

No. 108.

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.

BILL.

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

WHEREAS 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 there-
fore enacted, &c.

And it is hereby enacted by the authority of the same, Existing pri-
vate lunatic
asylums to
take out a
licence.
10 That within one month after the passing of this Act, each
and every proprietor of any house or asylum for the re-
ception of insane persons in Upper Canada, shall apply
to the Municipal Council of the City, Town, Village, or
Township, in which such asylum shall be, for a license to
15 keep the same, (as hereinafter mentioned); and any such
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
Court having jurisdiction to the amount thereof.

20 II. And be it enacted, That from and after the expira-
tion of one month from the passing of this Act, it shall
not be lawful for any person whatsoever to keep a private
house 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
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
30 set forth a description (testified on oath before some
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
35 occupation of the proprietor of such asylum; and the
charges to be made for patients.

III. And be it enacted, That it shall be lawful for the Municipal
Councils may
grant license.
Municipal Council of any such City, Town, Village or
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 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 may deem meet to impose, and are hereby authorized to impose, on any such private asylum. 5 10

And appoint visitors to inspect asylums.

IV. And be it enacted, That three visitors shall be appointed in each year by the respective Municipal Councils, for the purpose of inspecting and visiting all private 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 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 entitled to his travelling expenses,) as to the Municipal Council may seem just and reasonable. 15 20 25

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 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 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 £. 30 35 40 50

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, 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. 45 50