CHAPTER 52.

An Act to amend the Law relating to Lunatics.

[6th August 1885.]

WHEREAS it is expedient to amend the law relating to lunatics: Be it 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, as follows:

Short title and extent.

1. This Act may be cited as the Lunacy Acts Amendment Act, 1885.

Removal of lunatics to workhouse in cases of urgency. 16 & 17 Vict. c. 97.

2. Where, under the Lunatic Asylums Act, 1853, it shall be the duty of any relieving officer, overseer, or constable to give notice to or lay information before a justice as to any pauper who is or is deemed to be a lunatic, or as to any person wandering at large who is deemed to be a lunatic, or as to any other person deemed to be a lunatic who is not under proper care or control, or is cruelly treated or neglected by any relative or other person having the care or charge of him, or to apprehend and take any such person wandering at large before a justice, and the relieving officer, overseer, or constable is satisfied that it is necessary for the public safety, or the welfare of the alleged lunatic, that before such notice or information can be given or laid, or the alleged lunatic can be brought before the justice, the alleged lunatic should be placed under care and control, the relieving officer, overseer, or constable may remove the alleged lunatic to the workhouse of the union in which the alleged lunatic is, and the master of the workhouse shall, unless there is no proper accommodation in the workhouse for the alleged lunatic, receive and relieve and detain him therein, but no person shall be so detained for more than three days; and before the expiration of that time the relieving officer, overseer, or constable shall give the notice to or lay the information before the justice as to such alleged lunatic, or bring him before the justice, as the said Act requires.

Removal of lunatics to workhouse under justice's order.

3.—(1.) In any case where, under section sixty-seven or section sixty-eight of the Lunatic Asylums Act, 1853, an order might be made for the removal of a lunatic to an asylum, hospital, or licensed house, and the justice or justices shall be satisfied that it is expedient for the welfare of the lunatic or for the public safety that the lunatic should be forthwith placed under care and control, such justice or justices, if it shall appear to him or them that there is proper accommodation for such lunatic in the workhouse of the union in which the lunatic is, may make an order for taking the lunatic to and receiving him in the said workhouse.

(2.) An order under this section shall be deemed to authorise the detention of the lunatic for a period not exceeding fourteen days from its date; after which such detention shall not be lawful, except under the conditions mentioned in section twenty of the Lunacy Acts Amendment Act, 1862. 25 & 26 Vict. c. 111.

(3.) In any case where the justice or justices make an order for the removal of the lunatic to an asylum, hospital, or licensed house, an order under this section may also be made to provide for the detention of the lunatic until he can be removed as aforesaid; but

such an order shall not be deemed to authorise the detention of the lunatic in the workhouse for more than fourteen days.

(4.)' An order under this section may be made by any justice or justices of the peace having jurisdiction in the place where the lunatic is.

Construction of Act.

4. This Act shall be construed as one with the Lunatic Asylums Act, 1853, and the Acts amending that Act, and expressions used in this Act shall according to the subject-matter in each case have the same meaning as in those Acts, save as in this Act otherwise provided.

In this Act "union" includes a parish for which there is a separate board of guardians.

CHAPTER 53.

An Act to amend the Public Health Act, 1875, with respect to the Members and Officers of Local Authorities.

[6th August 1885.]

BE it 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, as follows:

Short title. 38 & 39 Vict. c. 55.

1. This Act may be cited as the Public Health (Members and Officers) Act, 1885, and shall be construed as one with the Public Health Act, 1875, in this Act called the principal Act.

Amendment of section 193 of the Public Health Act, 1875.

2. Notwithstanding anything in the hundred and ninety-third section of the principal Act, or any similar restrictions in any local Act, to the contrary, it shall not be unlawful for any officer or servant appointed or employed under the principal Act or local Act by the local authority to be concerned or interested in any contract with the local authority made with such consent or approval as is herein-after mentioned for the sale, purchase, leasing, or hiring of any lands, rooms, or offices, or to be concerned or interested in any contract with the local authority as a shareholder in any joint stock company, and no officer or servant of a local authority shall be incapable of holding any office or of being employed under the principal Act or local Act, or be liable to any penalty by reason only of his having been concerned or interested either before or after the passing of this Act in any such contract as aforesaid. No such contract as aforesaid shall be made after the passing of this Act, or approved if made before the passing of this Act, for the sale, purchase, leasing, or hiring of any lands, rooms, or offices except with the consent of two thirds of the number of the members of the local authority present at a meeting held after seven clear days notice shall have been published in some newspaper circulating in the neighbourhood, and after notice shall have been sent in writing to every member stating the nature of the contract, and the time and place of the meeting at which the question is to be considered.

Restriction on recovery of penalties.

3. Proceedings for the recovery of any penalty under Rule 70 of Schedule II. to the principal Act shall not be taken except with the consent in writing of the Attorney General.