

# MAINE STATE LEGISLATURE

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Legislative Document

No. 543

H. P. 939

House of Representatives, February 11, 1943.

Referred to Committee on Insane Hospitals. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Maxwell of Bangor.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-THREE

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**AN ACT Relating to the Disposal of Insane Criminals.**

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Be it enacted by the People of the State of Maine, as follows :

**P. L., 1933, c. 1, § 417, amended.** Chapter 1 of section 417 of the public laws of 1933 is hereby amended to read as follows :

**‘Sec. 417. Proceedings when grand jury omit to indict, or traverse jury acquit on account of the insanity of the accused, transfer from one hospital to the other.** When the grand jury omit to find an indictment against any person arrested to answer for an offense, by reason of his insanity, they shall certify that fact to the court; and when a traverse jury, for the same reason, acquit any person indicted, they shall state that fact to the court when they return their verdict; and the court, by a precept stating the fact of insanity, may commit him to the department for the criminal insane at the Augusta state hospital or to either insane hospital; ~~and~~ **The court, or any justice thereof in vacation, upon application may for cause shown, whenever it appears that the peace and safety of the community will be promoted, order any person who is now or may hereafter be committed as provided in this section removed and transferred from one hospital for the insane to the other, and enforce such order by appropriate precept. The expense of such transfer shall be paid as provided in section 403 of this chapter.** Any person so committed shall be discharged by the court

having jurisdiction of the case only on satisfactory proof that his discharge will not endanger the peace and safety of the community; and when such person so discharged is on satisfactory proof again found insane and dangerous, any justice of the superior court may, by a precept stating the fact of his insanity, recommit him to the department for the criminal insane at the Augusta state hospital or to either insane hospital.'