

license fees and penalties then due from it and the additional sum of ten dollars for each and every year that its name has been stricken from the records, and upon the making of such application and such payment, it shall be the duty of the Secretary of State to enter upon his records a notation that such corporation is re-instated.

Passed the Senate March 8, 1923.

Passed the House March 5, 1923.

Approved by the Governor March 17, 1923.

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## CHAPTER 145.

[S. B. 58.]

### INSANE PERSONS.

AN ACT relating to and prescribing the procedure, terms and conditions for admission or commitment to and or retention in state hospitals for the insane, providing for certain charges to be paid by persons and counties for the care and maintenance of insane persons and amending section 6930 of Remington's Compiled Statutes and adding thereto certain new sections, and prescribing penalties.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. That section 6930 of Remington's Compiled Statutes be and the same is hereby amended to read as follows:

Section 6930. The superior court of any county in this state, or the judge thereof, upon the application of any person under oath, setting forth that any person, by reason of insanity, is unsafe to be at large, shall cause such person to be brought before him, and he shall summon to appear at the same time and place two or more witnesses, who shall testify, under oath, as to conversations, manners, and general conduct upon which said charge of insanity is based; and shall also cause to appear before him, at the same time and place, two reputable physicians, be-

Amends Rem.  
Comp. Stat.  
§ 6930;  
Pierce's Code  
§ 2827.

Application  
for commit-  
ment.

fore whom the judge shall examine the charge, unless the accused, or anyone in his or her behalf, shall demand a jury to decide upon the question of insanity. If such demand be made, the trial shall be by jury. If no jury be demanded, and the physicians, after a careful hearing of the case, and a personal examination of the alleged insane person, shall certify under oath that the person examined is insane, and the case is of a recent or curable character, or that the said insane person is of a homicidal, suicidal, or incendiary disposition, or that from any other violent symptoms, the said insane person would be dangerous to his or her own life, or the lives and property of the community in which he or she may live; and if said physicians shall also certify to the name, age, nativity, residence, occupation, length of time in this state, state last from, previous habits, premonitory symptoms, apparent cause, and class of insanity, duration of the disease and present condition, as nearly as can be ascertained by inquiry and examination; and if the judge shall be satisfied that the facts revealed in the examination establish the existence of the insanity of the person accused, and that it is of a recent or curable nature, or of a homicidal, suicidal, or incendiary character, or that from the violence of the symptoms the said insane person would be dangerous to his or her own life, or to the lives and property of others if at large or if the trial has been by jury, and the accused declared insane [insane] by said jury; and the insanity be of the character above described, the said insane person shall be ordered by the judge to be sent to a hospital for the insane, upon the following conditions, namely, that at the time of and as a part of such proceedings, the court shall summon the guardian, if any, of such alleged insane person, also the relatives of such alleged insane person; to-wit: husband or wife, parents, children, brothers, sisters or other interested

Jury trial.

Physicians'  
examination.Physicians'  
certificate.Ordered  
to hospital.

persons to appear in court. If there is no guardian for such alleged insane person the court shall appoint such guardian. Such persons shall be examined as witnesses under oath for the purpose of determining the financial ability of said insane person, his estate or relatives, to pay the cost and expense of the care, maintenance, board, lodging and clothing of such insane person in the hospital for the insane to which he may be committed. Findings of fact shall be made relative to the financial ability to pay such costs as above set out and a judgment entered therein against the proper party or estate so found responsible. Every insane person, his estate or relatives, as above set forth, found to have the financial ability to pay the expenses above enumerated, shall pay therefor the sum of \$4.50 per week during the time such insane person is committed to a state hospital for the insane and as directed by order of the court, and in addition thereto shall pay the cost of transportation of such insane person and all court costs. The charge of \$4.50 shall be made to apply in all cases from the day the insane person is received at the institution. Remittance therefor shall be made to the Director of Business Control in advance on the first day of each calendar month during the time the insane person remains committed. Pending such trial and before judgment, the court may make such disposition of such alleged insane person as may seem proper. If the court finds that the insane person or his estate or relatives have not the financial ability to pay said sum and that such insane person is violently insane and dangerous to life and property and that such insane person should be committed to a hospital for the insane, the charges and costs above referred to shall be borne by the state of Washington. If the court finds that the insane person or his estate or relatives have not the financial ability to pay said charges and costs and that such

Guardian and relatives examined.

Cost of keep, judgment against relatives.

State to pay.

insane person should be committed to a hospital for the insane, but is not violently insane and dangerous to life and property, the charges and costs above referred to shall be paid by the county from which the commitment is made.

County  
to pay.

SEC. 2. That there shall be added to Remington's Compiled Statutes a new section to be numbered 6930-1 which shall read as follows:

Section 6930-1. The court may as a conditional precedent to commitment also by such judgment require such guardian or relatives to give a surety company bond, conditioned for the payment to the Director of Business Control of the amount per week designated in the judgment and in accordance with the rules and regulations governing payment as promulgated by the Director of Business Control.

Surety bond  
to insure  
payment.

SEC. 3. That there shall be added to Remington's Compiled Statutes a new section to be numbered 6930-2 which shall read as follows:

Section 6930-2. All persons who are at the time this act takes effect inmates of a state hospital for the insane or their estates or relatives as their respective responsibility may appear shall upon the taking effect of this act be liable for the payment of \$4.50 per week herein provided and under the same terms and conditions applying to those to be hereafter committed.

Present  
inmates.

SEC. 4. That there shall be added to Remington's Compiled Statutes a new section to be numbered 6930-3 which shall read as follows:

Section 6930-3. The Director of Business Control shall in the manner provided by law for the service of summons in civil actions give notice to all guardians, husbands, wives, parents, brothers or sisters or children of all inmates of the state hospitals for the insane, that on and after the taking effect of this act every inmate in a state hospital for the in-

Notice to  
relatives  
and guardian  
requiring  
payment.

sane shall be kept and maintained therein only upon payment to the Director of Business Control of the sum of \$4.50 per week payable monthly in advance.

SEC. 5. That there shall be added to Remington's Compiled Statutes a new section to be numbered 6930-4 which shall read as follows:

Section 6930-4. The guardians or relatives of all insane persons referred to in the last preceding section shall make the payments herein required under such reasonable rules and regulations as the Director of Business Control shall promulgate. All such payments shall be made to the Director of Business Control and by him thereafter transmitted monthly to the State Treasurer.

Rules as to  
payment.

SEC. 6. That there shall be added to Remington's Compiled Statutes a new section to be numbered 6930-5 which shall read as follows:

Section 6930-5. It shall be the duty of the Director of Business Control to certify to the Prosecuting Attorney of each county a list of names of all inmates of state hospitals for the insane committed from their respective counties, together with names and addresses of guardians or relatives of such inmates. Any guardian or relative responsible for the payments referred to in section 4 of this act who shall fail, neglect or refuse to make such payment or shall fail or neglect to apply for relief from the provisions of this act in the manner herein provided and within thirty days from the date of service of the notice referred to in section 4 shall be subject to a penalty of \$250.00 to be collected by appropriate proceedings instituted by the Prosecuting Attorney of the county from which the designated inmate was committed. The Prosecuting Attorneys of all counties are hereby expressly authorized and directed to institute and carry to judgment and execution penalty actions to carry out the provisions of this act.

Lists of  
inmates,  
certified to  
prosecuting  
attorney.

Penalty.

Action to  
recover  
penalty.

SEC. 7. That there shall be added to Remington's Compiled Statutes a new section to be numbered 6930-6 which shall read as follows:

Section 6930-6. Such guardians and relatives responsible for the care and maintenance of insane persons committed to such institutions prior to the taking effect of this act, who have not the financial ability to pay such charges may make application to the superior court of the county wherein the order of committment was entered, praying that he, she or they be relieved from such payment either in whole or in part. Upon receipt of such application the court shall proceed to summarily determine the financial ability of the applicant or applicants or such guardian or relative as may be found responsible for the care and maintenance of the insane person designated in the application or petition.

Relatives  
unable to pay,  
relieved.

The Superior Court shall have power to subpoena and examine such persons as he may believe to have knowledge of the facts to be ascertained and may for the purpose of this act conduct such proceedings in the nature of a hearing, upon proceedings supplemental to execution in civil actions. The Superior Court may endorse upon the application the names of persons other than the applicant and thereby make such persons proper or necessary parties to the proceeding. At the conclusion of the hearing the court shall enter its findings of fact which shall be either:

Hearing be-  
fore court.

(1) that no person has been found who has the financial ability to pay the charges herein provided or

(2) that some designated guardian or relative has the financial ability to pay the charges herein provided.

Findings.

If the findings be the second alternative last above referred to, then the court shall enter its order

and judgment as provided in this act by original proceedings for committment and to the same effect.

SEC. 8. That there shall be added to Remington's Compiled Statutes a new section to be numbered 6930-7 which shall read as follows:

Judgment  
forwarded  
director.

Section 6930-7. A certified copy of the findings and judgment in each case entered under the provisions of this act shall, within five days from their respective dates be transmitted by the respective clerks of the Superior Court to the Director of Business Control.

SEC. 9. That there shall be added to Remington's Compiled Statutes a new section to be numbered 6930-8 which shall read as follows:

Judgment  
collected.

Section 6930-8. In all cases where judgment is entered against the estate or guardian of an insane person or the relative or relatives of an insane person under the provisions of this act the Prosecuting Attorney of the county wherein the judgment is entered shall proceed to collect the same by appropriate proceedings. The funds so collected shall be paid to the County Treasurer who shall forward the same to the Director of Business Control on the first day of each calendar month. Such sums shall be paid by the Director of Business Control to the State Treasurer.

Passed the Senate March 7, 1923.

Passed the House March 6, 1923.

Approved by the Governor March 16, 1923.