

CHAPTER 42.

GUARDIANS FOR HABITUAL DRUNKARDS.

AN ACT to amend Section 2272 of the Code of 1873, and to provide H. F. 78.
for appointing guardians of the person of habitual drunkards, and
for the custody, restraint, and confinement of habitual drunkards,
and their reformation, under orders of the district court, or the
judge thereof; and for terminating such guardianship.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That Section 2272 of the Code of 1873 be, and the same hereby is amended by adding thereto the following: Such court may also appoint the guardian of the property of an habitual drunkard as the guardian of his person. If the person adjudged to be an habitual drunkard has no property, the court may appoint a guardian of his person.

Guardian of property to be guardian of person.

SEC. 2. The District Court, or any Judge thereof, may, from time to time, enter such orders as may be necessary, authorizing the guardian of the person of such habitual drunkard to confine and restrain him in such manner and in such place within this State as may, by the Court or Judge, be considered best for the purpose of preventing such drunkard from using intoxicating liquors, and as may tend to his reformation. Such orders may be modified, changed or vacated by such court, or any Judge thereof until the guardianship shall be terminated as hereinafter provided. Such person shall, at all reasonable times, have the right to confer with his attorney; and he may, at any time, apply to the District Court, or any Judge thereof, for the modification or vacation of any existing order as to his confinement and restraint. Any application for the entry or modification or vacation of any order relative to such confinement or restraint, made by the guardian or his ward, shall be heard upon such notice to the other party as the said court or Judge may direct.

Order for restraint may be issued.

Application for modification of order.

SEC. 3. At any time not less than six months after the appointment of such guardian, the person adjudged to be an habitual drunkard may apply to the District Court, or any Judge thereof, by petition in the Guardianship proceedings, alleging that he has reformed, and is no longer an habitual drunkard, and asking that the guardianship may be termin-

Application for termination of guardianship.

ated. Notice of such petition shall be served upon the guardian in such manner and for such length of time as the Court or Judge may direct, requiring the guardian to answer such petition at or before a time to be fixed in said notice. If the guardian shall file an answer denying the allegations of the petition, the court or Judge shall try the issue, unless the person under guardianship shall demand a Jury trial in which event the issue shall be tried in court by a jury as speedily as may be practicable. The costs of such proceeding shall be paid by the ward, unless the Court or Judge shall enter Judgment terminating the guardianship, and shall find that the guardian resisted the petition therefor without reasonable cause, in which event the court or Judge may tax the costs or any part thereof against the guardian.

Notice of denial filed.

Jury trial.

Cost when taxed to ward or guardian.

When termination is denied.

If any petition for terminating the guardianship shall be denied, no other petition shall be filed to terminate the guardianship until at least four months shall have elapsed since the denial of the former petition.

Approved May 1st, 1890.

CHAPTER 43.

ARREST TRIAL AND PUNISHMENT OF TRAMPS.

S. F. 60. AN ACT relating to tramps, their arrest, trial and punishment, and prescribing penalties for violation of this Act, and repealing Chapter 69, Laws of the Sixteenth General Assembly.

Be it enacted by the General Assembly of the State of Iowa:

Chap. 60 acts 16 G. A. repealed.

Persons having no visible calling or business deemed a tramp.

If convicted punished by imprisonment.

Intimidation.

SECTION 1. That chapter 69, laws of the sixteenth general assembly, is hereby repealed.

SEC. 2. Any male person sixteen years of age or over, who is physically able to perform manual labor, and is a vagrant within the purview of section 4130 of the code, who is wandering about practicing common begging, or is wandering about having no visible calling or business to maintain himself and unable to show reasonable efforts and in good faith to secure employment shall be deemed a tramp.

SEC. 3. Any person convicted of being a tramp shall be punished by imprisonment at hard labor in the county jail not exceeding ten days, or by imprisonment in such jail in solitary confinement not exceeding five days.

SEC. 4. Any tramp who shall watonly or maliciously, by means of violence, threats, or otherwise, put in fear any