

bring the matter to the attention of the state's attorney of Baltimore city, or the state's attorney of any of the respective counties of the State, whose duty it shall be to apply to the proper tribunal for the writ of *habeas corpus*, to the end that proper inquiry and investigation may be had at once as to the mental condition of such person; and if the court shall be of the opinion that such person is not insane, then the court shall discharge such person; but if the court shall determine that such person is insane, then the court shall order that such person be returned to the institution from which he has been taken under said writ of *habeas corpus*.

1904, art. 59, sec. 21. 1888, art. 59, sec. 21. 1886, ch. 487, sec. 22.  
1910, ch. 715, sec. 21 (p. 188).

**21.** It shall be mandatory upon the officers or others in charge of such institutions under the supervision of the commission to furnish all information that may be requested by said commission or its secretary, and give free access to any member thereof and to the secretary of said commission to visit the insane or feeble-minded in their keeping; any refusal to do so on the part of anyone shall be a misdemeanor, punishable by fine or imprisonment, in the discretion of the court in which the case may be tried. Any member of the commission or its secretary may visit any sanitarium or other institution where sick or infirm persons are received, cared for or treated, for compensation or free, for the purpose of ascertaining whether insane persons are confined therein without authority and contrary to the provisions of the law. All persons having charge of and connected with any such sanitarium or institution shall permit any member of the commission or its secretary to have full access to any portion thereof, and shall give such information and afford such facilities for the inspection and inquiry as the member of the commission or its secretary making such visit may require.

*Ibid.* sec. 22. 1888, art. 59, sec. 22. 1886, ch. 487, sec. 23.  
1910, ch. 715, sec. 22 (p. 188).

**22.** The lunacy commission is empowered by sections 17 to 19, 21 to 23, 25, 37 and 39 to 45 to issue compulsory process for the attendance of witnesses and the production of papers, to administer oaths and examine persons under oath, and exercise the same powers as belong to a justice of the peace in all cases where, from evidence laid before them, there is reason to believe that any person is wrongfully deprived of his or her liberty, or had been cruelly, improperly or negligently treated in any place or institution or almshouse; but in all cases in which said commission shall take action or determine any question affecting any insane person or persons supposed to be insane, or any institution in which such insane or supposed insane person is confined, the managers of said institution shall have the same right to appeal from said action or determination of said commission as is now allowed by law in cases instituted before justices of the peace of the