

CHAPTER 338—S. F. No. 389.

An Act to provide for the erection, equipment and maintenance of an asylum for mentally infirm and dangerous persons, and the commitment and transfer of such persons thereto, and regulating their confinement therein.

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

Asylum for dangerous insane.—Section 1. The state board of control is hereby authorized and directed to erect, equip and maintain, in connection with a state hospital at St. Peter, a suitable building, to be known as the State Asylum for the Dangerous Insane, for the purpose of holding in custody and caring for such insane persons, idiots, imbeciles and epileptics as may be committed thereto by courts of criminal jurisdiction, or otherwise, or transferred thereto by said board, and for such persons as may be declared insane while confined in any penal institution, or who may be found to be mentally infirm and dangerous, and it shall supervise and manage the same as in the case of other state hospitals or asylums.

Proceedings.—Sec. 2. Whenever any person confined in the state prison or any other penal institution in the state is alleged to be insane, the warden or other person in charge shall forthwith notify the state board of control, which shall cause the prisoner to be examined by the probate court of the county where he is confined, as in the case of other insane persons. In case he is found to be insane, he shall be transferred by the order of the court to the state asylum for the dangerous insane, there to be kept and maintained as in the case of other insane persons. If, in the judgment of the superintendent, his sanity is restored before the period of his commitment to the penal institution has expired, he shall be removed by the state board of control, upon the certificate of the superintendent, to the institution whence he came, and there complete the period of his sentence.

Allowances.—Sec. 3. Whenever any convict is discharged from the asylum for the dangerous insane, he shall receive the same allowances in money, clothing and otherwise which he would have received had he remained at the institution from which he was received, and the expenditures in his behalf shall be made out of the same fund. While he is at said asylum, he shall be clothed and supported as are other insane patients.

Transfer proceedings.—Sec. 4. Whenever any criminal shall be transferred to said asylum, the original warrant of his commitment to the penal institution shall be sent with him and returned to the penal institution upon his return or discharge. A certified copy thereof shall be preserved at the penal institution.

Service continual.—Sec. 5. A prisoner who is removed or returned under this act shall be held in the place to which he is so removed or returned in accordance with the terms of his original sentence, unless sooner discharged, and the period for which he is removed shall be counted as a part of the term of the confinement.

Commission before conviction.—Sec. 6. Whenever any person under indictment or information and before trial thereon, shall be found to be insane, an idiot, or an imbecile and to have homicidal tendencies; or whenever, during the trial of any person, on an indictment or information, such person shall be found to be insane, an idiot, or an imbecile and to have homicidal tendencies, the court in which such indictment or information is filed shall forthwith commit such person to said asylum for the dangerous insane for safekeeping and treatment, and such person shall be received and cared for thereat until he shall recover, when he shall be returned to the court from which he was received, there to be dealt with according to law.

Transfer.—Sec. 7. Whenever any inmate of a state hospital or asylum for the insane or the school for feeble-minded and colony for epileptics, is found by the state board of control to have homicidal tendencies, or to be under sentence or indictment or information, he shall be transferred by the board to said asylum for the dangerous insane for safekeeping and treatment.

Correspondence without censorship.—Sec. 8. Any inmate may correspond freely without censorship with the governor and with the state board of control or any member thereof.

Sec. 9. All acts and parts of acts inconsistent herewith are hereby repealed.

Sec. 10. This act shall take effect and be in force from and after its passage.

Approved April 23, 1907.