ANNO QUINQUAGESIMO SEXTO

GEORGII III. REGIS.

CAP. CXVII.

An Act to amend an Act passed in the Thirty-ninth and Fortieth Year of the Reign of His present Majesty, for the safe Custody of Insane Persons charged with Offences. [1st *July* 1816.]

WHEREAS by an Act passed in the Thirty-ninth and Fortieth Years of the Reign of His present Majesty, intituled *An Act for the safe Custody of Insane Persons charged with Offences*, it is enacted, that in certain Cases therein specified, it shall be lawful for Courts of Justice to direct Insane Persons to be kept in safe Custody, in such Place and in such Manner as to such Court shall seem fit, until His Majesty's Pleasure shall be known; and that it shall thereupon be lawful for His Majesty to give such Order for the safe Custody of such Persons, during His Pleasure, in such Place and in such Manner as to His Majesty shall seem fit: And whereas it is expedient that Provision should be made for the due Care of Persons who may, after Conviction for any criminal Offence, become Insane; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person having been duly convicted of any Offence, who after such Conviction and during his or her Imprisonment, or Continuance in any Gaol, Prison, Hulk, Penitentiary House, or House of Correction, under Sentence of Transportation or Imprisonment, shall become Insane, and it shall be duly certified by Two Physicians or Surgeons that such Person is Insane, it shall be lawful for One of His Majesty's Principal Secretaries of State to direct, by Warrant under his Hand, that such Person as aforesaid shall be removed to such Lunatic Asylum

39 & 40 G. 3. c. 94.

Offenders becoming Insane, during Confinement, may be removed to any Lunatic Asylum.

Asylum or other proper Receptacle for Insane Persons in the United Kingdom, as His Majesty's said Principal Secretary of State may judge proper and appoint; and every such Person so removed as aforesaid shall remain under Confinement in such Lunatic Asylum or other proper Receptacle as aforesaid, or in any other Lunatic Asylum or other proper Receptacle, to which such Person may be removed by any like Order, until it shall be duly certified to His Majesty's said Principal Secretary of State, by Two Physicians or Surgeons, that such Person has become of sound Mind; whereupon His Majesty's said Secretary of State is hereby authorized, if such Person shall still remain subject to Imprisonment or to be continued in Custody, to issue his Warrant to the Keeper or other Person having the Care of any such Lunatic Asylum or other proper Receptacle as aforesaid, directing that such Person shall be removed back from such Lunatic Asylum or other proper Receptacle, to the Gaol, Prison, Hulk, Penitentiary House, or House of Correction, from whence the said Person or Persons shall have been taken, for the Purposes of being confined in such Lunatic Asylum or other proper Receptacle as aforesaid during the Time of their being Insane; or, if the Period of Imprisonment or Custody of such Person had expired, that such Person shall be discharged.

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