

The fees of a justice of the peace and constable in criminal causes, where the prosecution fails, or where the money cannot be made from the person liable to pay the same, the facts being certified by the justice and sworn to, shall be allowed and paid out of the county treasury.

Approved, April 25th, 1872.

CH. 241.]

CHAPTER CXXXV.

[S. F. 374.]

HOSPITALS FOR THE INSANE.

APRIL 25.

AN ACT to Amend Sections Three, Six, Ten, Twelve, and Forty-Four of Chapter One Hundred and Nine of the acts of the Thirteenth General Assembly.

1870: ch. 109.

Orders for pay and mileage of Trustees to be approved by Board.

Superintendent not to be steward.

Restriction upon salaries removed.

Money for current expenses not to be used for improvement.

Steward to make purchases, and superintend farm

To take duplicate vouchers.

Board in open session to make quarterly examination.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the third section of chapter one hundred and nine, of the acts of the Thirteenth General Assembly of Iowa, be amended, by striking out the words, "and approved by the superintendent," and inserting the words, "And approved by the Board;" and that the sixth section of the same act be amended by striking out all after the word "however," in the twelfth line, down to the word "they," in the sixteenth line, and insert[ing] the following: "That the same person shall not hold the office of superintendent and steward;" and by striking out the word "provided" where it occurs the second time in said section, and all the words which follow it in the same section; and that section ten of the same act be amended, by adding after the word "Hospital," in the sixteenth line of said section, "But no part of the money so drawn for current expenses shall be used in making improvements;" and the same act be amended by striking out section twelve, and inserting the following: "The steward, under the direction of the Trustees, shall make all purchases for the Hospital where and in such manner as they can be made on the best terms, keep the accounts, pay all employees, and have a personal superintendence of the farm. He shall take duplicate vouchers for all purchases made, and for all wages paid by him, which he shall submit to the Trustees at each of their quarterly meetings, for their examination and approval. Such settlement of accounts shall be made by the Board of Trustees in open session, and shall not be intrusted to

“ a committee. The Trustees shall, after examining and  
 “ approving such vouchers, file one of them with the Vouchers filed with Auditor.  
 “ Auditor of State. The books and papers of the steward Books open for inspection.  
 “ and treasurer shall be open at all times to the inspection  
 “ of any one of the Trustees, State officers, or members of the  
 “ General Assembly;” and the same act be further amended  
 by striking out section forty-four, and insert[ing] the follow-  
 ing: “ The Trustees shall from time to time fix the sum to be  
 “ paid per week for the board and care of patients, which Trustees to fix price for care of patients at not more than \$3.75 per week.  
 “ shall not exceed the sum of three dollars and seventy-  
 “ five cents per week, and the weekly sum so fixed shall  
 “ be the sum said Hospital shall be entitled to demand for  
 “ keeping any patient, and the certificate of the superin-  
 “ tendent, attested by the seal of the Hospital, shall be  
 “ evidence in all places of the amount due as fixed.”

SEC. 2. It shall be the duty of the Board of Trustees of Notice of readiness for patients at Independence  
 the Hospital at Independence to give notice by mail, of  
 the time when the Hospital will be ready for the reception  
 of patients, to all the clerks of the circuit courts of the  
 State.

SEC. 3. This act shall take effect from and after its In force when.  
 publication in the Iowa State Register, and Iowa State  
 Leader, newspapers published at Des Moines, Iowa.

Approved, April 25th, 1872.

I hereby certify that the foregoing act was published in the *Daily Iowa State Register*, May 1, and in the *Daily State Leader*, May 3, 1872.

ED WRIGHT, *Secretary of State.*

CAPITAL PUNISHMENT ABOLISHED.

AN ACT in Relation to Capital Punishment, and Regulating MAY 1.  
 Pardons.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* The penalty of death as a punishment for crime, is hereby abolished. The death penalty abolished.

SEC. 2. All crimes heretofore punishable with death shall be punished by imprisonment for life at hard labor in the State Penitentiary. Imprisonment for life.