

dred and seventy (1870) is hereby amended by adding at the end thereof the following :

Whenever the said board of managers shall ascertain that any person has been received into said school pursuant to the sentence of the district court, who, at the time of said sentence, was over sixteen (16) years of age, they may cause said person to be returned by the person in charge of said school to the custody of the sheriff of the county in which he was sentenced ; and it is hereby made the duty of said sheriff to receive the said person into his possession and to hold him in custody subject to the order of the court. Whenever the sheriff of any county shall have regained the custody of any such person, he shall forthwith notify the county attorney of his county of the fact, and said county attorney shall thereupon move the court at the earliest opportunity thereafter to order said person to be brought before it. The court shall thereupon cause the prisoner to be brought before it at such time as shall seem expedient, and if it shall then appear that the prisoner was more than sixteen (16) years of age when sentenced to said reform school the court shall then proceed to sentence him for the crime of which he was convicted, regardless of the erroneous sentence previously imposed.

Cases of erroneous sentence of persons over sixteen years.

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

When act to take effect.

Approved April 2, 1889.

## CHAPTER 262.

[S. F. No. 381.]

### AN ACT TO SECURE POSTAL RIGHTS TO INMATES OF HOSPITALS OR ASYLUMS FOR INSANE.

*Be it enacted by the Legislature of the State of Minnesota.*

SECTION 1. That it shall be the privilege of each and every inmate committed to any public or private hospital or asylum for the insane in this state, on entering the institution, or at any time thereafter, to choose one (1) individual not connected with the said institution as a correspondent, with whom the said inmate shall be allowed to communicate freely in writing; and there shall be no censorship exercised or allowed by any of the officers or employes of any such institution over letters written by inmates to such correspondents. Each inmate shall have the right to choose a new correspondent instead of the one

Each inmate may choose correspondent.

previously chosen every three (3) months if he or she desires so to do. *Provided*, that whenever it shall appear to the state board of corrections and charities, or to their secretary, that the person chosen as correspondent by any inmate is not a fit person to be so chosen, the said board or its secretary may require the said inmate to choose a new correspondent.

Superintendent to post up a list.

SEC. 2. *Superintendent to post up a list.*—It shall be the duty of the superintendent of each hospital or asylum for the insane, to keep registered and posted in some public place at the said institution the name and post office address of each individual chosen as correspondent under this act, and the name of the inmate choosing such correspondent. When any person is chosen as correspondent by any inmate, the superintendent shall notify the said correspondent within three (3) days that he has been so chosen and inquire whether he will act as such correspondent. In case the correspondent shall decline to act, the superintendent shall notify the inmate without delay and give opportunity for a new choice.

Superintendent to provide registers and stationery.

SEC. 4. *Superintendent to provide registers and stationery.*—It shall be the duty of the superintendent of each hospital or asylum for insane to furnish each assistant physician with a pocket register of correspondence in such form as the state board of corrections and charities may prescribe and to keep on hand a supply of stamped envelopes, paper and postal cards which shall be used for such correspondence.

Such registers and stationery shall be furnished on requisition of the assistant physicians and shall be paid for from the current expense fund of the said institutions.

Duties of assistant physicians.

SEC. 5. *Duties of assistant physicians.*—It shall be the duty of each assistant physician or the superintendent if there be no assistant physicians, in any hospital or asylum for the insane, to carry with him during his daily rounds through the wards of the institution the pocket register of correspondence which shall be furnished by the superintendent.

The said assistant physicians shall on the day when any inmate is committed to the institution or at any time thereafter when the said inmate shall so request record correctly in the said register the name and post office address of the person chosen by the said inmate as correspondent in accordance with this act and shall report the same to the superintendent.

It shall be the duty of the said assistant physicians on their daily rounds to receive the requests of any inmate who may desire to write to the correspondents so chosen, to record the same then and there on the said register of correspondence and, within twenty-four (24) hours thereafter, to furnish or cause to be furnished to the said inmate one (1) or more sheets of writing paper, a stamped envel-

ope, and a postal card addressed to the superintendent and having printed on the reverse side a receipt in the following form: •

“Received of the superintendent of the hospital (or asylum) for the insane at . . . . ., Minnesota, a letter written by . . . . ., an inmate of the institution.

Signed . . . . .”

*Provided*, That the said assistant physician shall not be required to furnish stationery for this purpose to any one (1) inmate oftener than once a week. The inmate shall enclose the said postal card with the letter in the stamped envelope, which shall be legibly addressed to the said correspondent, and shall deliver the same sealed to the said assistant physician, who shall deliver the said letter on the same day to the superintendent, taking his receipt therefor on the register of correspondence.

Whenever any letter or postal card from any correspondent chosen under this act shall be delivered to any assistant physician by the superintendent he shall deliver the same to the inmate to whom it is addressed without unnecessary delay, taking the receipt of the said inmate therefor.

SEC. 6. *Superintendent to mail and deliver letters.*—It shall be the duty of the superintendent upon receipt of such letter from the assistant physician if he shall find that the said letter is addressed to a correspondent duly chosen under this act to place such letter or cause it to be placed in the United States mail without opening or reading the same.

Superintendent to mail and deliver letters.

It shall be the duty of the said superintendent to request the said correspondents to write their names on the outside of letters sent by them to inmates. The said superintendents shall deliver such letters to the assistant physicians to be given to the inmates to whom they are addressed, unless in the judgment of the said superintendents the receipt of such letters would be injurious to such inmates, in which case they shall forthwith notify such correspondents that such letters are withheld, stating the reasons therefor and record the facts in the register of correspondence.

No letter written by a correspondent to an inmate shall be opened by any superintendent unless he has reason to suspect that it contains such matter as ought not to be delivered to the said inmate, in which case he shall record the fact that such letter has been opened and the reasons therefor, in the register of correspondence.

SEC. 7. *Inmates may correspond with the governor and the secretary of the state board of corrections and charities.*—Each and every inmate of any hospital or asylum for insane in this state shall have the privilege of communicating in writing with the governor and the secretary of the state board of corrections and charities in the same

Inmates may correspond with the governor and the secretary of the state board of corrections and charities.

manner and under the same regulations as with the correspondents chosen under this act.

Penalties.

SEC. 8. *Penalties.*—Any superintendent, assistant physician or employe of any hospital or asylum for insane, or any person refusing or neglecting to comply with or willingly or knowingly violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment not less than thirty (30) or more than ninety (90) days, or by a fine not less than fifty (50) or more than one hundred (100) dollars, and shall be thereafter disqualified from holding any office or position in any hospital or asylum for the insane in this state.

Investigation.

SEC. 9. *Investigation.*—It shall be the duty of the superintendent of each hospital or asylum for the insane in this state, every trustee of such institution, every member of the state lunacy commission, every member of the state board of corrections and charities, to investigate any alleged violation of the provisions of this act which may be brought to their attention when visiting any asylum or hospital for insane in this state.

Act to be posted.

SEC. 10. *Act to be posted.* A copy of this act, printed in pica type, shall be framed and posted in every ward of every insane hospital or asylum, public or private, in the state of Minnesota.

Repealing clause.

SEC. 11. *Repealing clause.* Chapter one hundred and forty-six (146) of the general laws of one thousand eight hundred and eighty-seven (1887), is hereby repealed.

When act to take effect.

SEC. 12. *When to take effect.* This act shall take effect and be in force from and after the first (1st) day of May one thousand eight hundred and eighty-nine (1889).

Approved April 24, 1889.

## CHAPTER 263.

[S. F. No. 451.]

AN ACT TO AMEND SECTION THIRTY-TWO (32) OF TITLE THREE (3) OF CHAPTER THIRTY-FIVE (35) OF THE GENERAL STATUTES OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT (1878), RELATING TO DUTIES OF SUPERINTENDENT OF HOSPITAL FOR INSANE.

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

SECTION 1. That section thirty-two (32) of title three (3) of chapter thirty-five (35) of the general statutes of