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3d Session, 3d Parliament, 13 & 14 Victoria, 1850.

BILL.

An Act for the Inspection and proper management of Private Asylums for Insane persons, in Upper Canada.

Received and Read, a first time, Thursday, 27th June, 1850.

Second Reading, Monday, 1st July, 1850.

Mr. McFarland.

BlLL.

An Act for the Inspection and proper Management of Private Asylums for Insane Persons in Upper Canada.

THEREAS great abuses exist in the management of Preamble. private Asylums for the reception of insane persons, and a just regard for the due protection of those who are unfortunately deprived of their reason, renders 5 it urgent that such Asylums should be placed under the supervision and control of proper authority:—Be it therefore enacted. &c.

And it is hereby enacted by the authority of the same, Existing pri-That within one month after the passing of this Act, each asylums to 10 and every proprietor of any house or asylum for the re-take out a ception of insane persons in Upper Canada, shall apply license. to the Municipal Council of the City, Town, Village, or Township, in which such asylum shall be, for a license to keep the same, (as hereinafter mentioned); and any such 15 proprietor failing to apply for such licence within the period aforesaid, shall incur a penalty not less than one hundred pounds, currency, which penalty shall be recoverable by and to the use of such municipality, by civil action in any

II. And be it enacted, That from and after the expira-No person tion of one month from the passing of this Act, it shall keep an not be lawful for any person whatsoever to keep a private asylum withhouse or asylum for the reception of insane persons in Upper Canada, unless such person shall have previously 25 obtained a license to that effect from the Municipal Council

Court having jurisdiction to the amount thereof.

of the City, Town, Village or Township in which he shall be desirous of keeping such private house or asylum: And in all applications for licenses under this Act, shall be set forth a description (testified on oath before some 30 Justice of the Peace to be correct) of the house and premises intended for such asylum, the number of rooms in such asylum, and the number of patients which it is intended to receive therein; the name and profession or occupation of the proprietor of such asylum, and the 35 charges to be made for patients.

III. And be it enacted, That it shall be lawful for the Municipal Municipal Council of any such City, Town, Village or Councils may Township, in their discretion to grant or refuse licenses for the keeping of any such private asylum and all such

asylums shall be subject to such regulations and restrictions as the said Council may deem meet, and which they are hereby authorized to impose by any by-law to be passed for that purpose; and no such license shall be for a longer period than twelve months from the 5 granting of the same; and for each and every such license it shall be lawful for the said Municipal Councils respectively, to demand of the person obtaining the same, a sum not exceeding pounds, over and above any tax which any such Municipal Council 10 máy deem meet to impose, and are hereby authorized to impose, on any such private asylum.

And appoint visitors to inspect asylums IV. And be it enacted, That three visitors shall be appointed in each year by the respective Vunicipal Councils, for the purpose of inspecting and visiting all private 15 asylums for insane persons within the jurisdiction of such Municipal Councils, respectively; and the Mayor or Town-reeve shall be ex officio one of the said visitors; and of the other two, one at least shall be a physician or surgeon residing within the jurisdiction of such Municipal 20 Council, if any there be; provided such physician or surgeon be not himself the proprietor of a private asylum for insane persons; and such remuneration and travelling expenses for their services may be granted to such visitors (excepting the Mayor or Town-reeve, who shall only be 25 entitled to his travelling expenses,) as to the Municipal Council may seem just and reasonable.

Visitors authorized to inspect asylums. V. And be it enacted, That the said visitors shall have full power and authority to visit and inspect such asylums at all times; and they shall make at least one 30 visit in every three months, for the purpose of inspecting such asylums, and shall make a return of all such visits, with such remarks as they shall deem proper, to the respective Municipal Councils; and if any keeper of a private asylum shall refuse to admit the said visitors or 35 any of them at any time when he shall be thereunto required by any of the said visitors, or shall offer any obstruction to any such visitors, it shall be lawful for the respective Municipal Councils to revoke the license of such keeper; and such keeper shall in addition incur a penalty of 40.

Yearly return of licenses and fines to be made to Prov. Sec. by clerks of Municipal Councils, VI. And be it enacted, That the Clerks of the respective Municipal Councils shall make a yearly return of all licensed private asylums within their respective jurisdiction, and of all penalties recovered under this Act, 45 to the Secretary of the Province; and all moneys derived from licenses to keep asylums, and from penalties for offences against this Act, shall be applied to and for the purposes of the Municipality in which the same shall be recovered and paid.