

Sec. 8. It shall not be competent for any party to an action, or interested in the event thereof, to give evidence therein of or concerning any conversation with, or admission of a deceased or insane party or person, relative to any matter at issue between the parties.

Evidence of party in action not to be received as to deceased or insane persons.

Sec. 2. This act shall take effect and be in force from and after its passage.

When act to take effect.

Approved March 6, 1877.

CHAPTER 41.

AN ACT TO AMEND SECTION SEVENTEEN (17) OF CHAPTER EIGHTEEN (18) OF THE GENERAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT (1868), AS AMENDED BY SECTION ONE (1) OF CHAPTER SIXTEEN (16) OF THE GENERAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-TWO (1872), IN RELATION TO HOSPITAL FOR INSANE.

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

SECTION 1. That section seventeen (17) of chapter eighteen (18) of the General Laws of the year one thousand eight hundred and sixty-eight (1868), as amended by section one (1) of chapter sixteen (16) of the General Laws of the year one thousand eight hundred and seventy-two (1872), be and the same is hereby amended so as to read as follows:

Section 1, chapter 18, General Laws, 1872, amended.

Sec. 17. The judge of probate of any county, upon information being filed before him, that there is an insane person in his county needing care and treatment, shall if satisfied that probable cause exists, by an order for that purpose without bond or other security, appoint some suitable person a guardian of the person so alleged to be insane, for the purpose only of having said person examined as herein-after provided, and if adjudged to be insane, to convey said person to the hospital for the insane; and such person shall be deemed to be under guardianship from the time of the appointment of such guardian, until the examination herein-after provided shall have been made, and if adjudged insane, until said patient shall be conveyed to the hospital for the insane. And after said guardian shall be appointed as afore-said, the said judge of probate shall make an order appointing some regular physician or physicians, not more than three (3), to examine the said person to ascertain the fact of

Relating to guardian for insane, and examination for commitment. (See next chapter.)

insanity. A certified copy of which orders shall be delivered to such guardian and physician or physicians respectively, and said physician or physicians shall thereupon proceed to examine said person, relative to such alleged insanity, and shall examine all proofs necessary to determine the fact of such alleged insanity, and if said person is found to be insane, such physician or physicians shall certify in writing, that the said person, in his or their opinion, is insane and a proper subject for hospital treatment, and if not found to be insane that fact shall be certified by said physician or physicians, which certificate, in either case above provided, shall be verified by the oath of said physician or physicians and returned to and filed in the office of the judge of probate of the county in which such examination is made. And if such person is by such examination found to be insane, the said judge of probate shall issue duplicate warrants, committing the person so found to be insane to the care of the superintendent of the hospital for the insane, and shall place such warrants in the hands of such guardian appointed as aforesaid, whom he shall authorize to convey the said insane person to said hospital, and such warrants may be in the following language, to-wit:

STATE OF MINNESOTA, }
County of..... } ss.

To the Superintendent of the Minnesota Hospital for the Insane:

Having been upon examination found to be insane, you are therefore required to receive him (or her) into the hospital and keep him (or her) there until legally discharged.

In witness whereof, I have hereunto set my hand and affixed the seal of the probate court (or of the court commissioners) of said county, this.....day of.....18....

.....
Judge of Probate.

The duplicate warrant shall be filed in the office of the superintendent, and the original shall be returned with the superintendent's indorsement to the judge of probate and filed in his office.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved February 20, 1877.

When act to
take effect.