

S. F. No. 600.

CHAPTER 119. C. 119 05 . 85

Hospitals for
insane.

An act to amend chapter five (5) of the general laws of 1893, entitled, "An act to confirm the location and establishment of the Minnesota hospitals for the insane, to provide for the commitment thereto, the management and supervision thereof and the licensing and supervision of all other hospitals for the insane.

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

SECTION 1. That section eleven (11) of said chapter five (5) be amended so as to read as follows:

Contracts.

Sec. 11. That said board of trustees, before letting any contract for the erection of any new building, or the enlargement or improving of any building, where the expense of the building or improvement shall exceed five thousand dollars (\$5,000), shall advertise for proposals for four consecutive weeks prior to said letting in a newspaper published at the place where said building is to be erected or improved, and also for the same length of time in some newspaper having a general circulation published at the capital of the state, stating the time and place when said proposals will be received and opened, and said contract so advertised for shall be let to the lowest responsible bidder, *provided*, that when repairs to any building or buildings in the nature of improvements to heating, plumbing or other repairs wherein may be used old or second-hand material already in use and owned by said hospital are to be made, then and in that case the board of trustees are hereby authorized to make such improvements or repairs in such manner as to it may seem most advantageous to the state without advertising for proposals for such work.

SEC. 2. That section fifteen (15) of said chapter five (5) be amended so as to read as follows:

Non-resident
insane.

Sec. 15. Every person adjudged to be insane under the provisions of this act, who is not an actual legal resident of this state, shall, by the order of the probate court, duly made and entered be taken by the sheriff of the county where such person is adjudged insane to the state where such person has a legal residence and delivered either to the friends or relatives of such a person or to the sheriff of the county where such person has a legal residence.

SEC. 3. That section seventeen (17) of said chapter five (5) be amended so as to read as follows:

Sec. 17. No person shall be deprived of his liberty in

this state by being committed to custody as insane unless his insanity be established in manner and form as prescribed in this act and because

Insanity —
how estab-
lished.

(1)

He has perpetrated acts dangerous to himself or to others or to property; or

(2)

It is reasonably certain by his threats or otherwise that he has dangerous tendencies or uncontrollable propensity towards crime; or

(3)

He wanders about and is exposed to want of food or shelter or to accident; or

(4)

He is ill treated or neglected by relatives or friends; or

(5)

His disease is of such a nature or in such a stage as to require for his recovery, care and treatment while under legal restraint.

SEC. 4. That section nineteen of said chapter five be amended so as to read as follows:

Sec. 19. Whenever the probate judge, or, in his absence, the court commissioner of any county shall receive information in writing duly verified by the person presenting the same, that there is an insane person in his county needing care and treatment (form "B") the said judge of court or court commissioner shall issue his order (form "C") directed to the sheriff of his county, or some other suitable person, commanding such alleged insane person to be brought before said judge or court commissioner for examination upon charge of insanity, and at the same time the said judge or court commissioner shall by order in writing appoint a jury (form "G") consisting of two, examiners in lunacy, who with the said judge or court commissioner shall constitute said jury, to examine the alleged insane person, when he shall be brought before said judge or court commissioner as directed, which said examiners in lunacy shall, before entering upon their duties, take and subscribe an oath "form D" to faithfully discharge their duties as such examiners.

How examined
and tried

Witnesses.

In all cases when ordering the examination of any alleged insane person, the said judge or court commissioner shall notify ("form "H") the county attorney, or in his absence an attorney to be appointed by the county attorney who shall appear on behalf of said alleged insane person, and take such action as may be necessary to protect the rights of such person: and upon request of said county attorney or his substitute, the said judge or court commissioner shall issue subpoenas for the attendance of witnesses for such alleged insane person, to be sworn and give evidence on his behalf upon such examination; and it is hereby made the official duty of all county attorneys as hereinbefore provided to attend such examinations and represent the alleged insane, and to see that said alleged insane person is fully protected.

Commitment.

And the said judges of probate and court commissioners are hereby authorized and empowered to issue subpoenas for the attendance of all witnesses upon such examination. If the said examiners jury at the close of such examination shall find the information true, and that the person alleged to be insane is in fact insane, and a fit subject for hospital treatment, they shall within twenty-four hours after said examination certify to said fact (form "E") and thereupon said judge or court commissioner shall issue a duplicate warrant (form "F") committing said person to the custody of the superintendent of the proper state hospital for the insane or to the superintendent or keeper of any private licensed institution for the care of the insane, or shall place such warrant or commitment together with a certified copy of the certificate of the jury in the hands of the sheriff, or other suitable person whom he shall authorize to convey said insane person to the hospital:

Provided, that in case said insane person is a female she shall be accompanied while being conveyed to the hospital, by her husband, father, mother, brother or son or daughter or by a woman designated by the judge of probate or court commissioner.

Said warrant shall be issued within two days after the date of the said jury's certificate to the insanity of such person, and said sheriff or authorized person shall forthwith execute said warrant.

At its reception by him the duplicate warrant and certified copy of the jury's certificate shall be filed in the office of the superintendent, and the original with the superintendent's endorsement thereon shall be returned to the judge of probate and filed in his office.

If said jury upon examination shall find said person to be sane, or shall disagree as to his insanity, they

shall so certify said fact, and said person shall be forthwith discharged.

The findings of the said jury shall in all cases, be entered upon the records of said judge or court commissioner.

SEC. 5. That section twenty-one of said chapter five be amended so as to read as follows:

SEC. 21. The jurors hereinbefore named may jointly execute the certificate provided for in section nineteen in this act, or each one may execute a separate certificate.

Juror's certificate.

SEC. 6. That section twenty-three of said chapter five be amended so as to read as follows:

SEC. 23. Whosoever for any corrupt consideration or advantage to himself, or through malice shall make or join in, or advise the making of any complaint or certificate aforesaid, or shall knowingly or wilfully make any false representations for the purpose of causing any person to be committed to or held in any institution for the custody, care and treatment of the insane, shall be deemed guilty of a felony.

False complaint—penalty.

SEC. 7. All acts and parts of acts inconsistent herewith, are hereby repealed.

SEC. 8. This act shall take effect and be in force from and after its passage.

Amend form "B" so as to read as follows:

B. Information of Insanity.

STATE OF MINNESOTA

} ss.

County of.....

A. B., being duly sworn, on oath, says: That he is a resident of.....county, in said state, and is acquainted with C. D. who resides at....., in said state; that said C. D. is insane and a proper subject for custody, care and treatment in a hospital for the insane, and asks that the necessary steps be taken as provided by law, to investigate the mental condition of said C. D.

Form.

Subscribed and sworn to before me this..... day of 18.....

Amend form "C" so as to read as follows.

C. Order to Sheriff.

STATE OF MINNESOTA,

} ss.

County of.....

In Probate Court.

The State of Minnesota to the sheriff of said county.

Information in due form of law having been filed in my office alleging that C. D. residing at....., said..... is insane, and a proper subject for

Add form "F" as follows.

F. Warrant of Commitment.

STATE OF MINNESOTA, }

ss.

County of..... } In Probate Court.

In the matter of the insanity of.....

To the superintendent of the.....state hospital for the insane. C D upon examination having been found to be insane, you are therefore required to receive him (or her) into the said hospital, and keep him (or her) there until legally discharged.

In witness whereof I have hereunto set my hand and official seal this.....day of.....18.....

.....
Judge of Probate,

.....Co Minn.

Receipt of Superintendent

I have this day received the within-named patient with a duplicate of this warrant and a certified copy of the certificate of the commissioners in lunacy at the hands of.....attended by.....
The patient is in.....condition.

Signed

.....
Superintendent.

Add form "G" as follows:

G Commission to Physician.

STATE OF MINNESOTA, }

ss.

County of..... } In the Probate Court

In the matter of the lunacy of C. D. alleged insane

To.....and.....legally qualified physicians and commissioners in lunacy.....county, state of Minnesota:

Information in due form of law having been filed in my office, alleging that one C. D. a resident of.....county in said state is insane, and a proper subject for custody and treatment in a hospital for the insane, you are hereby appointed as an examiner in lunacy to appear before me at my office in said county on the.....day of.....18.....at.....o'clock.....m., to make examination of the mental condition of said C. D. and after the completion of said examination to certify to this court as required by law whether said C D. be insane as alleged in said information. Witness my hand and official seal this.....day of.....A D 18.....

(Seal)

.....
Judge of Probate.

Add form "H" as follows

H Notice to county attorney
STATE OF MINNESOTA, }

ss.

County of..... } In Probate Court
In the matter of the lunacy of C. D. alleged insane.

To the Hon..... county attorney of
said county Sir:

Please to take notice that information in due form of law has been filed in my office, alleging the insanity of C. D. a resident of said county, and an order in due form of law has been issued to the sheriff of said county to bring said C. D. before said court for examination.

Therefore you are hereby notified and required to appear before me at my office in said county on theday of.....18.....at o'clock.....m. to represent said C D, and take part in and conduct on his behalf the said examination and inquiry into his, said C D's lunacy.

Witness my hand and official seal this.....day of
..... 18.....

(Seal)

Judge of Probate.

Approved April 25th, 1895.

H. F. No. 595.

CHAPTER 120.

Farmers'
institutes.

An act to amend sections one (1) and nine (9) of chapter one hundred and fifty-six (156) of the general laws of Minnesota for the year eighteen hundred and ninety-one (1891), and an act to amend section one (1) of chapter one hundred and thirty-three (133) of the general laws of Minnesota for the year eighteen hundred and ninety-three (1893) the same being an act to establish and maintain farmers' institutes in Minnesota.

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

SECTION 1. Section one (1) of chapter one hundred and fifty-six (156) of the general laws for the year one thousand eight hundred and ninety-one (1891) is hereby amended so as to read as follows;

Appropriation.

Section one (1). That the sum of thirteen thousand five hundred (13,500) dollars shall be and is hereby annually appropriated beginning with the fiscal year commencing August first (1st) one thousand eight hundred and ninety-five (1895) for the maintenance of farmers