

ANNO NONO & DECIMO

VICTORIÆ REGINÆ.

****

CAP. CXV.

An Act to amend the Laws as to District Lunatic Asylums in *Ireland;* to provide for the Expence of the Maintenance of certain Lunatic Poor removed from the *Richmond* Lunatic Asylum, *Dublin*, for Want of Room therein; and to provide for the Salaries and Expences incident to the Office of Inspector of Lunatics in *Ireland*.

[28th *August* 1846.]

WHEREAS by an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to make more effectual Provision for the Establishment of Asylums for the Lunatic Poor, and for the Custody of Insane Persons charged with Offences, in* Ireland, certain Provisions were made for the Erection and Establishment of Lunatic Asylums in and for Districts to be limited and appointed in manner and by the Authority in the said Act mentioned: And whereas by an Act passed in the Eleventh Year of the Reign of His said late Majesty, intituled *An Act for appropriating the* Richmond *Lunatic Asylum in* Dublin *to the Purposes of a District Lunatic Asylum*, it was among other things enacted, that a certain Building commonly known by the Name of the *Richmond* Lunatic Asylum, in the City of *Dublin*, theretofore established and used as an Asylum or Hospital for the Reception and Management of Lunatic Patients, should and might be and become, and the same has accordingly become, a Lunatic Asylum for the County of the City of *Dublin*, and for such other County or Counties as from Time to Time, under the Provisions of the said first-recited Act of the First and Second Years of His late Majesty, constituted, together with the said City of *Dublin*, a District of a Lunatic Asylum: And whereas, in consequence of the Number of Lunatic Poor whose

1 & 2 G. 4. c. 33.

11 G. 4. & 1 W. 4. c. 22.

Cases urgently required Admission into the *Richmond* Lunatic Asylum it became necessary, in the Year of our Lord One thousand eight hundred and forty-four, to remove a certain Number of the Lunatic Poor then being Inmates of the said Asylum, and whose Cases did not so urgently require their Residence therein, to an Hospital or Asylum at *Island Bridge* in the County of *Dublin*, connected with and attached to the House of Industry in the City of *Dublin*; and such Lunatic Poor so removed have been kept, superintended, and maintained in the said Hospital, and the Expences of such Care, Superintendence, and Maintenance have been defrayed by the Poor Law Commissioners out of certain Funds in their Hands applicable to the Purposes of the said House of Industry: And whereas it is expedient that the Sum so defrayed and expended should be repaid to the said Commissioners, and that the Expence of the future Care, Superintendence, and Maintenance of such Lunatic Poor so removed (whilst they continue as Inmates of such Hospital) should be provided for by the County, Counties, or District which would have been or would be respectively chargeable in respect of them, in case they remained as Inmates of the said *Richmond* Asylum: 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 the Amount of the Sums so heretofore defrayed or expended by the said Poor Law Commissioners in and for the Care, Superintendence, and Maintenance of the said Lunatic Poor so removed to the said Hospital, and of all Sums to be hereafter from Time to Time duly defrayed or expended by the said Poor Law Commissioners in and for the Care, Superintendence and Maintenance in the said Hospital of the said Lunatic Poor, or any other Lunatic Poor, who, with the Consent of the Poor Law Commissioners and of the Commissioners of Her Majesty's Treasury, may be removed from the said *Richmond* Lunatic Asylum, or from the District thereof, to the said Hospital, whilst they shall continue therein, to be ascertained by any Order of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and Privy Council in *Ireland*, shall be raised off and provided for and paid by the same County or Counties, County of a City, or District off or by which and in all respects as the Sums or Expences requisite for supporting, supplying, and maintaining the same respective Lunatic Poor would or might be, or ought to have been or to be raised, provided for, and paid in case the same Lunatic Poor were respectively kept and maintained in the said *Richmond* Lunatic Asylum; and the Grand Jury of each such County, County of a City, or County of a Town, or of the County or County of a City or County of a Town in which such District may be situated, shall, without any previous Proceeding at any Presentment Sessions, present the Sum or Sums so to be ascertained accordingly, or in default thereof the same shall be inserted in and raised by an Order of the Judge of Assize or of the Court at any Presenting Term, which Order shall have the Force of a Presentment, and the Sum or Sums therein mentioned shall be applotted and raised and levied accordingly as if the same had been inserted in a Presentment duly made at the Assizes or Presenting Term at which such Order shall be made; and such Sums respectively, when so from Time to Time raised and provided, shall be paid over to the said Poor Law Commissioners, and by them be placed to the Credit of the Funds of the said House of Industry.

The Sums expended by the Poor Law Commissioners in supporting the Lunatic Poor removed to an Hospital from Richmond Lunatic Asylum, for Want of Room, to be raised by the Districts liable therefor, and repaid to the said Commissioners.

Grand Jury to present the Sums necessary.

II. And

In case of Change of Districts of Lunatic Asylums the Sums to be repaid under recited Provisions shall be paid by Instalments, and applied in liquidation of the Payments which the County transferred from one District shall be liable to make for the Asylum of another District. 7 G. 4. c. 14.

II. And whereas by an Act of the Seventh Year of His late Majesty King *George* the Fourth, intituled *An Act for the further Amendment of an Act of the First and Second Years of His present Majesty, for the Establishment of Asylums for the Lunatic Poor in* Ireland, it is amongst other things enacted, that if it shall at any Time happen that any Money shall have been raised off any County, County of a City, or County of a Town, or any Part thereof, towards defraying the Expences of erecting, establishing, maintaining, or supporting of any Lunatic Asylum, and that by reason of any Change of the District or Place in or for which such Asylum shall have been established such County, County of a City, or County of a Town, or any Part thereof, shall be taken out of the District liable to be assessed for such Expences, then and in such Case any Sum or Sums of Money which shall have been raised off such County, County of a City, or County of a Town, or such Part thereof as aforesaid, shall be raised off any and every County, County of a City, or County of a Town, or any Part or Parts thereof, which shall remain within such District; and all and every Sum and Sums which shall be so raised shall be repaid to the Treasurer of the County, County of a City, or County of a Town which shall have been removed from such District: and that whenever any County, County of a City, or County of a Town, or any Part or Parts thereof, which shall have been comprised in any former District, shall, by reason of any such Change as aforesaid, be comprised in or shall form Part of any new District, such County, County of a City, or County of a Town, or such Part thereof, shall be and is hereby declared to be subject and liable towards the defraying the Expences of any Asylum in or for such new District, in like Manner as is directed by the said recited Acts, or either of them, and as if such County, County of a City, or County of a Town, or such Part thereof, had been originally comprised in or formed Part of such new District: And whereas by the said recited Act of the last Session of Parliament it is amongst other things enacted, that when any Change of the District of any District Asylum shall be made as aforesaid, no Sum of Money for defraying the Expences of maintaining or supporting any such District Asylum (after the same shall have been erected and established) shall from and after the passing of this Act be raised off any County, County of a City, or County of a Town, or any Part thereof, which shall remain (or be) within such District, or be repaid to the Treasurer of the County, County of a City, or County of a Town which shall have been removed from such District, or be raised off any such County, County of a City, or County of a Town, or Part thereof, which shall have been comprised in any former District, and shall by reason of any such Change be comprised in or form Part of any new District for any such Asylum, any thing in the said recited Enactment to the contrary notwithstanding: And whereas it is expedient that the Sums payable under the said recited Provisions should be paid by Instalments and applied as herein mentioned; be it therefore enacted, That the respective Sums of Money for erecting and establishing any such Lunatic Asylum so to be raised and repaid as in the said recited Provisions mentioned shall be raised and paid in or by Instalments or Proportions, which Instalments or Proportions shall, as nearly as the Circumstances of the Case will admit, be payable at the same Periods as the Instalments or Proportions or Sums which any such last-mentioned County, County of a City, or County of a Town which shall have been removed or transferred from any such District shall be liable to pay and contribute towards the Erection or Establishment of

of any District Lunatic Asylum in and for the District to which such last-mentioned County, County of a City, or County of a Town shall be so transferred; and it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors and Privy Council in *Ireland* by any Order to ascertain the Instalment or Proportion, Instalments or Proportions, which ought to be so raised and paid, and the Times at which the same shall be payable and paid, and the County, County of a City, or County of a Town, or Part or Parts of a County, County of a City, or County of a Town, off which each such Instalment or Proportion ought to be raised; and the Grand Jury of each such County, County of a City, or County of a Town shall, without any previous Proceeding at any Presentment Sessions, present the Sum or Sums to be ascertained by any such Order or Orders accordingly, or in default thereof the same shall be inserted in and raised by an Order of the Judge of Assize or of the Court at any Presenting Term, which Order shall have the Force of a Presentment, and the Sum or Sums therein mentioned shall be applotted and raised and levied accordingly as if the same had been inserted in a Presentment duly made at the Assizes or Presenting Term at which such Order shall be made, and the same shall be so payable and shall be paid at the Periods aforesaid to the Treasurer of the County, County of a City, or County of a Town which shall have been so removed or transferred from any such District; and such Treasurer shall pay over and apply such Sums when so received, so far as the same shall extend or shall be required, as the Case may be, in Liquidation and Discharge of such Instalments so payable by such last-mentioned County, County of a City, or County of a Town so transferred as aforesaid.

Persons removed from Gaols to District Asylums by Order of the Lord Lieutenant, not being Criminals, may be discharged on Medical Certificate that they are of sound Mind, or not dangerous Lunatics.

III. And be it enacted, That any Person who has been or shall be, by Order of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, removed from any Gaol and admitted into any District Lunatic Asylum, not being a Criminal Lunatic within the Meaning of the said recited Act of the last Session of Parliament, may lawfully be discharged from such Lunatic Asylum without the Order of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, as in the Case of other Lunatic Poor, in case it shall be duly certified by Medical Certificate that such Person has become of sound Mind, or has ceased to be or is not a dangerous Lunatic or dangerous Idiot: Provided always, that nothing in this Provision contained shall apply to any Person who, after he or she shall have been committed for Trial, or for default of Surety to keep the Peace, or after he or she shall have been convicted of any Offence, and during his or her Imprisonment by reason of such Committal or Conviction, shall have been removed from any Gaol to any such Lunatic Asylum by virtue of a Warrant of the said Lord Lieutenant or other Chief Governor or Governors, under the Authority of an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to make more effectual Provision for the Prevention of Offences by insane Persons in* Ireland.

1 & 2 Vict. c. 27.

Act may be amended, &c.

IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

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