

MAINE STATE LEGISLATURE

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Sixty-Sixth Legislature.

HOUSE.

No. 365.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND NINETY-THREE.

AN ACT to amend Chapter one hundred and thirty-seven
of the Revised Statutes of Maine relating to Insane
Criminals.

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

SECTION 1. Sections five, six and seven of chapter one
2 hundred and thirty-seven of the Revised Statutes, are
3 hereby amended so as to read as follows :

‘Section 5. When a convict in the State prison or a
5 county jail becomes insane the warden or jailer shall
6 notify the governor of that fact, who, with the advice of
7 the council shall appoint a commission of two or more
8 skilful physicians to investigate the case and if they find
9 such convict insane, he shall be sent by order of the
10 Governor and Council to the insane department of the

11 State prison, until he becomes of sound mind. If this
12 takes place before the expiration of the term of his sen-
13 tence he shall be returned to the prison or jail from which
14 he was removed; if the term of his sentence has expired
15 he shall be discharged free. Inmates of county jails
16 becoming insane before final conviction may be committed
17 to the insane hospital. The superintendent of the insane
18 hospital shall visit the insane department of the State
19 prison not less than once each month to advise with the
20 prison physician and warden as to the proper care, treat-
21 ment and disposition of the convicts in said department.
22 Whenever any convict in said department at the expira-
23 tion of his term of sentence shall, in the opinion of said
24 superintendent, prison physician and warden be so far
25 insane that his discharge will endanger the peace and
26 safety of the community they shall make a certificate
27 setting forth briefly the facts of his sentence and its
28 expiration and their opinion of his insanity, which certifi-
29 cate shall be by the warden recorded and he shall detain
30 said convict in said department till in the opinion of said
31 superintendent, prison physician and warden he becomes
32 of sound mind. All the expenses of said superintendent
33 in connection with said department, as well as those of
34 the commission, removal and support of said convicts
35 under this and sections six and seven of this chapter as
36 hereby amended shall be paid by the State by order of
37 the Governor and Council, from State prison appropria-
38 tions.'

'Section 6. Insane convicts now in the insane hospital
40 upon satisfactory proof that a longer residence therein
41 will have a deleterious influence on the other patients may

42 be committed by the order of the Governor and Council
43 setting forth the circumstances under which they have
44 been detained in said hospital, to the insane department
45 of the State prison to be there detained until of sound
46 mind, subject to the provisions and conditions of the
47 preceding section as amended by this act.'

'Section 7. If a person convicted under section two of
49 chapter one hundred and eighteen is found by the court
50 to be insane when motion for sentence is made, the court
51 may cause him to be removed to the insane department
52 of the State prison under such limitations as the court
53 may direct.'

SECT. 2. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
March 20, 1893. }

Reported by Mr. BIRD of Portland, from Committee on Judiciary,
and ordered printed under joint rules.

W. S. COTTON, *Clerk.*