

MINNESOTA STATUTES 1953 ANNOTATIONS

252.04 FEEBLEMINDED; EPILEPTICS; SCHOOLS, COLONIES

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252.04 PERSONS ADMITTED; CHARGES FOR CARE AND TREATMENT

HISTORY. 1866 c 6 s 26; 1868 c 18 s 15; 1885 c 160 s 1; 1887 c 205 s 6, 7; 1888 Supp c 35 c 6, 7; GS 1894 s 3442, 3443; RL 1905 s 1914; 1909 c 80 s 1; Mason's 1927 s 4500; 1931 c 74 s 1; Mason's Supp s 4500; 1953 c 678 s 1.

County's claim against the estate of an epileptic person for moneys paid to the director of public institutions was barred by the statute of limitations because incurred more than six years prior to the death of said person. OAG April 7, 1947 (107-B-4).

A person committed to the school for feeble-minded on Feb. 5, 1935, was transferred to the hospital for the insane on Feb. 27, 1942. The patient's guardian, having paid the monthly amount chargeable while the patient was an inmate of the school for the feeble-minded, the said school has no further claim. The inmate having been permanently transferred to the hospital for the insane, any charge must be determined by the provisions of section 526.01. This section does not provide for a claim against a county of the settlement of the inmate. Laws 1947, Chapter 534, has no application. OAG Feb. 27, 1948 (248-A-1).

252.06 SHERIFF TO TRANSPORT FEEBLEMINDED AND EPILEPTIC PERSONS

Where a committed insane person was provisionally discharged but was to be returned to the hospital at the request of the superintendent, the duty of transportation did not rest on the sheriff of the county of location or commitment. OAG Nov. 23, 1949 (390-C-6).

252.07 SHERIFF, EXPENSES

HISTORY. 1921 c 76 s 2; Mason's 1927 s 4504; Ex1936 c 57 s 2; 1947 c 212 s 2; 1951 c 339 s 1.

Section 252.07, as amended, fixes the compensation of a woman who accompanies committed female feeble-minded or epileptic patients to a place of confinement; but in other commitments mentioned in section 525.74 compensation therein provided at \$3 per day still applies. OAG June 27, 1951 (390-A-8).

When the sheriff receives a salary, section 525.754 does not apply so as to give him additional compensation, but in a county where the sheriff receives no salary, Laws 1951, Chapter 339, amending this section, provides that he receives greater compensation than does section 525.754. The latest enacted statute is inconsistent with the former and supersedes it. OAG June 21, 1951 (290-A-8).

CHAPTER 253

HOSPITALS AND ASYLUMS FOR INSANE

253.01 Repealed, 1947 c 491 s 2.

253.014 STATE HOSPITAL, SANDSTONE

HISTORY. 1951 c 10 s 1.

Mental incompetency. 36 MLR 179.

253.015 LOCATION; MANAGEMENT; COMMITMENT; SUPERINTENDENT

HISTORY. 1947 c 491 s 1; 1951 c 10 s 2.

253.02 Repealed, 1947 c 491 s 2.

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HOSPITALS AND ASYLUMS FOR INSANE 253.21

253.03 Repealed, 1947 c 622 s 14.

253.04 Repealed, 1947 c 622 s 14.

253.05 Repealed, 1947 c 622 s 14.

253.053 HEARINGS TO DETERMINE INSANITY IN CERTAIN CASES

HISTORY. 1945 c 138 s 1.

253.06-253.09 Repealed, 1947 c 491 s 2.

253.12 DUTIES OF SUPERINTENDENT

HISTORY. 1887 c 146 s 2; GS 1878 Vol 2 (1888 Supp) c 35 s 26b; 1893 c 5 s 30, 32, 33, 36; GS 1894 s 3476, 3479, 3482; RL 1905 s 1919; GS 1913 s 4094; GS 1923 s 4520; MS 1927 s 4520.

NOTE: Powers and duties formerly imposed on director of public institutions were transferred to commissioner of public welfare. See section 245.04.

Superintendent of state hospitals is authorized to fingerprint patients whose previous whereabouts or relatives could not be ascertained and trace their identity through the FBI. OAG May 24, 1950 (248).

253.14 Repealed, 1953 c 342 s 1.

253.15 PATIENTS MAY BE PAROLED IN CERTAIN CASES

Leave of absence may be granted by the superintendent of the state hospital to a person committed as an insane person without placing the patient on the provisional discharge status under the provisions of sections 525.753 or 525.761. OAG Feb. 1, 1952 (248-A-2).

253.16 DISCHARGE OF PATIENTS

HISTORY. 1866 c 6 s 20; 1867 c 12 s 5; 1868 c 18 s 11; 1872 c 16 s 6; GS 1878 c 35 s 24; 1893 c 5 s 45; GS 1894 s 3491; RL 1905 s 1923; GS 1913 s 4098; GS 1923 s 4524; MS 1927 s 4524.

The authority of the probate court is granted by the constitution and cannot be divested by the legislature. Such authority extends to insane persons who are subject to guardianship. The laws relating to insane persons apply to persons having a psychopathic personality. All laws applicable to persons found to be dangerously insane apply to psychopathic personalities. No patient found by the committing court to be dangerous to the public shall be released except upon an order of a court of competent jurisdiction. OAG Sept. 13, 1949 (248-B-11).

253.17 FEEBLEMINDED CHILDREN TRANSFERRED TO SCHOOL FOR FEEBLEMINDED

HISTORY.. 1879 c 31 s 3, 4; GS 1878 Vol 2 (1888 Supp) c 35 s 28b, 28c; 1893 c 5 s 46; GS 1894 s 3492; RL 1905 s 1924; GS 1913 s 4099; GS 1923 s 4525; MS 1927 s 4525.

253.19 ANNUAL REPORT

HISTORY. 1866 c 6 s 26; 1868 c 18 s 15; GS 1878 c 35 s 29; 1893 c 5 s 8, 52; GS 1894 s 3454, 3498; RL 1905 s 1926; GS 1913 s 4101; GS 1923 s 4527; MS 1927 s 4527.

253.21 COMMITMENT; PROCEEDINGS; RESTORATION TO SANITY

Where the director of public institutions, proceeding under section 253.21, transfers a prisoner from the state prison or reformatory to a state mental hospital,

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253.24 HOSPITALS AND ASYLUMS FOR INSANE

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the county in which is located the prison or reformatory is not required to pay to the state the monthly charge under the provision of section 246.31, subdivision 4, as is the case of other commitments. OAG July 1, 1947 (248).

Where the probate court in the exercise of its discretion has committed a mentally ill convict to the asylum for the dangerously insane, the right of a director to transfer patient between institutions has no application, and the patient must remain in the custody of the superintendent of the asylum for the dangerously insane until the commitment is released by court order, or until the patient has been restored and returned to the penal institution; and this though quite often a dangerously insane tuberculosis patient would benefit by transfer to other institutions which have more elaborate facilities for treatment. OAG July 3, 1952 (248-A-7).

When a girl confined at the state school at Sauk Centre is committed to one of the hospitals mentioned in Laws 1947, Chapter 534, the county which actually makes the commitment and not the county of the inmate's residence is the committing county; but the county where the school is located may refuse to take action and refer the matter to the county of the inmate's residence. OAG Oct. 27, 1947 (248-B-3).

253.24 TERMS OF SENTENCE

Where a prisoner is sentenced to prison and the sentence suspended while he is committed to the state hospital at St. Peter as a psychopathic, upon return to the sheriff who delivers him to the state prison, the time which the prisoner served as a psychopathic at St. Peter, may be deducted in computing the length of his term. OAG July 26, 1950 (341-K-10).

CHAPTER 254

ASYLUMS, HOSPITALS, INEBRIATE FARM

254.06 SUPERINTENDENT

HISTORY. Amended, 1951 c 713 s 26.

NOTE: Powers and duties formerly imposed upon the director of public institutions transferred to the commissioner of public welfare. See section 245.04.

254.08 Repealed, 1947 c 622 s 14.

CHAPTER 255

SENILE PERSONS

255.01-255.12 Repealed, 1947 c 622 s 14.