



CHAP. cxxii.

An Act to enable the Governors of Bethlem Hospital to establish and maintain at Witley, in the parish of Godalming in the county of Surrey, a Convalescent Establishment in connexion with and as part of Bethlem Hospital. A.D. 1871.

[13th July 1871.]

WHEREAS by a charter or letters patent of His late Majesty King Henry the Eighth, bearing date the thirteenth day of January in the thirty-eighth year of the reign of His said Majesty, the custody, order, and government of the house and hospital then called Bethlem, and situate without and near to Bishopsgate of the said city of London, and of all manors, lands, tenements, possessions, revenues, and hereditaments whatsoever to the same house and hospital belonging and appertaining, were given and granted to the mayor and commonalty and citizens of the city of London and their successors; and the said mayor and commonalty and citizens and their successors were thereby constituted masters, keepers, and governors of the said house and hospital, and of the said manors, lands, tenements, and other premises to the said house and hospital belonging and appertaining, to hold the said custody, order, and governance to the said mayor and commonalty and citizens and their successors, for the uses and intentions in and upon the foundation thereof ordained or provided, or by His said Majesty, his heirs and successors, thereafter to be ordained and provided: Charter.

And whereas at the date of the said charter the said house and hospital then called Bethlem was used for the reception of lunatics:

And whereas by an Act of Parliament passed in the twenty-second year of the reign of His late Majesty King George the Third, chapter seventy-seven, intituled "An Act to render valid and effectual certain articles of agreement between the mayor and commonalty and citizens of the city of London, governors of the possessions, revenues, and goods of the hospitals of Edward, King of England the Sixth, of Christ, Bridewell, and Saint 22 G. 3. c. 77.

A.D. 1871. “ Thomas the Apostle, and of the hospitals of Henry the Eighth, King of England, called the House of the Poor in West Smithfield, near London, and of the house and hospital called Bethlem, and the presidents, treasurers, and acting governors of the said several hospitals,” certain articles of agreement therein stated and theretofore executed between the said mayor and commonalty and citizens, and the said presidents, treasurers, and acting governors, bearing date the fifteenth day of June one thousand seven hundred and eighty-two, were ratified and confirmed :

And whereas by such articles of agreement, after providing for the future election of separate governors of the said respective hospitals mentioned in the title of the said Act, it was (amongst other things) declared that at all times thereafter, when and so often as it should be necessary or expedient for the mayor, aldermen, and other governors of the said house and hospital called Bethlem to prosecute, carry on, or defend any suit or suits, distress or distresses, ejection or ejections, or other acts or proceedings, either at law or in equity, touching or concerning all or any of the possessions, rights, titles, or revenues of the same house and hospital, it should be lawful for the Lord Mayor, aldermen, or other governors of the same house and hospital from time to time, and at all times thereafter, on all such occasions, and for all or any of the purposes aforesaid, to use and assume the name, style, and title of “ The Mayor and Commonalty and Citizens of the city of London, as masters, guardians, and governors of the house and hospital called Bethlem, situate without and near to Bishopsgate of the said city of London : ”

And whereas the said house and hospital, at the date of the said charter called Bethlem, having been destroyed in the great fire of London, and a hospital substituted therefor having been found insufficient for the purposes thereof, in lieu thereof a hospital called Bethlem, situate in Saint George’s Fields in the parish of Saint George the Martyr in the county of Surrey (herein-after called “ the hospital ”), was established, and is now maintained by the said mayor and commonalty and citizens of the city of London, as governors of the house and hospital called Bethlem, situate without and near Bishopsgate of the said city of London (herein-after called “ the Governors ”), out of the revenues and property belonging to the Governors, as a hospital at which persons are received and detained as lunatics and taken care and charge of as lunatics :

And whereas it is of great advantage to the persons so received, detained, or taken care or charge of at the hospital as aforesaid that the Governors should be able to send away from the hospital, for the benefit of their health, but without relinquishing the care and charge

of them as lunatics, such of the same persons as are convalescent, and such others of them as the Governors may think fit to send away :

A.D. 1871.

And whereas the Governors have purchased certain lands at Witley in the parish of Godalming in the county of Surrey, and have expended a large sum of money in laying out a piece of land, containing two acres one rood and thirty-eight perches, or thereabouts, part of such last-mentioned lands, and in erecting and fitting up buildings thereon, and it is expedient that such buildings should be completed, and that the same, together with the said piece of land, should be formed into an establishment for the reception of such of the said persons received, detained, or taken care or charge of as aforesaid as are convalescent, and such others of them as the Governors may think fit to send thereto :

And whereas it is expedient that the Governors should be authorised to enlarge and alter the said establishment, when so formed as aforesaid, and to lay out other lands and erect other buildings in the said parish of Godalming, from time to time, as they may think fit :

And whereas doubts have arisen whether the said establishment, when so formed as aforesaid, will constitute a separate hospital within the meaning of an Act passed in the eighth and ninth years of Her Majesty (chapter one hundred), intituled "An Act for the regulation of the care and management of lunatics," or will constitute a part of the hospital, and it is expedient that such doubts should be removed, and that the provisions herein-after contained should be made in reference thereto :

8 & 9 Vict.
c. 100.

And whereas the objects aforesaid cannot be attained without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted ; and 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 this present Parliament assembled, and by the authority of the same, as follows :

1. This Act may be cited for all purposes as "The Bethlem Hospital Act, 1871."

Short title.

2. In this Act, if not inconsistent with the context or the subject matter, the following terms have the meanings herein-after respectively assigned to them ; (that is to say,)

Interpreta-
tion of terms.

"The hospital" means the hospital called Bethlem, situate in Saint George's Fields in the parish of Saint George the Martyr in the county of Surrey, and any house or hospital which may be hereafter substituted therefor :

A.D. 1871.

“The Governors” mean the mayor and commonalty and citizens of the city of London as masters, guardians, and governors of the house and hospital called Bethlem, situate without and near to Bishopsgate of the city of London :

“The convalescent establishment” means the establishment which the Governors are authorised by this Act to establish at Witley in the parish of Godalming aforesaid :

“The Commissioners” mean the Commissioners in Lunacy :

“Lunatic” means an insane person, and a person being an idiot or lunatic, or of unsound mind :

“Patient” means a person taken care or charge of by the Governors as a lunatic.

Power to form and maintain a convalescent establishment.

3. The Governors may hold, for all the estate and interest therein now vested in them, the said piece of land situate at Witley in the parish of Godalming aforesaid, and so purchased and laid out by them as herein-before mentioned, and may hold any other lands in the same parish now belonging to or which may be hereafter acquired by them, and may erect, form, establish, complete, and maintain upon the said lands, or any part thereof, an establishment for the reception of convalescent and other patients.

Power to complete, erect, and alter buildings, and to use them for convalescent establishment.

4. The Governors may complete any buildings erected on the said lands, and may from time to time construct any other buildings thereon, and may remove and make any alterations in and any additions to any buildings for the time being erected on the said lands, and may use and maintain all or any of the same buildings for the purposes of the said establishment hereby authorised to be formed.

Power to frame regulations.

5. The Governors may, subject to the approval of one of Her Majesty's Principal Secretaries of State, frame regulations for the management, control, and conduct of the convalescent establishment and the reception of patients therein, and the discharge of patients therefrom, and the removal of patients therefrom to the hospital, and the removal of patients from the hospital thereto, and for all such other matters as may be necessary, convenient, or proper for giving effect to the provisions of this Act, and may from time to time, with the like approval, alter and vary such regulations ; and all such regulations made with such approval shall, whilst in force, have the same effect as if they formed part of and were incorporated with this Act.

Regulations to be exhibited.

6. A copy of all regulations framed under the provisions of this Act shall, so long as the same remain in force, be exhibited in the committee room at the hospital, and in some conspicuous place at the convalescent establishment.

7. The convalescent establishment shall not by itself form a hospital within the meaning of the said Act of the eighth and ninth years of Her Majesty, chapter one hundred, and shall not require registration as such, and shall not require officers or books separate or distinct from the officers or books of the hospital, except as may be provided by this Act, or any regulations made in pursuance of its provisions, but shall form a part of the hospital; and all patients whilst at the convalescent establishment, or in course of removal from the hospital to the convalescent establishment, or from the convalescent establishment to the hospital, shall continue and be subject to all enactments and regulations relating to patients whilst at the hospital, so far as such enactments and regulations are applicable, and are not altered or varied by this Act, or any regulations made in pursuance of its provisions.

A.D. 1871.

The convalescent establishment to form part of the hospital.

8. The Commissioners shall have the same powers of visiting and superintending, and otherwise in relation to the convalescent establishment, as they would have had in case the same had been registered as a hospital under the provisions of the said Act of the eighth and ninth years of Her Majesty, chapter one hundred.

Powers of the Commissioners.

9. The Governors may provide for the expenses of erecting, fitting up, forming, establishing, using, and maintaining the convalescent establishment, and all other expenses of or incidental thereto, or of or incidental to giving effect to the provisions of this Act, out of the revenues and property belonging to the Governors.

Expenses of forming and maintaining the convalescent establishment.

10. The powers conferred by sections 3, 4, and 9 of this Act shall be exercised subject to the approval and sanction of the Charity Commissioners for England and Wales, in the cases in which the approval and sanction of the same Charity Commissioners is now necessary to the exercise of similar powers in reference to the hospital, but such approval or sanction shall not otherwise be required to the exercise of the powers of this Act.

Powers to be exercised subject to approval of the Charity Commissioners.

11. All costs, charges, and expenses of or incidental to the preparing for, obtaining, or passing of this Act, or otherwise in relation thereto, shall be paid by the Governors out of the revenues and property belonging to the Governors.

Expenses of Act.