

CHAPTER 214.

[S. B. 215.]

STATE HOSPITALS FOR THE INSANE.

AN ACT relating to and prescribing the procedure, terms and conditions for admission or commitment to and retention in state hospitals for the insane; providing for certain charges to be paid for the care and maintenance of insane persons and amending section 1632 of the Code of 1881 as amended by section 1, page 37, Laws of 1883, and section 16, page 486, Laws of 1890, and section 1 of chapter 145, Laws of 1923 and chapter 133, Laws of Extraordinary Session of 1925 (section 6930 of Remington's Revised Statutes) and declaring an emergency.

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

SECTION 1. Section 1632 of the Code of 1881 as amended by section 1, page 37, Laws of 1883, and section 16, page 486, Laws of 1890, and section 1 of chapter 145, Laws of 1923 and chapter 133, Laws of Extraordinary Session of 1925 (section 6930 of Remington's Revised Statutes) is amended to read as follows:

Section 1632. 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 (2) 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 time and place, two (2) reputable physicians, before 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, and it shall be the duty of the judge so to inform the ac-

Amendments.

Any person may make insanity complaint.

Court to summon witnesses.

Number.

Two physicians.

Accused may demand jury.

Court to advise accused and appoint counsel.

Physicians to hear testimony and examine accused.

Certify type of insanity.

Personal history of accused.

Other findings.

Court to summon guardian or relatives.

cused of his right to trial by jury and the appointment or selection of counsel therefor. If such demand be made, the trial shall be by jury. If no jury is 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 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 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, or such alleged insane person, also the relatives of such alleged insane person, to-wit: husband or wife, parents, children or other interested persons to appear in court. If there is no guardian for such alleged insane person, the court shall ap-

point 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 such insane person or his estate or relatives have not the financial ability to pay said sum, the charges and costs referred to in this section shall be borne by the State of Washington. The relatives of such insane person shall be liable for the cost and expense of the care, maintenance, board, lodging and clothing of such insane person in the following order: first, husband or wife; second, parents; third, children.

Examination to determine financial condition.

Findings as to ability to pay.

Rate for weekly care.

Other costs.

Remittance to State.

State to bear costs if relatives or estate unable to.

Order of responsibility.

SEC. 2. This act is necessary for the immediate preservation of the public peace, health and safety

Effective immediately.

and support of the state government and its existing institutions and shall take effect immediately.

Passed the Senate March 13, 1941.

Passed the House March 11, 1941.

Approved by the Governor March 24, 1941.

CHAPTER 215.

[S. B. 220.]

CRIMINAL ANARCHY.

AN ACT relating to crimes and punishments; defining criminal anarchy and providing penalties therefor; amending sections 310 and 313 (311), chapter 249, Laws of 1909 (sections 2562 and 2563, Remington's Revised Statutes); and declaring an emergency.

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

Amendments.

SECTION 1. Section 310, chapter 249, Laws of 1909 (section 2562, Remington's Revised Statutes) is amended to read as follows:

Definition.

Section 310. Criminal anarchy is the doctrine that organized government should be overthrown by force or violence, or by assassination of the executive head or of any of the executive officials of government, or by any unlawful means. The advocating of such doctrine either by word of mouth, by writing, by radio, or by printing is a felony.

Penalty.

Amendments.

SEC. 2. Section 313 (311), chapter 249, Laws of 1909 (section 2563, Remington's Revised Statutes) is amended to read as follows:

Method of commission.

Section 311. Every person who

Personal advocacy.

(1) By word of mouth, by writing; by radio, or by printing shall advocate, advise or teach the duty, necessity or propriety of overthrowing or overturning organized government by force or violence, or by assassination of the executive head or of any of