

TITLE LIX.  
HOSPITALS, ASYLUMS, AND CEMETERIES.

CHAPTER ONE.

HOSPITAL RELIEF FOR SEAMEN.

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4802. Supervising surgeon of marine-hospital service.	4808. Deductions from pay of seamen, &c., for Navy-hospital fund.
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Power to receive gifts in aid of marine hospitals.

16 July, 1798, c. 77, s. 4, v. 1, p. 606.

Supervising surgeon of marine-hospital service.

29 June, 1870, c. 169, s. 6, v. 16, p. 170.

Custody and appropriation of "fund for relief of sick and disabled seamen."

Ibid., ss. 3, 4, 5.

Persons employed on canal-boats in the coasting-trade excluded.

10 Feb., 1871, Res. 27, s. 1, v. 16, p. 595.

Foreign seamen admitted.

3 May, 1802, c. 51, s. 5, v. 2, p. 193.

SEC. 4801. The President is authorized to receive donations of real or personal property, in the name of the United States, for the erection or support of hospitals for sick and disabled seamen.

SEC. 4802. The Secretary of the Treasury shall, from time to time, appoint a surgeon to act as supervising surgeon of marine-hospital service, who shall, under the direction of the Secretary, supervise all matters connected with the marine-hospital service, and with the disbursement of the fund for the relief of sick and disabled seamen. He shall be entitled to a salary of not more than two thousand dollars a year, and to his necessary traveling expenses. And he shall make monthly reports to the Secretary of the Treasury.

SEC. 4803. The several collectors of the customs shall respectively deposit, without abatement or reduction, the sums collected by them under the provisions of law imposing a tax upon seamen for hospital purposes, with the nearest depository of public moneys, and shall make returns of the same, with proper vouchers, monthly, to the Secretary of the Treasury, upon forms to be furnished by him. All such moneys shall be placed to the credit of "the fund for the relief of sick and disabled seamen;" of which fund separate accounts shall be kept in the Treasury. Such fund is appropriated for the expenses of the marine-hospital service, and shall be employed, under the direction of the Secretary of the Treasury, for the care and relief of sick and disabled seamen employed in registered, enrolled, and licensed vessels of the United States.

SEC. 4804. No person employed in or connected with the navigation, management, or use of canal-boats engaged in the coasting-trade shall by reason thereof be entitled to any benefit or relief from the marine-hospital fund.

SEC. 4805. Sick foreign seamen may be admitted to the marine hospitals within the United States, if it can with convenience be done, on the application of the master of any foreign vessel to which any such seaman may belong. Each seaman so admitted shall be subject to a charge of seventy-five cents per day for each day he may remain in the hospital, which shall be paid by the master of such foreign vessel to the

collector of the collection-district in which such hospital is situated. And the collector shall not grant a clearance to any foreign vessel until the money so due from her master shall be paid. The officer in charge of each hospital is hereby directed, under penalty of fifty dollars, to make out the accounts against each foreign seaman that may be placed in the hospital under his direction, and render the same to the collector.

SEC. 4806. The Secretary of the Treasury is authorized to lease, or to sell at public auction, to the highest and best bidder, for cash, after due notice in the public newspapers, such marine-hospital buildings and lands appertaining thereto as he may deem it advisable to sell, and to make, execute, and deliver all needful conveyances to the lessees or purchasers thereof respectively; and the proceeds of such leases and sales are hereby appropriated for the marine-hospital establishment. But the hospitals at Cleveland in Ohio, and Portland in Maine, shall not be sold or leased. And this section shall not be construed to authorize the Secretary of the Treasury to lease or sell any such hospital where the relief furnished to sick mariners shall show an extent of relief equal to twenty cases a day on an average for the last preceding four years, or where no other suitable and sufficient hospital accommodations can be procured upon reasonable terms for the comfort and convenience of the patients.

SEC. 4807. The Secretary of the Navy shall have the general charge and superintendence of Navy hospitals.

26 Feb., 1811, c. 26, s. 1, v. 2, p. 650. 10 July, 1832, c.

SEC. 4808. The Secretary of the Navy shall deduct from the pay due each officer, seaman and marine, in the Navy, at the rate of twenty cents per month for each person, to be applied to the fund for Navy hospitals.

2 March, 1799, c. 36, s. 2, v. 1, p. 729. 26 Feb., 1811, c.

SEC. 4809. All fines imposed on navy officers, seamen, and marines shall be paid to the Secretary of the Navy, for the maintenance of Navy hospitals.

26, s. 2, v. 2, p. 650. 10 July, 1832, c.

SEC. 4810. The Secretary of the Navy shall procure at suitable places proper sites for Navy hospitals, and if the necessary buildings are not procured with the site, shall cause such to be erected, having due regard to economy, and giving preference to such places as with most convenience and least cost will admit of subsequent additions, when the funds permit and circumstances require; and shall provide, at one of the establishments, a permanent asylum for disabled and decrepit Navy officers, seamen, and marines.

SEC. 4811. The asylum for disabled and decrepit Navy officers, seamen, and marines shall be governed in accordance with the rules and regulations prescribed by the Secretary of the Navy.

SEC. 4812. For every Navy officer, seaman, or marine admitted into a Navy hospital, the institution shall be allowed one ration per day during his continuance therein, to be deducted from the account of the United States with such officer, seaman, or marine.

SEC. 4813. Whenever any Navy officer, seaman, or marine, entitled to a pension, is admitted to a Navy hospital, the pension, during his continuance in the hospital, shall be paid to the Secretary of the Navy and deducted from the account of such pensioner.

Sale of marine hospitals.

20 April, 1866, c. 63, s. 1, v. 14, p. 40.  
27 June, 1866, c. 142, v. 14, p. 76.

Superintendence of Navy hospitals.

194, s. 5, v. 4, p. 573.

Deduction from pay of seamen, &c., for Navy hospital-fund.

26, s. 1, v. 2, p. 650.

Appropriation of fines.

26 Feb., 1811, c. 194, s. 5, v. 4, p. 573.

Purchase and erection of Navy hospitals.

26 Feb., 1811, c. 26, s. 3, v. 2, p. 650.  
10 July, 1832, c. 149, s. 5, v. 4, p. 573.

Government of Naval Asylum.

26 Feb., 1811, c. 26, s. 4, v. 2, p. 650.

Allowance of rations to Navy hospitals.

Ibid., s. 5.

Allowance from pensions.

Ibid.

## CHAPTER TWO.

## THE SOLDIERS' HOME.

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4814. Who may become members of the Soldiers' Home.	4820. Rights of pensioners and surrender of pensions.
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Who may become members of the Soldiers' Home.

3 March, 1851, c. 25, s. 1, v. 9, p. 595.  
3 March, 1859, c. 83, ss. 5, 7, v. 11, p. 434.

Board of commissioners of the Soldiers' Home.

3 March, 1851, c. 25, s. 2, v. 9, p. 595.  
3 March, 1859, c. 83, s. 4, v. 11, p. 434.

Officers.

3 March, 1851, c. 25, s. 3, v. 9, p. 595.

Sites and buildings.

Ibid., s. 8, p. 597.

Funds for Soldiers' Home.

3 March, 1851, c. 25, s. 7, v. 9, p. 596.  
5 July, 1862, c. 133, s. 2, v. 12, p. 508.

Deduction from pay.

3 March, 1851, c. 25, s. 7, v. 9, p. 596.  
3 March, 1859, c. 83, s. 7, v. 11, p. 434.

SEC. 4814. All soldiers of the Army of the United States, and all soldiers who have been, or may hereafter be, of the Army of the United States, and who have contributed, or may hereafter contribute, according to section forty-eight hundred and nineteen, to the support of the Soldiers' Home hereby created, and the invalid and disabled soldiers, whether regulars or volunteers, of the war of eighteen hundred and twelve, and of all subsequent wars, shall, under the restrictions and provisions which follow, be members of the Soldiers' Home, with all the rights annexed thereto. [See § 4521.]

SEC. 4815. The Commissary-General of Subsistence, the Surgeon-General, and the Adjutant-General shall constitute a board of commissioners for the Soldiers' Home, any two of whom shall be a quorum for the transaction of business, whose duty it shall be to examine and audit the accounts of the treasurer quarter-yearly, and to visit and inspect the Soldiers' Home at least once in every month. The majority shall also have power to establish, from time to time, regulations for the general and internal direction of the institution, to be submitted to the Secretary of War for approval; and may do any other acts necessary for the government and interests of the same, as authorized by this chapter.

SEC. 4816. The officers of the Soldiers' Home shall consist of a governor, a deputy governor, and a secretary, for each separate site of the home, the latter to be also treasurer; and the officers shall be taken from the Army, and appointed or removed, from time to time, as the interests of the institution may require, by the Secretary of War, on the recommendation of the board of commissioners. [See § 1259.]

SEC. 4817. The commissioners of the Soldiers' Home, by and with the approval of the President, shall procure for immediate use, at a suitable place or places, a site or sites for the Soldiers' Home, and if the necessary buildings cannot be procured with the sites, to have the same erected, having due regard to the health of the locations, facility of access, and economy, and giving preference to such places as, with the most convenience and least cost, will accommodate the persons entitled to the benefits of the Soldiers' Home.

SEC. 4818. For the support of the Soldiers' Home the following funds are set apart, and are hereby appropriated: All stoppages or fines adjudged against soldiers by sentence of courts-martial, over and above any amount that may be due for the reimbursement of Government, or of individuals; all forfeitures on account of desertion; and all moneys belonging to the estates of deceased soldiers, which are or may be unclaimed for the period of three years subsequent to the death of such soldiers, to be repaid by the commissioners of the institution, upon the demand of the heirs or legal representatives of the deceased.

SEC. 4819. There shall be deducted from the pay of every non-commissioned officer, musician, artificer, and private of the Army of the United States the sum of twelve and a half cents per month, which sum so deducted shall, by the Pay Department of the Army, be passed to the credit of the commissioners of the Soldiers' Home. The commissioners are also authorized to receive all donations of money or property made by any person for the benefit of the institution, and hold the same for its sole and exclusive use. But the deduction of twelve and a half

cents per month from the pay of non-commissioned officers, musicians, artificers, and privates of regiments of volunteers, or other corps or regiments raised for a limited period, or for a temporary purpose or purposes, shall only be made with their consent.

SEC. 4820. The fact that one to whom a pension has been granted for wounds or disability received in the military service has not contributed to the funds of the Soldiers' Home shall not preclude him from admission thereto. But all such pensioners shall surrender their pensions to the Soldiers' Home during the time they remain therein and voluntarily receive its benefits.

SEC. 4821. The following persons, members of the Soldiers' Home, according to section forty-eight hundred and fourteen, shall be entitled to the rights and benefits herein conferred, and no others:

First. Every soldier of the Army of the United States who has served, or may serve, honestly and faithfully twenty years in the same.

Second. Every soldier and every discharged soldier, whether regular or volunteer, who has suffered, or may suffer, by reason of disease or wounds incurred in the service and in the line of his duty, rendering him incapable of further military service, if such disability was not occasioned by his own misconduct.

Third. The invalid and disabled soldiers, whether regulars or volunteers, of the war of eighteen hundred and twelve and of all subsequent wars.

SEC. 4822. The benefits of the Soldiers' Home shall not be extended to any soldier in the regular or volunteer service, convicted of felony or other disgraceful or infamous crimes of a civil nature after his admission into the service of the United States; nor shall any one who has been a deserter, mutineer, or habitual drunkard be received, without such evidence of subsequent service, good conduct, and reformation of character, as is satisfactory to the commissioners.

SEC. 4823. Any soldier admitted into the Soldiers' Home for disability who recovers his health, so as to become fit again for military service, if under fifty years of age, shall be discharged.

SEC. 4824. All persons admitted into the Soldiers' Home shall be subject to the Rules and Articles of War in the same manner as soldiers in the Army.

Rights of pensioners and surrender of pensions.

3 March, 1851, c. 25, s. 5, v. 9, p. 596.

3 March, 1859, c. 83, s. 6, v. 11, p. 434.

What persons are entitled to benefits of Soldiers' Home.

3 March, 1851, c. 25, s. 4, v. 9, p. 596.

3 March, 1859, c. 83, s. 5, v. 11, p. 434.

Who are excluded.

3 March, 1851, c. 25, s. 6, v. 9, p. 596.

Discharge.

Ibid., s. 5.

Inmates subject to articles of war.

3 March, 1859, c. 83, s. 7, v. 11, p. 434.

## CHAPTER THREE.

### THE NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS.

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4825. Organization of the National Home for Disabled Volunteer Soldiers.	4831. Funds for support of home.
4826. Election of citizen managers.	4832. What persons are entitled to benefit of National Home.
4827. Election of officers of the board of managers.	4833. Out-door relief.
4828. Expenses of managers.	4834. Duties of board of managers.
4829. Officers of the National Home.	4835. Inmates subject to articles of war.
4830. Sites for homes may be purchased and buildings erected.	4836. Amendment, &c., of laws.
	4837. Documents to be furnished to certain homes.

SEC. 4825. The President, Secretary of War, Chief Justice, and such other persons as have been or from time to time may be associated with them, shall constitute a board of managers of an establishment for the care and relief of the disabled volunteers of the United States Army, to be known by the name and style of "The National Home for Disabled Volunteer Soldiers," and have perpetual succession, with powers to take, hold, and convey real and personal property, establish a common seal, and to sue and be sued in courts of law and equity; and to make by-laws, rules, and regulations, not inconsistent with law, for carrying on the business and government of the home, and to affix penalties thereto.

Organization of the National Home for Disabled Volunteer Soldiers.

21 March, 1866, c. 21, s. 1, v. 14, p. 10.

23 Jan., 1873, c. 51, s. 1, v. 17, p. 417.

Election of citizen managers.

21 March, 1866, c. 21, s. 3, v. 14, p. 10.  
12 March, 1867, c. 1, v. 15, p. 1.  
23 Jan., 1873, c. 51, s. 1, v. 17, p. 417.

Election of officers of the board of managers.

21 March, 1866, c. 21, s. 2, v. 14, p. 10.  
23 Jan., 1873, c. 51, s. 1, v. 17, p. 417.

Expenses of managers.

21 March, 1866, c. 21, s. 3, v. 14, p. 10.  
12 March, 1867, c. 1, v. 15, p. 1.  
23 Jan., 1873, c. 51, s. 1, v. 17, p. 417.

Officers of the National Home.

21 March, 1866, c. 21, s. 6, v. 14, p. 11.  
23 Jan., 1873, c. 51, s. 1, v. 17, p. 417.

Sites for homes may be purchased, and buildings erected.

21 March, 1866, c. 21, s. 4, v. 14, p. 10.  
23 Jan., 1873, c. 51, s. 1, v. 17, p. 417.

Funds for support of home.

21 March, 1866, c. 21, s. 5, v. 14, p. 10.  
23 Jan., 1873, c. 51, s. 1, v. 17, p. 417.

What persons are entitled to benefit of National Home.

21 March, 1866, c. 21, s. 7, v. 14, p. 11.  
28 Feb., 1871, Res. 45, v. 16, p. 599.  
23 Jan., 1873, c. 51, s. 1, v. 17, p. 417.

SEC. 4826. Nine managers of the National Home for Disabled Volunteers shall be elected from time to time, as vacancies occur, by joint resolution of Congress. They shall all be citizens of the United States, and all residents of States which furnished organized bodies of soldiers to aid in suppressing the rebellion commenced in eighteen hundred and sixty-one; and no two of them shall be residents of the same State, and no person who gave aid or countenance to the rebellion shall ever be eligible. The term of office of these managers shall be for six years, and until a successor is elected.

SEC. 4827. The twelve managers of the National Home for Disabled Volunteer Soldiers shall elect from their own number a president, who shall be the chief executive officer of the board, two vice-presidents, and a secretary. Seven of the board, of whom the president or one of the vice-presidents shall be one, shall form a quorum for the transaction of business at any meeting of the board.

SEC. 4828. No member of the board of managers of the National Home shall receive any compensation as such member. But the traveling and other actual expenses of a member incurred while upon the business of the home may be paid, and any member of the board having other duties connected with the home may receive a reasonable compensation therefor, to be determined by the board.

SEC. 4829. The officers of the National Home shall consist of a governor, a deputy governor, a secretary, and a treasurer; and such other officers as the managers may deem necessary. They shall be appointed from disabled officers who served as mentioned in the following section; and they may be appointed and removed from time to time, as the interests of the institution may require, by the board of managers.

SEC. 4830. The board of managers shall have authority to procure from time to time, at suitable places, sites for military homes for all persons serving in the Army of the United States at any time in the war of the rebellion, not otherwise provided for, who have been or may be disqualified for procuring their own support by reason of wounds received or sickness contracted while in the line of their duty during the rebellion; and to have the necessary buildings erected, having due regard to the health of location, facility of access, and capacity to accommodate the persons entitled to the benefits thereof.

SEC. 4831. For the establishment and support of the National Home for Disabled Volunteer Soldiers there shall be appropriated all stoppages or fines adjudged against such officers and soldiers by sentence of court-martial or military commission, over and above the amounts necessary for the reimbursement of the Government or of individuals; all forfeitures on account of desertion from such service; and all moneys due such deceased officers and soldiers, which now are or may be unclaimed for three years after the death of such officers and soldiers, to be repaid upon the demand of the heirs or legal representatives of such deceased officers or soldiers. The board of managers are also authorized to receive all donations of money or property made by any person or persons for the benefit of the home, and to hold or dispose of the same for its sole and exclusive use.

SEC. 4832. The following persons only shall be entitled to the benefits of the National Home for Disabled Volunteer Soldiers, and may be admitted thereto, upon the recommendation of three of the board of managers, namely: All officers and soldiers who served in the late war for the suppression of the rebellion, and the volunteer soldiers and sailors of the war of eighteen hundred and twelve and of the Mexican war, and not provided for by existing laws, who have been or may be disabled by wounds received or sickness contracted in the line of their duty; and such of these as have neither wife, child, nor parent dependent upon them, on becoming inmates of this home, or receiving relief therefrom, shall assign thereto their pensions when required by the board of managers, during the time they shall remain therein or receive its benefits.

- SEC. 4833. The managers of the National Home for Disabled Volunteers are authorized to aid persons who are entitled to its benefits by outdoor relief in such manner and to such extent as they may deem proper; but such relief shall not exceed the average cost of maintaining an inmate of the home.
- SEC. 4834. The board of managers shall make an annual report of the condition of the National Home for Disabled Volunteer Soldiers to Congress on the first Monday of every January; and the board shall examine and audit the accounts of the treasurer and visit the home quarterly.
- SEC. 4835. All inmates of the National Home for Disabled Volunteer Soldiers shall be subject to the Rules and Articles of War, and in the same manner as if they were in the Army.
- SEC. 4836. Congress may at any time alter, amend, or repeal the laws relating to the National Home for Disabled Volunteer Soldiers.
- SEC. 4837. The Secretary of the Senate and the Clerk of the House of Representatives shall cause to be sent to the National Home for Disabled Volunteer Soldiers, at Dayton in Ohio, and to the branches at Augusta in Maine, and Milwaukee in Wisconsin, at Hampton, Virginia, and the Soldiers' Home at Knightstown Springs, near Knightstown in Indiana, each, one copy of each of the following documents: The Journals of each House of Congress at each and every session; all laws of Congress; the annual messages of the President, with accompanying documents; and all other documents or books which may be printed and bound by order of either House of Congress, including the Congressional Record.

Out-door relief.

21 March, 1866, c. 21, s. 10, v. 14, p. 11.  
23 Jan., 1873, c. 51, s. 1, v. 17, p. 417.

Duties of board of managers.

21 March, 1866, c. 21, s. 8, v. 14, p. 11. 23 Jan., 1873, c. 51, s. 1, v. 17, p. 417.

Inmates subject to articles of war.

21 March, 1866, c. 21, s. 1, v. 17, p. 417.

Amendment, &amp;c., of laws.

21 March, 1866, c. 21, s. 13, v. 14, p. 11. 23 Jan., 1873, c. 51, s. 1, v. 17, p. 417.

Documents to be furnished to certain homes.

8 June, 1868, Res. No. 32, v. 15, p. 253.  
23 Jan., 1873, c. 51, s. 1, v. 17, p. 417.

## CHAPTER FOUR.

## THE GOVERNMENT HOSPITAL FOR THE INSANE.

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SEC. 4838. There shall be in the District of Columbia a Government Hospital for the Insane, and its objects shall be the most humane care and enlightened curative treatment of the insane of the Army and Navy of the United States and of the District of Columbia.

Establishment of the Government Hospital for the Insane.

3 March, 1855, c. 199, s. 1, v. 10, p. 682.

SEC. 4839. The chief executive officer of the Hospital for the Insane shall be a superintendent, who shall be appointed by the Secretary of the Interior, and shall be entitled to a salary of two thousand five hundred dollars a year, and shall give bond for the faithful performance of his duties, in such sum and with such securities as may be required by

The superintendent.

Ibid., s. 3.

the Secretary of the Interior. The superintendent shall be a well-educated physician, possessing competent experience in the care and treatment of the insane; he shall reside on the premises, and devote his whole time to the welfare of the institution; he shall, subject to the approval of the visitors, engage and discharge all needful and usual employes in the care of the insane, and all laborers on the farm, and determine their wages and duties; he shall be the responsible disbursing agent of the institution, and shall be ex-officio secretary of the board of visitors.

Board of visitors.

Ibid., s. 2.

SEC. 4840. Nine citizens of the District of Columbia, to be appointed by the President, shall constitute a board of visitors of the Hospital for the Insane. The term of office of three visitors shall expire biennially on the thirtieth day of June in every alternate year, dating from the thirtieth day of June, eighteen hundred and fifty-seven. Should any vacancy occur by death, resignation, or otherwise, it shall be filled by appointment for the unexpired term of such visitor. The office of visitor shall be honorary and without compensation.

President of board of visitors.

Ibid.

SEC. 4841. The board of visitors shall select from their number a president, to preside at their meetings for one year, or until a successor is elected.

Powers and duties of the board of visitors.

Ibid.

SEC. 4842. The board of visitors, subject to the approval of the Secretary of the Interior, may make any needful by-laws for the government of themselves, and of the superintendent and his employes, and of the patients, not inconsistent with law; they shall visit the hospital at stated periods, and exercise so careful a supervision over its expenditures and general operations that the Government and community may have confidence in the correctness of its management; they shall make annually to the Secretary of the Interior a report for the preceding fiscal year setting forth the condition and wants of the institution.

Admission of insane persons of the Army, Navy, Marine Corps, &c.

15 June, 1860, c. 66, s. 1, v. 12, p. 23.

13 July, 1866, c. 179, ss. 1, 2, v. 14, pp. 93, 94.

SEC. 4843. The superintendent, upon the order of the Secretary of War, of the Secretary of the Navy, and of the Secretary of the Treasury, respectively, shall receive, and keep in custody until they are cured, or removed by the same authority which ordered their reception, insane persons of the following descriptions:

First. Insane persons belonging to the Army, Navy, Marine Corps, and revenue-cutter service.

Second. Civilians employed in the Quartermaster's and Subsistence Departments of the Army who may be, or may hereafter become, insane while in such employment.

Third. Men who, while in the service of the United States, in the Army, Navy, or Marine Corps, have been admitted to the hospital, and have been thereafter discharged from it on the supposition that they have recovered their reason, and have, within three years after such discharge, become again insane from causes existing at the time of such discharge, and have no adequate means of support.

Fourth. Indigent insane persons who have been in either of the said services and been discharged therefrom on account of disability arising from such insanity.

Fifth. Indigent insane persons who have become insane within three years after their discharge from such service, from causes which arose during and were produced by said service.

Admission of the indigent insane of the District of Columbia.

3 March, 1855, c. 199, s. 5, v. 10, p. 683.

SEC. 4844. All indigent insane persons residing in the District of Columbia at the time they became insane shall be entitled to the benefits of the Hospital for the Insane and shall be admitted on the authority of the Secretary of the Interior, which he may grant after due process of law showing the person to be insane and unable to support himself and family, or himself, if he has no family, under the visitation of insanity.

Order of admission.

28 Feb., 1861, c. 60, s. 1, v. 12, p. 177.

3 March, 1863, c. 91, s. 3, v. 12, p. 763.

SEC. 4845. The Secretary of the Interior may grant an order for the admission into the hospital of any insane person not charged with a breach of the peace, when he shall receive the certificate, as provided in the next section, of any judge of the supreme court for the District of Columbia, or of any justice of the peace of the District, and an ap-

plication in writing, as provided in the next section, by a member of the board of visitors, requesting that such order may be issued.

SEC. 4846. It must appear by the certificate aforesaid that two respectable physicians, residents of the District, appeared before said judge or justice and deposed, in writing sworn to and subscribed by them, that they knew the person alleged to be insane; that, from personal examination, they believed such person to be in fact insane, and a fit subject for treatment in said hospital, and that said person was a resident of the District at the time he or she was seized with the mental disorder under which he or she then labored. And it must further appear by such certificate that two respectable householders, resident of the District, appeared before said judge or justice and deposed, in writing sworn to and subscribed by them, that they knew the person alleged to be insane, and that, from a personal examination of his or her affairs, they believed said person to be unable, under the visitation of insanity, to support himself, or herself, and family, in case such person have a family, or to support himself or herself alone, in case such person have no family, and unable to pay his or her board and other expenses in the hospital. The affidavits of said physicians and householders shall accompany the certificate of said judge or justice of the peace.

SEC. 4847. The application by a member of the board of visitors must be made within five days after the date of the affidavits aforesaid, and it must appear therein that the visitor made the application after an inspection of the affidavits and certificate. It shall be the duty of such visitor to withhold his application, if he has reason to doubt the indigence of the party in whose behalf the application is desired, until his doubt is removed by satisfactory testimony.

SEC. 4848. The order of the Secretary of the Interior, granted upon the certificate of a judge or justice and the application of a member of the board of visitors, shall authorize any police officer or constable to assist in carrying such indigent insane person to the hospital, whenever such assistance is represented to be necessary by the person holding the order; but all the expenses of witnesses before the judge or justice of the peace, and of carrying such patient to the hospital, shall be borne by his friends, or by the local authorities of the District.

SEC. 4849. Whenever it appears in the case of any insane person whose insanity commenced while he was a resident of the District of Columbia that he is able to defray a portion but not the whole of the expenses of his support and treatment in the Government Hospital for the Insane, the board of visitors of the hospital is authorized to inquire into the facts of the case; and if it appears to the board, upon such inquiry, that such insane person has property and no family, or has more property than is required for the support of his family, then, as a condition upon which such insane person, admitted or to be admitted upon the order of the Secretary of the Interior, shall receive or continue to receive the benefits of the hospital, there shall be paid to the superintendent from the income, property, or estate of such insane person such portion of his expenses in the hospital as a majority of the board shall determine to be just and reasonable, under all the circumstances.

SEC. 4850. Any indigent insane person who did not reside in the District at the time he became insane may, in like manner, upon the certificate of a judge or justice and the application of a member of the board of visitors, be admitted into the hospital upon the application of the governor of the District, and at the expense of the District during the continuance of such insane person therein, it being hereby designed to give the superintendent thereof authority to take charge of such insane person until the governor can discover who his friends are, or whence he came, with a view to the return of such person to such friends, or to the place of his residence, and thus relieve the District of the expense and charge of such indigent insane non-resident.

Certificate of  
judge or justice.

28 Feb., 1861, c.  
60, s. 1, v. 12, p. 177.

Application by  
visitor.

Ibid.

Conveyance to  
hospital.

7 Feb., 1857, c.  
36, s. 3, v. 11, p. 157.

Admission of in-  
sane persons hav-  
ing property.

28 Feb., 1861, c.  
60, s. 2, v. 12, p. 177.

Admission of non-  
residents of Dis-  
trict.

7 Feb., 1857, c.  
36, s. 4, v. 11, p. 157.



Admission of insane persons accused of crime.

Ibid., s. 5, p. 158.

SEC. 4851. If any person, charged with crime, be found, in the court before which he is so charged, to be an insane person, such court shall certify the same to the Secretary of the Interior, who may order such person to be confined in the Hospital for the Insane, and, if he be not indigent, he and his estate shall be charged with expenses of his support in the hospital.

Insane convicts.

Ibid., s. 6.

SEC. 4852. Any person becoming insane during the continuance of his sentence in the United States penitentiary shall have the same privilege of treatment in the hospital during the continuance of his mental disorder as is granted in the preceding section to persons who escape the consequences of criminal acts by reason of insanity, unless it be the opinion, both of the physician to the penitentiary and the superintendent of the hospital, that such insane convict is so depraved and furious in his character as to render his custody in the hospital insecure, and his example pernicious.

Private patients.

3 March, 1855, c. 199, s. 6, v. 10, p. 683.

SEC. 4853. Whenever there are vacancies, private patients from the District may be received at a rate of board to be determined by the visitors, to be in no case less than the actual cost of their support.

Admission of pay patients.

7 Feb., 1857, c. 36, s. 8, v. 11, p. 158.

SEC. 4854. The independent or pay patients may be received into the hospital for the insane on the certificate of two respectable physicians of the District, stating that they have personally examined the patient, and believe him to be insane at the time of giving the certificate, and a fit subject for treatment in the institution, accompanied by a written request for the admission from the nearest relatives, legal guardian, or friend of the patient, where he may remain until restored to reason. The friends of the patient shall comply with the regulations of the hospital in respect to payment of board, and in all other respects. The request for admission must be made within five days of the date of the certificate of insanity.

Delivery of insane criminals restored to sanity.

Ibid., s. 7.

SEC. 4855. When any person confined in the Hospital for the Insane charged with crime and subject to be tried therefor, or convicted of crime and undergoing sentence therefor, shall be restored to sanity, the superintendent of the hospital shall give notice thereof to the judge of the criminal court, and deliver him to the court in obedience to the proper precept.

Discharge of patients upon bond.

Ibid., s. 9.

SEC. 4856. If any person will give bond with sufficient security, to be approved by the supreme court of the District of Columbia, or by any judge thereof in vacation, payable to the United States, with condition to restrain and take care of any independent or indigent insane person not charged with a breach of the peace, whether in the hospital or not, until the insane person is restored to sanity, such court or judge thereof may deliver such insane person to the party giving such bond.

Insane persons not to be confined in jail.

7 Feb., 1857, c. 36, s. 1, v. 11, p. 157.

SEC. 4857. No insane person not charged with any breach of the peace shall ever be confined in the United States jail in the District of Columbia.

Disbursement of appropriations for the insane.

3 March, 1855, c. 199, s. 7, v. 10, p. 683.

SEC. 4858. All appropriations of money by Congress for the support of the Hospital for the Insane shall be drawn from the Treasury on the requisition of the Secretary of the Interior, and shall be disbursed and accounted for in all respects according to the laws regulating ordinary disbursements of public money.

## CHAPTER FIVE.

## THE COLUMBIA INSTITUTION FOR THE DEAF AND DUMB.

<p>Sec. 4859. Establishment of the Columbia Institution for the Deaf and Dumb. 4860. Terms of deed made part of charter. 4861. Restriction on disposal of real property. 4862. Election of officers. 4863. Appointment of Government directors. 4864. Admission of pupils from District of Columbia.</p>	<p>Sec. 4865. Admission of pupils from States and Territories. 4866. Justices of the peace to report deaf and dumb persons in District. 4867. Report of superintendent to Congress. 4868. Annual report of president and directors. 4869. Education of indigent blind persons.</p>
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SEC. 4859. The corporation created by the act of February sixteen, eighteen hundred and fifty-seven, under the name of the "Columbia Institution for the Instruction of the Deaf and Dumb," shall have perpetual succession, and be capable to take, hold, and enjoy lands, tenements, hereditaments, and personal property, to use a common seal, and to alter the same at pleasure. But no real or personal property shall be held by the corporation, except such as may be necessary to the maintenance and efficient management of the institution.

Establishment of the Columbia Institution for the Deaf and Dumb.

16 Feb., 1857, c. 46, s. 1, v. 11, p. 161.  
23 Feb., 1865, c. 50, s. 1, v. 13, p. 436.

SEC. 4860. The terms and conditions of the deed of transfer of the funds and property of Washington's Manual-Labor School and Male Orphan Asylum Society of the District of Columbia shall be as obligatory upon the Columbia Institution for the Instruction of the Deaf and Dumb as if they formed a part of its charter.

Terms of deed made part of charter.

13 June, 1860, c. 120, s. 2, v. 12, p. 30.

SEC. 4861. No part of the real or personal property now held or hereafter acquired by the Columbia Institution for the Instruction of the Deaf and Dumb shall be devoted to any other purpose than the education of the deaf and dumb, nor shall any portion of the real estate be aliened, sold, or conveyed, except under the authority of a special act of Congress.

Restriction on disposal of real property.

27 July, 1868, c. 262, s. 3, v. 15, p. 233.

SEC. 4862. The Columbia Institution for the Instruction of the Deaf and Dumb shall be managed as provided for in its present constitution, and such additional regulations as may from time to time be found necessary; but as soon as sufficient contributions shall have been paid in to authorize an election according to the provisions of the constitution, the provisional officers therein named shall give notice of a general meeting to the contributors for the election of officers, and the officers elected at such general meeting shall hold their offices for one year and until their successors shall be elected as in the constitution provided; and the constitution may be altered consistently with law, in the manner therein provided.

Election of officers.

16 Feb., 1857, c. 46, s. 2, v. 11, p. 161.

SEC. 4863. In addition to the directors whose appointment has heretofore been provided for by law, there shall be three other directors of the Columbia Institution for the Instruction of the Deaf and Dumb, appointed in the following manner: One Senator by the President of the Senate, and two Representatives by the Speaker of the House. These directors shall hold their offices for the term of a single Congress, and be eligible to a re-appointment.

Appointment of Government directors.

27 July, 1868, c. 262, s. 2, v. 15, p. 233.

SEC. 4864. Whenever the Secretary of the Interior is satisfied, by evidence produced by the President of the Columbia Institution for the Instruction of the Deaf and Dumb, that any deaf and dumb person of teachable age, properly belonging to the District of Columbia, is in indigent circumstances and cannot command the means to secure an education, it shall be his duty to authorize such person to enter the institution for instruction.

Admission of pupils from District of Columbia.

16 Feb., 1857, c. 46, s. 4, v. 11, p. 162.  
27 July, 1868, c. 262, s. 4, v. 15, p. 233.

SEC. 4865. Deaf mutes, not exceeding forty in number, residing in the several States and Territories, applying for admission to the collegiate department of the Columbia Institution for the Instruction of the Deaf

Admission of pupils from States and Territories.

2 March, 1867, c. 167, s. 1, v. 14, p. 464.

15 July, 1870, c. 292, s. 1, v. 16, pp. 291, 294.

Justices of the peace to report deaf and dumb persons in District.

16 Feb., 1857, c. 46, s. 3, v. 11, p. 162.

Report of superintendent to Congress.

27 July, 1868, c. 262, s. 7, v. 15, p. 234.

Annual report of president and directors.

16 Feb., 1857, c. 46, s. 6, v. 11, p. 162.

Education of indigent blind persons.

16 Feb., 1857, c. 46, s. 4, v. 11, p. 162.

23 Feb., 1865, c. 50, s. 2, v. 13, p. 436.

and Dumb, shall be received on the same terms and conditions as those prescribed by law for residents of the District of Columbia, at the discretion of the president of the institution; but no student coming from either of the States shall be supported by the United States during any portion of the time he remains therein.

SEC. 4866. It shall be the duty of the justices of the peace for the District of Columbia to ascertain the names and residences of all deaf and dumb persons within their respective districts; who of them are of teachable age, and also who of them are in indigent circumstances; and to report the same to the president of the Columbia Institution for the Instruction of the Deaf and Dumb.

SEC. 4867. The superintendent of the Columbia Institution for the Instruction of the Deaf and Dumb shall, at the commencement of every December session of Congress, make a full and complete statement of all the expenditures made by virtue of any appropriations by Congress, including the amounts and the rates paid to the superintendent, and for teachers.

SEC. 4868. It shall be the duty of the president and directors of the Columbia Institution for the Instruction of the Deaf and Dumb to report to the Secretary of the Interior the condition of the institution on the first day of July in each year, embracing in the report the number of pupils of each description received and discharged during the preceding year, and the number remaining in the institution; also the branches of knowledge and industry taught, and the progress made therein; also a statement showing the receipts of the institution, and from what sources, and its disbursements, and for what objects.

SEC. 4869. Whenever the Secretary of the Interior is satisfied, by evidence produced by the president of the Columbia Institution for the Instruction of the Deaf and Dumb, that any blind person of teachable age cannot command the means to secure an education, he may cause such person to be instructed in some institution for the education of the blind, in Maryland, or some other State, at a cost not greater for each pupil than is, or may be for the time being, paid by such State, and to cause the same to be paid out of the Treasury of the United States.

## CHAPTER SIX.

### NATIONAL CEMETERIES.

Sec.  
4870. How lands for cemeteries may be acquired.  
4871. Appraisal of real estate when taken.  
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How lands for cemeteries may be acquired.

22 Feb., 1867, c. 61, s. 4, v. 14, p. 400.

SEC. 4870. The Secretary of War shall purchase from the owners thereof, at such price as may be mutually agreed upon between the Secretary and such owners, such real estate as in his judgment is suitable and necessary for the purpose of carrying into effect the provisions for national cemeteries, and obtain from such owners the title in fee-simple for the same. And in case the Secretary of War is not able to agree with any owner upon the price to be paid for any real estate needed for such purpose, or to obtain from such owner title in fee-simple for the same, the Secretary is hereby authorized to enter upon and appropriate any real estate which, in his judgment, is suitable and necessary for such purposes.

SEC. 4871. The Secretary of War or the owners of any real estate thus entered upon and appropriated, are authorized to make application for an appraisal of real estate thus entered upon and appropriated, to any circuit or district court within any State or district where such real estate is situated; and such courts shall, upon such application, and in such mode and under such rules and regulations as it may adopt, make a just and equitable appraisal of the cash value of the several interests of each and every owner of such real estate and improvements thereon.

Appraisal of real estate when taken.

Ibid., s. 5.

SEC. 4872. When appraisal of the real estate thus entered upon and appropriated has been made under the order and direction of the court, the fee-simple thereof shall, upon payment to the owner of the appraised value, or in case such owner refuses or neglects for thirty days after the appraisal of the cash value of the real estate or improvements as aforesaid, to demand the same from the Secretary of War, upon depositing the appraised value in the court making such appraisal, to the credit of such owner, be vested in the United States, and its jurisdiction over such real estate shall be exclusive and the same as its jurisdiction over real estate purchased, ceded, or appropriated for the purposes of navy-yards, forts, and arsenals. The Secretary of War is authorized and required to pay to the several owner or owners, respectively, the appraised value of the several pieces or parcels of real estate, as specified in the appraisal of any of such courts, or to pay into any of such courts by deposit, as hereinbefore provided, the appraised value; and the sum necessary for such purpose may be taken from any moneys appropriated for the purposes of national cemeteries.

Payment of appraised value.

Ibid., s. 6.

SEC. 4873. The Secretary of War shall cause to be erected at the principal entrance of each national cemetery a suitable building to be occupied as a porter's lodge; and shall appoint a meritorious and trustworthy superintendent to reside therein, for the purpose of guarding and protecting the cemetery and giving information to parties visiting the same.

Superintendents of cemeteries.

Ibid., s. 2.

SEC. 4874. The superintendents of the national cemeteries shall be selected from meritorious and trustworthy soldiers, either commissioned officers or enlisted men of the volunteer or regular Army, who have been honorably mustered out or discharged from the service of the United States, and who may have been disabled for active field service in the line of duty.

Who may be selected as superintendents.

18 May, 1872, c. 173, s. 1, v. 17, p. 135.

SEC. 4875. The superintendents of the national cemeteries shall receive for their compensation from sixty dollars to seventy-five dollars a month, each, according to the extent and importance of the cemeteries to which they may be respectively assigned, to be determined by the Secretary of War; and they shall also be furnished with quarters and fuel at the several cemeteries.

Salary of superintendents.

Ibid., s. 2.

SEC. 4876. The Secretary of War shall detail some officer of the Army, not under the rank of major, to visit annually all of the national cemeteries, and to inspect and report to him the condition of the same, and the amount of money necessary to protect them, to sod the graves, gravel and grade the walks and avenues, and to keep the grounds in complete order; and the Secretary shall transmit such report to Congress at the commencement of each session, together with an estimate of the appropriation necessary for that purpose.

Annual inspection of cemeteries.

22 Feb., 1867, c. 61, s. 2, v. 14, p. 399.

SEC. 4877. In the arrangement of the national cemeteries established for the burial of deceased soldiers and sailors, the Secretary of War is hereby directed to have the same inclosed with a good and substantial stone or iron fence; and to cause each grave to be marked with a small headstone or block, which shall be of durable stone, and of such design and weight as shall keep it in place when set, and shall bear the name of the soldier and the name of his State inscribed thereon, when the same are known, and also with the number of the grave inscribed thereon, corresponding with the number opposite to the name of the party in a register of burials to be kept at each cemetery and at the

Inclosures, headstones, and registers.

Ibid., s. 1.

8 June, 1872, c. 368, v. 17, p. 345.  
3 March, 1873, c. 229, v. 17, p. 545.

office of the Quartermaster-General, which shall set forth the name, rank, company, regiment, and date of death of the officer or soldier; or if these are unknown, it shall be so recorded.

Who may be buried in national cemeteries.

17 July, 1862, c. 200, s. 18, v. 12, p. 596.

1 June, 1872, c. 257, v. 17, p. 202.

3 March, 1873, c. 276, v. 17, p. 605.

Cemetery near the city of Mexico.

3 March, 1873, c. 267, v. 17, p. 602.

To be subject to what regulations.

Ibid.

Penalty for defacing national cemeteries.

22 Feb., 1867, c. 61, s. 3, v. 14, p. 400.

Jurisdiction of United States over national cemeteries.

1 July, 1870, c. 200, s. 1, v. 16, p. 188.

SEC. 4878. All soldiers, sailors, or marines, dying in the service of the United States, or dying in a destitute condition, after having been honorably discharged from the service, or who served during the late war, either in the regular or volunteer forces, may be buried in any national cemetery free of cost. The production of the honorable discharge of a deceased man shall be sufficient authority for the superintendent of any cemetery to permit the interment.

SEC. 4879. The President is authorized to provide, out of the ordinary annual appropriations for establishing and maintaining United States military cemeteries, for the proper care and preservation and maintenance of the cemetery or burial ground near the city of Mexico, in which are interred the remains of officers and soldiers of the United States, and of citizens of the United States, who fell in battle, or died in and around said city.

SEC. 4880. The cemetery in Mexico shall be subject to the rules and regulations affecting United States national military cemeteries within the limits of the United States, so far as they may, in the opinion of the President, be applicable thereto.

SEC. 4881. Every person who willfully destroys, mutilates, defaces, injures, or removes any monument, grave-stone, or other structure, or who willfully destroys, cuts, breaks, injures, or removes any tree, shrub, or plant within the limits of any national cemetery, shall be deemed guilty of a misdemeanor, punishable by a fine of not less than twenty-five dollars, and not more than one hundred, or by imprisonment for not less than fifteen days, and not more than sixty. The superintendent in charge of any national cemetery is authorized to arrest forthwith any person engaged in committing any misdemeanor herein prohibited, and to bring such person before any United States commissioner or judge of any district or circuit court of the United States within any State or district where any of the cemeteries are situated, for the purpose of holding such person to answer for such misdemeanor, and then and there shall make complaint in due form.

SEC. 4882. From the time any State legislature shall have given, or shall hereafter give, the consent of such State to the purchase by the United States of any national cemetery, the jurisdiction and power of legislation of the United States over such cemetery shall in all courts and places be held to be the same as is granted by section eight, article one, of the Constitution of the United States; and all provisions relating to national cemeteries shall be applicable to the same.