

mission of the alleged crime, offense or misdemeanor, and/or that the defendant is insane or lunatic at the time of the trial. Whenever the plea of insanity or lunacy shall be interposed by or on behalf of any defendant, the jury impanelled to try such a person, or the court shall not be required to state in their verdict that the person so charged was sane at the time of the commission of the crime, offense or misdemeanor, and/or sane at the time of the trial, if they so find, and if the jury or the court shall not specifically state in their verdict that the defendant was insane at the time of the commission of the crime, offense or misdemeanor, or that the defendant was insane at the time of the trial, it shall be conclusively presumed that they found such defendant to be sane at the time of the commission of the crime, offense or misdemeanor, and/or sane at the time of the trial, as the case may be; provided, however, that in any case where the plea of insanity or lunacy is interposed the court shall, upon the application of the State or of the defendant, or may upon its own motion, direct any jury impanelled to try such case to find specially, by its verdict, whether the accused was sane at the time of the commission of the crime, offense or misdemeanor, and whether he be sane at the time of the trial. The judge of the court, in which such indictment or information is pending, shall have full power and authority at any time, before trial, to order an examination of the mental condition of such person by the Board of Mental Hygiene, which examination shall be made in the same manner and under the same conditions as examinations of convicts are now required to be made by the said Board of Mental Hygiene when summoned to do so by the Board of Welfare, pursuant to the provisions of Section 45 of this Article.

SEC. 2. *And be it further enacted*, That this Act is hereby declared to be an emergency law, and necessary for the immediate preservation of public health and safety, and being passed upon a yea and nay vote, supported by three-fifths 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 December 15, 1933.

CHAPTER 82.

AN ACT to repeal Sections 200, 201, 202, 203, 204, 205, 206, 207, 208 and 209 of Article 81 of the Code