

ANNO DECIMO

GEORGII IV. REGIS.

****

CAP. XVIII.

An Act to explain, amend, and alter the Act of the Ninth Year of the Reign of His present Majesty, for regulating the Care and Treatment of Insane Persons in *England*. [14th *May* 1829.]

WHEREAS an Act was passed in the Ninth Year of the Reign of His present Majesty, intituled *An Act to regulate the Care and Treatment of Insane Persons in* England: 9 G. 4. c. 41.
And whereas Doubts have arisen as to some of the Provisions of the said Act, and the same requires to be amended and altered, for the more effectually carrying into execution the beneficial Purposes thereof; 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 from and after the passing of this Act it shall and may be lawful to and for any Five or more of the Commissioners appointed under the Authority of the said recited Act, (Two of whom at least shall not be Physicians or Surgeons,) to assemble themselves when and as often as they shall think fit, for the Purpose of executing and performing the several Matters and Things by the said recited Act and by this Act entrusted to them, Notice being given under their Hands to require the Clerk of

Five Commissioners may assemble for general Purposes at any Time, Notice of such Meeting having been given by the Clerk.

of the said Commissioners to convene a Meeting of the Commissioners; and the said Clerk is hereby required and commanded duly to summon the rest of the said Commissioners Four Days before such intended Meeting.

Commissioners at such Meetings may grant or renew Licences.

II. And be it further enacted, That the Commissioners so met as aforesaid shall and may, if they shall so think fit, grant or renew, at any such Meeting, or at any adjourned Quarterly Meeting, Licences to keep Houses for the Reception of Two or more Insane Persons; provided that if at any such Meetings any Application for such Licence shall be made for the first Time, all such Notices, Plans, and Statements shall be given and made by the Applicant, as if such Application had been made at any of the Quarterly Meetings of the said Commissioners; and such Notices, Plans, and Statements shall be given and made Fourteen Days at the least before the said intended Meeting: Provided also, that any such Licence, so granted, may be confirmed, altered, or amended at the next Quarterly Meeting of the said Commissioners; provided also, such Licence shall cease and determine and be of no Effect at the Expiration of Fifteen Days from and after the holding of such Quarterly Meeting, unless then confirmed by the said Commissioners.

Commissioners may reduce Fees on Licences in certain Cases.

III. And whereas it is by the said recited Act required, that for the first and every annual Licence certain Payments shall be made; be it enacted, That in Cases where, from the Change of the Person or the Place to be licensed, or other casual Circumstance happening before the Expiration of the original Licence, it shall be requisite to grant or renew a Licence for a less Period of Time than Thirteen Calendar Months, it shall and may be lawful for the said Commissioners and Justices, as the Case may be, to reduce the Payments to be made on such Licences to not less than Five Pounds in the whole.

Commissioners may grant new Licences to other Persons, or for other Houses, in certain Cases.

IV. And whereas it is by the said recited Act provided, that in those Cases only where the Person licensed shall die, his Licence shall continue in force; be it enacted, That if any Person, duly licensed under this or the said recited Act, shall, by Sickness or other Infirmity, become incapable of keeping such House, or if any House so licensed shall be pulled down or occupied under the Provisions of any Act for public Purposes, or shall, by Fire, Tempest, or other unavoidable Calamity, be rendered unfit for the Accommodation of Insane Persons, it shall and may be lawful for the said Commissioners, or any Five or more of them, Two of whom shall not be Physicians or Surgeons, at any Quarterly or other Meeting convened as aforesaid, upon the Payment of not less than One Pound for each Licence, to grant a new Licence to such other Person as they shall think fit; and also to grant to the Person whose House has so been rendered unfit, a Licence to keep such other House for the Accommodation of Two or more Insane Persons, as the said Commissioners, or any Five of them as aforesaid, shall think fit: Provided always, that Notice of such intended Change of Persons be

given to the Clerk of the Commissioners Fourteen Days before the Meeting at which such Licence shall be granted; and provided also, that all such Plans and Statements shall be given and made of such new House as are required when Application is made for a Licence for the first Time at the Quarterly Meeting of the said Commissioners, and shall be delivered to the Clerk of the Commissioners Fourteen Days before the Meeting at which such Licence shall be granted: Provided also, that the Cause of such Change of House shall be duly specified in Writing to the said Clerk Three Days after the happening thereof.

Detached Buildings to be considered Part of the House.

V. And be it enacted, That if any Place or Building detached from any licensed House, but belonging to or in anywise appertaining to such House, shall be used for the Reception of One or more Insane Person or Persons, such Place or Building shall be considered Part of such House for all the Purposes of this and the said recited Act.

Commissioners, &c. may alter the periodical Visits of medical Attendants.

VI. And be it enacted, That when any House, licensed for the Reception of Two or more Insane Persons, shall be licensed to receive less than Eleven Insane Persons, then and in such Case it shall and may be lawful for any Five or more of the said Commissioners, Two of whom shall not be Physicians or Surgeons, or any Three of the said Visitors, if they shall so think fit, to direct and permit, under their Hands and Seals, that such House shall be visited by the Physician, Surgeon, or Apothecary Once only in Four Weeks, instead of Twice in every Week, as required by the said recited Act; provided that Fifteen Days shall intervene between each of such Visits.

Justices may act at any General or Quarter Sessions.

VII. And be it further enacted, That the Justices shall have full Power and Authority to do any Act or Acts at any General or Quarter Sessions of the Peace, as they are by the said recited Act authorized and enabled to do at the *Michaelmas* General or Quarter Sessions of the Peace, and such Act or Acts shall have the same Effect, Force, and Obligation as if they had been done at the *Michaelmas* General Quarter Sessions.

The Treasury may issue to the Clerk of the Commissioners such Sums as shall be deemed fit to defray the Expences of this Act.

VIII. And whereas by the said recited Act the Commissioners of His Majesty's Treasury, or any Three or more of them, are empowered to cause to be paid, out of the growing Produce of the Consolidated Fund, any Balance due on the Thirty-first Day of *May* in each Year to the Clerk of the Commissioners appointed under the said recited Act: And whereas it is expedient that such Powers should be amended; be it therefore further enacted, That from and after the passing of this Act it shall and may be lawful for the Commissioners of His Majesty's Treasury, or any Three or more of them, on an Application made to them in Writing, to cause to be issued and paid, out of the growing Produce of the Consolidated Fund, to the Clerk of the said Commissioners, from Time to Time, such Sums of Money as the Commissioners of His Majesty's Treasury shall deem fit,

fit, to defray the Expences incurred under the Provisions of the said recited Act and of this Act; provided such Application to the Commissioners of His Majesty's Treasury for such Money shall have been agreed upon at some Quarterly or other Meeting of the Commissioners appointed under the said recited Act, and shall be signed by Seven at the least of the said Commissioners; provided also, it shall be shewn to the Satisfaction of the Commissioners of His Majesty's Treasury, that there is a Balance due to the Clerk of the said Commissioners on account of Expences so incurred as aforesaid.

Account of Receipt and Expenditure to be made up annually and laid before Parliament.

IX. And be it further enacted, That an Account of all Money received for Licences by the Clerk of the Commissioners appointed under the said recited Act, and of all Money paid out of the Consolidated Fund under the Provisions of this and the said recited Act, shall be made up to the First of *August* in each Year, and such Account shall specify the several Heads of Expenditure, and shall be laid before Parliament on or before the Twenty-fifth Day of *March* in each Year, if Parliament shall be then sitting, or if Parliament shall not be then sitting, within One Month after the then next Sitting of Parliament.

Defining the Jurisdiction of the Commissioners.

X. And whereas it is desirable to define the precise Places to which the Powers and Authorities of the said Commissioners shall extend, be it therefore enacted, That the same shall extend to and include the Cities of *London* and *Westminster*, and all and every Part thereof, and the County of *Middlesex*, the Borough of *Southwark*, and also the whole of the several Parishes and Places herein-after enumerated; *videlicet*, *Brixton*, *Battersea*, *Barnes*, *Saint Mary Magdalene Bermondsey*, *Christ Church*, *Clapham*, *Saint Giles Camberwell*, *Dulwich*, *Saint Paul Deptford*, *Graveney*, *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 that the Jurisdiction of the said Commissioners shall be deemed to include any Townships, Liberty, Tithing, Vill, extra-parochial Place, or any other Place within the Cities of *London* and *Westminster*, and within Seven Miles thereof, and within the County of *Middlesex*; any thing herein contained to the contrary notwithstanding.

Commissioners may require Appearance of Witnesses.

XI. And be it enacted, That any Three of the said Commissioners, One of whom shall not be a Physician, shall have full Power and Authority, as they see Occasion, to require any Person to appear before them, to testify the Truth touching any Matters relating to the Execution of the Powers given by the said recited Act or this Act.

XII. And

Summary Conviction.

XII. And for the more effectual Prosecution of Offences punishable by summary Conviction under the said recited Act or this Act, be it enacted, That where any Person shall be charged, upon the Oath of a credible Witness, before One or more Justices of the Peace, for any Offence against the Provisions of this or the said recited Act, the Justice or Justices 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 upon such Person, (by delivering the same to him personally, or by leaving the same at his last or usual Place of Abode,) the said Justice or Justices may either proceed to hear and determine the Case, or issue his or their Warrant for apprehending such Person, and bringing him before him or them or some other Justice or Justices of the Peace; and the Justice or Justices before whom the Person so charged shall appear or be brought shall proceed to hear and determine the Case.

Form of Conviction.

XIII. And be it enacted, That the Justice or Justices before whom any Person shall be convicted of any Offence against the said recited Act or this Act may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case may require; and that no Conviction under this Act or the said recited 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 of *A. B.* is convicted
' before of His Majesty's
' Justices of the Peace for the said County; for that he the said
' did
'
'
'
'
' And the said and adjudge
' the said for his said Offence to pay the Sum
' of .'

Prosecutions to be by Indictment at Assizes.

XIV. And be it further enacted, That the Prosecution for every Offence under the said recited Act or this Act (except such as are committed within the Jurisdiction of the said Commissioners nominated under the said recited Act, or such as are punishable by summary Conviction,) shall be by Indictment preferred to a Grand Jury at the Assizes to be held in and for the County wherein the Offence shall have been committed.

Definition of Terms.

XV. And for remedying all Doubts as to the true Meaning of the Words "Insane Persons," be it enacted, That the Words "Insane Persons," used in the said recited Act and in this Act, shall be deemed and construed to extend to all Persons whatsoever who are

Lunatic, Idiot, or of unsound Mind; any thing in the said recited Act or in this Act to the contrary notwithstanding.

Public Act.

XVI. And be it further enacted, That this Act shall be deemed and taken to be a Public Act.

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