

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 convicted 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 at the time of the inquisition, the said court, or the said judge, as the case may be, shall order such insane or lunatic convict to be removed from the jail where he is confined and placed in a sanatorium, hospital or other place where he may receive care and treatment, and there be confined at the expense of the city or county wherein such jail is situated, until he shall have recovered his reason and be discharged by due course of law; provided, however, if such convict recover his reason before the expiration of the term for which he was committed to the jail from which he was taken, the court or the judge that ordered his removal therefrom may order such convict, upon such recovery of his reason, to be returned to the jail from which he was removed, and to be confined there until the said term expires, or may order his discharge, in its or his discretion. The provisions of this section shall not apply to the Baltimore City jail.]

711.

{A}--IN-THIS-SECTION:

{1}--"INMATE"--MEANS-AN-INDIVIDUAL-WHO-IS-CONFINED-IN-A LOCAL-JAIL-OR-LOCAL-DETENTION-CENTER-IN-THE-STATE;-AND

{2}--"INMATE"--DOES-NOT-INCLUDE-AN-INDIVIDUAL--WHO--HAS BEEN-CONVICTED-OF-MURDER-AND-SENTENCED-TO-DEATH.