

CHAPTER 253

HOSPITALS AND ASYLUMS FOR THE INSANE

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**253.01 LOCATION; SUPERINTENDENTS.** The state hospitals for the insane at St. Peter, Rochester, Fergus Falls, and Moose Lake and the state asylums for the insane at Anoka and Hastings shall be maintained, under the general management of the director of public institutions, and all conveyances and transfers of land, buildings, property, and funds heretofore made for any of them, are hereby confirmed. The chief executive officer of each shall be known as the superintendent.

[R. L. s. 1915; 1927 c. 59 s. 1; Ex. 1936 c. 5 s. 1] (4508)

**253.02 DETENTION HOSPITALS.** The director of public institutions shall establish, erect, equip, and maintain, in connection with the state hospitals for the insane, five detention hospitals, to be known as first, second, third, fourth, and fifth state detention hospitals, which shall be under the supervision, respectively, of the superintendent of the state hospital for the insane, at which it is located. The director of public institutions shall determine to what detention hospital patients shall be committed from each county and notify the probate judge thereof and of changes made from time to time. Each person found to be insane, except those criminally insane, shall be committed to the proper detention hospital, there to be kept and treated until the superintendent shall determine and certify either that he is not insane or that he is a fit subject for a state hospital for the insane. If he is found to be sane he shall be discharged, as provided by law in other cases. If, after a reasonable time, the superintendent deems him a fit subject for a state hospital or asylum, and so certifies to the director of public institutions, the director of public institutions shall transfer him to a hospital or asylum, to be detained and treated as provided by law.

[R. L. s. 1916; 1907 c. 48; 1909 c. 224 s. 1; 1945 c. 547 s. 1] (4509)

**253.03 PATIENTS, HOW ADMITTED; DISCHARGE.** Any person believing himself to be afflicted with mental disease and desiring to receive treatment therefor at a detention hospital may voluntarily place himself therein. Before being admitted thereto he shall make and sign such written application as may be provided by the director of public institutions for such admission, and when such application has been so signed, in presence of two witnesses not officers or employees of the detention hospital, and delivered to the superintendent thereof, such applicant may be received into the hospital for treatment. The superintendent is hereby authorized and empowered to continue such detention in the same manner as the custody of inmates of state hospitals for the insane is maintained, as provided by law, when in his judgment the condition of the patient is such that his own safety or that of the public, or both, requires such detention. Should such patient demand of the superintendent his release from the detention hospital and should such release be deemed unsafe, the superintendent shall, within three days, call in the state hospital commission herein provided for, which commission shall at once take charge of the case and determine, as hereinafter provided, whether such patient

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is insane. If adjudged insane, he shall be committed to the hospital for the insane. If found to be sane, he shall be required to leave the hospital.

[1907 c. 48; 1909 c. 224 s. 3] (4511)

**253.04 APPLICATION FOR ADMISSION OF INSANE PERSON BY RELATIVE OR BY GUARDIAN; DUTIES OF JUDGE OF PROBATE.** - Any husband, wife, parent, son, daughter, or guardian, believing wife, husband, father, son, daughter, mother, brother, sister, or ward to be afflicted with a mental disease for which such person should be treated at a detention hospital, may apply to the judge of probate of the county in which such proposed patient is a resident for the appointment of a board of three physicians, one of whom shall be the family physician, if there be such. The judge of probate of such county shall immediately appoint such board which shall determine whether the proposed patient is, in fact, mentally disturbed and in need of treatment at such detention hospital; and, if a majority of such board so determine, the proposed patient may be placed in such detention hospital by such relative, who shall sign the necessary application therefor, in the same manner and under the same restrictions and provisions as to detention, commitment to a hospital for the insane, or release, as provided in section 253.03 for voluntary commitments.

[1907 c. 48; 1909 c. 224 s. 4] (4512)

**253.05 INFORMATION FILED WITH JUDGE; BOARD OF EXAMINERS.** When information is filed with any judge of probate that a resident of his county is in need of treatment at such detention hospital, he shall make proper investigation and, if the investigation so made substantiates the information filed, he shall at once appoint a board as provided in section 253.04, which shall proceed in the same manner and under the same restrictions as provided therein to determine whether the proposed patient is in need of such treatment; and, if it shall so determine, such patient shall be placed in such detention hospital under the same restrictions as to detention, commitment to the hospital for the insane, or release, as provided in section 253.03 for voluntary commitments. The members of the board provided for in sections 253.04 and 253.05 shall be paid the same amounts for services and travel as now provided by law for like service and in the same manner.

[1907 c. 48; 1909 c. 224 s. 5] (4513)

**253.053 HEARINGS TO DETERMINE INSANITY IN CERTAIN CASES.** Subdivision 1. **Interpreters at insanity hearings for persons deaf or dumb.** It shall be the duty of the judge of any court before which the question of the alleged insanity or feeble-mindedness of any person who is deaf and dumb, or either, is being determined to appoint a competent interpreter for the benefit of said alleged insane or feeble-minded person to interpret to and for said alleged insane or feeble-minded person the questions asked said alleged insane or feeble-minded person and his answers and all other oral court proceedings at the trial, and said alleged insane or feeble-minded person shall be entitled to have the services of such interpreter as a matter of absolute right.

Subd. 2. **Fees.** The fees and expenses of such interpreter shall be fixed and ordered paid by the judge of the trial court out of the general revenue fund of the county in which such trial occurs and the auditor and treasurer of such county shall cause such fees and expenses to be paid upon presentation of the order of such court.

Subd. 3. **Application.** This section shall apply to all persons whose means of communication includes the sign language and finger spelling.

[1945 c. 138]

**253.06 DISCHARGE FROM HOSPITAL.** When, in the judgment of the superintendent of a detention hospital, any person placed therein, either voluntarily or otherwise, has recovered, he shall be required to leave the institution. When the superintendent is of the opinion that any such person is in fact insane and that longer treatment in the detention hospital will be of no benefit, he shall report such case to the state hospital commission herein provided for, which shall at once proceed to determine whether such patient is insane. If adjudged insane he shall be committed as provided in section 253.03. If adjudged sane, he shall be required to leave the institution.

[1907 c. 48; 1909 c. 224 s. 6] (4514)

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**253.07 STATE HOSPITAL COMMISSION.** There is hereby created at each city or village where a state hospital for the insane is located a commission to be known as the state hospital commission. It shall be composed of three reputable persons, at least one of whom shall be a duly qualified physician. The members of the commission shall be appointed by the judge or judges of the district court of the county in which such detention hospital is situated, and shall hold office for two years or until their successors have been appointed and qualified by taking the oath of office prescribed by law, which oath shall be in writing and filed with the judge of probate of the county in which the institution is located. The commission shall have power to examine such alleged insane person and determine as to his sanity. Such examination, determination, and commitment shall be made as provided by law. When a person has been so committed all subsequent proceedings relating to his detention, discharge from the hospital, and restoration to capacity shall be governed by existing laws.

[1907 c. 48; 1909 c. 224 s. 7] (4515)

**253.08. TIMES OF MEETING.** The state hospital commission shall meet at the detention hospital as often as may be requested by the superintendent thereof, but not oftener than twice each month, except in cases requiring immediate action, as herein provided. Its members shall receive not to exceed \$10.00 per day for such service.

[1907 c. 48; 1909 c. 224 s. 8] (4516)

**253.09 TRANSFERS BETWEEN ASYLUMS; HOUSING OF MEN AND WOMEN.** Any building heretofore or hereafter erected for the housing of inmates at the Hastings and Anoka asylums for the insane may be used for the housing of men or women, as the director of public institutions may deem advisable, and the director of public institutions is hereby authorized to transfer inmates from either one to the other of the asylums whenever, in his judgment, the interests of the state require such transfer.

[1909 c. 63 s. 1] (4517)

**253.10 DEATH OR ILLNESS; NOTICE GIVEN NEXT OF KIN.** The superintendent of any state hospital or asylum for the insane shall give to the next of kin of any inmate thereof immediate notice of his death, serious illness, or special change in his condition and promptly and fully answer all letters of inquiry from relatives. Immediately after the death of a patient therein, he shall furnish for registration, to the proper clerk or health officer, and to the probate judge of the county from which he was committed, a certificate setting forth the name of the patient, his age, the duration of his last sickness, and the cause and date of his death. The expenses of all coroners' inquests upon persons dying in such institutions shall be paid from the appropriation for its current expenses.

[R. L. s. 1917] (4518)

**253.11 INMATES MAY SELECT CORRESPONDENTS.** Any inmate of a state hospital or asylum for the insane may select a correspondent outside the institution, with whom he may freely correspond without censorship, and may change the same once in each quarter. He may also in the same manner correspond with the governor and director of public institutions. The superintendent shall register the name and post-office address of every such correspondent, a copy of which register shall be posted in some public place in the institution. Within three days after such selection by an inmate, the superintendent shall notify the correspondent thereof; and, in case of his refusal to act, shall notify the inmate, who may select another. Each correspondent shall endorse his name and address upon all envelopes sent to such inmate.

[R. L. s. 1918] (4519)

**253.12 DUTIES OF SUPERINTENDENT.** Such inmate shall be furnished with necessary paper and stamped envelopes for such correspondence, and with a postal card addressed to himself, having a form of receipt for the letter on the reverse side, to be enclosed therein. Such letter and postal card, when enveloped, sealed, directed, and delivered to the superintendent, or an assistant physician, shall be mailed forthwith, without being opened or read. Every letter received from such correspondent, governor, or director of public institutions shall be delivered to the

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inmate unopened, unless there appear to be good reasons to the contrary, in which case the superintendent shall communicate such reasons to the writer. The facts in reference to such correspondence shall be at once entered in the register. A copy of sections 253.10 to 253.12, printed in pica type, shall be framed and posted in each ward of such institutions, and every violation of or non-compliance with their provisions shall be a misdemeanor.

[R. L. s. 1919] (4520)

**253.13 NOTICE OF ESCAPE.** When a state prison or reformatory convict who has been committed to a hospital or asylum for the insane escapes therefrom or dies therein, the superintendent shall immediately notify the chief executive officer of such prison or reformatory of such fact.

[R. L. s. 1920] (4521)

**253.14 INCURABLE INSANE.** When the superintendent of a state hospital or asylum for the insane shall report to the director of public institutions that any insane person in such institution or under his charge is incurable or not likely to be further benefited by treatment, that he may be safely cared for in a private family, and that his own family are not able to support him, the director of public institutions may authorize the superintendent to procure board for him in a suitable private family, at an expense not exceeding \$3.00 per week, to be paid from the current expense fund of the institution. Such superintendent, or an assistant physician, or other person delegated by the superintendent, shall visit him as often as once in three months, and may at any time direct his return to the institution.

[R. L. s. 1921] (4522)

**253.15 PATIENTS MAY BE PAROLED IN CERTAIN CASES.** The superintendent of any state hospital or asylum for the insane, when he deems it advisable that a patient should return home or remain away from the institution on trial, may allow him to be absent on parole for a period not exceeding one year. The order of commitment shall remain in force until he is legally discharged and he may be recalled at any time.

[R. L. s. 1922; 1931 c. 73] (4523)

**253.16 DISCHARGE OF PATIENTS.** The superintendent of any hospital or asylum for the insane may discharge any patient certified by him to be recovered unless charged with or convicted of some criminal offense. In all other cases, patients shall be discharged only by the director of public institutions. When the superintendent recommends the discharge of a patient, improved or unimproved, he shall state his reasons therefor.

[R. L. s. 1923] (4524)

**253.17 FEEBLE-MINDED CHILDREN TRANSFERRED TO SCHOOL FOR FEEBLE-MINDED.** The superintendent of any state hospital or asylum for the insane, with the approval of the director of social welfare shall from time to time select from the patients therein such idiotic and feeble-minded children or youths as in his opinion are proper subjects for training and instruction and transfer them, or as many thereof as can be received, to the school for the feeble-minded.

[R. L. s. 1924] (4525)

**253.18 CLOTHING AND MONEY.** Every inmate of any state hospital or asylum for the insane shall be furnished with suitable clothing at the expense of the state; and when discharged, if necessary, with sufficient money to defray his expenses home or to his friends, all of which shall be paid out of the current expense fund of the institution.

[R. L. s. 1925] (4526)

**253.19 ANNUAL REPORT.** On or before September 1 each year, the superintendent of each state hospital or asylum for the insane shall report to the director of public institutions the number of insane therein on July 31 preceding, giving the numbers of male and female and of the idiotic and epileptic separately, and a statistical exhibit of the admissions, discharges, and deaths, with causes of death, and such other facts and information as the director may require. Neglect to so report shall be a misdemeanor.

[R. L. s. 1926] (4527)

**253.20 ASYLUM FOR DANGEROUS INSANE.** The director of public institutions is hereby authorized and directed to erect, equip, and maintain in connection with a state hospital at St. Peter a suitable building to be known as the state asylum for the dangerous insane, for the purpose of holding in custody and caring for such insane persons, idiots, imbeciles, and epileptics as may be committed thereto by courts of criminal jurisdiction, or otherwise, or transferred thereto by the director of public institutions, and for such persons as may be declared insane while confined in any penal institution, or who may be found to be mentally infirm and dangerous, and he shall supervise and manage the same as in the case of other state hospitals or asylums.

[1907 c. 338 s. 1] (4528)

**253.21 COMMITMENT; PROCEEDINGS; RESTORATION OF SANITY.** When any person confined in the state prison or the state reformatory is alleged to be insane, the warden or other person in charge shall forthwith notify the director of public institutions, who shall cause the prisoner to be examined by the probate court of the county where he is confined, as in the case of other insane persons. In case he is found to be insane, he shall be transferred by the order of the court to the state asylum for the dangerous insane or to a state hospital for the insane in the discretion of the court, there to be kept and maintained as in the case of other insane persons. If, in the judgment of the superintendent, his sanity is restored before the period of his commitment to the penal institution has expired, he shall be removed by the director, upon the certificate of the superintendent, to the institution whence he came, and there complete the period of his sentence.

[1907 c. 338 s. 2; 1913 c. 540 s. 1] (4529)

**253.22 ALLOWANCES.** When any convict is discharged from the asylum for the dangerous insane he shall receive the same allowances in money, clothing, and otherwise which he would have received had he remained at the institution from which he was received and the expenditures in his behalf shall be made out of the same fund. While he is at the asylum he shall be clothed and supported as are other insane patients.

[1907 c. 338 s. 3] (4530)

**253.23 TRANSFER PROCEEDINGS.** When any criminal shall be transferred to the asylum for the dangerous insane the original warrant of his commitment to the penal institution shall be sent with him and returned to the penal institution upon his return or discharge. A certified copy thereof shall be preserved at the penal institution.

[1907 c. 338 s. 4] (4531)

**253.24 TERMS OF SENTENCE.** A prisoner who is removed or returned under sections 253.20 to 253.27 shall be held in the place to which he is so removed or returned in accordance with the terms of his original sentence unless sooner discharged and the period for which he is removed shall be counted as a part of the term of the confinement.

-[1907 c. 338 s. 5] (4532)

**253.25 COMMITMENT BEFORE CONVICTION.** When any person under indictment or information and before trial thereon shall be found to be insane, an idiot, or an imbecile and to have homicidal tendencies; or when during the trial of any person on an indictment or information such person shall be found to be insane, an idiot, or an imbecile and to have homicidal tendencies, the court in which such indictment or information is filed shall forthwith commit such person to the asylum for the dangerous insane for safe-keeping and treatment and such person shall be received and cared for thereat until he shall recover when he shall be returned to the court from which he was received there to be dealt with according to law.

[1907 c. 338 s. 6] (4533)

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**253.26 TRANSFER FROM OTHER ASYLUM.** When any inmate of a state hospital or asylum for the insane or the school for feeble-minded and colony for epileptics is found by the director of public institutions to have homicidal tendencies or to be under sentence or indictment or information he shall be transferred by the director to the asylum for the dangerous insane for safe-keeping and treatment.

[1907 c. 338 s. 7] (4534)

**253.27 CORRESPONDENCE WITHOUT CENSORSHIP.** Any inmate of the state asylum for the dangerous insane may correspond freely, without censorship, with the governor and with the director of public institutions.

[1907 c. 338 s. 8] (4535)