



ANNO QUINTO & SEXTO

VICTORIÆ REGINÆ.

C A P. LXXXVII.

An Act to amend and continue for Three Years, and from thence to the End of the next Session of Parliament, the Laws relating to Houses licensed by the Metropolitan Commissioners and Justices of the Peace for the Reception of Insane Persons, and for the Inspection of County Asylums and Public Hospitals for the Reception of Insane Persons. [5th August 1842.]

WHEREAS an Act was passed in the Session of Parliament holden in the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for regulating for Three Years, and from thence until the End of the then next Session of Parliament, the Care and Treatment of Insane Persons in England*: And whereas the said recited Act was amended by an Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of His said late Majesty, intituled *An Act to amend an Act of the Second and Third Years of the Reign of William the Fourth, for regulating the Care and Treatment of Insane Persons in England*: And whereas the said recited Acts were afterwards, by an Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of His said late Majesty, and by

2 & 3 W. 4.
c. 107.

3 & 4 W. 4.
c. 64.

an Act passed in the Sessions of Parliament holden in the First and Second Years of the Reign of Her present Majesty, and by an Act passed in the Session of Parliament holden in the Fifth Year of the Reign of Her said present Majesty, continued for Three Years, and from thence to the End of the then next Session of Parliament: And whereas it is expedient that some of the Provisions of the said recited Acts should be amended and extended, and that further Provisions should be made for the Visitation of Houses licensed by the Justices of the Peace under the Provisions of the said recited Acts, and also for the Inspection of Persons detained in such Houses: Be it therefore 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, notwithstanding any thing in the said first-recited Act contained, any annual Appointment of Metropolitan Commissioners in Lunacy hereafter made under the Provisions of the said recited Acts or of this Act shall in each Year be made on the First Day of *August*, or within Ten Days then next following, instead of on the First Day of *September*; or within Ten Days then next following: Provided always, that the Appointment of Metropolitan Commissioners in Lunacy, to be made in the Year One thousand eight hundred and forty-two, shall be made on or before the Twenty-fifth Day of *August* One thousand eight hundred and forty-two, and that the Appointment already made and now in force under the said recited Acts shall cease and determine on the Twenty-fifth Day of *August* One thousand eight hundred and forty-two, or on a new Appointment being made under the Provisions of the said recited Acts and this Act, whichever shall first happen.

Altering the Time of appointing the Metropolitan Commissioners.

Proviso.

Increasing the Number of Physicians and Barristers hereafter to be appointed.

Three Commissioners a Quorum to administer the Oath to other Commissioners.

Meetings may be convened by Three Commissioners, giving 24 Hours Notice; but Five required to form a Meeting.

II. And be it enacted, That the Metropolitan Commissioners in Lunacy so hereafter appointed on the First Day of *August* in each Year, or within Ten Days then next following, shall be not less than Fifteen nor more than Twenty in Number; and that of such Commissioners so appointed, not less than Six nor more than Seven shall be Physicians or Surgeons not practising in Midwifery or Pharmacy, and Four shall be Barristers.

III. And be it enacted, That, notwithstanding any thing in the said recited Acts contained, any Three of the Metropolitan Commissioners who shall have previously taken the Oath by the said first-recited Act required shall and are hereby authorized to administer such Oath to any other Person duly appointed a Metropolitan Commissioner, and to make a Quorum for that Purpose, but for that Purpose only.

IV. And be it enacted, That, notwithstanding any thing in the said recited Acts contained, the Notice thereby required to be given under the Hands of Five of the Metropolitan Commissioners, requiring their Clerk to convene a Meeting, may be given under the Hands of Three of such Commissioners, and the said Clerk shall, on receiving such Notice, summon the rest of such Commissioners, giving not less than Twenty-four Hours Notice of the Place and the Day and Hour therein named for such Meeting, and stating in such Summons the

Cause of such Meeting: Provided, nevertheless, that such Meeting shall be attended by not less than Five Metropolitan Commissioners, Two of whom at least shall not be Physicians, as by the said Act provided, or Surgeons.

V. And whereas by the said first-recited Act certain Provisions are made for (after Three Visits, as therein provided,) setting at liberty or otherwise acting under the Circumstances with respect to any Person improperly confined, or supposed to be improperly confined, in any House licensed by the Metropolitan Commissioners: And whereas it is expedient to alter such Provision as to the Number of Visits by the Metropolitan Commissioners, and in other respects; be it enacted, That the Metropolitan Commissioners may, after Two distinct and separate Visits, instead of Three Visits, as therein provided, and at a Meeting specially summoned at not less than One clear Day's Notice, instead of at Four clear Days Notice, so set at liberty any Person detained without sufficient Cause in any House licensed by them, or otherwise act under the Circumstances as by the said first-recited Act is provided, but not otherwise: Provided nevertheless, that each of such Visits shall be made by Three at least of such Metropolitan Commissioners, Two of whom at least shall be Physicians or Surgeons.

Altering the Time within which Persons improperly confined may be set at liberty by the Metropolitan Commissioners.

VI. And be it enacted, That every Clerk of the Peace throughout *England* and *Wales* shall, some Time in the Month of *August* One thousand eight hundred and forty-two, transmit to the Clerk of the Metropolitan Commissioners in *London* a List of the Houses at that Time licensed by the Justices of the Peace within his Jurisdiction, and also the Number of Patients for which every such House is licensed, and the Name of the Proprietor or resident Superintendent of every such House, and the Place or Parish in which such House is locally situate.

Special Return by the Clerks of the Peace in the Month of August this Year.

VII. And be it enacted, That in the Month of *August*, or so soon as they shall be able so to do after their Appointment in each Year, the Metropolitan Commissioners in Lunacy shall meet, and divide *England* and *Wales* into Districts, convenient for visiting, as herein provided, all Houses then or within the then next Twelve Months licensed by Justices of the Peace for the Reception of Insane Persons, as provided by the said recited Acts, subject, nevertheless, to subsequent Alterations in such Division as Circumstances may render necessary; and that every House so licensed shall be visited by not less than Two Metropolitan Commissioners, of whom at least One shall be a Physician or Surgeon, and One shall be a Barrister Commissioner, once at least in every Six Months, calculated as from the First of *August* in each Year, and on such Days, and at such reasonable Hours of the Day, and for such Length of Time, as they shall think fit, and also at such other Times as the Metropolitan Commissioners shall by a Resolution at any Board direct; provided also, that it shall be lawful for the Lord Chancellor, or other the Person or Persons so interested as aforesaid, on Application by the said Board, setting forth the Expediency of such Alteration, to direct that all or any such Houses shall be visited once only in Twelve consecutive Months; and such Metropolitan Commissioners, when visiting such House,

Houses licensed by the Justices to be visited Twice a Year by Metropolitan Commissioners.

House, shall and are hereby required and authorized to inspect every Part of the Premises included in the then Licence for the same, and to see every Patient then confined therein, and to inquire whether any Patient is under Restraint, and why; and also to inspect the Certificate of Admission of every Patient who shall have been admitted into such House since the last Visit of the Metropolitan Commissioners; and also to consider the Observations made in the Visitors Book for such House by the Visitors appointed by the Justices of the Peace at Quarter Sessions, as provided by the said recited Acts, and to enter in such Visitors Book a Minute of the then Condition of the House so visited, and of the Patients therein, and the Number of Patients under Restraint, with the Reasons thereof, as stated, and such Irregularity (if any) as may exist in any of such Certificates as aforesaid, and also whether the Suggestions (if any) of such Visitors have or have not been attended to, and also to add any Observations which they may deem proper as to any of the Matters aforesaid, and also, if such Visit be the first after the granting a Licence to the House so visited, to examine such Licence, and, if the same be in conformity with the Provisions required by the said recited Acts, to sign the same, but if it be informal to enter in such Visitors Book in what respect such Licence is informal.

Metropolitan Commissioners to report as to System of Non-coercion in licensed Houses;

VIII. And be it enacted, That, with a view to the Amelioration of the Condition of Insane Persons, the Metropolitan Commissioners shall, when they are, under the Provisions of the said recited Acts or this Act, visiting Houses for the Reception of Insane Persons, whether licensed by the Metropolitan Commissioners or by Justices of the Peace, inquire, and shall by their Report in Writing state as to every such House, whether there has been adopted, either in whole or in part, any System of Non-coercion, and if so the Particulars of such System, and by what Means practised, and whether by Medical Treatment or otherwise, and what has been the Result thereof.

also as to Classification;

IX. And be it enacted, That with a like View such Metropolitan Commissioners as aforesaid shall, when so visiting such licensed Houses, in like Manner inquire into and state the Classification or Non-classification of Patients in every such last-mentioned House, and the Number of Attendants in each Class, and, so far as is practicable, the proportionate Number of Attendants before and since the Adoption of the System of Non-coercion, if such System shall have been adopted.

also as to Effect of Occupations and Amusements;

X. And be it enacted, That with a like View such Metropolitan Commissioners as aforesaid shall, when so visiting such licensed Houses, also in like Manner inquire into and state the Occupation and Amusements of the Patients in every such last-mentioned House, and whether the same be in-door or out-door Occupations or Amusements, and the Effect of such Occupations and Amusements, both in-door and out-door respectively, on the Condition, as well mental as bodily, of the Patients.

also as to Condition of Pauper Patients (if

XI. And be it enacted, That with a like View such Metropolitan Commissioners as aforesaid shall, when so visiting such licensed Houses, also in like Manner inquire into and state the Condition, as well

well mental as bodily, of the Pauper Patients (if any) when first received into every such last-mentioned House, and whether the Condition has been such as to prevent or impede the ultimate Recovery, either mental or bodily, of such Patients, and also as to the Dietary of the Pauper Patients (if any) in every such House, and also shall make such other Inquiries; and state in Writing their Report thereon, together with such Observations as to every such House, and the Patients therein, as to such Commissioners shall seem meet.

any) when received, and as to the Dietary; and to make special Observations on other Heads, as may seem fit.

XII. And be it enacted, That the Report so made as to each and every such licensed House as aforesaid shall be signed by the Commissioners so visiting such House, and shall be delivered to the Clerk of the Metropolitan Commissioners, who shall enter the same in a Book to be kept by him for that Purpose.

Report of each House to be signed, and sent to the Clerk of the Commissioners.

XIII. And be it enacted, That in every House licensed for the Reception of Insane Persons, whether by the said Metropolitan Commissioners or the Justices, there shall be kept by the Proprietor or resident Superintendent, in addition to the Visitors Book, as by the said recited Act provided, a Book to be intituled the "Patients Book;" and that the "Visitors Book" and "Patients Book" shall be produced to the Metropolitan Commissioners and to the Visitors appointed under the said recited Acts at the Visits of such Persons, who shall severally make an Entry therein respectively that the same have been produced to them, and shall in such Patients Book insert such Observations as they may think fit respecting the State of Mind of any Patient in such House.

A Patients Book as well as a Visitors Book to be kept in every licensed House, and both Books to be produced.

XIV. And be it enacted, That any Proprietor or resident Superintendent of any such House omitting at the Visit of any such Metropolitan Commissioners or Visitors, as the Case may be, to produce and to show to them such Visitors Book and Patients Book, shall forfeit and pay a Penalty of Twenty Pounds, to be recovered as herein-after provided.

Penalty on Omission to produce the Books.

XV. And be it enacted, That the Metropolitan Commissioners in manner aforesaid visiting the Houses licensed by the Justices of the Peace shall carefully consider and give special Attention to the State of Mind of any Patient therein confined, as to the Propriety of whose Detention they shall have Cause to doubt, or as to whose Sanity their Attention shall be specially called by the Patient or any other Person, and shall, if they shall think that the State of Mind of such Patient is doubtful, and the Propriety of his Detention requires further Consideration, make a Minute thereof, signed by them, in the Patients Book of such House, and in such Form and to such Effect as they shall think fit.

The Commissioners to consider the Cases to which their Attention may be drawn, and make Entry thereof in the Patients Book.

XVI. And be it enacted, That the Metropolitan Commissioners, being not less than Two, of whom One shall be a Physician or Surgeon and One a Barrister Commissioner, may and they are hereby required, in case they shall doubt the Propriety of the Detention of any Patient in a House licensed by the Justices of the Peace, make

Commissioners may make special Visits, and after Two such Visits may, subject

to certain
Restrictions,
liberate a
Patient.

a special Visit to such Patient on such Day and at such Hour as they shall think fit; and if after Two distinct and separate Visits so made it shall appear to such Commissioners that such Person is detained in such House without sufficient Cause, such Commissioners may give such Orders as to them shall seem meet for the Discharge of such Person at such Time as the Circumstances of the Case may to them seem to justify: Provided always, that the Order for Discharge shall be signed by such Commissioners, and each of such special Visits must be by the same Commissioners; and that it shall not be lawful for such Commissioners to order the Discharge of any such Person as aforesaid without having previously (if the Medical Superintendent of the House in which such Person is confined shall have tendered himself for that Purpose) examined such Medical Superintendent as to his Opinion respecting the Fitness of such Person to be discharged; and that if the Commissioners shall, after so examining such Medical Superintendent, discharge such Person, they shall, within Forty-eight Hours after making any Order for such Discharge, transmit to the Clerk of the Metropolitan Commissioners in *London*, to be by him kept and registered, any Statement in Writing furnished to them by such Medical Superintendent, and containing his Reasons against the Discharge of such Person.

Notice of
special
Visits.

XVII. Provided also, and be it enacted, That not less than Fourteen Days shall intervene between the First and Second of such Visits, and that such Commissioners shall, previous to the Second of such special Visits, give Notice thereof to the Proprietor or resident Superintendent of the House in which the Patient intended to be visited is detained, a Copy of which Notice the said Proprietor or Superintendent is hereby required to forward to the Clerk to the Visitors of the said House, and also Notice thereof (so far as is practicable) to the Person by whose Authority such Patient was received into such House, or is then detained therein, such Notice to such several Parties to be by Letter, signed by such Commissioners, and with their Names indorsed on the Outside or Cover thereof, and sent by Post, and to be put into the Post Fourteen Days at least before the Day in such Notice specified as the Day for such Second Visit; and the Master of any Post Office into which any such Letter shall be put shall and is hereby required to give to such Commissioners a Receipt for the same in the Form set out in the Schedule (A.) hereto annexed, and which Receipt shall be *primâ facie* Evidence of such Letter having been sent to the Person to whom the same shall by such Receipt appear to have been addressed.

Mode of
serving
Notice.

XVIII. Provided also, and be it enacted, That the Notice so required to be given to the Proprietor or resident Superintendent of the House may, instead of being given by Letter as aforesaid, be given by Notice in the Patients Book of such House, and signed by such Commissioners.

Restricting
the Power of
Liberation.

XIX. Provided also, and be it enacted, That such Power of Liberation shall not extend to the Case of any Person who shall have been found idiot, lunatic, or of unsound Mind, under a Com-

mission issued for that Purpose by the Lord Chancellor or other the Person or Persons intrusted, as in the said recited Act mentioned, nor to any Insane Person confined under any Order or Authority of Her Majesty's Principal Secretary of State for the Home Department; but it shall and may be lawful for such Commissioners, if they shall think fit, to examine into the State of Mind or Condition of any such Person, and to report their Opinion in Writing of the State of Mind or Condition of such Person to the Lord Chancellor or other the Person or Persons intrusted as aforesaid, or to Her Majesty's Principal Secretary of State for the Home Department, as the Case may be.

XX. And be it enacted, That the Notice by the said first-recited Act required to be given by any Person applying or intending to apply, under the Provisions of the said recited Acts, for a Licence for a House for the Reception of Insane Persons, shall, in addition to the Statements by the said recited Acts required to be contained therein, state whether the Licence so applied for is for the Reception of Male or of Female Patients, or of both; and if for the Reception of both, shall state the Number of each Sex proposed to be received, and show the Means by which the one Sex may be kept distinct and apart from the other.

Applications for Licences to state whether for Male or Female Patients, and if for both, the Means of keeping them apart.

XXI. And be it enacted, That in every Case in which a Licence for the Reception of Insane Persons shall, after the First Day of *August* One thousand eight hundred and forty-two, be granted by the Justices of the Peace according to the Provisions of the said recited Acts, the Clerk of the Peace shall, within Fourteen Days after such Licence shall have been granted, send a Copy thereof to the Clerk of the Metropolitan Commissioners, to be by them kept, and an Entry thereof made in a Book provided for that Purpose; and any Clerk of the Peace omitting to send such Copy within such Time shall for every such Omission forfeit and pay a Penalty of Fifty Pounds, the same to be recovered as herein-after provided.

Clerks of Peace to send to the Commissioners within 14 Days Copies of Licences granted by Justices, under a Penalty of 50*l.*

XXII. And be it enacted, That in every Case in which any Person shall, under the Provisions of the said recited Acts, apply for the Renewal or Continuance of a Licence, such Person, if applying to the Metropolitan Commissioners, shall, with such Application, transmit to the Clerk of the Metropolitan Commissioners, and if applying to the Justices of the Peace, shall, with such Application, transmit to the Clerk of the Peace, and also at the same Time transmit to the Clerk of the Metropolitan Commissioners in *London*, a List, signed by the Person so sending the same, of the Number of Patients then detained in such House, with the Particulars of each Patient, according to the Form of Schedule (M.) to the first-recited Act annexed; and the Clerk of the Metropolitan Commissioners shall regularly enter such Returns in Books to be kept for that Purpose.

On Application for renewed Licences, Lists of Patients then in the House to be returned.

XXIII. And be it enacted, That any Person having hereafter obtained the Renewal or Continuance of a Licence without making such Return or Returns shall for every such Omission or Neglect forfeit

Penalty for not making Returns.

forfeit and pay a Penalty of Fifty Pounds, to be recovered as herein-after provided.

Commissi-
sioners may
order Clerk
to give Infor-
mation as to
Persons con-
fined in
Houses li-
censed by
Justices.

XXIV. And be it enacted, That if any Person shall apply to any Metropolitan Commissioner in order to be informed whether any particular Person is confined in any House by the said Justices licensed for the Reception of Insane Persons, the said Commissioner, if he shall think it reasonable to permit such Inquiry to be made, shall sign an Order to the Clerk of the Metropolitan Commissioners, and the said Clerk is hereby required, on Receipt of such Order, and on Payment of the Sum of Seven Shillings, and no more, for his Trouble, to make, not only such Search as by the said recited Act required, but also to make Search amongst the Returns in pursuance of this Act and the said recited Acts, or any of them, made, as to or from the Houses licensed by Justices of the Peace; and if it shall appear, upon Search so made, that the Person inquired after is or has been within the last Twelve Calendar Months confined in any of the Houses so licensed by the said Justices, the said Clerk shall deliver to the Person so applying a Statement in Writing, containing the Name of the Proprietor or resident Superintendent in whose House the Person so inquired after appears to be or to have been confined, and the Situation of such House.

Increasing
the Penalty
for Lists of
Visitors not
being sent by
Clerk of the
Peace to
Metropoli-
tan Commis-
sioners.

XXV. And be it enacted, That a List of the Names of all Visitors appointed by the Justices of the Peace under the Provisions of the said recited Acts shall within Fourteen Days from the Date of their respective Appointments, instead of within Twenty-one Days as required by the said recited Acts, be forwarded by the Clerk of the Peace to the Clerk of the Metropolitan Commissioners, and be by him registered in a Book to be kept for that Purpose; and every Clerk of the Peace making default in that respect shall for every such Default forfeit and pay, instead of the Penalty of Five Pounds, as provided by the said firstly-recited Act, a Penalty not exceeding Fifty Pounds, the same to be recovered as herein-after provided.

Proprietors
of licensed
Houses in
Country to
send to Clerk
of Commis-
sioners Copy
of every En-
try in Visi-
tors Book
and in Pa-
tients Book.

XXVI. And be it enacted, That every Proprietor or resident Superintendent of any House licensed by the Justices of the Peace for the Reception of Insane Persons shall, within Three clear Days after any Entry shall have been made in either the Visitors Book or the Patients Book of such House, by the Visitors or Commissioners, as the Case may be, send a written Copy of such Entry to the Clerk of the Metropolitan Commissioners, who shall enter the same in a Book to be kept for that Purpose; and every Proprietor or resident Superintendent omitting or neglecting to send such Copy within such Time shall for each such Omission or Neglect forfeit and pay a Penalty not exceeding Twenty Pounds, to be recovered as herein-after provided.

Returns to
be made of
every Patient
escaping,
and of his

XXVII. And be it enacted, That whenever any Patient confined in any House licensed for the Reception of Insane Persons shall escape therefrom, the Proprietor or resident Superintendent of such House shall, within Two clear Days next after such Escape, transmit a written

written Notice thereof to the Clerk of the Metropolitan Commissioners, if such House be licensed by the Metropolitan Commissioners, or to the said Clerk of the Metropolitan Commissioners, and also to the Clerk of the Peace, if such House be licensed by the Justices of the Peace, and that such Notice shall state the Name of the Party who has so escaped, and his then State of Mind, and also the Circumstances connected with such Escape; and that if such Patient shall be received or brought back to such House, such Proprietor or resident Superintendent shall, within Two clear Days next after such Person be received or brought back, transmit a written Notice thereof to the Clerk of the Metropolitan Commissioners, or to such Clerk, and also to the Clerk of the Peace, as the Case may be, and that such Notice shall state when such Person was so received or brought back, and all the Circumstances connected therewith, and whether with or without a fresh Certificate.

Re-admission.

XXVIII. And be it enacted, That every such Notice shall be kept and filed by the Clerk of the Metropolitan Commissioners, and the respective Clerks of the Peace; and that every Proprietor or resident Superintendent wilfully omitting to transmit such Notice, whether of Escape or of Return, shall for every such Omission forfeit and pay a Sum not exceeding Twenty Pounds, to be recovered as herein-after provided.

Penalty for not transmitting Notice.

XXIX. And be it enacted, That it shall and may be lawful for the Clerk of the Peace, as a Remuneration for his Trouble in carrying into effect the Provisions of the said recited Acts and of this Act, to receive and take, out of the Monies of the County to which he is such Clerk of the Peace, such Sum or Sums as the Justices of the Peace assembled in General or Quarter Sessions shall for that Purpose direct.

Clerk of Peace to receive such Remuneration as allowed by the Justices.

XXX. And whereas by an Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to amend the Laws for the Erection and Regulation of County Lunatic Asylums, and more effectually to provide for the Care and Maintenance of Pauper and Criminal Lunatics in England*, it was amongst other things enacted, that all Asylums erected or established under the therein-recited Acts should in future be regulated under the Directions of that Act: And whereas it is desirable, with a view to the Amelioration of the Condition of Insane Persons, that Inspection should be had and Reports made of all Asylums regulated under the Provisions of the last-mentioned Act, and that competent Persons should be appointed for that Purpose; be it therefore enacted, That Two or more of the Metropolitan Commissioners in Lunacy, One of whom at least shall be a Physician or Surgeon, and One at least a Barrister Commissioner, shall, once in each Year, on such Day or Days and at such reasonable Hours of the Day, and for such Length of Time as they shall think fit, visit each and every Asylum regulated under the Provisions of the said last-mentioned Act.

Metropolitan Commissioners to visit County Lunatic Asylums annually.

9 G. 4. c. 40.

XXXI. And be it enacted, That such Metropolitan Commissioners shall, when so visiting such last-mentioned Asylums, inquire, and

Metropolitan Commissioners to report whe-

ther the Pro-
visions of
the Law are
acted upon.

shall by their Report in Writing state whether the Provisions of the Law have been carried out as to the Construction of every such Asylum, and as to its Visitation and Management, and also as to the Regularity of the Admissions and Liberations of Patients therein and therefrom.

To report as
to any Sys-
tem of Non-
coercion;

XXXII. And be it enacted, That such Metropolitan Commissioners shall in like Manner inquire and state whether any System of Non-coercion, either in whole or in part, is in practice in every such Asylum, and if so, the Particulars of such System, and by what Means practised, whether by Medical Treatment or otherwise, and what has been the Result thereof.

as to Classi-
fication of
Patients;

XXXIII. And be it enacted, That such Metropolitan Commissioners shall also in like Manner inquire into and state the Classification or Non-classification of Patients in every such Asylum, and the Number of Attendants on each Class, and, so far as is practicable, the proportionate Number of Attendants before and since the Adoption of any System of Non-coercion which may have been adopted in such House.

as to in-door
and out-door
Amusements
and Occupa-
tions, and
their Effect;

XXXIV. And be it enacted, That such Metropolitan Commissioners shall also in like Manner inquire into and state the Occupations and Amusements of the Patients in every such Asylum, and whether the same be in-door or out-door Occupations or Amusements, and the Effect of such Occupations and Amusements, both in-door and out-door respectively, on the Condition, as well mental as bodily, of the Patients.

and as to the
Condition of
the Pauper
Patients
when receiv-
ed into the
Asylum, and
the Dietary;
and to report
generally as
to Asylums
and Patients.

XXXV. And be it enacted, That such Metropolitan Commissioners shall also in like Manner inquire into and state the usual Condition, as well mental as bodily, of the Pauper Patients when first received into every such Asylum, and whether the Condition has been such as to prevent or impede the ultimate Recovery, either mental or bodily, of such Patients, and also inquire into and state the Dietary of the Pauper Patients in every such Asylum; and such Commissioners shall also at such Time make such other Inquiries as to every such Asylum as to them shall seem fit, and shall report thereon in Writing, with such Observations, as to every such Asylum and the Patients therein, as to such Commissioners shall seem meet.

Lists in Form
of Schedule
(B.) to be
made of Pa-
tients in the
Asylum at
the Begin-
ning of each
Year, and
the Numbers
admitted and
discharged
during each
Year.

XXXVI. And be it enacted, That such Metropolitan Commissioners shall, when so visiting as aforesaid each Asylum regulated under the Provisions of the said last-mentioned Act, require to be produced to him a correct List, according to the Form in Schedule (B.) annexed to this Act, of the Number of Patients in each Asylum on the First Day of *January* in each Year, the Number admitted between such First Day of *January* in one Year and the First Day of the following Year, and the Number of Patients discharged as cured or relieved, and the Number discharged as not relieved, and the Number who have died during the same Period, and shall transmit such List to the Clerk of the Metropolitan Commissioners.

XXXVII. And be it enacted, That the Report so made and the List so drawn up as aforesaid, as to each and every Asylum so regulated under the Provisions of the said last-mentioned Act, shall be signed by the Commissioners visiting such Asylum, and shall be delivered to the Clerk of the Metropolitan Commissioners, who shall enter the same in a Book to be kept by him for that Purpose.

The Reports to be signed and sent to the Clerk of the Commissioners.

XXXVIII. And whereas it may be desirable, with a view to such general Amelioration as aforesaid, that Inspection should also be had of the Royal Military and Naval Hospitals, and all other (if any) public Asylums, other than the County Asylums aforesaid, for the Reception of Insane Persons, excepting the Royal Hospital of *Bethlem*, and that competent Persons should be appointed for that Purpose; be it enacted, That the Lord Chancellor, or other the Person or Persons so intrusted as aforesaid, and Her Majesty's Principal Secretary of State for the Home Department, or either of them, if they or he shall think fit, may, by an Instrument under their or his Hand and Seal, require the Metropolitan Commissioners in Lunacy to visit any such last-mentioned Hospitals and Asylums, excepting the Royal Hospital of *Bethlem*, and to report as to the State and Condition thereof respectively, and the System of Treatment therein adopted, in such Manner as they or he shall think fit; and that thereupon Two or more of the Metropolitan Commissioners, One of whom at least shall be a Physician or Surgeon, and One of whom at least shall be a Barrister Commissioner, shall have full Power and Authority to, and shall, at such Time, and at such reasonable Hours of the Day, and for such Length of Time as they shall think fit, visit each and every such Hospital and Asylum, and report thereon, as so required.

Lord Chancellor and Secretary of State, or either of them, may require Metropolitan Commissioners to visit and report as to the Royal Military and Naval Hospitals and other public Asylums for the Reception of Insane Persons.

XXXIX. And be it enacted, That each and every Metropolitan Commissioner shall be allowed and paid his travelling and other Expences whilst employed in executing the Duties of his Office: Provided nevertheless, that only Two Commissioners shall be allowed or paid their travelling or other Expences whilst employed in visiting or reporting as to any such licensed House, Asylum, or Hospital as aforesaid, situate beyond the local Limits of the Jurisdiction of the Metropolitan Commissioners before the passing of this Act, or in visiting or reporting as to any Patients or Patient in any such last-mentioned licensed House.

Commissioners to be paid their Expences.

XL. And be it enacted, That each and every Metropolitan Commissioner, being a Physician, Surgeon, or a Barrister Commissioner, shall be allowed and paid, exclusive of such his Expences as aforesaid, the Sum of One Pound for every Hour he shall be employed in executing the Duties of his Office of Commissioner, as to the Houses, Asylums, or Hospitals situate within such local Limits as aforesaid, and as to any Patients or Patient in any such Houses or House.

Commissioners to be paid One Pound an Hour for visiting within the Metropolitan District.

XLI. And be it enacted, That each and every Metropolitan Commissioner, being a Physician, Surgeon, or Barrister Commissioner, shall

Commissioners to be paid Five Guineas a

Day whilst visiting beyond the Metropolitan District.

shall be allowed and paid, exclusive of such his Expences as aforesaid, a Sum of Five Guineas a Day for every Day he shall be employed in executing the Duties of his Office of Commissioner, as to the Houses, Asylums, and Hospitals situate beyond such local Limits as aforesaid, and as to any Patients or Patient in any such Houses or House: Provided always, that only Two Commissioners shall be allowed or paid such Sum of Five Guineas a Day each whilst visiting or reporting as to any such House, Asylum, or Hospital as aforesaid situate beyond such local Limits as aforesaid, or in visiting or reporting as to any Patients or Patient in such last-mentioned Houses or House.

Amount of Payments and Allowances to be paid by the Clerk.

XLII. And be it enacted, That the Amount of such Expences and Allowances as aforesaid shall, when the Account thereof shall have been audited at a quarterly Meeting of the Metropolitan Commissioners, and allowed and signed by Three of such Commissioners, one of whom shall be a Commissioner other than a Barrister Commissioner, or Physician or Surgeon, be paid by the Clerk of the Metropolitan Commissioners out of the same Fund or Funds as by the said recited Acts are provided concerning the Payments and Allowances of the Commissioners as therein provided.

The Metropolitan Commissioners to enforce the Provisions of the different Acts.

XLIII. And be it enacted, That the Metropolitan Commissioners shall have Power and Authority and are hereby required to do all such Acts, Matters, and Things, by Proceedings in the Name of "The Metropolitan Commissioners in Lunacy," as may be requisite for putting in force the Provisions of all the herein-before recited Acts and of this Act, or of any of them; and that the Costs, Charges, and Expences incurred by or under the Authority of the Metropolitan Commissioners in such Proceedings shall be paid by the Clerk of the Metropolitan Commissioners, and included by him in his Account of Receipts and Payments provided for by the said first-recited Act.

Treasury may advance Money.

XLIV. And be it enacted, That it shall and may be lawful for the Lords of Her Majesty's Treasury from Time to Time to advance by way of Imprest to the said Metropolitan Commissioners such Sum or Sums of Money as to such Lords of Her Majesty's Treasury may appear requisite and reasonable, for carrying into effect the Provisions of the said herein-before recited Acts and of this Act, such Sums or Sum to be accounted for by the said Commissioners in their then next Account.

Commissioners may summon Witnesses, subject to a Penalty for Neglect.

XLV. And for the better enabling the Commissioners to perform the Duties hereby required, be it enacted, That it shall be lawful for the Commissioners, from Time to Time, as such Commissioners shall see Occasion, to require, by Summons under their Hand and Seal, and according to the Form (N.) in the Schedule to the said first-recited Act, but altered so as to meet the Circumstances of the Case, any Person to appear before such Commissioners at the Place in such Summons named, to testify the Truth touching any Matters relating to the Execution of the Powers given by the said recited Acts and this Act, or any of them, on Oath or Affirmation, which Oath or Affirmation

Affirmation such Commissioners are hereby empowered to administer ; and every Person to whom his reasonable Expences shall have been tendered, not appearing before such Commissioners pursuant to such Summons, and not assigning some reasonable Excuse for not appearing, or appearing pursuant to such Summons, but refusing to be sworn or examined, and being thereof convicted before One of Her Majesty's Justices of the Peace in or for the District or Place at which such Person shall have been by such Summons required to appear and give Evidence, upon Information thereof upon Oath before such Justice, shall for every such Neglect or Refusal forfeit and pay such Sum of Money, not exceeding Fifty Pounds nor less than Ten Pounds, as such Justice shall think fit to order.

XLVI. And be it enacted, That every Penalty to which any Person is by the Provisions herein-before contained made liable (save and except any Penalty for the Neglect or Refusal of any Witness duly summoned by the Metropolitan Commissioners) shall and may be sued for and recovered in any of Her Majesty's Courts of Record at *Westminster* ; and that it shall and may be lawful for the Judges or Judge of such Court, in Cases where, upon the Consideration of the Circumstances, they or he shall deem it expedient so to do, to reduce the Amount to be thereby recovered to any Sum not less than One Fourth of the Amount of the Penalty in which the Party, according to the Provisions herein contained, shall have been liable ; and the Sums so recovered shall be paid to the Clerk of the Metropolitan Commissioners, and form Part of the Monies in his Hands to be accounted for under the Provisions of the said Acts, and this Act.

Penalties herein-before contained to be recovered in the Courts of Record at *Westminster*, with Power to the Judge to reduce the Amount

XLVII. And be it enacted, That when any Person shall be proceeded against, under the Provisions of this and the said recited Acts, or of any or either of them, for a Penalty for omitting to send a Copy of any Licence granted by the Justices of the Peace, or for omitting or neglecting to transmit a List, as required, of the Number of Patients detained in his House, with the Particulars, according to Schedule (B.) hereto annexed, or for Default in not forwarding any List of the Names of Visitors appointed by the Justices, or for omitting or neglecting to send a Copy of any Entry in any Visitors Book or Patients Book, or for omitting to transmit a Notice of any Escape or Re-admission of any Patient, and the Person against whom such Proceedings shall have been taken shall prove that the Copy, or List, or Notice, as the Case may be, in respect of which such Proceedings are taken, shall have been put into the Post in due Time, and properly addressed, such Proof shall be a Bar to all further Proceedings in respect of such Neglect, Default, or Omission, and no further or other Proceedings shall be had thereon.

Parties not to be subject to Penalties for omitting to send Copy of Licence, &c. if it can be proved to have been sent by the Post in due Time.

XLVIII. And be it enacted, That the said recited Acts, and all the Provisions and Regulations therein contained, shall be and be considered as if repeated in this Act, and as forming Part hereof, save and except so far as the same shall be repealed or altered hereby or inconsistent herewith.

Existing Acts considered as repeated in this Act.

Commence-
ment of this
Act.

Continuance
of this and
recited Acts.

XLIX. And be it enacted, That this Act, and the several Matters and Things therein contained, shall commence and take effect from and after the passing of this Act; and that this Act and the said recited Acts shall continue in force for the Term of Three Years from the passing hereof, and from thence to the End of the then next Session of Parliament.

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

I HEREBY acknowledge to have this Day received into this Post Office a Letter addressed to _____ of _____ in the County of _____ and indorsed on the Outside or Cover thereof with the Names of _____ Given under my Hand, this _____ Day of _____ A. B., _____ Postmaster at _____

SCHEDULE (B.)

Number of Patients in the Asylum on the 1st Day of January in each Year.	Number of Patients admitted between the 1st Day of January and the 31st Day of December inclusive in each Year.	Number of Patients discharged as cured or relieved between the 1st Day of January and the 31st Day of December inclusive in each Year.	Number of Patients discharged as not relieved between the 1st Day of January and the 31st Day of December inclusive in each Year.	Number of Patients who may have died in the Asylum between the 1st Day of January and the 31st Day of December inclusive in each Year.

Where there are different Classes, distinguish the Number in each Class.

