

34A. In addition to the methods provided by law for the commitment of lunatic or insane persons, such persons may be committed to institutions in accordance with the provisions of this section.

Whenever any person is shown to be a lunatic or insane by the certificates of two qualified physicians, as provided by Section 34 of this Article, the Superintendent or physician in charge of any State or licensed private institution for the care, custody or treatment of insane persons may receive and retain such person as a patient upon the written request of any member of his family, or near relative or friend, or the person with whom he resides, or an officer of any charitable institution or agency; provided, however, that such person, or anyone in his behalf, may make a request in writing to said Superintendent or physician for the discharge of such person and such request shall be complied with unless said Superintendent or physician shall be of the opinion that the mental condition of such person requires his further detention, in which event said Superintendent or physician shall retain the custody of such person and shall forthwith file a petition, in accordance with Section 22 of this Article, for the purpose of having the sanity of such person determined, and if the Court shall commit such person to that or some other suitable institution, as provided by said section, he shall be confined thereafter until he shall have recovered, or shall be discharged in due course of law. The provisions of this Article relating to the discharge of recovered patients and to the payment of the expenses of maintaining persons in State institutions shall be applicable to persons entering such institutions under the provisions hereof.

SEC. 3. *And be it further enacted*, That if any clause, sentence, paragraph, or section of this sub-title shall, for any reason, be adjudged by any court of competent jurisdiction to be unconstitutional and invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, or section thereof so found unconstitutional and invalid.

SEC. 4. *And be it further enacted*, That this Act is hereby declared to be an emergency law and necessary for the immediate preservation of the public health and safety, and being passed upon a yea and nay vote, supported by three-fifth of all the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage.

Approved March 16, 1944.