

B I L L.

An Act for making provision for the confinement and maintenance of Lunatics and other persons of unsound mind charged with or convicted of offences; or whom, from the character of their malady, it may be dangerous to permit to go abroad.

WHEREAS it is expedient that provision should be made for the confinement and maintenance of Lunatics and other persons of unsound mind, charged with or convicted of offences; or whom, from the character of their malady, it may be dangerous to permit to go abroad: Be it therefore enacted, &c.,

Preamble.

I. That in all cases where it shall be given in evidence upon the trial of any person charged with any offence, whether the same be treason, felony or misdemeanor, that such person was insane at the time of the commission of such offence, and such person shall be acquitted, the Jury shall be required to find specially whether such person was insane at the time of the commission of such offence, and to declare whether such person was acquitted by them on account of such insanity; and if they shall find that such person was insane at the time of committing such offence, the Court before whom such trial shall be had, shall order such person to be kept in strict custody in such places and in such manner as to the Court shall seem fit, until Her Majesty's pleasure shall be known; and it shall thereupon be lawful for the Governor of this Province to give such order for the safe custody of such person during Her Majesty's pleasure, in such place and in such manner as to such Governor shall seem fit; and in all cases where any person before the passing of this Act has been acquitted of any such offences on the ground of insanity at the time of the commission thereof, and has been detained in custody as a dangerous person by order of the Court before whom such person has been tried, and still remains in custody, it shall be lawful for the Governor of this Province to give the like order for the safe custody of such person during the pleasure of Her Majesty as such Governor is hereby enabled to give in the cases of persons who shall hereafter be acquitted on the grounds of insanity.

Jury acquitting prisoner on ground of insanity to state so specially in their verdict;

Court in that case to order such insane person to be kept in custody until Her Majesty's pleasure shall be known.

And Governor may give an Order for the safe custody of such insane person.

II. And be it enacted, That if any person indicted for any offence shall be insane, and shall upon arraignment

Similar provisions with respect to