SUPPLIED FOR THE PUBLIC SERVICE

CHAPTER 16.

An Act to amend the Law in regard to the Vacating of Seats in the House of Commons. [10th May 1886.]

A.D. 1886.

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 the present Parliament assembled, and by the authority of the same, as follows:

Short title of Act.

1. This Act may for all purposes be cited as the Lunacy (Vacating of Seats) Act, 1886.

Procedure for vacating seat of member of House of Commons received, &c. as a lunatic into an asylum, &c.

2. From and after the passing of this Act, if a member of the House of Commons is received, or committed into, or detained in any asylum, house, or other place as a lunatic the following provisions shall have effect; that is to say,

(i.) It shall be the duty of the court, judge, magistrate, or person under or upon whose order, and of every medical person or practitioner upon whose certificate, such member has been so received, committed, or detained, and of every superintendent, officer, proprietor, or other person having the chief charge of such asylum, house, or other place as aforesaid, as soon as may be, to certify such reception, committal, or detention to the Speaker of the House of Commons.

(ii.) It shall be lawful for any two members of the House of Commons to certify to the Speaker that they are credibly informed of such reception, committal, or detention.

(iii.) The Speaker shall forthwith transmit such certificate or certificates, as the case may be, if the place of such reception, committal, or detention is in England, to the Commissioners in Lunacy in England; if such place is in Scotland, to the Board of Commissioners in Lunacy in Scotland; and if such place is in Ireland, to the Inspectors of Lunatic Asylums in Ireland.

(iv.) On receiving such certificate or certificates, as the case may be, the Commissioners of Lunacy in England, the Board of

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Commissioners in Lunacy in Scotland, or the Inspectors of Lunatic Asylums in Ireland, or any two of them, as the case may be, shall, without delay, visit and examine the member to whom the certificate relates, and shall report to the Speaker whether he is of unsound mind.

(v.) If the report is to the effect that the member is of unsound mind, the Speaker shall, at the expiration of six months from the date of the said report, if the House of Commons be then sitting, and if not, then as soon as may be after the next sitting thereof, require the Commissioners in Lunacy in England, or the Board of Commissioners in Lunacy in Scotland, or the Inspectors of Lunatic Asylums in Ireland or any two of them, as the case may be, again to visit and examine the member aforesaid; and if they shall report that he is still of unsound mind, the Speaker shall forthwith lay both reports on the table of the House of Commons, and thereupon the seat of the member shall be vacant.

(vi.) Where the seat of a member so becomes vacant, the Speaker shall issue his warrant to the Clerk of the Crown to make out a new writ for electing another member in the room of the member whose seat has so become vacant.

Penalty.

3. Every medical person or practitioner, and every superintendent, officer, proprietor, or other person having the chief charge of any asylum, house, or other place, who shall wilfully contravene or disobey the provisions of this Act shall be liable to a penalty not exceeding one hundred pounds, to be recovered with costs at the suit of any person in Her Majesty's High Court of Justice in England or Ireland, or in the Court of Session in Scotland, as the case may be.

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