

Anle, p. 781.

Appropriations
available.

ized practice cruises or while hospitalized or undergoing treatment as provided in Section 22 (b) of the Act approved March 4, 1925 (34 U. S. C. 821), as amended;".

SEC. 3. Appropriations currently available for transportation, medical care, and treatment of naval personnel and funeral expenses of deceased members of the naval service shall be available for the expenditures authorized by this Act.

Approved, October 13, 1942.

[CHAPTER 592]

AN ACT

October 13, 1942

[S. 2682]

[Public Law 742]

To authorize the Secretary of War to exchange certain lands of the United States located within the Fort De Russy Military Reservation, Oahu, Territory of Hawaii, for certain land at Barbers Point, Oahu, owned by the Territory of Hawaii.

Hawaii.
Exchange of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to convey, subject to such conditions as he may prescribe, to the Territory of Hawaii all right, title, and interest of the United States in and to three parcels of land located within the boundaries of the Fort De Russy Military Reservation on the Island of Oahu, Territory of Hawaii, aggregating sixty-two thousand two hundred and nineteen square feet, more or less, in exchange for title to seventy-five and sixteen one-thousandths acres of land, more or less, together with an easement for a right-of-way for road purposes in common with the grantors, situate at Barbers Point, Ewa, Oahu.

Approved, October 13, 1942.

[CHAPTER 601]

AN ACT

October 14, 1942

[S. 2248]

[Public Law 743]

To amend the law relating to the care and custody of insane residents of Alaska, and for other purposes.

Alaska.
Care and custody
of the insane.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when used in this Act unless otherwise expressly stated or unless the context or subject matter requires—

"Secretary."

"Alaska."

"Mental institution."

"Resident."

"Patient."

"Medical officer."

48 U. S. C. § 46.

- (a) "Secretary" means Secretary of the Interior;
- (b) "Alaska" means the Territory of Alaska;
- (c) "Mental institution" means any asylum, sanitarium, or hospital under contract with the Department of the Interior or otherwise authorized by law to have the care, treatment, or custody of patients;
- (d) "Resident" means a person who has his legal residence in Alaska;
- (e) "Patient" means a resident of or person in Alaska who has been legally adjudged insane and committed to a mental institution;
- (f) "Medical officer" means the Federal medical officer supervising the psychiatric care and treatment of patients at any medical institution.

SEC. 2. That portion of section 7 of the Act entitled "An Act relating to affairs in the Territories", approved February 6, 1909 (35 Stat. 600, 601), which reads as follows:

"That the Secretary of the Interior shall hereafter, as in his judgment may be deemed advisable, advertise for and receive bids for the care and custody of persons legally adjudged insane in the District of Alaska and in behalf of the United States shall contract, for one or more years, as may be deemed best, with a responsible asylum

or sanitarium west of the main range of the Rocky Mountains, submitting the lowest and best responsible bid for the care and custody of persons legally adjudged insane in said District of Alaska, the cost of advertising for bids, executing the contract and caring for the insane to be paid from appropriations to be made for such service upon estimates to be submitted to Congress annually", is hereby amended to read as follows:

"The Secretary in behalf of the United States is authorized to contract, for one or more years, with a responsible asylum, sanitarium, or hospital west of the main range of the Rocky Mountains submitting the lowest responsible bid for the care, treatment, and custody of patients. The cost of advertising for bids, executing the contract, and caring for the insane shall be paid from appropriations to be made for such service upon estimates to be submitted to Congress annually."

SEC. 3. The superintendent or other proper officer of any mental institution shall, upon admission of a patient to such institution, be entitled to the temporary and immediate custody of the moneys and personal property on the person of the patient and shall keep a proper account thereof. Such moneys may be used from time to time for the benefit of a patient if the patient so requests. Upon parole or discharge of any patient from such institution, all moneys and personal property remaining to the credit of the patient shall be returned to him or his legal representatives.

SEC. 4. Section 1 of the Act entitled "An Act to provide for the disposition of moneys of the legally adjudged insane of Alaska who have been cared for by the Secretary of the Interior", approved April 24, 1926 (44 Stat. 322), is hereby amended to read as follows:

"All articles of personal property belonging to a patient, who has died prior to his parole or discharge from a mental institution or has eloped therefrom, and remaining in the custody of the superintendent or other proper officer of such institution, shall, if unclaimed by such patient, or his legal heirs or representatives, within the period of five years after the decease of such patient or the date of leaving the institution, be disposed of in such manner as the Secretary may prescribe, and any proceeds resulting therefrom shall be covered into the Treasury by the Secretary. Any moneys remaining to the credit of such patient, if unclaimed by his legal heirs or representatives or such patient within the period of five years after the decease of such patient or the date of the leaving of such institution, shall be covered into the Treasury by the Secretary."

SEC. 5. Section 2 of the Act entitled "An Act to provide for the disposition of moneys of the legally adjudged insane of Alaska who have been cared for by the Secretary of the Interior", approved April 24, 1926 (44 Stat. 322), is hereby amended to read as follows:

"The Secretary shall cause diligent inquiry to be made, in every instance after death or elopement of any patient, to ascertain his whereabouts or that of his legal heirs or representatives and shall turn over to the proper party or parties any moneys or articles of personal property in the custody of the superintendent of the institution to the credit of such person. Claims to such moneys or articles of personal property may be presented to the Secretary at any time. In the event a claim is established by competent proof more than five years after the death or elopement of a patient, it shall be certified to Congress for consideration."

SEC. 6. The superintendent of any mental institution shall discharge any patient, except one held on order of a court or judge having criminal jurisdiction in any action or proceeding arising out of a criminal offense, as follows:

Contract authorized.

Payment of costs.

Custody of moneys and personal property.

Return upon parole or discharge.

48 U. S. C. § 50.

Disposition of unclaimed property.

Unclaimed moneys.

48 U. S. C. § 50a.

Inquiries to locate heirs, etc.

Presentation of claims.

Criteria for discharge of patients.

(1) Upon the written certification by the medical officer that such patient is considered to be recovered.

(2) Upon the written certification by the medical officer that such patient, while not recovered, is considered in remission and is not deemed dangerous to himself or others and is able to support himself.

(3) Upon the return of such patient, if a nonresident of Alaska, to his legal residence or upon transfer of such patient to a United States Veterans' Bureau facility.

(4) Upon order by a court or judge having jurisdiction.

(5) After the continuous absence on leave of such patient from such mental institution for more than twelve months unless, in the judgment of the medical officer, such discharge would not be in the best interests of the public and the patient.

Absence on leave.

(b) The superintendent of any mental institution may permit absence on leave to any patient, who is not recovered, under conditions that are satisfactory to the medical officer and when, in the judgment of the medical officer, absence on leave will not be detrimental to the public welfare and will be of benefit to such patient:

Provided.
Support or care.

Provided, That the superintendent shall satisfy himself, by sufficient proof, that such patient is able to support himself or that the friends or relatives of such patient are willing and financially able to receive and care for such patient: *And provided further,* That the order committing such patient to such institution shall continue in force and effect until he is discharged as herein provided. A mental institution shall not be liable for the expense or support of a patient while he is on leave of absence. The superintendent of a mental institution from which a patient is absent on leave shall terminate the leave and authorize and direct the actual return of such patient to such institution when, in the judgment of the medical officer, the return of the patient to the institution would be in the best interest of the public and the patient. Any patient who is absent on leave or escapes from a mental institution to which he has been committed may, upon the direction of the superintendent of such institution, be returned thereto by a peace officer or any officer or employee of such institution.

Continuance of committing order.

Return to institution.

Clothing, etc., to be furnished on discharge or leave.

(c) No patient shall be discharged or granted absence on leave from a mental institution without suitable clothing and the Secretary may furnish the same, and such amount of money, not exceeding \$25, as the medical officer may consider necessary. The Secretary may also furnish to any patient, who has been discharged or granted absence on leave, transportation to his legal residence or to such other place as the Secretary may deem appropriate, provided that the cost of such transportation shall not exceed the cost of transporting such patient to his legal residence.

Boarding of patients.

SEC. 7. (a) The superintendent of any mental institution may place at board in a suitable family in a place in Alaska or elsewhere any patient who is considered by the medical officer to be a suitable person for boarding out. Such boarder shall be deemed to be a patient of the institution. The cost to the United States of the board of such patient shall not exceed the amount specified by the Secretary.

(b) The superintendent of the institution shall cause all patients placed at board by such institution in families at the expense of the United States to be inspected at suitable intervals by a representative of the institution.

(c) The superintendent of the institution may at any time remove to another boarding place, or back to the institution whence the boarded-out patient came, any or all such patients in accordance with the judgment of the medical officer of what will be most beneficial to them. Not more than four patients shall be boarded out at the same time at any one home or family.

SEC. 8. The commitment papers of any person adjudged insane in Alaska shall include a statement by the committing authority as to the legal residence of such person. The Secretary shall, as soon as practicable, return to the State or country to which they have a legal residence all patients who are not residents of Alaska. For the purpose of facilitating the return of such persons, the Secretary may enter into a reciprocal agreement with any State or political subdivision thereof for prompt return under proper supervision of residents of such State or Alaska who have been legally adjudged insane. Residents of Alaska who have been legally adjudged insane outside of Alaska shall, with the approval of the Secretary, be transferred to a mental institution. All expenses incurred in returning to their legal residence patients who are nonresidents of Alaska may be paid from applicable appropriations for the care and custody of the insane of Alaska, but the expense of transferring residents of Alaska who have been legally adjudged insane outside of Alaska shall be borne by the State making the transfer.

SEC. 9. It shall be the duty of a patient, or his legal representative, spouse, parents, adult children, in that sequence, to pay or contribute to the payment of the charges for the care or treatment of such patient in such manner and proportion as the Secretary may find to be within their ability to pay: *Provided*, That such charges shall in no case exceed the actual cost of such care and treatment. The order of the Secretary relating to the payment of charges by persons other than the patient, or his legal representative shall be prospective in effect and shall relate only to charges to be incurred subsequent to the order: *Provided, however*, That if any of the above-named persons willfully conceal their ability to pay, such persons shall be ordered to pay, to the extent of their ability, charges accruing during the period of such concealment. The Secretary may cause to be made such investigations as may be necessary to determine such ability to pay, including the requirement of sworn statements of income by such persons.

SEC. 10. Any Acts, or parts thereof, in conflict with the provisions hereof are hereby repealed.

Approved, October 14, 1942.

Return to place of legal residence.

Reciprocal agreement with States, etc.

Residents adjudged insane outside Alaska.

Expenses.

Payment.

Provisos.
Limitation.

Concealment of ability to pay.

Repeal of conflicting acts.

[CHAPTER 602]

AN ACT

To provide for the sale by the Superintendent of Documents of copies of certain historical and naval documents printed by the Government Printing Office.

October 14, 1942

[S. 2570]

[Public Law 744]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of the Act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1935 (48 Stat. 414), and of the Acts making such appropriations for subsequent years, and without reference to the provisions of section 307 of the Act approved June 30, 1932 (47 Stat. 409; 44 U. S. C., 72a), the Superintendent of Documents is hereby authorized to sell such volumes remaining on hand in the Government Printing Office of the series of historical and naval documents entitled "Naval Documents Related to the Quasi-War Between the United States and France", at a price to be designated by the officer-in-charge, Office of Naval Records and Library of the Navy Department. The surplus receipts from such sales shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts.

Naval Documents Related to the Quasi-War Between the U. S. and France.

Approved, October 14, 1942.