

INSANITY COMMISSION PROCEEDINGS
August 30, 1917 - June 8, 1939
June 18, 1909 - April 29, 1910

Act 149, Session Laws of Hawaii 1909, was approved on April 28, 1909 and went into effect on July 1, 1909. It provided for the examination, detention, custody and care of insane persons; and for the appointment of Commissioners to examine such persons, and defined their duties; it also repealed Sections 1116, 1117, 1118 and 1119 of the Revised Laws of Hawaii. Previously, judges from all courts had the power of commitment and discharge upon satisfactory complaint or after acquittal of crime by reason of insanity. The physician of the asylum also had the power to discharge if friends would accept the care of the person. The new law provided that complaints must be submitted in writing and detention was limited to forty-eight hours without examination. Magistrates and circuit judges must submit written certification before commitment. Appeal to the Commissioners could be made within a fifteen-day period. Commissioners (two physicians and one other) were nominated by/with the consent of the Senate for four years. They were to hear cases, investigate and determine sanity or insanity; hear cases from the asylum; visit and inspect the asylum and report semi-annually to the Governor. The substance of the evidence was to be forwarded to the Secretary of Hawaii for filing. The power formally given to the judge to commit after indictment for crime and without further hearing was retained, but no commitment or discharge was permitted otherwise. The Commission was active until 1939 when Act 254-A placed the Territorial Insane Asylum under a newly created Department of Institutions.

This record series is comprised of duplicate and ribbon copies of correspondence and legal papers. It is incomplete as the following list indicates:

- COM21 vol 1 ← Bound ledger with index covering the period from June 18, 1909 to April 29, 1910 includes representative legal documents, minutes of meetings and examinations, case records and correspondence between physicians and families or friends.
- COM21-1 ← Records of Commissioners of Insanity, 1909-1910
- ← Several folders containing correspondence, minutes, transcripts, memoranda, case material, and recommendations. Period covered runs from October 30, 1917 to June 8, 1939. Study materials used by the Commission are included in each folder.

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Records must be screened to ensure confidentiality is preserved.

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