they are exercised in a confused and disordered manner; from idiocy, in which the powers of the mind have never been developed. Dementia, in some instances, is the primary form of mental derangement. Such cases are generally the result of causes of a depressing nature, as grief, poverty, destitution, and old age. It is sometimes the sequel of apoplexy, paralysis, epilepsy, and of various affections of the brain.

In the collective number of patients in the Lancaster asylum, out of 619, reduced to 580 by the omission of 99 doubtful cases, there were labouring under mania, 235, and dementia, 183 = 418, which is about two-thirds of the whole number of patients.

III. *Melancholia* is the disease of a vast number in all extensive lunatic asylums. There are of it a variety of degrees—some display mere lowness of spirit, with a distaste for the pleasures of life, without disorder of the understanding, or defect in the intel-

lectual power, and manifest no hallucination. There is sometimes an alternation of buoyancy of spirits. Another class derive their melancholy from grief at some unreal misfortune. Many believe they have committed unpardonable sins, and are doomed to perdition; others imagine they are accused of some heinous crime; some fancy that they have sustained great pecuniary losses or have some fearful malady—such cases demand constant attention. In the Northampton asylum, from August, 1838, to November, 1843, out of 118 cases of melancholia, a suicidal propensity had been discovered in 64, and in Lancaster, 105 out of 619.

IV. *Monomania*.—This term is professedly given to those cases in which the intellectual faculties are unimpaired, except with relation to some particular topic. A frequent illusion is, that converse is held with supernatural beings. In most cases of partial insanity, melancholia connects itself with partial delusion.

V. *Moral Insanity*.—The term is used to designate a form of disease in which the sentiments, affections, habits, and the moral feelings of the mind, rather than the intellectual faculties, are in an unsound and disordered state. The faculties of the understanding remain unimpaired, and no delusive impression can be detected which may account for the perversion of the moral dispositions, affections, and inclinations. Such cases were once deemed unaccountable phenomena. They are characterised by a total want of self-control, with an inordinate propensity to excesses of various kinds; amongst others, to intoxication.

Among the female inmates, the disorder principally consists in a moral perversion, connected with hysterical or sexual excitement.

VI. and VII. *Congenital Idiocy and Imbecility*.—Congenital idiots are persons whose intellectual faculties have never been developed.

Congenital imbecility is the result of some original defect, which renders the mind feeble in its operations, though not altogether incapable of exercising it

within a limited sphere. More discrimination ought to be used than has hitherto been practised in selecting from persons of this class proper objects for confinement.

VIII. *General Paralysis of the Insane, and other forms of Paralysis complicated with Insanity.*—Paralysis is usually an indication that the case is incurable and hopeless, as it is a sign of disease of the brain. Sometimes insanity is the result of an attack of apoplexy, or of hemiplegia. In other cases, they supervene, on protracted mania, or dementia.

General paralysis is to be considered as distinct both from ordinary paralysis and insanity. It seldom, however, occurs in females—principally in men, and is most frequently the result of a debauched and intemperate life. Its duration is seldom longer than two or three years, when it terminates in death. The onset of the disease is marked by an impediment in articulation; in the second stage, the patient is observed to have a tottering gait; and in progress of time, a third stage appears, when the patient not only loses the power of locomotion, but can neither feed himself, nor answer the calls of nature.

Cases of
General Paralysis.

In 213 admissions into Hanwell . . .	32
In 120 ,, Surrey Asylum	16
In 619 ,, Lancaster . . .	13

IX. *Epilepsy* is complicated with disorders of the mind in various ways. There are—

1. Epileptic idiots. They are not materially different from other idiots, but are more liable to accidents.

2. Demented, or imbecile epileptics.

3. Epileptic mania. Some persons subject to severe paroxysms of epilepsy, without suffering obliteration of their mental faculties, and even without obvious disorder of the mind during the interval of these paroxysms, are nevertheless subject to fits of a maniacal character.

Epileptics are sometimes irritable, morose, and dan-

gerous. The species of madness which is complicated with epilepsy is frequently of a most dangerous description.

Proportion of Epileptic Patients.

	Numbers in House.	Epileptics.	
		Male.	Female.
Bethnal Green	662	40	19
Hoxton House	396	24	20
Lancaster	611	40	23
York, West Riding	433	23	16
Kent	249	15	14
Chester	164	12	6
Hanwell	975	80	63

X. *Delirium Tremens*.—These cases are sometimes, though rarely, seen among the inmates of lunatic asylums. It is not a disease of long duration, but terminates, for the most part, in a short period, in either death or recovery. Hence in asylums they are rare.

Classification of Lunatics is one of the most important ameliorations that has of late years been introduced into the treatment of the insane. In former times, the inmates of these houses were either secluded in solitary cells, or were allowed to mingle together promiscuously! The judicious classification of the insane has a remarkable effect in promoting recovery. The first object is the total separation of dangerous lunatics from others, or injuries will be inflicted on patients, and perhaps the house ignited. Restless, noisy, and agitated lunatics, who would annoy and irritate the more tranquil, require separate wards and airing grounds. A separate suite of apartments ought to be provided for those patients who are dirty in their habits, and insensible or indifferent to the calls of nature.

Melancholic, or dejected patients, should be sepa-

rated from those of their own condition, as they contemplate with horror the probability of being reduced to a state of dementia : and having a greater tendency to suicide than others, they require a more vigilant inspection.

It is, in the opinion of the commissioners, decidedly improper to allow the epileptic patients to have access to others. Lancaster county asylum has the following classification :—

1. Cases of dementia, associated with active, orderly, and quiet cases, who have been some time in the house.

2. Recent cases associated with cases of long standing.

3. Patients who have not manifested a tendency to violence, to suicide, or desire to escape.

4. Convalescents. A few cases, and one or two old cases.

5. Refractory and excited cases.

6. Suicidal cases associated with cheerful and watchful cases.

7. Refractory patients and violent epileptics.

8. Epileptics who are not violent.

9. Aged, quiet, and long standing cases, and a few suicidal cases.

10. Infirmary.

Medical Treatment of the Insane.—A great difference in this respect prevails in the different classes of lunatic asylums. Many of the patients in those houses where the residence of a medical officer is not required by law, have been under the treatment of persons destitute of medical education. Occasional doses of medicines are administered; but in many asylums, real medical treatment has been almost entirely disregarded.

A Report of the Commissioners on the Norfolk asylum states :—

“ The most serious defect in this institution, and one which may be attended with the most mischievous, if not fatal consequences, is the want of a resident

medical officer. On this subject we cannot but notice, as a singular anomaly in the law, that whilst it is required in every *licensed house* containing 100 patients, that there shall be a resident physician, surgeon, or apothecary, there is no similar provision as to county, or subscription asylums, or public hospitals.

“The liability to apoplexy, and the possible occurrence of cases of suspended animation from strangling, may be mentioned as among the many reasons calling for the constant and immediate vicinity of a medical man. Upon asking the superintendent what he would do in such cases, we were told that he would immediately send to Norwich, the nearest place, three miles distant, for one of the medical visitors. He subsequently directed our attention to a pony on the lawn, which he informed us was constantly kept ready, to be saddled as occasion required.”

In many of the asylums the proprietors are medical men, and they appear, in most cases, to treat their patients with skill and judgment.

It is the opinion of the medical men, that the most frequent causes of insanity amongst the poor are, habitual intemperance, poverty, and destitution, grief and disappointment, and, in some instances, want of sufficient sustenance. Such causes have a tendency to leave the body in a state of weakness and exhaustion. The most successful mode of attempting the cure of pauper lunatics in public asylums is to obviate the state of body which the aforesaid causes have a tendency to induce. This is best effected by the restorative plan. For this purpose a nutritive and tolerably full diet is allowed, consisting of animal food, milk porridge, and milk thickened with different farinaceous substances. To these is added a moderate quantity of malt liquor. Warm clothing and bedding, and a warm dry atmosphere are desirable, with exercise in the open air in cheerful airing grounds, and the judicious use of baths and frictions, to restore the activity of the circulation.

In these cases, tonic and stimulant medicines, as carbonate of iron, gentian, cinchona, sulphate of qui-

nine, and aloetic medicines, are highly desirable; but violent purgatives and emetics have had injurious effects, except where any visceral obstruction renders them requisite. It is the testimony of the best informed among the medical superintendents of asylums, that the restoration of bodily health is frequently accompanied by a marked improvement of the mental faculties.

On the utility of opiates there has been considerable diversity of opinion. Some abjure them *in toto*; others consider them as the most valuable remedy in cases of agitation and excitement.

It has been found, on inquiry, that in none of the asylums has medical treatment been substituted for coercion; but that the use of aperients, emetics, tartarized antimony, and cold applications to the head, has often had such a subduing and soothing effect, as to render coercion unnecessary.

Moral Management of the Insane.—Inquiry has decided that occupations in the open air and associated with amusement, have a beneficial tendency; and all who have any knowledge on the subject of lunacy, strenuously advise that patients should be employed as much as possible.

There can be no doubt that the longer a delusion is dwelt upon, the more inveterate it becomes; and diverting the attention must, consequently, be attended with good. It is desirable, if possible, that the patient should be put to that kind of employment to which he has been accustomed. If he knows no trade or art, it is desirable that he should be instructed.

Gardening and agricultural labour are highly recommended, but the labour of the patient ought not to be rendered a subject of profit. The labour should be moderate, and, as much as possible, in the open air.

Music and dancing, also various games, may be resorted to with benefit, and according to the state of the patient; and no asylum ought to be without a well-selected library. Books judiciously chosen,

and such as are not calculated to increase any morbid feelings of the mind, are important helps in promoting its serenity.

In many of the asylums, there has been an abundance of religious publications, and but little else. It is advisable that, in addition to these, there should be works of an entertaining and instructive character.

In the Wakefield Lunatic Asylum, to which are attached a garden of three acres, and a farm of forty, the commissioners were informed that 120 out of 208 male patients, and 135 out of 190 female patients, were employed in various ways. These patients belonged to a manufacturing district, and occupied themselves in woollen and cotton weaving; and all the clothes, including the shoes, used throughout the establishment were made by the inmates.

In the asylum at Bethnal Green the patients are employed in various ways—making shoes or mats, or in the laundry, kitchen, &c.

But in some of the asylums, employment and amusement of the patients seem thoroughly neglected, and they are thereby cut off from many of those chances of recovery which these establishments were intended to afford.

Religious Services.—In respect to devotional exercises and religious instruction, the commissioners have to report that proper attention appears to be very generally paid to these important duties: that the service of the church is, for the most part, regularly performed every Sunday; and that prayers are read in many cases, in the other days in the week, where there are patients in a condition to benefit by them.

The patients are said to look forward to these services with pleasure, and to consider exclusion from them as a privation.

As merely *moral* aids, they are considered as conducive to public order, and of great use. So long as they last, *at least*, they occupy the patient's mind, and set an example of quiet and decorum. The prayers of the church have a soothing influence. All, how-

ever, concur in saying that religious instruction injudiciously imparted, and controversial discourses, are positively injurious.

The appointment of chaplains to asylums is exceedingly desirable. In some instances, as far as regarded religious instruction, great indiscretion has been manifested. In one house, a patient (obviously a lunatic) was permitted to exhort his fellow-patients every Sunday, in an extemporaneous address; and in another place, a keeper or nurse, without any apparent qualification, has been the only person delegated to read the service to the assembled patients.

At Hanwell, the average number attending the chapel is three hundred, and the holy communion is administered to those who are considered in a fit state to receive it.

The result of the inquiries at St. Luke's was, that prayers had never been read to the inmates of this hospital, but that a chapel was in progress of being fitted up, and a chaplain was about to be appointed.

Dietary.—Attention to diet is of the utmost importance in the treatment of the insane. Nothing can be effected without an ample supply of proper food.

It is worthy of remark that in two of the county asylums—viz., those of Middlesex and Dorset—the diet of the patients was improved by an increased allowance of food, and in both has been recorded an increase in the number of recoveries.

In the private asylums admitting pauper patients, there has been a considerable diversity respecting food. In many instances, no malt liquor is furnished to the patients.

The commissioners have received repeated assurances that the disease has been frequently alleviated, and sometimes cured by the provision of a wholesome diet. The following is a specimen of the diet at Hanwell :—

MALES.

Breakfast—Milk thickened with oatmeal and flour,
one pint; bread, 6oz.

Dinner—Sunday .. } Meat, 5oz. cooked.
 Tuesday .. } Yeast dumpling, 4oz.
 Wednesday } Beer, half-a-pint.
 Friday .. } Vegetables.
 Monday—1 pint of soup; bread, 6oz.; beer,
 half-a-pint.
 Thursday—Irish stew, 12oz.; bread, 6oz.;
 beer, half-a-pint.
 Saturday — Meat-pie crust, 12oz., meat,
 1½oz.; beer, half-a-pint.
 Supper—Bread, 6oz.; cheese, 2oz.; beer, half-a-pint.

EXTRAS TO WORKMEN.

Out-door workers to be allowed half-a-pint of beer at 11 a.m. and at 4 p.m. daily; and 1oz of tea and 4oz. of sugar weekly.

FEMALES.

Breakfast—Bread, 5oz.; butter, half-an-ounce; sugar,
 4oz. per week; tea, 1 pint.
 Dinner—Sunday .. } 5oz. of meat cooked.
 Tuesday .. } Yeast dumpling, 4oz.
 Wednesday } Beer, half-a-pint.
 Friday .. } Vegetables.
 Monday—1 pint of soup; bread, 6oz.; beer,
 half-a-pint.
 Thursday—Irish stew, 12oz.; bread, 5oz.;
 beer, half-a-pint.
 Saturday—Meat-pie crust, 12oz., meat, 1½oz.;
 beer, half-a-pint.
 Supper—Milk thickened with oatmeal and flour,
 1 pint; bread, 5oz.

EXTRAS TO LAUNDRY-WOMEN.

To be allowed half-a-pint of beer at 4 p.m., and 1oz. of tea and 4oz. of sugar per week, in lieu of the ordinary supper.

Restraint.—This has been made the subject of minute inquiry. In some of the asylums, both public and private, the superintendents and proprietors state that they manage their patients without any restraint

whatever. In other institutions it is sometimes used, but only in extraordinary cases. Those who employ the non-restraint system, make use of manual force and seclusion. When any of the limbs (as the legs and arms of the patient) are confined by the strait-jacket, the belt, or by straps and gloves, the patient is said to be under restraint. But mere seclusion in a cell and holding by the arms come under the denomination of the *non-restraint system*.

The usual methods of restraint are, by strong dresses, strait-waistcoats, straps, or belts, made of linen, cloth, or leather.

Whatever may be the means or form of control exercised over the persons of the patients, or whatever the degrees in which the application of the control may be varied in different asylums, the commissioners have the gratification of reporting that in every public and private asylum in the kingdom, which is well managed, bodily restraint is not permitted, except in extreme cases, and under the express sanction of a competent superintendent.

The unanimous opinion of the medical superintendents is, that the diminution of restraint in the treatment of lunatics has not only lessened the sufferings, but has improved the general health and condition of the insane.

The medical officers and superintendents who adhere to the system of absolute non-coercion, never using mechanical restraint even in cases of extreme violence, argue—

I. That that practice is the most humane and beneficial to the patient, soothing instead of coercing him during irritation, and encouraging him when tranquil to exert his faculties in order to acquire complete self-control.

II. That a recovery thus obtained is likely to be more permanent than if obtained by other means.

III. That a mechanical restraint has a bad moral effect, degrading the patient in his own opinion.

IV. Asylums have invariably improved, and the cheerfulness and confidence of patients have invari-

ably increased, during the absence of mechanical coercion.

V. Mechanical restraint, if used at all, is liable to abuse in the hands of keepers and nurses, who will often have recourse to it to prevent trouble.

VI. That the patient may be controlled as effectually without mechanical restraint, and that the only requisites for enabling superintendents to dispense with it is to increase the number of attendants, and to adopt a better system of classification amongst the patients.

The medical superintendents, on the other hand, who advocate the non-restraint system as a general rule, but make exceptions in extreme cases, urge the following reasons :—

I. That it is necessary to acquire as soon as possible a certain authority over the patient.

II. That, though this may be generally attained by kindness and persuasion, there are instances in which they may fail.

III. That the union of authority and kindness has been found the best method.

IV. That the occasional use of mechanical restraint has, in some instances, produced tranquillity by day and rest by night.

V. That it prevents more surely, the possibility of the patient injuring himself or others.

VI. That, particularly in large establishments, the supervision must be trusted mainly to the attendants, who are not always to be depended upon.

VII. That, in many cases, mild mechanical restraint tends less to irritate and exhaust the patient than the act of detaining him by manual strength, or forcing him into seclusion, where he has liberty to throw himself about for hours.

VIII. That the expense of a sufficient number of attendants to restrain a patient during his paroxysms without restraint, is beyond the means of ordinary establishments.

IX. That the occasional use of slight coercion has this advantage, that it gives the patient the opportunity of taking exercise in the open air, when, otherwise, he would be in a state of seclusion.

X. That the benefit to the patient himself, if it exist at all, is not the only question; but the question is, whether this doubtful advantage ought to be purchased by the danger to which both the attendants and the patients are, by the abolition of all restraint, exposed.

XI. That when a patient is forced into a secluded room or cell, it is essentially coercion in another form, and is attended with quite as bad a moral effect as any that can arise from mechanical restraint.

Per Centages of Cures and Deaths in County and other Lunatic Asylums.

	Proportion per cent.					
	On average Number resident in asylum during last 5 years.		On total number of cases discharged, including deaths.			
			Since opening.		During last five years.	
	Annual Cures.	Annual Deaths.	Cures.	Deaths.	Cures.	Deaths.
Bedford	15.9	10.3	39.7	23.3	44.3	29.3
Chester	30.1	11.8	59.0	30.0	63.2	24.7
Cornwall	13.4	7.9	—	23.8	47.6	28.2
Dorset	15.6	12.2	58.5	36.1	52.9	41.4
Gloucester	31.7	10.7	65.5	13.7	61.7	20.8
Kent	7.5	10.7	38.3	47.3	35.0	50.0
Lancashire... ..	16.6	13.2	48.2	46.0	52.4	41.5
Leicester	36.1	11.3	18.1	60.0	60.7	19.0
Middlesex	6.7	9.1	37.4	55.7	38.7	52.9
Norfolk	13.3	19.1	52.3	45.4	37.9	54.4
Nottingham	24.6	9.2	15.8	14.5	58.4	21.8
Stafford	21.0	13.7	—	—	42.7	27.9
Suffolk	16.1	10.8	30.4	33.7	52.6	35.3
Surrey	—	—	47.8	50.9	—	—
York, West Riding ...	17.1	13.6	50.1	36.9	48.6	38.2
St. Peter's, Bristol ...	20.3	19.7	46.0	27.3	33.0	32.0
Exeter... ..	47.6	12.4	54.1	9.2	47.6	12.4
Lincoln	17.9	15.0	42.2	21.9	33.1	27.8
Liverpool	62.7	16.7	41.2	11.1	31.4	8.3
Northampton	30.3	14.0	58.6	28.3	59.6	27.5
Warneford... ..	22.4	7.5	54.7	12.8	60.0	20.0
York Asylum	7.9	6.8	36.0	21.7	35.6	30.6
Retreat	8.2	5.7	54.6	26.7	45.6	31.7

Proportion of Recoveries.

STATE OF PATIENTS (PAUPERS) IN ASYLUMS AS TO PROBABILITY OF RECOVERY, 1ST JANUARY, 1844.

Where confined.	Total number of Pauper Patients.		Curable.		
	Male.	Female.	Male.	Female.	per cent.
County Asylums.....	1951	2276	297	354	15 $\frac{3}{8}$
Other Public Asylums	177	166	28	31	17
Licensed Houses—					
Metropolitan	36	494	46	65	13
Provincial	947	973	306	331	33 $\frac{1}{6}$
	3435	3909	677	781	19 $\frac{4}{5}$
Total	7344		1458		
Total Curable...	1458				

Suicide.—Melancholy patients have this tendency. In the report of the patients admitted into the Northampton Asylum, from August, 1838, to November, 1843, out of 118 cases of melancholia, a suicidal propensity had been discovered in sixty-four.

It is remarkable that the excess of suicidal cases prevailed in the pauper part of the establishment. Thus: in forty-four cases of melancholia, occurring among private patients, there were only eighteen suicidal cases; while in seventy-six among the paupers, forty-six were suicidal. In a late annual report of the Lancaster County Asylum, there are only forty-five cases of melancholia mentioned, while it is stated that a suicidal propensity had been manifested by 105 out of the total number of 619.

It must be noted that four instances of suicide had occurred during the preceding year within a short time: a fact which had been attributed, by the superintendent, principally to the temptation and opportunity occasioned by the existence of iron bars in the patients' rooms. The patients labouring under melancholia have a great tendency to suicide, and require a vigilant inspection.

Liberation of Patients requires great caution. In almost every case, the commissioners have deemed it

advisable to recommend that the patient should be liberated by his friends. As patients manifest feelings of hostility to those who place them in confinement, it seems desirable that those friends, by removing them, should have an opportunity of conciliating them. There are many instances where a patient is so far recovered, though not convalescent, as to need a partial freedom from restraint. The transition from strict seclusion to complete liberty should be gradual. Endeavours are made in some asylums to accomplish this. Commissioners have the power to grant absolute freedom, but not partial. The cases which present the greatest difficulties in liberation are—1, those of drunkenness; 2, of epilepsy and periodical excitement; 3, of weakness of intellect; 4, of moral insanity. In all cases, the patients about to be liberated should be subjected to the supervision of persons familiar with the disease. There is considerable irregularity concerning the liberation of the insane; sometimes they have been liberated against the consent of visitors. In one instance, there was a patient (a young man) who had been twice previously discharged; the second time contrary to the opinion of the superintendent, who did not consider him convalescent. Shortly after the second discharge, he met a relation, whom he passed, followed, and then stabbed him in the side. He is now confined.

Escapes from Lunatic Asylums.—The Act 9 Geo. IV. c. 40, has imposed a penalty upon officers and servants of county asylums who permit escapes through neglect or connivance. There is, however, no similar provision with respect to the servants of licensed houses; although it would seem that the safety of the insane, of the public, and of the proprietors of the houses, equally calls for legislative protection. In the course of last summer, a servant at a licensed house assisted a lady who was a patient to escape. Escapes are not only to be guarded against on account of the hazard to others of permitting dangerous lunatics to be at large, but also for the excitement which they are apt to cause to the insane themselves.

An epileptic lunatic escaped from the asylum at Gateshead Fell, near Newcastle, in December, 1842. He escaped on the Saturday afternoon, and murdered his wife and daughter in a paroxysm of epileptic mania, on the Monday night. At Dunnington, near York, there were three dangerous patients, one of whom had threatened the life of a brother; another, of his wife; and another, of his wife and child—who had escaped at different times from the asylum.

At Nunkeeling, in Yorkshire, a most dangerous patient had escaped three times. After his third escape, his legs were confined in irons, one arm was chained to his legs, and the other was fastened behind him.

The escapes from Hanwell had been numerous from the year 1831 to 1843, both inclusive; the number of escapes amounted to 245. The greatest number of escapes that took place in one year, from 1831 to 1837, was seventeen, and from 1837 to 1843, the highest number in any year was thirty-eight.

It is desirable to ascertain, before a licence is granted to the proprietor of a house, that there are proper means to keep the lunatics in safe custody, without resorting to such improper restraint, as has sometimes been witnessed, and which is calculated to destroy the bodily health of the patients. In the case, however, of criminal lunatics, the danger of escape calls for arrangements much more strict than is necessary or proper in other cases.

Criminal Lunatics.—It has been a matter of complaint that asylums are made receptacles for criminal lunatics, including all those who are confined under orders from the Secretary of State, and royal warrants. The objections urged to their detention apply principally to those who have perpetrated atrocious crimes, and who are dangerous, and a source of annoyance to the other inmates.

In April, 1843, there were 224 criminal lunatics confined in the several asylums in this country, and thirty-three in gaols: of the former number there were eighty-five in Bethlehem Hospital.

A considerable number were cases of larceny, minor assaults, and other misdemeanors. There were many, however, of atrocious character, calculated to render the patient dangerous, and an object of terror and disgust to all those around him—as murder, arson, and unnatural offences. Care is frequently taken to conceal from the other patients the fact that they are associating with a criminal lunatic. This cannot, however, be always effected. Some consideration, moreover, is due to the feelings of the relatives of the patients, who have reasonable ground to complain of atrocious criminals being forced into their society. In reference to the subject of escape, we may mention the fact, that a criminal lunatic had escaped from a private asylum at Plympton, for the third time, and had not been retaken; and also, that a male patient, committed by a magistrate to the asylum at Nunkeeling, had escaped three times, had twice attempted the lives of the keepers, and once set fire to the asylum; and the proprietor of the asylum applied in vain to the Secretary of State for the purpose of his being removed into a place of safe custody.

The commissioners entertain a strong opinion, that it is highly desirable that arrangements should be made for the separate care and custody of criminal lunatics.

SUGGESTIONS FOR THE AMENDMENT OF THE LAW.

1. That there be provided for the insane poor of every county some proper and convenient hospital for the reception of all recent cases.

2. That the provision of the law enabling counties to unite for the formation of asylums, be extended to

parts of counties, towns, and places with separate jurisdiction.

3. That the fifteenth section of the Act 9 Geo. IV., c. 40, be amended, by enabling a majority not less than two-thirds of the justices of the peace present at any general or quarter session to direct or authorize tenants at rack rent to detain out of their rent one-half of the full amount of all or any rates hereafter to be levied for building, enlarging, and repairing county asylums.

4. That in any county asylum hereafter to be built, into which curable lunatics (either alone or together with incurables) shall be received, the number shall not exceed 250.

5. That some provision be made for the removal, from time to time, of incurable lunatics.

6. That in the more populous districts, such as Middlesex and Lancashire, separate asylums shall be erected for chronic cases.

7. That if it be deemed a matter of necessity, under present circumstances, to confine some incurable lunatics elsewhere than in establishments expressly erected for the purpose, they shall be kept, not in workhouses indiscriminately, but in some specified workhouse, or part of a workhouse, where there are regular medical officers.

8. That all pauper lunatics confined elsewhere than in asylums, be periodically visited.

9. That the sites, plans, and estimates for every county asylum hereafter to be erected, be referred to some bard or authority, for the purpose of receiving suggestions, previously to the final adoption thereof by the magistrates.

10. That the orders and medical certificates for the admission of pauper patients into any asylum be the same as now required for their admission into licensed houses.

11. That the orders and medical certificates for the admission of private patients into any asylum, be the same as are now required for their admission into licensed houses.

12. That no person certifying the insanity, shall give the order for the confinement.

13. That with a view of procuring a complete register of the insane, notice of admission, discharge, and death, of every certified patient, private as well as pauper, be sent to the metropolitan board within two days after either occurrence.

14. That every county and public asylum shall have a resident medical officer.

15. That the order and medical certificates for the admission of patients be a sufficient authority for retaking them in case of escape.

16. That all asylums and hospitals for the insane be subject to official visitation.

17. That the official visitors have power, at their discretion, to give an order for the admission of any relation, trustee, or friend, of any certified patient, wherever confined.

18. That the official visitors have power to fix and alter the dietary in all lunatic asylums.

19. That the Lord Chancellor is empowered to suspend the licence of any house.

20. That it be lawful for the proprietor or superintendent of any asylum, with the permission, in writing, of the official visitors, to take or send a patient to any specified place for the benefit of his health.

21. That, in the event of any proprietor quitting a licensed house for another licensed to him, it shall be lawful, with the previous permission of the official visitors, to transfer his patients from one to another, without fresh orders and medical certificates.

22. That licences be granted in all cases to the proprietors of licensed houses, and not as now, in some instances, to the resident superintendent.

23. That no dangerous lunatic be removed from any licensed house against the advice of the medical attendant of the house, without the previous sanction of the official visitors.

24. That a full statement be published annually by every county asylum, of all receipts and disbursements;

also, of the property of the asylum, the sources of income, and application of the same.

25. That in all asylums, public and private, registers and medical records be required to be kept in a specified and uniform shape, and that annual statements of admissions, discharges, in a form to be prescribed, be made up to the 31st of December in each year, and transmitted to the metropolitan board.

CONDITION OF THE INSANE IN NORTH AND SOUTH WALES.

THE aggregate population of the six counties of North Wales was about 396,320 persons, according to the census of 1841; and in June, 1844, it was supposed to be about 412,385. Notwithstanding this population, there is not a single public or private lunatic asylum in North Wales. The commissioners have found that the parish authorities in North Wales in disposing of their insane poor, consider principally the cost of their maintenance. In many cases, their safe custody and the security of the public are lamentably neglected, and medical treatment, with a view to the cure of the disease, is almost wholly lost sight of; when sent to asylums, the paupers have presented a lamentable appearance, being in the last stage of the disease. The governor of the Liverpool Asylum, whither they were sent, says that he never remembers an instance of recovery in an insane pauper from Wales, owing, doubtless, to the late period at which they have been placed under curative treatment.

Out of 207 lunatics and idiots belonging to seven unions in Wales, nine only were in asylums, 24 in workhouses, and 174 boarded out with their friends or elsewhere. The commissioners are satisfied that, although of the number boarded out, many are treated kindly, the condition of a considerable portion is bad,

in many cases most miserable, and in nearly all, such as to deprive them of the means or probability of cure by proper medical treatment.

Begging is common amongst them. The surgeons of the union are not required to visit the insane, and no steps are regularly taken by parish authorities to ascertain their condition and treatment.

The visitation of relieving officers is not security against cruelty or neglect. In many instances, dangerous lunatics have been returned as harmless idiots. There can be no doubt that in the various unions which the commissioners visited, there were many who were curable at first, but are now in a fatuous and hopeless state for want of early treatment.

The commissioners mention two cases of suicide, which they attribute to the want of an institution, and timely care and treatment. Mr. Beattie, a union surgeon, makes the following statement.—“As to their (the insane paupers) general treatment, I may mention that the idiots and lunatics of this part of the union (Carnarvon) are either boarded at small farm-houses in the country, or with their relations in the town. Those in the country are much better treated than those in the town, and their health is better, as those in town who reside in small cottages, having no private yard or garden, are prevented almost entirely from leaving the house; and moreover, as those persons with whom they live, when they go out, generally lock the door, their situation must be lonely indeed, and likely, no doubt, to increase their aberration of intellect.” There have been some instances of atrocious cruelty.

Statement of the case of Mary Jones, a lunatic at Llawrhairdr.—“We went,” say the commissioners, “to the cottage between eight and nine o’clock. In a dark, offensive room, over a blacksmith’s forge, upon opening a bolted door, we discovered the object of our search.

“Mary Jones was found on a pallet of straw, where she had been confined for fifteen years. She was seated in a crouching posture on a bed nauseous with filth.

Near her person, and just within her reach, was a cup, into which she was accustomed to pass her excretions, which she emptied from time to time into a chamber utensil. This last vessel contained a quantity of feculent matter, the accumulation of several days. Within a few feet of the pallet stood a large earthen jar, nearly full of fetid urine, the produce of three other persons in the cottage. It had, as stated by the mother, been placed there in order that it might, from the warmth of the room, undergo a more speedy decomposition, for the purpose of being used in dyeing wool. Long confinement had produced the most frightful distortions, the chest bone protruded forwards five or six inches beyond its natural place, the legs were bent backwards, and the knee joints were fixed and immovable."

There is a great reluctance on the part of the poorer classes in Wales to send away their insane relatives.

One of the mischievous results of the non-existence of any of these institutions is, that the magistrates send violent cases of mania to gaols and houses of correction. The following are extracts from a letter of the Dean of St. Asaph, concerning a case of atrocious cruelty:—

"Dr. Lloyd Williams called upon me yesterday, to mention the case of a Mary Jones to me, and was very anxious that I should accompany him and Dr. Cumming there to-day, to take some steps for her relief, and accordingly I rode over there this morning.

"Mr. Price, the squire of the parish, to whom the house belongs, and who *did not know of the existence of such a person*, went up with us. The offensive things were removed, but the general smell of the room corroborated the account given to me of the state in which you found her.

"We conversed with her some time, and her answers, given to Dr. Lloyd Williams, and interpreted to me, were perfectly natural. The conversation was in Welsh, but to this effect—'How long have you been here?' She did not know; but a long time. 'Would you like to go into the air?' 'Oh, yes, very much.'

‘Were you ever at the Denbigh Dispensary?’ ‘Yes, about eighteen years since.’ ‘Would you like to go there again?’ ‘Yes, very much!’ ‘Do you remember seeing me?’ ‘Yes,’ (pointing her hand out to Dr. Williams.) We accordingly, as we have no asylums, and as it would be dreadful to leave her where she is, or to send her to an English asylum, where she could not express her wants, agreed that she *was not insane*, but a fit object for the Denbigh Dispensary, where there may be some hopes of restoring her to the use of her limbs.

“I have seen many cases, but I never met with any cases to equal either the atrocity of this, or the example and incitement it affords to the objects we have in view. There can be no reasonable doubt that she might have been restored, if only commonly treated.”

South Wales.—It is customary in South Wales to place idiots and lunatics, who are chargeable to the parish, to board under the care of some relative; or, if none can be found willing to take the charge, in the cottage of some peasant, or poor farmer, to whom the small allowance of two shillings, or even less, per week, may be an inducement to become responsible for the safe custody and maintenance of the insane person.

The treatment these poor creatures receive is left to chance. Many are treated without particular harshness by their relatives, or keepers, and are left to wander about without proper protection.

The commissioners visited a Priscilla Lloyd, living with her parents, in the outskirts of Haverfordwest. She is thirty-nine years of age, and is said to have become insane about eighteen years since. She was in bed with her clothes on, in an up-stairs room in a cottage. She was very dirty in her person; and her toe nails, apparently from want of walking, had attained a great length. She raised herself upon the bed, spoke incoherently, got up and felt the wall, and immediately seated herself in the corner of the room, and took up a rope which was fastened to a ring on the floor, and

commenced tying the ends of the rope round her neck and wrists. The clerk and relieving officer were of opinion that she might have been benefited by proper treatment.

In many parts of South Wales, a considerable proportion are returned either as idiots or imbeciles. They are usually persons of weak bodily intellects, and unequal to hard labour, and even incapable of performing such work as requires the intelligence of an ordinary working man. Many of them are harmless, if unmolested; but not a few of them are dangerous, and require restraint. One serious evil, of which there is great cause of complaint, is the extreme carelessness that prevails with respect to the births that take place amongst unmarried female idiots. In some of the unions, it appears the custom is to take in females of extreme imbecility in a pregnant state.

After the birth of a miserable child, almost sure to be weak and imbecile, the mothers are suffered to go at large, and some of them return in a few weeks again pregnant.

In the Chester Asylum there are two Welsh pauper criminals—four male paupers insane, and six females.

In Haydock Lodge Lunatic Asylum there are twelve males and five females, all Welsh insane paupers.

List of Insane Establishments.

COUNTY ASYLUMS.

ERECTED UNDER THE ACTS 48 GEORGE III. C. 95, AND 9 GEORGE IV. C. 30.

County.	Superintendent.	Date of opening	Weekly Charge for Paupers.	Numbers, Jan. 1, 1844.		
				Private	Pauper.	Total.
BEDS.....	J. Harris, Surgeon	1812	s. d. (a) 7 6 Out County.	..	139	139
(Bedford)			8 6			
CHESTER.....	J. Leete, Surgeon.....	1829	(b) 4 1 Out County.	9	155	164
(Chester)			10 0			
CORNWALL....	D. F. Tyerman, M.D. ..	1820	5 6 Non-Contributory Dis.	20	133	153
(Bodmin)			10 6			
DORSET	G. P. Button, M.D.	1832	(a) 7 0	..	107	107
(Forston, near Dorchester) ..						
GLOUCESTER ..	S. Hitch, M.D.	1823	(a) 9 0	68	189	257
(Gloucester) ..						
KENT.....	G. S. Poynder, Surgeon.	1833	(a) 8 6	..	249	249
(Barming Heath, near Maidstone) ..						
LANCASTER....	S. Gaskell, Surgeon....	1816	(a) 6 0	..	611	611
(Lanc. Moor)						
LEICESTER	H. F. Prosser, Surgeon.	1837	(b) 8 6 Out County.	27	104	131
(Leicester) ..			12 0			
MIDDLESEX ..	— Godwin, (Governor)..	1831	(a) 7 7 Out County.	..	*975	975
(Hanwell)....			14 0			
	Visiting- { J. Conolly, Physician { M.D.					
	House- { J. Begley, Surgeons { M.D.					
			Davies, M.D.			
NORFOLK.....	Ebenezer Owen.....	1814	(a) 5 3 Out County.	..	164	164
(Thorp, near Norwich)			8 0			
NOTTS	T. Powell, Surgeon	1812	(a) 8 0	52	125	177
(Nottingham).						
STAFFORD	Jas. Wilkes, Surgeon ..	1818	(a) 7 0	62	183	245
(Stafford)						
SUFFOLK.....	J. Kirkman, M.D.....	1829	(a) 5 10 Out County.	7	206	213
(Melton, near Woodbridge)..			8 10			
SURREY	S. Hill, Surgeon	1841	(a) 9 0	..	382	382
(Springfield, near Wands- worth)						
YORK & RIDING	C. C. Corsellis, M.D. ..	1818	(a) 7 0	..	433	433
(Wakefield) ..						
Totals..				245	4155	4400

(a) Including clothes.

(b) Not including clothes.

* Sept. 30, 1843.

ASYLUMS MADE BY LOCAL ACTS SUBJECT TO THE PROVISIONS OF 9 GEORGE IV. c. 40.

<i>Hospital, &c.</i>	<i>Superintendent.</i>	<i>Date of Opening.</i>	<i>Weekly Charge for Paupers.</i>	<i>Number Jan. 1, 1844, (Paupers.)</i>
St. Peter's Hospital, Bristol.	— Brady, Surg. {	Incorporated, 1696.. }	.. ..	72
County of Pembroke, Haverfordwest .....			.. ..	17
Workhouse, Kingston-upon-Hull*	G. Hampson....	.. ..	.. ..	89
Total..				89

MILITARY AND NAVAL HOSPITALS.

<i>Hospital.</i>	<i>Nature.</i>	<i>Principal Medical Officer.</i>	<i>Numbers 1st January, 1844.</i>		
			<i>Commissioned Officer.</i>	<i>Non-Commissioned Officers and Privates.</i>	<i>Total.</i>
Fort Clarence, Chatham	Military	Andrew Smith, M.D.....	21	49	70
Haslar Hospital, Gosport	Naval..	Sir W. Burnet, M.D.....	29	69	98
				Total	168

BETHLEM AND ST. LUKE'S HOSPITALS.

<i>Hospital.</i>	<i>Where situate.</i>	<i>Steward.</i>	<i>Numbers, Jan. 1, 1844.</i>		
			<i>Curable.</i>	<i>Incurables.</i>	<i>Criminals.</i>
Bethlem	St. George's Fields..	Mr. Nicholls	181	84	90
St. Luke's.....	Old Street, City Road.	Mr. Stinton.	93	84	—
Totals....			274	168	90

OTHER PUBLIC ASYLUMS AND HOSPITALS.

SUPPORTED WHOLLY, OR IN PART, BY CHARITABLE CONTRIBUTIONS.

	<i>Name of Asylum.</i>	<i>Superintendent.</i>	<i>Date of opening.</i>	<i>Weekly Charge for Paupers.</i>	<i>Numbers, Jan. 1, 1844.</i>		
					<i>Pri- vate.</i>	<i>Pauper.</i>	<i>Tot.</i>
Exeter	St. Thomas's	L. Ponsford, Surg.	1801	s. d. 15 0	47	1	48
Guy's Hospl..	Lunatic Ward....	.. ..	..	.. ..	25	..	25
Lincoln.....	Lunatic Asylum..	W. Graham.....	1820	(b) 10 0	30	73	103
		House Surgeon					
Liverpool...	Lunatic Asylum..	G. Tyrrell.....	1792	12 0	37	36	73
Manchester..	Lunatic Asylum..	.. ..	..	.. ..	36	..	36
Northampton	Gen. Lunatic Asyl	T.O. Prichard, M.D.	1838	(b) 9 0	50	181	231
Norwich	Bethel Hospital..	— King.....	1713	.. ..	† 66	..	66
Oxford	Warneford Asylu.	F. T. Wintle, M.D	1826	.. ..	42	..	42
(Headington)							
York	Asylum.....	S. Alderson, Surg.	1777	(a) M. 7 6	105	52	157
Ditto	Friends' Retreat..	J. Thurnam, M.D.	1796	Fem. 6 6	98	..	98
Totals....					536	343	879

(a) Including clothes.

(b) Not including clothes.

* It has recently come to the knowledge of the Commissioners that this Workhouse is by a Local Act (5 Geo. IV. c. 13.) constituted an Asylum, subject to the County Asylum Acts.

† It is believed that some of these are maintained partly at the charge of Parishes.

METROPOLITAN LICENSED HOUSES

RECEIVING PRIVATE PATIENTS ONLY.*

<i>Proprietor.</i>	<i>House, and where situate.</i>	<i>No. of Patients, Jan. 1, 1844. Private.</i>
Ayres, William (Surgeon)	Mare Street, Hackney	5
Bell, Robert	Manor House, Chiswick.....	16
Birkett, Richard	Northumberland House, Stoke } Newington.....	46
Bradbury, Mrs. Mary.....	Earl's Court House, Old Brompton	26
Burrow, Miss	Grove House, Stoke Newington } Green	13
Bush, John (Surgeon)	Retreat, Clapham.....	12
Cole, James	Dartmouth House, Lewisham....	13
†Costello, W.B., M.D.	Wyke House, Sion Hill, Brentford	
Diamond, W.B. (Surgeon).....	Western House, St. Pancras.....	13
Fleming, Mrs. Mary	Warwick House, Fulham Road ..	5
Haines, W. F. (Surgeon)	Harefield Park, Uxbridge	2
†Horner and Co., Edward.....	Lawn House, Hanwell	
Jackson, John Thompson	Turnham Green Terrace	2
Kerr, Alfred George (Surgeon) ..	17, Pembroke Square, Kensington.	2
Magnall, Mrs. Martha	Hanwell	5
Monro, E. T., M.D.....	Brook House, Upper Clapton	34
Oxley, William (Surgeon).....	London Retreat, Hackney	28
Parkin, John (Surgeon).....	Manor Cottage, King's Road, } Chelsea	15
Philp, F.R., M.D., and Finch, } C.H.M.	Kensington House, Kensington ..	55
Pierce, Miss Mary Ann	Beaufort House, Fulham	5
Roy, D. T. (Surgeon).....	Hope House, Brook Green	8
†Sloman, Harriet, Mrs.	Oak Tree Cottage, Harrow	
Smith, William.....	Lampton House, Hounslow.....	10
Steward, J. B., M.D., and Daniel, } G.W. (Surgeon)	Southall Park	9
Stilwell, Arthur (Surgeon) and W.	Moor Croft House, Hillingdon....	30
Sutherland, A.R., M.D.	Blacklands House, Chelsea	30
Sutherland, A.R., M.D.....	Otto House, Fulham	22
Symmons, Eliza, Mrs. and Co....	Cowper House, Old Brompton....	39
Talfourd, Ann, Mrs.	Normand House, Fulham	18
Tow, James	Althorpe House, Battersea	12
Williams, Walter Davis, M.D....	Pembroke House, Hackney	95
Wood, Susan, Mrs.	Elm Grove House, Hanwell	7
Warburton, John, M.D.....	Whitmore House, Hoxton.....	41

RECEIVING PAUPERS.

		<i>Weekly Charge for Paupers.†</i>	<i>Private.</i>	<i>Pauper.</i>
		<i>s. d.</i>		
Armstrong, Peter.....	Peckham House	10 0	48	203
Lee, Henry Boyle (Sur- } geon)	Hoxton House, Hoxton.	9 0	81	315
Warburton, John, M.D.	Bethnal Green	9 8½	226	336

* This list does not, of course, contain the names of all the houses licensed for private patients. Since its publication in the Report of the Commissioners, other places have been licensed; among them is my own establishment, Sussex House, Hammersmith. Many of the asylums above specified had no inmates when the return was made; but such, it must be understood, is not now the fact.—Ed.

† House licensed since Jan. 1, 1844.

‡ For maintenance, medicine, and clothing.

PROVINCIAL LICENSED HOUSES

RECEIVING PRIVATE PATIENTS ONLY.

PROPRIETOR.			Nos. Jan. 1, 1844.
BEDS.	Harris, J. (Surgeon).....	Springfield House, Kempston, Bedf.	25
BUCKS.	Horner and Harper, Messrs...	Denham Park, near Uxbridge	17
DEVON.....	Rich, James (Surgeon)	Ford House, Church Stanton	2
DORSET	Mercer, J.....	Portland House, Halstock	10
	Symes, W. (Surgeon)	Cranbourne.....	6
ESSEX	Allen, M. (M.D.)	High Beach, near Epping	41
GLOUCESTER	Conolly, W. (M.D.)	Castleton House, Charlton Kings, } Cheltenham	8
	Eyre, T. D.....	Upper Bath Road, Bristol	
	Fox, H. H. (M.D.)	Northwoods, Winterbourne	20
	Mules, C.....	Ridgeway House, near Bristol	11
	Taylor, M. (Mrs.)	Whitehall House, St. George's Bristol	9
HANTS.....	Burnet, C. M. (Surgeon)	Westbrook House, Alton	4
HERTS	Smith, James (Surgeon).....	Hadham Palace, Much Hadham ..	13
KENT	Harmer, J.	Hawkhurst	2
	Newington, J. N. (Surgeon) ..	Goudhurst	2
LANCASTER..	Edwards, E.	Blakeley House, near Manchester..	25
	Haigh, E. (Mrs.)	Heath Green, Newton, do.....	12
	Lomas, G.	Clifton Hall, do.	8
	Kershaw, P.	Billington Whalley, near Tew	6
	Owen, J.....	Brook Villa, West Derby, Liverpool	32
	Squires, Richard (Surgeon) ..	Walton Lodge, near Liverpool	30
LEICESTER ..	Benfield, C.....	Wigston House, Great Wigston ..	6
LINCOLN....	Willis, F. (M.D.)	Shillingthorpe House, near Stamford	11
NORFOLK ..	Nichols and Watson (Messrs.)..	Heigham Hall, near Norwich	12
	Pedgrift, Robert (Surgeon) ..	Loddon.....	8
	Steele, H. (Surgeon)	Stoke Ferry.....	4
	Wright, W. (M.D.) & Dalrymple & Cross, Messrs. (Surg.) }	Heigham Retreat, near Norwich ..	16
NORTHUM- BERLAND }	Keenlyside, J. W.)	Belle Grove House, Newcastle- on-Tyne.....	15
OXON	Batt, E. A. (Surgeon)	Witney.....	12
	Mallam, Richard (Surgeon) ..	Hook Norton	
SOMERSET ..	Fox, F. K. (M.D.) and C. J. }	Brislington House, near Bristol ..	90
	(M.D.)		
	Langworthy, R. A. (M.D.)	Longwood House, Ashton, do.....	10
STAFFORD ..	Bakewell, G. S. (M.D.)	Oulton House, Stone	28
	Woody, Alice (Mrs.)	Moat House, Tamworth	3
SUFFOLK....	Chevallier, J. Rev. (M.D.)	Aspall Hall, near Debenham.....	4
	King, Jane (Mrs.)	Wherstead Road, Ipswich	
SURREY	Chapman, Sir J. & Co. (Surgs.)	Great Foster House, Egham	19
	Stedman, James (M.D.) and others.....	Lea Pale House, Stoke, near Guildford	3
SUSSEX.....	King, W. (M.D.)	Ringmer, near Lewes	3
	Newington, C. (Surgeon)	Asylum, Ticehurst.....	59
	Ditto ditto	Highlands, do.	
WARWICK ..	Brown, Henry (Surgeon)	Henley in Arden	4
	Boddington, G. (Surgeon)	Driffield House, Sutton Coldfield ..	8
	Burman, H. (M.D.)	Henley in Arden	27
WILTS	Ogilvie, G. S. (Surgeon).....	Calne.....	7
YORK, E. R..	Allanson, W. (Surgeon)	Retreat, Rillington, near New Malton	2
	Atkinson, J. (Surgeon)	Weaverthorpe, near Sledmere	
Do. W. R....	Durham and Haigh (Messrs.) ..	Field Head House, Wakefield	2
	Hodgson, H. B. (Surgeon)	Acomb House, near York	10
	Kitching, J. (Surgeon)	Painthorpe House, near Wakefield .	13
	Smith, (Surg.), Smith, P. (M.D.)	Castleton Lodge, near Leeds.....	11
Do. CITY & SUBURBS }	Allis, T.	Osballdwick, near York	6
	Belcombe, H. S. (M.D.)	Clifton House, York.....	15
	Dawson, (W.).....	St. Maurice House, York	6
	Tose, E. (Mrs.)	Terrace House, Osballdwick	6

PROVINCIAL LICENSED HOUSES
RECEIVING PAUPERS.

<i>PROPRIETOR.</i>			<i>Weekly Charge for Paupers.</i>	<i>Numbers, Jan. 1, 1844.</i>	
				<i>Private.</i>	<i>Public.</i>
			<i>s. d.</i>		
DERBY.....	Brigstocke, (M.D.)	Green Hill House.....	(b) 9 0	9	19
DEVON.....	Lancaster, John.....	Workhouse, Stoke Dame- rel, Devonport.....	5 0	..	23
	Langworthy, R.C. (Surg.)	Plympton House, Plymp- ton St. Mary	(b) 10 6	17	66
DURHAM....	Eales, J., and Sister	West Auckland	(b) 6 to 7	8	27
	Glenton, F. & P. (Surg.)	Bensham, near Gateshead ..	(a) 8 0	17	50
	Gowland, Jacob.....	Wreckenton, do ..	(a) 7 to 8	5	36
	Kent, S.	Gateshead Fell	(a) 8 0	6	80
	Wilkinson, J. E.....	Dunston Lodge, Whickham ..	(a) 8 0	23	77
ESSEX.....	Tomkins, J. (Surgeon) ..	Maldon Lane, Witham	1 0 0	17	
GLOUCESTER	Bompas, G. G. (M.D.) ..	Fishponds, Stapleton, near Bristol	(a) 10 0	48	1
	Iles, A.....	Fairford	(a) 8 to 9	21	119
HANTS.....	Middleton, H. (Mrs.) ..	Grove Place, Nursling.....	.. ..	19	53
	Riches, (Surgeon).....	House of Industry, Caris- brooke .....	.. ..	..	27
	Scales, G. J. (Surgeon) ..	Hilsea Asyl. Portsea Island..	(a) 9 to 9:6	6	29
	Twynam, J. (M.D.)	Lainston House, Winchester	(a) 9 0	10	84
HEREFORD..	Gilliland, J. (Surgeon) ..	Hereford	(a) 10 to 12	7	28
	Millard, S. (Surgeon) ..	Whitechurch, near Ross....	(a) 10 0	9	9
KENT	Rix, Jane (Mrs.)	West Malling Place, West Malling .....	.. ..	34	13
LANCASTER..	Mott	Haydock Lodge, Winwick ..			
NORTHUM- BERLAND..	Smith, N. (M.D.) and } Mc Intosh, D. (M.D.) }	Newcastle-on-Tyne, Luna- tic Asylum	m. f. (a) 9:6, 9	21	59
OXON	Mallam, Rich. (Surgeon)	Hook Norton	(b) 8:6 to 9		
SALOP	Gough, (Surg., Gov. of House of Industry) .. }	Morda, Oswestry	2 6†	2	13
	Jacob, James	House of Industry, Kings- land, Shrewsbury	(b) 6 to 10	11	79
SOMERSET ..	Gillett, W. E. (Surgeon)	Fairwater House, Staple- grove, near Taunton	(b) (a)	46	6
	Terry, Stephen (Surg.) ..	Bailbrook House, Bath Easton	8 9	28	66
STAFFORD ..	Rowley, T. (M.D.)	Sandfield, Lichfield	(b) 9 (a) 10	4	32
SUFFOLK....	Shaw, James (Surgeon) ..	Belle Vue House, Ipswich ..	*	12	20
WARWICK ..	Gibbs, M. (Mrs.)	Haugh House, Packwood ..	.. ..	3	1
	Lewis (Messrs.).....	Duddeston Hall, near Bir- mingham	(a) 10 0	20	60
WILTS	Finch, W. (M.D.)	Laverstock House, Salisbury	(a) 7:6 to 8	91	35
	Finch, W. C. (M.D.)....	Fisherton House, Fisher- ton, Auger	(a) 8 0	22	90
	Langworthy, C.C. (M.D.)	Kingsdown House, Box	(a) 8 to 9	36	101
	Phillips, T. (Surgeon) ..	Belle Vue House, Devizes ..	(a) 8 0	8	148
	Spencer, C. F.	Fonthill Gifford, Hindon....	(a) 8 0	3	1
	Willett, R.	Fiddington House, Market Lavington.....	8 0	36	144
WORCESTER..	Ricketts and Hastings, } (Messrs.) Surgeons.. }	Droitwich	(a) 9 0	26	54
YORK, N. R..	Martin, James	Gate Helmsey, near York ..	(b) 8 7	30	41
Do. E. R..	Beall, Jos.....	Moo Cottage, Nunkeeling, } near Bransburton .....	.. ..	9	1
	Casson, Rich. (Surgeon)	Hull and East Riding Refuge	(b) 8 0	13	93
	Gofton, Robert	Southcoates, Hull.....	(b) 8 0	4	2
	Hornby, B. (Surgeon) ..	Dunnington, near York	(a) 5 to 9	7	28
Do. W. R..	Taylor, C. A. (Miss)....	Hessle, near Hull	(b) 8 0	3	6
	Taylor, Isaac	Acomb, near York	(b) 8:6m. 8f.	12	14
	Walker & Matterson, } (Messrs.) Surgeons.. }	Heworth, near York.....	(b) 8:6m. } 7:6f. }	1	2
WALES.					
GLAMORGAN.	Leach, R. V. (Surgeon)	Britton Ferry, near Swansea	.. ..	1	2

(b) Not including clothes.

(a) Including clothes.

* Same as for Out County Paupers at County Asylum.

† Estimated weekly cost.

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WORKS ON THE DISORDERS OF THE MIND

By J. C. K. [illegible]

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