

MAINE STATE LEGISLATURE

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NEW DRAFT.

Seventy-first Legislature.

SENATE.

No. 2

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THREE.

AN ACT to amend chapter one hundred and forty-three of the
Revised Statutes relating to Insane Persons.

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

Section 1. Section thirteen of chapter one hundred and
2 forty-three of the Revised Statutes, as amended by chapter
3 two hundred and forty-four of the Public Laws of eighteen
4 hundred and ninety-seven, is hereby amended as follows :

In line four strike out the word "relative," and instead
6 thereof insert the words "blood-relative, husband or wife of
7 said alleged insane person," also in the same line strike out the
8 words "in their town," also in line six after the word
9 "insane;" insert 'shall appoint a time and place for a hearing

10 by them of the allegations of said complaint, and shall cause
11 to be given in hand to the person so alleged to be insane, at
12 least twenty-four hours prior to the time of said hearing, a
13 true copy of said complaint, together with a notice of the time
14 and place of said hearing and that he has the right and will
15 be given opportunity then and there to be heard in the mat-
16 ter;’ also in line nine strike out the words “to the hospital”
17 and instead thereof insert the words ‘either to the Maine
18 Insane Hospital or to the Eastern Maine Hospital,’ so that
19 said section, as amended, shall read as follows :

‘Sect. 13. Insane persons, not thus sent to any hospital,
21 shall be subject to examination as hereinafter provided.
22 The municipal officers of towns shall constitute a board of
23 examiners, and on complaint in writing of any blood-relative,
24 husband or wife of said alleged insane person, or of any
25 justice of the peace, they shall immediately inquire into the
26 condition of any person in said town alleged to be insane;
27 shall appoint a time and place for a hearing by them of the
28 allegations of said complaint, and shall cause to be given in
29 hand to the person so alleged to be insane, at least twenty-
30 four hours prior to the time of said hearing, a true copy of
31 said complaint, together with a notice of the time and place
32 of said hearing and that he has the right and will be given
33 opportunity then and there to be heard in the matter; shall
34 call before them all testimony necessary for a full under-
35 standing of the case; and if they think such person insane,
36 and that his comfort and safety, or that of others interested,
37 will thereby be promoted, they shall forthwith send him
38 either to the Maine Insane Hospital or to the Eastern Maine
39 Insane Hospital, with a certificate stating the fact of his
40 insanity, and the town in which he resided or was found at
41 the time of examination, and directing the superintendent to
42 receive and detain him until he is restored or discharged by
43 law, or by the superintendent or trustees. They shall keep

44 a record of their doings, and furnish a copy to any interested
45 person requesting and paying for it.'

Sect. 2. Section thirty-four of chapter one hundred and
2 forty-three of the Revised Statutes is hereby amended as
3 follows: Strike out all of said section, and instead thereof
4 insert:

'Sect. 34. In all cases of preliminary proceedings for the
6 commitment of any person to the hospital, to establish the fact
7 of the insanity of the person to whom insanity is imputed
8 there shall be required the evidence of at least two reputable
9 physicians given by them under oath before the board of
10 examiners, together with a certificate signed by such physi-
11 cians and filed with said board, that in their opinion such per-
12 son is insane, such evidence and certificate to be based upon
13 due inquiry and personal examination of the person to whom
14 insanity is imputed; and a certified copy of the physicians'
15 certificate shall accompany the papers of commitment of the
16 insane person to the hospital.'

STATE OF MAINE.

IN SENATE, January 15, 1903.

Reported by Mr. WING from Committee on the Judiciary, and laid on table to be printed under joint rules.

KENDALL, M. DUNBAR, *Secretary*.