

their appointment, and requiring the holders of said bonds to present before the said board of commissioners their claims against the State, together with proof of the amounts paid for said bonds. The said board of commissioners shall have power to send for persons and papers and to administer oaths, and to examine any party presenting claims under oath or by deposition.

Claims barred
after certain date

SEC. 4. All claims or bonds arising under and by virtue of said amendment, which shall not be presented to said board of commissioners prior to the first day of January, 1867, shall be forever barred, and the Legislature will not feel bound to recognize.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved February 28, 1866.

CHAPTER VI.

March 2, 1866.

An Act for the establishment and location of a Hospital for the Insane in the State of Minnesota, and to provide rules for the regulation of the same.

- SECTION 1. Designates names of persons composing board of location. Duty to be, to visit localities in State suitable for establishment of Insane Hospital. Hospital not to be located unless inhabitants of place designated, deed State a quantity of land not less than twenty acres.
2. Board authorized to invite Dr. E. J. Patterson.
 3. How Board to be paid.
 4. Hospital to be known by title of "Hospital for the Insane of the State of Minnesota." Seven trustees appointed—four to constitute quorum.
 5. Designates who shall be trustees,—the term of their office, and how appointed.
 6. Trustees empowered to erect building. Expense not to exceed fifteen thousand dollars.
 7. Trustees authorized, in their discretion, to lease or purchase building for temporary accommodation of patients.

SECTION 8. Appropriations made for benefit of insane to be expended by and paid upon order of Board.

9. Insane patients to be removed from Iowa to building so erected or leased, when prepared for them.
10. Trustees to take oath to support the Constitution, and faithfully discharge their duties. To be paid their necessary expenses during time engaged in official duty. Governor of State to designate when first meeting to take place. President and secretary to be elected—term of their service.
11. Trustees to have management of asylum—to make by-laws—appoint officers and fix salaries.
12. Superintendent to take oath.
13. Steward to execute bonds for performing duties of office; to have power to draw on State Treasurer for deficiency to meet current expenses of institution.
14. Trustees to have power to hold lands or money in trust for Institution.
15. Admits private patients to asylum, upon written request of relatives or friends, on payment of quarterly sum. Application of such person for admission to be certified by Judge of Probate or Clerk of District Court.
16. Public patients to be admitted upon certificate of Probate Judge.
17. Probate Judge to issue his warrant for arrest of insane persons. A jury of six to be empanelled to ascertain whether person be really insane. If found to be insane, warrant to be issued to Sheriff. Form of warrant.
18. Designates the fees the Sheriff shall be allowed; also fees for witnesses.
19. Relatives of insane person shall have the right to take charge of and keep such person. Probate Judge shall require bonds from such relatives. When patient discharged from asylum at request of relatives or friends, bonds to be executed to State for safe keeping of such patient.
20. When patient is discharged cured, Superintendent to furnish clothing and money, not to exceed ten dollars. To whom such clothing and money charged.
21. Trustees to fix weekly sum to be paid for board and care of patients.
22. Superintendent to certify to State Auditor the amount due to said Asylum from counties having patients therein. State Auditor to notify County Commissioners, through County Auditor, to levy tax to pay said debt.
23. Sheriff empowered to collect from any property any public patient may be possessed of the amount due the county to which he may belong, for his support. Sheriff shall pay said money to County Treasurer and shall receive such fees as law provides for similar duties.
24. Designates the quality and description of clothing to be furnished each patient.
25. Questions to be asked of relatives or friends sending private or public patients to Asylum.
26. Superintendent and Steward to report to Trustees from time to time. Trustees to report to Governor at annual meeting preceding meeting of Legislature.
27. Trustees to furnish by mail copies of by-laws to all Judges of Probate in the State.
28. Defines the term insane.
29. Defines what constitutes public and private patients.
30. Appropriates money for erecting, leasing or purchasing and furnishing Asylum.
31. When Act to take effect.

Be it enacted by the Legislature of the State of Minnesota:

Names of Board
of Location.

SECTION 1. That William R. Marshall, Thomas Wilson, S. J. R. McMillan, John M. Berry and Charles McIlrath, are hereby constituted a board of location whose duty it shall be to visit such localities in this State as they may deem advisable, and examine the comparative advantages which such localities present for the permanent location of the State Hospital (for the Insane); and after such examination to definitely decide upon and fix the location of such hospital, and to cause a certificate of their decision in the matter to be filed in the office of the Secretary of State on or before the first day of July, 1866; *Provided*, That no city, town or village shall be fixed upon as the permanent site of said hospital unless the inhabitants thereof shall upon being informed by the said board of their decision, procure and cause to be delivered to such board, a deed to the State of Minnesota of a quantity of land not less than twenty acres, as a site for said hospital, and [unless] the site so donated is acceptable to and approved by said board.

Place selected to
give deed of site.

Board authorized
to invite Dr. Pat-
terson.

SEC. 2. Said board are authorized to invite to their assistance and associate with [themselves] Dr. R. J. Patterson, Superintendent of the Insane Asylum of Iowa.

How expenses
paid.

SEC. 3. The expenses of said board shall be paid out of any appropriation made for the support of the insane, upon their certificate or that of a majority of them.

Title of Hospital.

SEC. 4. The Hospital for the Insane for the State of Minnesota shall be erected and located upon the site designated and determined as hereinbefore mentioned and provided for, and shall be known by the name and title of the hospital for the Insane of the State of Minnesota, and shall be placed under the charge of seven trustees, four of whom shall constitute a quorum for the transaction of business.

Names of Board
of Trustees.

SEC. 5. That S. D. Flagg, Orrin Densmore, Henry A. Swift, Solomon Blood, John L. Thorne, J. V. Daniels and Luke Miller, are hereby constituted the board of trustees of such Asylum. The two first named shall serve for two years, the second two for four years, the last three for six years; and as their terms expire, their successors shall be appointed by the Governor,

by and with the advice and consent of the Senate, for the term of six years, and until their successors are appointed and qualified.

SEC. 6. Said board of trustees are hereby authorized and empowered to cause to be erected upon the site selected and donated to the State, as hereinbefore provided, a building sufficient to accommodate the immediate wants of the insane, under the care of the State; *Provided*, That the expense of such building shall not exceed the sum of fifteen thousand dollars. Prior to the erection of said building, said commissioners shall adopt a general plan of an edifice sufficient to meet the future probable wants of the State, and shall cause the building so erected under their direction to be erected in conformity with such plan.

Board authorized to erect building, with cost of same

SEC. 7. Said board of trustees are hereby authorized, in their discretion, instead of erecting the building provided for in the preceding section, or to accommodate the insane of the State while such building is in process of erection, to lease or purchase a building for the temporary accommodation of said insane persons, until they can be permanently provided for by the erection of a suitable asylum; *Provided*, That such lease or purchase shall not be deemed as a location of the asylum at the place where such building so purchased or leased is located, but merely as a temporary expedient, until a suitable building can be erected.

Board may lease or purchase.

SEC. 8. All appropriations made in this or any other act which shall hereafter be passed for the benefit, care or treatment of the insane of this State, or for the erection, purchase or lease of any building for their accommodation, are placed under the charge of and shall be expended by and paid upon the order of said board, or a majority of them.

How appropriation expended.

SEC. 9. When arrangements have been perfected for the accommodation of the insane, said board shall cause all the insane patients, under the care of the State, and now in the Insane Asylum of Iowa, to be removed to the building so erected, leased or purchased by them, and properly cared for therein.

Patients to be removed from Iowa

SEC. 10. The trustees, before entering upon the duties of their office, shall take and subscribe an oath or affirmation to support the Constitution of the United

Trustees to take oath to support constitution.

States and of this State, and also faithfully discharge the duties required of them by law and the by-laws that may be established. They shall be paid their necessary expenses during the time they are actually engaged in the discharge of their official duties, such payment to be made out of the State treasury, out of any moneys not otherwise appropriated, by an order drawn by the secretary of the board, signed by the president of the board, approved by the superintendent. The first meeting of the trustees shall be at any time after this act shall take effect, upon a notice from the Governor of the State, when they shall organize by the election of a president and secretary, who shall serve until the annual meeting, which shall be held on the first Wednesday in the month of August of each year, at the Capitol in the city of St. Paul, in the State of Minnesota, until a building is provided for said hospital, and afterwards at the hospital buildings, when the trustees shall choose one of their number president, and another secretary for the year then ensuing, and until their successors are elected and qualified.

When and where meetings held.

Defines powers of trustees.

SEC. 11. The trustees shall have the general control and management of the hospital. They shall have power to make all by-laws necessary for the government of the same not inconsistent with the laws and the constitution of the State of Minnesota, and to conduct the affairs of the institution in accordance with the laws and by-laws regulating the same. They shall appoint a medical superintendent, a steward, matron and assistant physician or physicians, (or such of the above officers as may be necessary,) who shall be governed and subject to all the laws and by-laws established for the government of said hospital. Said trustees shall fix all salaries not otherwise determined by law, and may at their pleasure remove any officer except the superintendent, who may be suspended by said board of trustees, until he can have a hearing before the Governor of the State, and may then be removed from office by the Governor, by and with the advice and consent of said trustees.

Superintendent to take oath.

SEC. 12. The superintendent, before entering upon the duties of his office, shall take and subscribe an oath or affirmation, faithfully and diligently to discharge the duties required of him by law, and the by-laws regulating the institution.

SEC. 13. The steward shall execute a bond to the board of trustees of said hospital, in such a sum or amount, and with such sureties as the said board of trustees shall approve, conditioned that he will faithfully perform the duties of his office, and pay over and account for all moneys that shall come into his hands as such officer, from the State or any other source. He shall have power to draw from the State treasury, out of any money appropriated for the hospital, upon his order, approved by the president and secretary, under the seal of the institution, if they have one, and endorsed by the superintendent, a sufficient amount from time to time to defray the expenses of any deficiency that may arise in the current expenses of the institution. Upon the presentation of such an order to the Auditor of State, it shall be his duty to draw a warrant on the treasury for the amount therein specified.

Steward to execute bond.

SEC. 14. The board of trustees may take and hold in trust for the hospital any lands conveyed or devised, and any money or other personal property given or bequeathed, to be applied for any purpose connected with the institute.

Trustees may hold property in trust.

SEC. 15. Private patients may be admitted into the hospital by the superintendent, upon the written request of any relative, guardian or friend of such patient, by filing with the superintendent an obligation signed by himself, together with two other persons, in words and figures, in substance as follows, to wit:

Private patients may be admitted under certain regulations.

OBLIGATION.

In consideration of _____ being admitted a private patient into the Hospital for the Insane of the State of Minnesota at our request, we the undersigned jointly and severally promise and agree to pay said hospital, to the steward thereof at said hospital, quarterly, on the first days of January, April, July and October, with interest at ten per cent. on such days respectively, the rate of board determined by the [board] of trustees of said hospital; to provide or pay for all requisite clothing and for things necessary or proper for the health and comfort of said patient; to remove said patient when discharged; to reimburse funeral expenses, in case of death, and if removed uncured against the advice of the superintendent before the expiration of three calendar months, to pay board for thirteen weeks,

Hospital to be indemnified.

and also to indemnify said hospital for expenses of suit which it may incur in collecting said bill of board, supplies and funeral charges, the same to be included in the damages to be recovered in such suit.

Witness our hands this day of A. D., 18 .

Which said obligations, duly certified by the Judge of Probate, or in his absence or disability, by the Clerk of the District Court of the county where the said patient resides, that the signers are good and responsible persons, and able, over and above all liability and property exempt from execution, to pay any sum that might be adjudged against them, by reason of their signing such obligation, and that their signatures are genuine. Duly certified copies of said obligation, attested with the seal of the hospital, shall be evidence in all cases of equal credibility with the original.

How public patients admitted.

SEC. 16. Public patients may be admitted into the hospital by the Superintendent, upon the written certificate of the Probate Judge of the county where such patient resides, with the seal of said court attached, certifying that such patient (naming him) upon due examination had before him, has been found to be insane, and authorizing said Superintendent to receive and maintain him at the expense of said county.

Probate Judges may issue warrants of arrest.

SEC. 17. The Probate Judge of any county upon information being filed before him that there are insane persons within the county needing care and attention, shall issue his warrant directed to the Sheriff of said county, authorizing him to arrest the persons charged with insanity and to bring them before him without delay. Upon the appearance of such person or persons before him, he shall proceed at once to an examination summoning a jury of six persons, if a jury be demanded, and if upon an examination by the Judge, or upon the verdict of a jury, the person or persons charged in the information be found to be insane, the Judge shall then make out a warrant and place it in the hands of the Sheriff of said county, who shall receive the person or persons therein named, and convey them to the hospital, and such warrant may be in the following:

STATE OF MINNESOTA, }
County of } ss.

Form of warrant.

To the Superintendent of the Hospital for the Insane of the State of Minnesota :

A. B., having been, upon examination, found to be insane you are therefore required to receive him into the hospital and keep him there until legally discharged.

In witness whereof I have hereunto set my hand and affixed the seal of said court, this day of
A. D., 18 .

Upon receiving the patient and the certificate provided in section nine of this act, the Superintendent shall endorse upon said warrant a receipt substantially as follows :

HOSPITAL FOR THE INSANE OF THE }
STATE OF MINNESOTA, }

Received this day of A. D. 18 , the patient named in the within warrant.

A. B., Superintendent.

The Sheriff shall make returns of the warrant to the Probate Judge, who shall preserve the same in his office.

SEC. 18. The Sheriff shall be allowed the following fees: For arresting and bringing the person charged with insanity before the Probate Judge and subpoenaing witnesses, the same fees as now allowed by law in other cases. For taking an insane person to the hospital or removing one therefrom, mileage at the rate of five cents per mile, going and returning, and one dollar a day for the support of each patient on his journey going to and from the hospital, and to each assistant five cents per mile: Witnesses subpoenaed before the Probate Judge the same fees as allowed by law in other cases; said fees and other charges to be paid out of the county treasury.

Sheriff and witnesses allowed fees.

SEC. 19. The relatives of any person charged with insanity, or who shall be found to be insane under section ten of this act, shall in all cases have the right to take charge of, and keep said insane person or persons, if they shall desire so to do, but the Probate Judge may require a bond of such relatives, conditioned for the proper and safe keeping of such person or persons,

Relatives to have power to keep insane persons.

Superintendent
may require
bond.

and if the relatives or friends of any patient kept in the hospital, shall ask for the discharge of such patient, the Superintendent may, in his discretion, require a bond to be executed to the State of Minnesota, in such sum, with such suréties as he may deem proper, conditioned for the safe keeping of such patient. *Provided*, That no patient that may be under the charge of or convicted of homicide, shall be discharged without the consent of the Superintendent and Board of Trustees.

Superintendent
to furnish cloth-
ing.

SEC. 20. When any patient is discharged as cured the Superintendent shall furnish him with suitable clothing and a sum of money not exceeding ten dollars, unless otherwise supplied, which clothing and money shall, in case of private patients, be charged to the obligors of the bond, filed by them, who requested the admission of such patients, and in the case of public patients, the same shall be charged to the county from which such patient was sent.

Trustees to fix
price of board.

SEC. 21. The Trustees shall from time to time fix the sum to be paid per week for the board and care of patients, and to arrive at such sum, shall estimate the total outlay for the support of the hospital, ascertaining such outlay from the sums actually paid per annum, and the weekly sum so fixed shall be the sum said hospital shall be entitled to demand for the keeping of any patient; and the certificate of the Superintendent, attested by the seal of the hospital, shall be evidence in all places, of the amount due as fixed.

Superintendent
to report to State
Auditor sum dne.

SEC. 22. The Superintendent shall certify to the Auditor of State, on the first days of January, April, July and October, the amount (not previously certified by him) due to said hospital from the several counties, having public patients chargeable thereto, and said Auditor shall pass the same to the credit of the hospital. The State Auditor shall thereupon notify the county Auditor of each county so owing, the amount thereof, and charge the same to said county, and the board of county commissioners shall add such amount to the next State tax to be levied in such county, and pay the amount so levied into the State Treasury, to be credited to the Hospital for the Insane Fund.

Sheriff to collect
amount due to
hospital.

SEC. 23. The Sheriffs of the several counties, are authorized and empowered, from time to time, to col-

lect from the property of any public patient maintained at the hospital, at the cost of such counties, or from any person or persons legally bound to support such patient, the amount for which such county is liable for the support of such patient in the hospital. And the amount so certified as due from said county to the hospital for the maintenance of such patient by the Superintendent, attested by the seal of the hospital, shall be *prima facie* evidence of the correctness of such amount, and all moneys so collected by such Sheriff shall be paid into the county treasury of his county, and he shall receive for such services the same fees as by law provided for similar duties to be paid by such county.

SEC. 24. The clothing to be furnished to each patient upon being sent to the hospital, shall not be less than the following, for a male :

Designates what clothing shall be furnished.

Three new shirts. A new and substantial coat; vest; two pairs of pantaloons of woolen cloth; three pairs of socks; a black or dark stock or cravat; two pocket handkerchiefs; a good hat or cap; a pair of new shoes or boots, and a pair of slippers.

For a female, in addition to the same, a quantity of *under garments, shoes and stockings, there shall be* two woolen petticoats or shirts; three good dresses; a coat or shawl, and a decent bonnet.

Unless such clothing be delivered to the Superintendent in good order, he shall not be bound to receive the patient. *Provided, however,* he may receive patients and furnish them with proper clothing, charging the price thereof to the proper person or county.

SEC. 25. It shall be the duty of the relatives or friends sending private patients to the asylum, with the assistance of their family physician, and the Judge of Probate sending public patients, with such assistance as he may be able to obtain, to annex full and precise answers to as many of the following questions as are applicable to the case, and forward the same to the Superintendent when the patient is sent to the hospital :

Questions to be asked and answered.

What is the patient's age? Married or single? If children, how many?

Where was the patient born?

Where is his or her place of residence?

What has been the patient's occupation and circumstances in life?

Questions to be
asked and an-
swered.

(When were the first symptoms of the disease manifested, and in what way?)

Is this his first attack? If not, when did others occur? and what were their duration?

Does the disease appear to be increasing, decreasing or stationary?

Is the disease variable? and are there rational intervals? If so, do they occur at regular periods?

Have any changes occurred in the condition of the mind or body since the attack?

On what subjects, or in what way is derangement now manifested? Is there any permanent hallucination?

Has the patient shown any disposition to injure others? and if so, was it from sudden passion or premeditation?

Has suicide ever been attempted? If so, in what way is the propensity now active?

Is there a disposition to filthy habits, destruction of clothing, etc.?

What relatives, however distant, have been insane?

Did the patient manifest any peculiarities of temper, habits, disposition, or pursuits before the accession of the disease? any predominant passion, religious impressions, etc.?

Was the patient ever addicted to intemperance in any form, etc.?

Has the patient been subject to any bodily disease, epilepsy, suppressed eruptions, discharges or sores? or ever had any injury of the head?

Has restraint or confinement been employed? If so, of what kind, and how long?

What is supposed to be the cause of the disease?

What treatment has been pursued for the relief of the patient? Mention particulars and the effects.

State any other matter supposed to have a bearing on the case.

Sec. 26. The Superintendent and Steward shall report to the Trustees from time to time as shall be provided in the by-laws. The Trustees shall report to the Governor at their annual meeting next preceding the meeting of the Legislature, and as much oftener as they may deem necessary, of the condition and wants of the hospital. Their biennial report shall be

Superintendent
to report to trustees.

accompanied by full and accurate reports of the Superintendent, and a detailed account of all moneys received and disbursed by the Steward.

SEC. 27. The Trustees shall furnish and mail when printed, copies of the by-laws to all Judges of Probate in the State, and shall also inform, by mail, said Judges when the Institution will be open for the reception of patients.

Trustees to furnish copies of by-laws.

SEC. 28. The term insane, as used in this act, includes every species of insanity or mental derangement.

Defines the term insane.

SEC. 29. Private patients mean those sent and maintained at the hospital, by their relatives and friends. Public patients mean those sent and maintained at the expense of the counties.

Defines public and private patients.

SEC. 30. The sum of fifteen thousand dollars is hereby appropriated out of any moneys in the treasury, not otherwise appropriated, for the purpose of erecting, leasing or purchasing a building and of furnishing the same with suitable furniture pursuant to the provisions of this act.

Appropriates money for building.

SEC. 31. This act shall take effect and be in force from and after its passage.

Approved March 2, 1866.