

CHAPTER 42.

AN ACT TO AMEND CHAPTER EIGHTEEN (18) OF THE GENERAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT (1868), ENTITLED, "AN ACT TO AMEND AN ACT FOR THE ESTABLISHMENT AND LOCATION OF A HOSPITAL FOR THE INSANE OF THE STATE OF MINNESOTA, AND TO PROVIDE RULES AND REGULATIONS THEREFOR, ALSO TO AMEND CHAPTER NINETEEN (19) OF THE GENERAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-FOUR (1874), AND CHAPTER EIGHTEEN (18) OF THE GENERAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-TWO (1872)," ALL RELATING TO THE TREATMENT OF INSANE PERSONS.

Chapter 41 is an amendment to section 17 of chapter 18 of Laws of 1868. The same section is amended herein.

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

SECTION 1. Amend section seventeen (17) in said chapter eighteen (18), by striking out all of said section down to the words, "State of Minnesota," and read as follows:

Amendment to section 17, chapter 18, General Laws of 1868.

Sec. 17. The probate judge, or in his absence, the court commissioner of any county, upon information being filed before him, that there is an insane person in his county needing care and treatment, shall cause the person so alleged to be insane to be examined by a jury consisting of two respectable persons beside himself, one at least of whom shall be a physician, to ascertain the fact of his insanity, and if the said person is found to be insane, he shall, upon the written certificate of the judge, directed by a majority of the jury, issue duplicate warrants, committing the person so found insane to the care of the superintendent of the hospital, and shall place the warrant in the hands of the sheriff, or some other suitable person, whom he shall authorize to convey the said insane person to the hospital, and such warrant may be in the following language, to-wit.

Relating to jury to determine on commitment of insanity.

SEC. 2. That section eighteen (18) of said act be amended by inserting after the word "physician," in second line, the words, "and such other person on the jury."

SEC. 3. Also, amend chapter nineteen (19), Session Laws of one thousand eight hundred and seventy-four (1874), by adding to section one (1) of said chapter nineteen (19), the words: "Provided, no person shall be admitted in the hospital the second time, unless by the consent of the superintendent, president of the board, and one trustee."

Chapter 19, General Laws, 1874, amended.

Relating to admission a second time.

SEC. 4. Section three (3) of said chapter nineteen (19) of the

Session Laws of one thousand eight hundred and seventy-four (1874) be amended so as to read as follows:

Commissioners
to be appointed
to examine
patients in
hospital.

Sec. 3. The Governor shall appoint two members of the State board of health, who shall serve for the term of one year, and who, together with the superintendent [of the hospital] for the insane, shall constitute a commission, whose duty it shall be to visit the said hospital as soon as convenient after the passage of this act; and at least once in every six (6) months thereafter, and examine the patients therein with the view to ascertain and determine whether any patients are supported in the said hospital who are not proper subjects of treatment therein, and are not insane, but idiotic, or weak minded, or harmlessly demented, or imbecile; and if upon such examination it shall be found by the said commission that any of such patients are not proper subjects of treatment in the said hospital for any of such causes, whether mental or physical, then such commission shall direct the superintendent to return such patients to the county from which they came, if such county be within this State; or if such county shall be unknown, then such commission shall make such other direction in regard to the case of such patients as they shall deem proper. *Provided*, that in case a vacancy shall occur in said commission from any cause, it shall be filled by the Governor from among the members of the State board of health. *Provided further*, that when the county from which the patients directed by the said commission to be removed from the said asylum came, shall have no proper facilities for the care of such weak minded or demented patients, the same may be retained in the said hospital, upon the conditions that the said counties shall pay all the expenses for keeping the said patients in the said hospital, under such regulations as the said commission shall adopt. *Provided further*, that no patients shall be returned to counties where the crops have been seriously damaged or destroyed by grasshoppers, until one year after the grasshoppers shall have disappeared from such counties.

Imbecile pa-
tients to be
removed.

Imbecile pa-
tients not to be
admitted.

SEC. 5. That chapter eighteen (18) of the General Laws of one thousand eight hundred and seventy-two (1872), being an act for the relief of insane convicts in the State prison, and to provide for their removal to the Minnesota Hospital for the Insane, be and the same is hereby amended by striking out the words "or imbecile," wherever they occur in that act.

When act to
take effect.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved February 28, 1877.