



ANNO UNDECIMO

VICTORIÆ REGINÆ.

Cap. xix.

An Act to effect an Agreement between the Visitors of the Lunatic Asylum for the County of *Leicester* and the Corporation of the Borough of *Leicester*, for the Admission of Lunatic Paupers from the said Borough into the said Asylum. [9th June 1848.]

WHEREAS an Act was passed in the Ninth Year of the Reign of Her present Majesty, intituled *An Act to amend the Laws for the Provision and Regulation of Lunatic Asylums for Counties and Boroughs, and for the Maintenance and Care of Pauper Lunatics, in England*, whereby it was (amongst other things) enacted, that the Justices of every County and Borough which had no Asylum for the Pauper Lunatics thereof should, after the passing of the said Act, either erect or provide an Asylum for the Pauper Lunatics of such County or Borough alone, or should unite with some County or Borough (whether such last-mentioned County or Borough should or should not have a Lunatic Asylum), or with the Subscribers to some Lunatic Asylum theretofore established by voluntary Subscriptions, in erecting or providing an Asylum for the Pauper Lunatics of such County or Borough, upon the Terms and in the Manner in the said Act mentioned and provided: And

8 & 9 Vict.
c. 126.

[Local.]

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whereas

9 & 10 Vict.
c. 84.10 & 11 Vict.
c. 43.

whereas another Act was passed in the Tenth Year of the Reign of Her present Majesty, intituled *An Act to amend the Law concerning Lunatic Asylums, and the Care of Pauper Lunatics, in England*: And whereas another Act was passed in the Eleventh Year of the Reign of Her present Majesty, intituled *An Act for the Amendment of the Laws relating to the Provision and Regulation of Lunatic Asylums for Counties and Boroughs in England*: And whereas previous to the passing of the first-mentioned Act the Justices of the Peace for the County of *Leicester* had united with the Subscribers to a Lunatic Asylum in the Borough of *Leicester*, supported by voluntary Subscriptions, and called the *Leicester Lunatic Asylum*, in building and providing a Lunatic Asylum to be used and appropriated as well for the Purposes of the said County of *Leicester* as also for the Purposes of the said Asylum then supported by voluntary Subscriptions, and such united Asylum was accordingly erected and fitted up previous to the passing of the said first-mentioned Act, and the same has since been used and still continues to be used as an Asylum as well for the said County of *Leicester* as also for the Purposes of the said Subscribers, and such Asylum is now called "The *Leicester County Lunatic Asylum*": And whereas the Borough of *Leicester* has not at present any Asylum for the Reception and Care of the Pauper Lunatics thereof, and under the Provisions of the first-mentioned Act the Council of the said Borough have, by Writing under the Common Seal of the said Borough, given Notice to Her Majesty's Principal Secretary of State for the Home Department of the Intention of the said Council to take upon themselves the Duties, Powers, and Authorities by the said first-recited Act imposed or conferred upon or given to the Justices of the said Borough: And whereas, in order to comply with the Directions and Provisions of the first-recited Act, the Council of the Borough of *Leicester* have endeavoured to provide an Asylum for the Pauper Lunatics thereof, and in order thereto they applied to the Visitors of the said *Leicester County Lunatic Asylum* to permit them to unite with the said County of *Leicester* for the Purposes of the said Acts, in the Manner and under and subject to the Terms and Conditions in the said Acts mentioned or directed, with the view of providing an Asylum for the pauper Lunatics of the said Borough within the Meaning of the same Acts, or some of them; but inasmuch as the Population of the said Borough has of late greatly increased, and still continues to increase in a much greater Ratio than the Population of the said County of *Leicester*, the Visitors of the said Asylum declined to unite with the said Borough upon the Terms and Conditions specified in the said Acts, but they have nevertheless expressed themselves willing and desirous to admit the Pauper Lunatics of the said Borough into the said Asylum, and to provide and furnish additional Buildings for their Reception and Use, upon the Terms and in the Manner herein-after set forth: And whereas it would be of great public Benefit and Utility if the Arrangements herein-after expressed and contained for providing a Lunatic Asylum for the said Borough in union with the said County could be carried into effect; but by reason of the Provisions and Directions contained in the said recited Acts the same cannot be accomplished without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted

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 so much and such Part and Parts of the herein-before recited Acts of the Ninth, Tenth, and Eleventh Years of the Reign of Her said present Majesty as is or are inconsistent with or repugnant to the Provisions or Powers contained in this Act, or any of them, shall not extend or be applicable to the County and Borough of *Leicester*, or either of them, or the said *Leicester* County Lunatic Asylum, or any other Lunatic Asylum provided or to be provided by the said County or Borough for or for the Purposes of the Pauper Lunatics of the same County and Borough respectively, or of either of them.

So much of recited Acts as inconsistent with this Act not to extend to this Act.

II. And be it enacted, That after the Expiration of Six Calendar Months from the passing of this Act, and upon the Execution by the Mayor, Aldermen, and Burgesses of the Borough of *Leicester* of such Conveyance of the Lands mentioned in the Schedule to this Act as herein-after is provided for, the Council of the said Borough shall be deemed and taken to have effected a Union with the said County of *Leicester* for the Use of the said *Leicester* County Lunatic Asylum, for the Pauper Lunatics of the said Borough, upon the Terms and Conditions and subject to the Regulations herein-after expressed, and that upon such Union being effected the said Borough of *Leicester* shall be deemed and considered as having provided an Asylum for the Pauper Lunatics of the same Borough within the Provisions and true Intent and Meaning of the before-mentioned Acts, as fully and effectually as if the said Borough had actually formed an Union with the said County on the Terms and within the Provisions specified in the said first-recited Act.

Borough of Leicester may unite with the County of Leicester on the Terms of this Act.

III. And be it enacted, That it shall be lawful for the Mayor, Aldermen, and Burgesses of the said Borough of *Leicester*, and they are hereby authorized and required, within the Space of Six Calendar Months after the passing of this Act, to grant and convey the Pieces or Parcels of Land or Ground and other Hereditaments mentioned and described in the Schedule to this Act annexed, and the Inheritance thereof in Fee Simple, unto and to the Use of Trustees to be nominated and appointed by and on behalf of the said Visitors or the Committee thereof, and the Heirs and Assigns of such Trustees, for ever, in trust for the Purposes of the said before-mentioned Acts, so far as is consistent with the Provisions hereof, and as and for Part of the Consideration to be given by the said Council under the Provisions herein contained; and in such Grant and Conveyance shall be contained the usual Covenants for Title by the said Mayor, Aldermen, and Burgesses against the Acts of themselves and their Predecessors, and all Persons claiming or to claim, by, from, through, under, or in trust for them, and against all Charges and Incumbrances whatsoever; and such Conveyance shall be valid and effectual in the Law to all Intents and Purposes, without any Livery of Seisin, or any Consent or Authority from or by the Lords of the Treasury, or any of them, or any other Proceeding or Formality required by an Act passed in the Sixth Year of the Reign of His late Majesty

The Corporation of Leicester to convey the Land mentioned in the Schedule.

5 & 6 W. 4.
c. 76.

Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in England and Wales*, or any subsequent Act or Acts whatsoever.

The County
to receive
Twenty-five
Pauper
Lunatics of
the Borough
on Terms
here men-
tioned.

IV. And be it enacted, That for and in consideration of the annual Payment of One hundred Pounds, to be made by the Council of the Borough of *Leicester* from the Borough Fund to the Visitors of the said Asylum for the Time being, or their Treasurer, as herein-after provided, and of the Grant and Conveyance herein-before directed to be made by the said Mayor, Aldermen, and Burgesses to Trustees for the said Visitors as aforesaid, and also of the weekly Payments herein-after directed to be made to the same Visitors or their Treasurer, the Visitors for the Time being of the said *Leicester* County Lunatic Asylum shall and they are hereby required, from Time to Time and at all Times after such Union shall have been effected as aforesaid, to receive and take into the said Asylum Twenty-five of the Pauper Lunatics of the said Borough of *Leicester*.

On the
Death or
Removal of
any such
Lunatic
another may
be sent in
his Stead.

V. And be it enacted, That when and as often as any of such Twenty-five Pauper Lunatics shall die or be removed from the said Asylum, the said Visitors shall and they are hereby required to receive and take into the said Asylum other Pauper Lunatics of the said Borough, in lieu and stead of those who shall so die or be removed; and so from Time to Time when and as often as any One or more of the Twenty-five Pauper Lunatics of the said Borough who for the Time being shall be received or taken into the said Asylum under the Provisions of this Act shall die or be removed as aforesaid, the said Visitors shall and are hereby required to receive and take into the said Asylum some other Pauper Lunatic or Lunatics of the said Borough in the Place or Stead of each One so dying or being removed, so that the said Visitors shall be at all Times obliged to receive and take into the said Asylum under the Provisions of this Act, and there to maintain and keep, the full Number of Twenty-five Pauper Lunatics of the said Borough.

The Visitors
to receive
from the
Party liable
the same
Rate of
Mainten-
ance as paid
by Pauper
Lunatics of
the County.

VI. And be it enacted, That the Visitors of the said Asylum for the Time being or their Treasurer shall be entitled to receive from the Party or Parties legally liable for the Maintenance of each Pauper Lunatic who shall be so received into the said Asylum such and the same weekly Sum or Sums of Money for and in respect of the Charge, Keep, Maintenance, and Expenses of each of such Twenty-five Pauper Lunatics as shall or may for the Time being be payable by or charged to the said County of *Leicester*, or the Parishes therein, for and in respect of the Lodging, Maintenance, and Care, Medicine, Clothing, and other Expenses, requisite for each Pauper Lunatic of the said County; and such Pauper Lunatics of the said Borough shall in all respects be clothed, maintained, fed, and kept in the same Way and Manner, and without any Distinction or Difference, as if they were Pauper Lunatics of or belonging to the said County of *Leicester*.

The County
to receive
Fifteen other

VII. And be it enacted, That the Visitors of the said *Leicester* County Lunatic Asylum shall and they are required, from Time to
Time

Time and at all Times after such Union shall have been so effected as aforesaid, to receive and take into the said Asylum other Fifteen of the Pauper Lunatics of the said Borough of *Leicester*, in addition to and over and above the Twenty-five Pauper Lunatics herein-before directed to be received and taken into the said Asylum as aforesaid; and when and as often as any of such last-mentioned Fifteen Pauper Lunatics shall die or be removed from the said Asylum, the said Visitors shall and they are hereby required to receive and take into the said Asylum other Pauper Lunatics of the said Borough in lieu and stead of those who shall so die or be removed, and so from Time to Time when and as often as any One or more of the said Fifteen Pauper Lunatics of the said Borough who for the Time being shall be received or taken into the said Asylum under the Provisions herein-before contained shall die or be removed as aforesaid, so that the said Visitors shall at all Times be obliged to receive and take into the said Asylum under the Provisions of this Act, and there to maintain and keep, the full Number of Fifteen Pauper Lunatics of the said Borough in addition to the Twenty-five Pauper Lunatics first mentioned; and the Visitors of the said Asylum for the Time being, or their Treasurer, shall be entitled to receive from the Party or Parties legally liable for the Maintenance of each such additional Pauper Lunatic who shall be so received as last aforesaid such and the same weekly Sum or Sums of Money, for and in respect of the Lodging, Maintenance, and Care, Medicine, Clothing, and other Expenses of each of such Fifteen additional Pauper Lunatics, as shall or may for the Time being be payable by or charged to the said County of *Leicester*, or the Parishes therein, for and in respect of the Lodging, Maintenance, and Care, Medicine, Clothing, and other Expenses of each Pauper Lunatic of the said County, and from the Council of the said Borough the Sum of Three Shillings and Sixpence *per* Week for each Pauper Lunatic of the said Borough over and above the first Number of Twenty-five Pauper Lunatics who for the Time being shall be kept and maintained in the said Asylum under the Provisions aforesaid; and such Fifteen additional Pauper Lunatics of the said Borough shall in all respects be clothed, maintained, fed, and kept in the same Way and Manner, without any Distinction or Difference, as if they were Pauper Lunatics of or belonging to the said County of *Leicester*.

Pauper Lunatics of the Borough on other Terms.

The same Scale of Maintenance as for County Pauper Lunatics.

3s. 6d. to be paid out of the Borough Fund for such Fifteen Lunatics.

VIII. And be it enacted, That if the Council of the Borough of *Leicester* shall at any Time or Times after such Union as aforesaid request the said Visitors to receive and take into the said County Lunatic Asylum any further Pauper Lunatic or Lunatics of the said Borough beyond the respective Numbers of Twenty-five and Fifteen herein-before provided for, then and in every or any such Case, if there shall be sufficient Room in any of the Wards of the said Asylum appropriated for the Pauper Patients thereof, but not otherwise, the Visitors for the Time being of the said Asylum shall receive and take into the said Asylum so many additional Pauper Lunatics of the said Borough as shall be required by the said Council, and as, in the Judgment of the Visitors, can be conveniently accommodated in the Pauper Wards of the said Asylum; and the Visitors of the said Asylum, or their Treasurer, shall be entitled to receive from the Party or Parties legally liable for the Maintenance of each such last-

County to receive other Pauper Lunatics of the Borough if there be sufficient Room in the Pauper Wards.

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mentioned

mentioned additional Pauper Lunatic such and the same weekly Sum and Sums of Money as herein-before is mentioned and provided for with respect to each of the said Fifteen Pauper Lunatics herein-before mentioned, and from the Council of the said Borough the same Sum of Three Shillings and Sixpence per Week as herein-before is mentioned and provided for with respect to each of the said Fifteen Pauper Lunatics herein-before mentioned; and such additional Pauper Lunatics shall be clothed, maintained, fed, and kept in the same Way and Manner in all respects as herein-before directed concerning such Fifteen Pauper Lunatics: Provided always, that the said Visitors shall not be required or compelled to receive into or keep in the said County Lunatic Asylum a greater Number of the Pauper Lunatics of the said Borough (over and above the respective Numbers of Twenty-five and Fifteen herein-before provided for) than the Pauper Wards of the said Asylum will conveniently hold and accommodate, after providing and allowing sufficient Room and Accommodation for the other Pauper Lunatics of the said County, or any County in union therewith, except so far as the said Visitors shall be compellable to receive such additional Pauper Lunatics of the said Borough under the Provisions herein-after contained.

The County to erect additional buildings, &c. at the Request and Cost of the Borough.

IX. And be it enacted, That if the Council of the said Borough of *Leicester* shall at any Time or Times after the said Union shall have been effected as aforesaid require the Visitors of the said Asylum for the Time being to receive and take into the said County Lunatic Asylum any additional Number of Pauper Lunatics of the said Borough of *Leicester* over and above the said respective Numbers of Twenty-five and Fifteen herein-before provided for, and there shall not be sufficient Room in the Pauper Wards of the said Asylum for the Reception and Accommodation of such additional Pauper Lunatics of the said Borough, then and in such Case the Visitors for the Time being of the said Asylum shall and they are hereby required, with all convenient Speed, at the Request in Writing, and at the Costs and Charges, of the Council of the said Borough, to provide, erect, build, fit up, and furnish such additional Buildings, Rooms, Airing Yards, and other further Accommodation, on any Land or Ground which may then belong to the said Asylum, for such Number of Patients as shall from Time to Time be specified in such Request of the said Council, upon and subject to the Terms, Conditions, and Regulations, and in the Manner, herein-after expressed and provided for.

Costs of such additional Buildings to be paid by the Borough.

X. And be it enacted, That whenever any additional Buildings, Rooms, Yards, Fittings up, Furniture, or other Accommodation, shall be required for the Purpose of receiving any additional Pauper Lunatics of the said Borough over and above the respective Numbers of Twenty-five and Fifteen, and the Visitors of the said *Leicester* County Lunatic Asylum shall have provided, furnished, and fitted up any such additional Buildings, Rooms, Yards, and other Accommodation as last aforesaid, then and in every such Case the Committee of Visitors of the said Asylum, or their Clerk or Secretary, shall forthwith make out and furnish for and deliver to the Council of the said Borough of *Leicester*, or the Town Clerk, a full, true, and

correct Statement and Account of all Sums of Money laid out or expended, by or under the Direction of such Visitors, in, for, or on account of the preparing, fitting up, furnishing, and finishing of such additional Buildings, Rooms, Yards, and other Accommodation as last aforesaid; and the Visitors and Officers of the same Asylum shall give all reasonable Access and Facilities to the Council of the said Borough of *Leicester*, or any Officer of the said Borough, to inspect and examine all Contracts, Payments, Accounts, Vouchers, and Proofs of or relating to the building, fitting up, furnishing, or finishing of such additional Buildings, Rooms, and another Accommodation as last aforesaid; and all and every such Sum or Sums of Money as shall be laid out and expended by or by the Order of the Visitors of the same Asylum for the Time being for all or any of the Purposes last herein-before mentioned, together with the Sum of Two hundred and Fifty Pounds for every Acre of the Land or Ground which may be required for the Purpose of such additional Buildings, Rooms, and other Accommodation, and a proportionate Sum for any less Quantity than an Acre, shall be paid and made good to the said Visitors or their Treasurer, within Three Calendar Months next after such Statement or Account shall be furnished and delivered by the said Visitors, or their Clerk or Secretary, to the Council of the said Borough, or the Town Clerk of *Leicester*, and such additional Buildings, Rooms, Yards, Fittings up, Furniture and other Accommodations, shall from Time to Time and at all Times thereafter be repaired, maintained, and kept in order by and at the Expense of the Visitors of the said Asylum, who shall also be liable, in case of any Accident by Fire or otherwise, to make good any Loss, Damage, Destruction, or Wear in any of the said Buildings, Rooms, Yards, and Premises as aforesaid, or the Fittings up and Furniture thereof, but for which they shall have and receive from the Council such weekly Allowance as herein-after mentioned.

Account to be open to Inspection of Council.

XI. Provided always, and be it enacted, That in case any Dispute or Difference shall arise between the said Visitors and the Council of the said Borough touching or concerning any of the Plans, Estimates, Proposals, Contracts, or Agreements for or relating to the providing, building, furnishing, or fitting up any such additional Buildings, Rooms, or Accommodations aforesaid, or the Expenses incurred or proposed to be incurred in or about the same, or any of them, or otherwise in relation thereto, then and in every such Case the Matter of every such Dispute or Difference shall be submitted and referred to One of Her Majesty's Principal Secretaries of State, whose Decision thereon shall be final and conclusive, and shall be observed and performed, and in every respect acted upon, as well by the said Visitors as by the Council of the said Borough, and all Persons claiming or deriving Title or Authority through or under them respectively.

Disputes between the Visitors and Council of the Borough respecting the additional Buildings to be settled by Secretary of State.

XII. And be it enacted, That when and so soon as the said Union shall have been effected in manner aforesaid the Council of the said Borough shall and they are hereby required to pay or cause to be paid yearly and every Year to the Visitors of the same Asylum, or their Treasurer for the Time being, the clear annual Sum of One hundred

Annual Sum of 100*l.* to be paid by the Borough to the County.

hundred Pounds (free from Income Tax) from and out of the Rate or Fund of the said Borough of *Leicester* called the Borough Rate or Borough Fund, or in such other Manner as herein-after provided, such yearly Sum of One hundred Pounds to be paid and payable by equal half-yearly Payments on the Twenty-fourth Day of *June* and the Twenty-fifth Day of *December* in each in each and every Year, and the first of such half-yearly Payments, or a proportionate Part thereof, to be paid on such of the said half-yearly Days of Payment as shall first and next happen after the said Union shall have been effected as aforesaid.

Borough to pay 3s. 6d. per Week for Pauper Lunatics above the Number of Twenty-five.

XIII. And be it enacted, That whenever the Visitors shall have received and taken into the said Asylum a greater Number of the Pauper Lunatics of the said Borough of *Leicester* than such Number of Twenty-five as aforesaid, then the Council of the same Borough shall and they are hereby authorized and required to pay unto the Visitors of the same Asylum, or their Treasurer, for and in respect of each of the Pauper Lunatics of the same Borough (over and above the said Twenty-five) who shall from Time to Time be received and taken into the same Asylum, without having recourse to any additional Buildings to be provided for their Reception as herein-before mentioned, the Sum of Three Shillings and Sixpence *per Week* as herein-before provided for each of the Pauper Lunatics of the same Borough as last aforesaid.

The Borough to pay 1s. per Week for such additional Number of Lunatics as the Buildings erected at the Expense of the Borough are capable of accommodating.

XIV. And be it enacted, That whenever the Visitors of the said Asylum shall, pursuant to such Request as aforesaid, have provided additional Buildings and Accommodation for such Number of Pauper Lunatics as shall be specified in such Request over and above the before-mentioned Numbers of Twenty-five and Fifteen, then and in such Case the Council of the same Borough shall and they are hereby authorized and required from thenceforth to pay unto the Visitors of the same Asylum, or their Treasurer, for and in respect of each of the same additional Pauper Lunatics of the same Borough for whom the said additional Buildings shall have been provided pursuant to such Request as aforesaid, the Sum of One Shilling *per Week*, such weekly Sum of One Shilling being for the Purpose of keeping the extra Buildings and Furniture in repair, and for the Expenses of Insurance, and other Charges connected with such Buildings; and the said Visitors shall at all Times thenceforth be compelled to receive such additional Number of Pauper Lunatics of the said Borough over and above the before-mentioned Numbers of Twenty-five and Fifteen as such additional Buildings shall be designed to accommodate.

The Council may pay all Money payable by the Borough by levying Borough Rates, or out of the Borough Fund.

XV. And be it enacted, That in order to raise and pay all and every the Sum and Sums of Money (whether annual, weekly, in gross, or otherwise) which under or by virtue of the Provisions of this Act shall or may be or become due or payable to the Visitors of the said *Leicester County Lunatic Asylum* by or from the Council of the said Borough of *Leicester*, for the Reception of all or any of such Pauper Lunatics of the same Borough as aforesaid, or for or in respect of any Lands, Buildings, Rooms, Airing Yards, Fittings up, Furniture, or other Accommodation as aforesaid, or for or in respect of any other

other Matter or Thing whatsoever not hereby otherwise provided for, and also in order to defray all and every the Costs, Charges, and Expenses which shall or may become due or payable by the same Council, for or relating to the obtaining of this Act, or for any of the Purposes of this Act, or the before-mentioned Acts relating to Lunatic Asylums, or any of them, the Council of the said Borough of *Leicester* shall and they are hereby fully authorized and empowered, from Time to Time when and so often as may be requisite, to make and assess a general Borough Rate (in the Nature of a County Rate) upon all the rateable Property within such Borough, and all such Rates shall be made, collected, levied, and recovered in the same Manner, and by the same Powers, Authorities, Ways, and Means, and under the same Penalties, as any ordinary Rate for such Borough may by Law be made, collected, levied, and recovered; and the Moneys, Costs, and Expenses to be paid by such Borough or the Council thereof, for all or any of the Purposes herein-before mentioned or referred to, or otherwise under this Act, shall be paid by the Treasurer of such Borough out of the Rates aforesaid to the Visitors of the said *Leicester* County Lunatic Asylum or their Treasurer: Provided always, that it shall be lawful for the Council of the said Borough of *Leicester*, if they shall think fit, instead of levying a distinct Rate for such Purpose, to pay any Moneys which shall become payable for all or any of the Purposes of this Act, or any Part thereof, out of the Borough Fund of the said Borough, and such Monies shall be paid by the Treasurer of the same Borough out of such Fund accordingly, and such Borough Fund shall be chargeable therewith, in like Manner as if the same were Expenses charged upon and payable out of that Fund under the said Act, intituled *An Act to provide for the Regulation of Municipal Corporations in England and Wales.* 5 & 6 W. 4. c. 76.

XVI. And be it enacted, That it shall be lawful for the Council of the said Borough of *Leicester* from Time to Time to borrow at Interest any Sum or Sums of Money which may be required by the said Council for the Purposes of this Act, and in the event of all or any Part of such Moneys being repaid by the Council to reborrow the same, and so *toties quoties*; and for securing the Repayment of the Moneys so to be borrowed, with Interest, the Mayor, Aldermen, and Burgesses of the said Borough, or the said Council, may assign and mortgage all or any such Rates, or the Borough Fund of such Borough, and also all or any Messuages, Lands, Tenements, Hereditaments, or Property of the same Borough, or the said Mayor, Aldermen, and Burgesses, to the Person or Persons who shall advance or lend such Money, or to any Trustee for him, her, or them, as a Security for the Repayment of the Money so to be borrowed, together with Interest for the same. Council empowered to borrow Money.

XVII. And be it enacted, That every such Mortgage or Assignment shall be by Deed duly stamped, wherein the Consideration shall be duly stated; and every such Deed shall be under the Common Seal of the said Mayor, Aldermen, and Burgesses, and may be in such Form as the said Council and the Person or Persons advancing or lending such Money shall agree. Form of Mortgage.

[*Local.*]

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XVIII. And

Mortgage to be without Preference.

XVIII. And be it enacted, That all Persons to whom such Assignments or Mortgages of any Rate or Rates or Borough Fund as aforesaid shall be made under the Authority of this Act, or who shall be entitled to the Moneys thereby secured, shall, in proportion to the Sums therein respectively mentioned, be equally one with another Creditors, without any Preference in respect to the Priority of advancing such Moneys, or the Dates of any such Mortgages respectively.

Expenses of Mortgage.

XIX. And be it enacted, That the Expenses of every Assignment or Mortgage shall from Time to Time be defrayed by the Council out of the Moneys raised by the same, or out of the Rates on the Credit of which such Moneys shall be raised.

Town Council not to sell without the Approbation of the Treasury.

XX. And be it enacted, That nothing in this Act contained shall enable the said Mayor, Aldermen, and Burgesses to sell, alienate, incumber, or demise, for the Purposes of this Act, without the Approbation of the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, or Three of them, any Houses, Lands, Tenements, or Hereditaments which they could not have sold, alienated, incumbered, or demised without such Approbation before the passing of this Act (save and except so far as relates to or concerns the Conveyance herein-before authorized and directed to be made).

The Mayor of Leicester to be an ex-officio Visitor of Asylum.

XXI. And be it enacted, That the Mayor for the Time being of the said Borough of *Leicester* shall be *ex officio* one of the Committee of Visitors for the Time being of the said Asylum.

The Mayor and Justices may visit the Pauper Lunatics of the Borough.

XXII. And be it enacted, That the Mayor and Justices of the said Borough of *Leicester* shall at all Times hereafter have full and free Liberty, Power, and Authority to visit the Pauper Lunatics of the same Borough confined in or received into the said Asylum, and to examine and inspect the Treatment, Diet, Clothing, Health, and Condition of such Pauper Lunatics; and that the Justices of the said Borough shall, at the Quarterly Sessions of Justices held under the Provisions of an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act to amend an Act for the Regulation of Municipal Corporations in England and Wales*, appoint a Committee of Three or more Justices of the said Borough of *Leicester* to inspect and examine the Condition of the said Asylum, and the Condition, Treatment, Diet, Clothing, and Health of the Pauper Lunatics of the said Borough, quarterly, and to report thereon in Writing to the Town Council.

5 & 6 W. 4. c. 76.

Power for the County and Borough to determine or alter the Terms and Agreements contained in this Act.

XXIII. And be it enacted, That it shall be lawful for the Committee of Visitors for the Time being of the said *Leicester* County Lunatic Asylum, or the major Part of them, with the Consent of the Council of the said Borough of *Leicester*, and with the Approbation of Her Majesty's Principal Secretary of State for the Home Department, to be testified by some Writing under his Hand and Seal, to determine and dissolve the Terms and Provisions herein-before contained, or any of them, and the Union, Arrangement, and Agreements intended

intended to be hereby carried into effect, and for the said Committee and Council thereupon to enter into and make any new or other Union Arrangement or Agreement as to the Premises, and to make and impose any other Terms or Conditions, as the contracting Parties may mutually agree upon; and upon any such Determination and Dissolution the firstly herein-before recited Act shall be applicable and extend to such Determination and Dissolution under this Act and the subsequent Proceedings, so far as the same shall not be repugnant to or inconsistent with the Provisions of this Act, and for that Purpose shall be consolidated with and form Part of this Act so far as the same may be applicable.

XXIV. And be it enacted, That all such Part or Parts and so much of the said Three several herein-before recited Acts relating to Lunatic Asylums as are not repugnant to and inconsistent with the Provisions of this Act shall extend and be applicable to the said *Leicester* County Lunatic Asylum, and the Management thereof, and of the Pauper Lunatics therein, and the several Directions and Rules contained in such Acts or any of them shall be applicable to the same Lunatic Asylum, and otherwise, in such Way and Manner as if they were expressly inserted in this Act with reference to such Asylum, and the Arrangements and Agreements intended to be hereby effected.

The recited Acts to apply when not repugnant.

XXV. Provided always, and be it enacted, That nothing in this Act contained, or to be implied or inferred therefrom, shall be deemed, construed, or taken so as in any Manner to hinder, impede, or prevent the said County of *Leicester*, or the Visitors for the Time being of the said *Leicester* County Lunatic Asylum, from making or forming any Union or Unions with any other County or Counties, Borough or Boroughs, or Body or Bodies of voluntary Subscribers for the Objects or Purposes of the said recited Acts or any of them, but that any such Union or Unions shall and may, after the passing of this Act, be formed and made by the said County of *Leicester*, or by the said Visitors, as fully and effectually, and with the same Powers and Authorities, as the same could or might have been formed or made by virtue of or under the several herein-before recited Acts, or any of them, in case this Act had not been passed.

Unions may be formed with any other County, Borough, or Body of voluntary Subscribers.

XXVI. And be it enacted, That all the Costs, Charges, and Expenses of and incidental to the obtaining of this Act shall be borne and paid by the said County of *Leicester* and the said Borough of *Leicester* in equal Shares and Proportions, and the Treasurer of the same County and the Treasurer of the said Borough are hereby directed and required to pay the same accordingly out of the Moneys now in their Hands, or which shall come to their respective Hands, after such Costs, Charges, and Expenses shall be ascertained.

Expenses of carrying this Act into execution.

XXVII. And be it enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such.

Public Act.

The

The SCHEDULE referred to by the foregoing Act.

Twelve Acres of Pasture Land adjoining the Leicester County Lunatic Asylum, in the Parish of Saint Mary in the Borough of Leicester, and in the Occupation of Thomas Green, comprising all those Four several Pieces or Parcels of Land containing respectively 4 Acres 2 Roods and 35 Perches, 2 Acres 2 Roods and 30 Perches, 2 Acres 1 Rood and 24 Perches, and 2 Acres and 31 Perches or thereabouts, and consisting of a Close called No. 18, lying on the Southward Side of the said Asylum, containing 4 Acres 2 Roods and 35 Perches or thereabouts, and Parts of Three several Closes lying on the Eastward Side of the said Asylum called respectively No. 13, containing 3 Acres 3 Roods and 25 Perches, No. 16, containing 3 Acres 3 Roods and 31 Perches, and No. 17, containing 3 Acres 1 Rood and 28 Perches or thereabouts.

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