



CHAPTER xlvi.

An Act to provide for the transfer of the Brockhall Institution at Langho of the Lancashire Inebriates Acts Board to the Lancashire Asylums Board to dissolve the said Inebriates Acts Board and for other purposes. A.D. 1924.

[14th July 1924.]

WHEREAS by the Lancashire County (Lunatic Asylums and other Powers) Act 1891 (in this Act referred to as "the Act of 1891") the Lancashire Asylums Board (in this Act called "the Asylums Board") was constituted for the county palatine of Lancaster for the purpose of providing asylum accommodation as a local authority under the Lunacy Act 1890 and maintaining altering improving and managing the existing county lunatic asylums for the reception of patients from the area of the county council for the administrative county of the county palatine of Lancaster (in this Act referred to as "the county council") and the areas of the county boroughs named in the First Schedule to the said Act:

And whereas by the Act of 1891 the Asylums Board was to consist of thirty-eight representatives of the county council and of forty-nine representatives of the said county boroughs which comprised all the then county boroughs in the said county palatine of Lancaster:

And whereas the county boroughs of Warrington Blackpool and Southport have respectively been constituted county boroughs since the Act of 1891 and the

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And whereas the number of members of the Asylums Board has under the provisions of section 35 of the Act of 1891 been diminished and the present constitution of the Asylums Board is sixteen representatives of the county council and fifty-eight representatives of county boroughs :

And whereas by the Lancashire County (Lunatic Asylums) Act 1902 the basis of contributions by the county council and by the said county boroughs to the expenses of the Asylums Board as provided for by the Act of 1891 was altered :

And whereas the Asylums Board has since its constitution carried out and is carrying out the powers and duties conferred upon the said Board by the Act of 1891 :

And whereas by section 34 of the Mental Deficiency Act 1913 it is provided that the Asylums Board shall as respects the county of Lancaster and the county boroughs represented on the Asylums Board be the local authority for the purposes of the said Act of 1913 for that county and those county boroughs and the provisions of the Act of 1891 as to expenses borrowing accounts and audit are made to apply accordingly in substitution for the provisions as to like matters contained in the said Act of 1913 :

And whereas by the Lancashire Inebriates Acts Board Act 1900 (in this Act called "the Act of 1900") the Lancashire Inebriates Acts Board (in this Act called "the Inebriates Acts Board") was constituted for the establishment and maintenance of inebriates' reformatories for the entire geographical county of Lancaster under the provisions of the Inebriates Act 1898 and the said Board consists of eighteen representatives of the county council and of twenty-five representatives of the county boroughs named in the First Schedule to that Act :

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And whereas the council of the county borough of Warrington was under the powers of section 33 of the Act of 1900 subsequently admitted to representation on the Inebriates Acts Board with one representative thereon and there are now twenty-six representatives of county boroughs on the said Board :

And whereas with the exception that the county boroughs of Oldham Blackpool and Southport are not represented on the Inebriates Acts Board the county council and the same county boroughs are represented on both the Asylums Board and the Inebriates Acts Board :

And whereas the Inebriates Acts Board under the Act of 1900 established an inebriates' reformatory at Langho in the said county palatine of Lancaster which was duly certified by the Secretary of State for the Home Department under the Inebriates Act 1898 and was opened in the year 1904 :

And whereas a large part of the work in regard to inebriates for which the said reformatory at Langho was provided can now be and is undertaken under the Mental Deficiency Act 1913 and such reformatory though remaining under the management of the Inebriates Acts Board has been since May one thousand nine hundred and twenty by agreement between that Board and the Asylums Board used entirely for the reception of mentally defective persons and could usefully be retained permanently for that purpose and there is little or no likelihood of the Inebriates Acts Board being called upon to undertake for inebriates the duties for which that Board was constituted :

And whereas the Inebriates Acts Board has resolved that it is desirable that steps be taken to dissolve the Inebriates Acts Board and to transfer the said reformatory at Langho (now known as the Brockhall Institution) and all assets and liabilities connected therewith to the Asylums Board :

And whereas the Asylums Board at a meeting held on the twenty-eighth day of February one thousand nine hundred and twenty-four resolved to promote a Bill in Parliament for the transfer of the said institution and all assets and liabilities of the Inebriates Acts Board to the Asylums Board and for the dissolution of the Inebriates Acts Board and the repeal of the Act of 1900 :

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And whereas it is expedient that provision should be made as provided by this Act for the transfer of the said institution and all properties and liabilities of the Inebriates Acts Board to the Asylums Board and for the dissolution of the Inebriates Acts Board and the repeal of the said Act of 1900 and that such other provisions as are contained in this Act should be made :

And whereas the objects of this Act cannot be attained without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted and be it 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 as follows (that is to say) :—

Short title.

1. This Act may be cited as the Lancashire Asylums Board Act 1924.

Transfer of Brockhall Institution to Asylums Board.

2. As from the first day of January one thousand nine hundred and twenty-five (in this Act called "the appointed day") the reformatory at Langho (now known as the Brockhall Institution) and all other lands and all chattels moneys and other property real or personal whatsoever (including things in action) held or enjoyed by or belonging to the Inebriates Acts Board or held by any body or person on their behalf immediately before the appointed day shall by virtue of this Act be transferred to and vested in the Asylums Board and the Asylums Board shall hold and enjoy the same and have the same powers rights and interests therein and in relation thereto as if such institution lands chattels moneys and other property had been acquired by or vested in the Asylums Board under the Act of 1891 as amended by the Lancashire County (Lunatic Asylums) Act 1902 and the said Acts shall extend and apply accordingly.

Saving for contracts deeds mortgages &c.

3. As from the appointed day all agreements conveyances contracts deeds and other instruments affecting the Inebriates Acts Board and in force at the appointed day shall be as binding and of as full force and effect in every respect in favour of or against the Asylums Board and may be enforced as fully and effectually as if instead of the Inebriates Acts Board or any person on their behalf the Asylums Board had been a party thereto.

4. If any action arbitration or other proceeding or cause of action arbitration or proceeding is pending or existing at the appointed day by or against the Inebriates Acts Board the same shall not abate or be discontinued by the passing of this Act but the same may be continued and enforced by or against the Asylums Board as if the Asylums Board had been the Inebriates Acts Board. A.D. 1924.
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Actions &c. not to abate.
5. All sums of money in respect of the maintenance and treatment of patients and any other sums which shall at the appointed day be due or accruing due to the Inebriates Acts Board may be recovered and collected by the Asylums Board. Recovery of outstanding debts &c.
6. All books and documents which if this Act had not passed would have been evidence in respect of any matter for or against the Inebriates Acts Board shall be admitted in evidence in respect of the same or the like matter for or against the Asylums Board. Books &c. to be receivable in evidence.
7. All obligations debts and liabilities of the Inebriates Acts Board existing at the appointed day shall become obligations debts and liabilities of the Asylums Board and shall be undertaken and paid by the Asylums Board accordingly. Existing debts to be discharged by Asylums Board.
8. As from the appointed day the Act of 1900 shall be and the same is hereby repealed. Repeal of Act of 1900.
9. As from the appointed day the Inebriates Acts Board shall be and the said Board is hereby dissolved. Dissolution of Inebriates Acts Board.
10. The costs charges and expenses preliminary to and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of one of the Houses of Parliament shall be paid by the Asylums Board out of the Asylums Fund referred to in the Act of 1891 as if the same were expenses payable by the Asylums Board under section 23 (1) of that Act. Costs of Act.

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