

those against whom such claims exist. All payments received as a result of the enforcement of such claims shall be accounted for and paid as hereinbefore provided.

An. Code, 1924, sec. 5. 1912, sec. 3B. 1916, ch. 566, sec. 3B.

5. The County Commissioners or the Department of Welfare, as the case may be shall have full power and authority, in the case of all persons heretofore committed to any institution under the provisions of the preceding Sections of this Article and still confined therein, to exercise all of the powers conferred upon them by Section 4 of this Article with respect to persons hereafter to be so committed, to the end that payment for the future maintenance and support of such persons while in such institutions may be required, made, collected, and accounted for as in the case of persons hereafter to be committed under the provisions of said Section 4.

Insanity as a Defense in Criminal Cases.

An. Code, 1924, sec. 6. 1912, sec. 4. 1904, sec. 4. 1888, sec. 4. 1826, ch. 197, sec. 1. 1916, ch. 699. 1931, ch. 436. 1933 (Special Sess.), ch. 81.

6. When it is desired to interpose the defense of insanity or lunacy on behalf of one charged with a crime, offense or misdemeanor, the defendant, his or her counsel, or other person authorized by law to appear and act for him or her, shall, at the time of pleading to the indictment or information, unless the court for good cause shown shall otherwise order, file a plea in writing, in addition to the plea or pleas required or permitted by law, alleging that the defendant was insane or lunatic at the time of the commission 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 47 of this Article.