

sician the Board of Welfare may select, and all such applicants shall furnish such other evidence affecting their application for retirement as the Board of Welfare may require.

1924, ch. 408, sec. 662.

710. It shall be the duty of the Director of Welfare not later than the first day of December, 1926, and biennially thereafter, to certify to the Governor of the State a full record of all persons retired under the provisions of this sub-title, whose retirements have not been revoked by the Governor, and the rate of pay respectively awarded them, and also an estimate of the sum required for future retirements in accordance with the provisions of this sub-title until the next budget appropriation becomes operative, and the items required to meet the requirements already made, together with such further sum as the Governor may deem necessary to meet said future retirements, shall be included in the budget submitted by the Governor to the General Assembly. Payments to retired employees under the provisions of this sub-title shall be paid as other salaries are paid, but the Board of Welfare shall not make retirements that will require the expenditures of any money in excess of the appropriation duly authorized for that purpose.

Convicts Becoming Insane.

An. Code, sec. 676. 1912, ch. 496.

711.¹ Whenever any convict confined in any jail in any city or county in this State shall become insane or lunatic, the warden of such jail, or any person on behalf of such convict, may file a petition, either during the session or recess of the Court, in the Circuit Court having jurisdiction in the city or county, where the jail in which such convict is confined, is situated, alleging that the said convict hath become insane or a lunatic, and still is so at the time of the filing of the petition, and setting forth the misdemeanor or crime of which such insane person is convict and the date upon which his term of imprisonment will expire; and the said Court, if the petition be filed during a session thereof, shall cause a jury of twelve to be forthwith empanelled, who shall be drawn from the jurors attending the sessions of the Court, and shall charge said jury to inquire whether such convict hath become insane or a lunatic and is still so; and any judge of said Court, if the petition be filed during recess of the Court, shall pass an order on said petition, as promptly as may be, requiring the sheriff of the city or county where said convict is confined, forthwith to summon a jury of twelve good and lawful men to attend before such judge, at the time and place named in the order, who shall be empanelled and charged by the said judge to inquire whether such convict hath become insane or a lunatic and still is so; and if the jury so as aforesaid empanelled and charged by the Court, or the jury empanelled and charged by any judge thereof in recess of Court, shall find that such convict hath become insane or a lunatic, and still is so

¹ Apparently it was not the intention of act of 1916, ch. 556, to repeal sec. 711, although the matter is not entirely clear.