

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*.

1888, art. 59, sec. 21. 1886, ch. 487, sec. 22.

21. It shall be mandatory upon the officers or others in charge of such places to furnish all information that may be requested by said commission or their secretary and give free access to any member thereof and to said secretary to visit the insane or idiotic in their keeping, and any refusal to do so on the part of any one shall be a misdemeanor punishable by fine or imprisonment, in the discretion of the court in which the case may be tried.

Ibid. sec. 22. 1886, ch. 487, sec. 23.

22. The said lunacy commission shall have power 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 that belong to a justice of the peace in all cases when from evidence laid before them there is reason to believe that any person is wrongfully deprived of his liberty, or has been cruelly or negligently treated in any place, institution, or almshouse ; but in all cases in which said commission shall take action or determine any question affecting any insane person or person supposed to be insane, or any institution in which such insane or supposed to be insane person is confined, the managers of such institution shall have the same right of appeal from said action or determination of said commission as is now allowed by law in cases instituted before justices of the peace of this State and the commission shall be empowered to present the offenders before the grand jury of the city or county in which such offense may have occurred.

Ibid. sec. 23. 1886, ch. 487, sec. 24

23. They shall make an annual report to the governor of the State in the month of December of each year, giving an account of their proceedings ; also a report of the condition of all the different institutions, public, corporate and private, including almshouses, in this State, where the insane or idiotic are kept.