ANNO NONO

GEORGII IV. REGIS.

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C A P. XXXIV.

An Act for altering and amending an Act passed in the Fifty-fifth Year of the Reign of His late Majesty, intituled *An Act to regulate Madhouses in* Scotland. [27th *June* 1828.]

WHEREAS an Act was passed in the Fifty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to regulate Madhouses in* Scotland, which requires to be altered and amended in some respects; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That for and in respect of any Licence to be granted by any Sheriff, for the Care and Confinement of any factious or furious Person, or Lunatic, within his County, in the Manner directed by the said recited Act, there shall be paid only Ten Shillings and Sixpence for every Person confined, in place of Two Guineas, as required by the said recited Act, to be accounted for in the Manner thereby directed: Provided always, that for no Licence to be so granted shall there be paid less than the Sum of Two Guineas.

55 G. 3. c. 69.

What Sums shall be paid for Licences granted for the Care of Insane Persons.

II. And be it enacted, That a Book shall be kept in every House so licensed, in which shall be inserted the Name and Date of Admission of every Insane Person into such House, and also the

Books to be kept for entering the Time of Ad-

mission and of Discharge of Insane Persons.

the Death or Discharge of every such Person, specifying the State of Mind in which such Person was at the Date of such Death or Discharge, and the Cause of his or her Death.

Whenever Coercion shall be made use of towards any Person confined, an Entry thereof to be made in such Books.

III. And be it enacted, That whenever any Coercion, Severity, or Restraint, beyond that of Solitary Confinement, shall be used towards any Person confined in such House, an Entry shall be made in the foresaid Book on the same Day on which such Coercion, Severity, or Restraint shall be first used, setting forth the Nature of such Coercion, Severity, or Restraint, together with the special Cause thereof; and it is further provided, that the Keeper of such House shall make or cause to be made an Entry in said Book on each succeeding Day during which such Coercion, Severity, or Restraint may be continued, showing the Progress of the Disorder, and how far such Coercion, Severity, or Restraint has been increased, diminished, continued, or put an end to, as also the Reasons for the Continuance or Change of such Treatment.

Books to be produced to Inspectors, who are to insert the Date of their Inspection, &c.

IV. And be it enacted, That such Book or Books shall be produced to the Inspectors authorized to visit and inspect such Houses, which Inspectors are hereby required to mark thereon the Date of such Inspection, together with any Observations which they may deem material as to the State of such House, or of all or any of the Persons therein confined; and any Keeper of such House who shall neglect to keep the Books hereby ordered, or to make therein any of the Entries hereby ordered, at the Times and in the Terms hereby prescribed, or who shall refuse or neglect to produce such Books when duly required, shall forfeit the Sum of Five Pounds for each Offence, to be recovered in the same Manner as Penalties may be recovered under the said recited Act.

No Insane Person to be received into an Hospital without a Warrant from the Sheriff, who is to inspect Hospitals.

V. And be it enacted, That no Insane Person shall be received into any Public Hospital or Public Lunatic Asylum without a Warrant from the Sheriff, such as is required by the said recited Act in the Case of a Private Madhouse; and the said Sheriff is hereby required to inspect such Hospitals and Asylums in the same way as Private Madhouses; and he is further authorized to order any Person to be discharged from such Hospital or Asylum, who, after due Inquiry and medical Inspection, shall be considered by him as improperly detained therein.

Houses of Reception to be visited by Medical Men.

VI. And be it further enacted, That in every House of Reception for Two or more Insane Persons there shall, if it contain One hundred Patients, be a resident Physician or Surgeon; and every such House containing less than One hundred Patients, (in case such House shall not be kept by a Physician or Surgeon, shall be visited twice in every Week by a Physician or Surgeon; and such resident Attendant or visiting Physician or Surgeon is hereby respectively required to report to the Keeper the Condition of the House, and State of Health of the Patients, and shall once in every Week enter and sign the same in a Register, according to the Form in the Schedule hereunto annexed; and such Register shall by the Keeper of such House be regularly laid before the Inspectors appointed by

this and the before-recited Act, who are hereby required to sign the same in testimony of its Production.

Ministers empowered to visit Madhouses within their Parishes.

VII. Provided always, and be it further enacted, That the established Minister of the Parish wherein any House for the Reception of Insane Persons is situate, with the Consent in Writing of the Sheriff, shall have Liberty to visit all such Houses at any Hour between Eight in the Morning and Eight in the Evening; but notwithstanding such written Consent as aforesaid, the Keeper of any such House may refuse such Minister Access to any Patient, if he shall think such Visit prejudicial to the due Care or Recovery of the Patient, provided such Refusal, and the Grounds thereof, shall be duly entered in the Register, and reported by such Keeper to the Inspectors at their then next ensuing Visitation.

Regulations as to Persons with whom Lunatics are privately confined.

VIII. And be it further enacted, That no Person shall receive into his exclusive Care and Maintenance, except he be a Relative, any one Insane Person, without first having an Order and Certificate signed by Two Physicians or Surgeons in Terms similar to that which is required on the Admission of any Insane Person into a licensed House; and that every such Person so having received into his Charge any Insane Person as aforesaid shall, within Five Days thereof, transmit to the Sheriff of the County a Copy of such Certificate, and shall also state the Parish wherein such House shall be situate, and the Name of the Occupier thereof; and such Order and Return may be sealed, and indorsed "Private Return;" and also on the First Day of *January*, or within Seven Days thereof, in every Year, every such Person shall also transmit to such Sheriff a Certificate signed by Two Physicians or Surgeons, describing the then actual State of such Insane Person; and in case of the Death or Removal of such Insane Person, he shall forthwith notify the same to such Sheriff; all which said Certificates and Notifications shall be duly preserved; and the said Sheriff shall make or cause to be made therefrom a separate Register, containing the true Christian and Surname of each Insane Person so confined, together with the Place of Confinement; which Register shall be open to the Inspection of His Majesty's Principal Secretary of State for the Home Department, or the Lord President of the Court of Session, or the Lord Justice Clerk, or to such other Persons as shall be authorized to inspect the same, by an Order under their respective Hands; and any Person receiving into his Care any Person contrary to this Enactment, shall incur a Penalty of Fifty Pounds, to be recovered in the Manner before specified.

Secretary of State empowered to erase Name of Lunatic from Register.

IX. Provided always, and be it further enacted, That it shall and may be lawful for His Majesty's said Principal Secretary of State, in all Cases in which any such Patient shall have been discharged cured, upon his or her Application, verified, as to the Identity of Person and other Facts, to the Satisfaction of such Secretary of State, to direct that the Name of such Patient shall be wholly erased from the said Register.

Justices may appoint Three of their

X. And be it enacted, That it shall and may be lawful for the Justices of the Peace of every County in *Scotland* to name and appoint,

Number to inspect Hospitals, &c.

appoint, at a Court of Quarter Sessions to be held annually on the same Day on which the *Michaelmas* Meeting of Freeholders takes place, if they shall think fit so to do, any Three of their Number to visit and inspect any Private Madhouses or Asylums for the Custody of Lunatics situated in such County; and such Three Justices so appointed, or any Two of them, shall have Power to visit and inspect any such Madhouses or Public Hospitals or Asylums in their County accordingly, and to report annually there anent to the Justices met in Quarter Sessions as aforesaid.

This Act and the recited Act to be construed together.

XI. And be it enacted, That this Act shall be deemed and taken to be a Part of the said recited Act; and this Act and the said recited Act shall be construed together, in giving Effect to the said recited Act and this Act.

SCHEDULE.

WEEKLY REGISTER to be kept in each House, and to be laid before the Inspectors.

Number of Curable Men.	Number of Incurable Men.	Number of Curable Women.	Number of Incurable Women.	Number of Men under Restraint.	Number of Women under Restraint.	General Remarks.

In Cases of Restraint the Necessity to be certified by the Physician, Surgeon, or Apothecary.

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