

# MAINE STATE LEGISLATURE

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# FIFTY-EIGHTH LEGISLATURE.

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HOUSE.

No. 143.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SEVENTY-NINE.

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AN ACT to amend chapter one hundred thirty-seven of the revised statutes, relating to the disposal of insane criminals.

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*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:*

SECTION 1. Section second of chapter one hundred thirty-seven of the revised statutes is hereby amended by inserting therein, after the word "to," as it is first found in the seventh line of said section, the words "the insane department of the state;" and also striking out all in said section after the words "insane hospital," in same line, and adding thereto the following words: "And any person so committed to the insane department of the state prison, shall be discharged by the court.

11 having jurisdiction of the case, only on satisfactory  
12 proof that his discharge will not endanger the peace  
13 and safety of the community; and when on satis-  
14 factory proof such person so discharged from the  
15 insane department of the state prison is again found  
16 insane and dangerous, any judge of the supreme  
17 judicial court may, by a precept stating the fact of  
18 his insanity, recommit him to the insane department  
19 of the state prison, or to the insane hospital;” so  
20 that said section as amended shall read as follows:

21 *Sect. 2.* When the grand jury omits to find an  
22 indictment against any person arrested by legal  
23 process to answer for any offence, by reason of his  
24 insanity, they shall certify that fact to the court;  
25 and when a traverse jury, for the same reason, ac-  
26 quits any person indicted they shall state that fact  
27 to the court when they return their verdict, and the  
28 court, by a precept stating the fact of insanity, may  
29 commit him to the insane department of the state  
30 prison, or to the insane hospital; and any person  
31 so committed to the insane department of the state  
32 prison, shall be discharged by the court having  
33 jurisdiction of the case, only on satisfactory proof  
34 that his discharge will not endanger the peace and  
35 safety of the community; and when on satisfactory  
36 proof such person so discharged from the insane

37 department of the state prison is again found insane  
38 and dangerous, any judge of the supreme judicial  
39 court may, by a precept stating the fact of his in-  
40 sanity, recommit him to the insane department of  
41 the state prison, or to the insane hospital.

SECT. 2. Section third of same chapter is hereby  
2 amended by inserting in the first line, next after  
3 the word "committed," the words "to the insane  
4 hospital," so that the first clause of said section  
5 shall read as follows:

6 *Sect. 3.* Any person so committed to the insane  
7 hospital may be discharged by any judge of the  
8 supreme judicial court, in term time or vacation, on  
9 satisfactory proof that his discharge will not en-  
10 danger the peace and safety of the community.

# STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES, }  
February 20, 1879. }

Reported from the Committee on Legal Affairs, by Mr. CURRAN  
of Calais, and ordered printed under the Joint Rule.

B. L. STAPLES, *Clerk.*