

**CHAPTER 316.**

AN ACT to amend 357.27 (3) of the statutes, relating to commitment to mental hospital of person accused of crime.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

357.27 (3) of the statutes is amended to read:

357.27 (3) Whenever the existence of mental disease on the part of the accused, at the time of the trial, is suggested or becomes the subject of inquiry, the presiding judge of the court before which the accused is to be tried or is being tried may, after reasonable notice and opportunity for hearing, commit the accused to a state or county hospital or asylum for the insane to be detained there for a reasonable time, to be fixed by the court, for the purpose of observation, but the court may proceed under section 357.13. In case of commitment to a hospital the court shall direct the superintendent of the hospital to permit all the expert witnesses summoned in the case to have free access to the accused for the purpose of observation. The court may also direct the chief physician of the hospital to prepare a report regarding the mental condition of the accused. This report may be introduced in evidence at the trial under the oath of the said chief physician who may be cross-examined regarding the report by counsel for both parties. *It shall be the duty of the sheriff to convey the accused to and from the place of commitment, and if the sheriff fails to call for the accused upon expiration of the time fixed by the court the accused shall be retained in custody in the hospital or asylum, and if the accused is not removed upon the expiration of the time fixed by the court the superintendent shall give notice thereof by registered mail to the judge and the sheriff; and the county shall pay to the hospital or asylum for the keep and maintenance of the accused the sum of \$10 per day after the expiration of the time fixed by the court until the accused is removed.*

Approved June 6, 1951.

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