

and eighteen (118) of the laws of the Twenty-seventh General Assembly, requiring estimates to be made, the board of control is empowered to direct the purchase of materials, or any articles of supply, for any institution subject to its management, from any other institution under its control, which purchase shall be made at the reasonable market value of the commodity so purchased, the value thereof to be ascertained and fixed by the said board, and payments therefor shall be made as between institutions in the manner provided by law for payments for supplies.

SEC. 2. Employe included. That section thirty-five (35) of chapter one hundred and eighteen (118), of the laws of the Twenty-seventh General Assembly, is amended by inserting after the word "member" in the first line thereof, and before the words "or officer" in the second line, the word "employe."

SEC. 3. Solicitation of contributions for political purposes a misdemeanor. Any person who demands or solicits, from any member, employe, or officer of the board of control, or from any officer or employe of any institution subject to this board, a contribution of money or other thing of value, for election purposes, or for the payment of the expenses of any political committee or organization, shall be deemed guilty of a misdemeanor, and punished accordingly.

SEC. 4. Acting secretary. That section three (3), of said chapter one hundred and eighteen (118), is amended by adding after the words "as may be necessary," in the fifth and sixth lines of said section, the following words: "In the absence or disability of the secretary, and the business of the board requires it, the board of control may appoint a member of the board as acting secretary during such absence or disability, who shall at such time have the powers of the secretary of the board. Said appointment shall be made of record in the proceedings of the board, and no additional compensation shall be paid because of the service of such acting secretary."

SEC. 5. Triplicate abstract—how certified. That section forty-two (42) of said chapter one hundred and eighteen (118), is amended by adding after the word "made" in the sixteenth line of said section, the following words, "which abstract shall also be certified by at least one member of the board, who shall be so authorized by the board, and the proceedings granting such authority shall be preserved in the records of the board."

SEC. 6. In effect. This act, being deemed of immediate importance, shall take effect and be in force, from and after its publication in the Des Moines Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 7, 1900.

I hereby certify that the foregoing act was published in the Iowa State Register April 12, 1900, and the Des Moines Leader April 13, 1900.

G. L. DOBSON,
Secretary of State.

CHAPTER 144.

PRIVATE AND COUNTY INSANE INSTITUTIONS.

S. F. 256.

AN ACT placing all private and county institutions caring for insane persons under the supervision of the board of control of state institutions, and requiring them to be regularly inspected and providing for the expense thereof, and requiring the adoption of rules and regulations by said board relative to the keeping of patients therein, and authorizing the transfer of patients in the state hospitals to such private and county institutions, and providing for the removal of patients in certain cases from said private and county institutions, and for the discharge of patients therefrom and from the state hospitals. [Additional to chapter 118 of the acts of the Twenty-seventh General Assembly relating to the board of control.]

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

SECTION 1. Board of control supervision. All county and private institutions wherein insane persons are kept are hereby placed under the supervision of the board of control of state institutions.

SEC. 2. Visitation, when and by whom—reports. It shall be the duty of said board of control as soon as practicable after the passage of this act, and at least twice annually thereafter, by one or more of its members or by some competent and disinterested person, whom the board shall appoint, to visit every private and county institution wherein insane persons are kept. Said visitor shall carefully examine into the capacity of said institutions for the care of insane patients, the number kept therein, and their sex, the arrangement of buildings and the method of their construction, their adaptation for the purposes intended, their condition as to sewerage, ventilation, light, heat, cleanliness, means of water supply, fire escapes and fire protection, the care of patients, their food, clothing, medical attendance, and treatment, their employment, if any, the number, kind, and sex of employes, their duties and salaries, including nurses, attendants, and night watches, the cost to the state or county maintaining patients, which shall in all cases be kept separate and distinct from the cost of keeping paupers, and such other information which the said board shall deem proper. Said visitors shall make a written report including all of said matters to said board.

SEC. 3. Patients to have a hearing. The person making the visit above provided for shall see all patients in the institutions and shall give each an opportunity to converse with him out of the hearing of any officer or employe of the institution, and shall fully investigate and inquire into any complaint by making inquiry from the persons in charge of said institution, and others, and report the result thereof in writing to said board; but said board, before acting on said report adversely to the institution, shall give the persons in charge thereof a copy of such report and an opportunity to be heard thereon.

SEC. 4. Compensation of inspector. In case the inspection herein provided for shall be made by a person appointed by the board of control of state institutions, such person shall be allowed such a sum as the board may in its discretion deem proper, not to exceed five dollars (\$5.00) per day for the time actually employed in said work and in going to and from the same. The actual expenses of the person making the visit, and his per diem, if any, shall be allowed and paid when itemized, sworn to, and approved, as provided for in chapter one hundred and eighteen (118) of the acts of the Twenty-seventh General Assembly in relation to the expenses of the board.

SEC. 5. Board to make rules and regulations. As soon as all private and county institutions in which insane persons may be kept shall have been visited and reports thereon received, the board of control shall adopt reasonable rules and regulations touching the care and treatment of, and make orders in relation to, such insane patients as may be kept in said institutions, which rules and regulations shall not interfere with the medical treatment given to private patients by competent physicians. Copies of such rules and regulations, when adopted, shall be mailed to the chief executive officer of each private institution, and to the clerk of the district court, the chairman of the board of supervisors, and the officer in charge of the institution in all counties having county institutions caring for insane persons. The board shall allow in this case a reasonable time for the management of these institutions to comply with such rules and regulations.

SEC. 6. Failure to comply with board's rules—penalty. If any such institution shall fail, neglect, or refuse within the time fixed by the board to comply substantially in all respects with said rules, regulations, and orders, said board is authorized to remove all said insane persons kept therein at public expense, to the proper state hospital, or to some private or county institution or hospital for the care of the insane that has complied with the rules and regulations prescribed by said board of control, at the expense of the county which sent said patient to said institution. Such removal of patients, if to a state hospital, to be made by an attendant or

attendants sent from the state hospital, and the cost of such removal, including all expenses of said attendant, shall be certified, by the superintendent of the hospital receiving the patient, to the auditor of state, whereupon he shall draw his warrant upon the treasurer of state for said sum, which shall be credited to the support fund of said hospital and charged against the general revenues of the state and collected by the auditor of state from said county. And the board of control shall notify the guardian, or one or more of the relatives of patients kept therein at private expense, that the rules as to their care are being disregarded, and of the action taken by the board as to the other patients. And should the board of control believe any person in any such institute sane, or illegally restrained of liberty, it shall institute and prosecute proceedings in the name of the state of Iowa, before the proper officer, board, or court, for the discharge of such person. If a female is removed under the provisions of this section, at least one attendant shall be a female.

SEC. 7. Removal of patients from county asylum. Whenever it shall be found by said board of control that any patient cared for at public expense is confined in any private asylum or county institution, who is violent and whose case is acute and said board shall be of the opinion, after taking competent medical testimony, that said patient can be better cared for in the state hospital with better hopes of recovery, it may remove said patient to the proper state hospital, at the expense of the proper county, said expense to be recovered as provided for in section six (6) hereof. And whenever said board shall find any patient in a state hospital, who shall have become chronic, or likely to do as well in a county or private institution as in the state hospital, it may order the county to which the keeping of said patient is chargeable to remove him or her to some county or private institution in the state which shall have complied with the rules of said board relative to the keeping of insane patients; but in no case shall a patient in a state hospital be thus transferred except upon the written consent of his or her immediate relatives, if any, or the commissioners of insanity of the county to which the patient is chargeable, and of the board of control; nor in the absence of the consent of said board shall a patient in a state hospital, who is not cured, be discharged.

SEC. 8. Insane of other counties—may keep when. The commissioners of insanity, with the consent of the board of supervisors of any county, having insane persons within such county, and having no proper facilities, either at a public or private institution, for the care, keeping, and treatment for such persons within the county, may, with the consent of the board of control, provide for their care at the expense of said county at any convenient private or county institution having proper facilities for the care of the same, and which will care for them to the satisfaction of the said board of control, and which will comply with the rules and regulations that may be prescribed by the board of control, relative to the care and keeping of insane persons.

SEC. 9. Authority of private asylums to keep insane. No person shall be confined and restrained in any private institution or hospital for the care or treatment of the insane except upon the certificate of a board of commissioners of insanity of some county in the state, or of two reputable physicians, at least one of whom shall be a *bona fide* resident of the state of Iowa, who shall certify that such person is a fit subject for treatment and restraint in said institution or hospital, which certificate shall be the authority of the owners and officers of said hospital or institution for receiving and confining said patient or person therein.

SEC. 10. Appropriation. To provide for the expenses of the inspection herein required and the per diem, there is hereby appropriated the sum of three thousand dollars (\$3,000.00), or so much thereof as may be necessary, from any funds of the state treasury not otherwise appropriated.

SEC. 11. Differences of opinion—how adjudicated. When a difference of opinion exists between the board of control and the authorities in charge of any private or county asylum in regard to the removal of a patient or patients as herein provided, the matter shall be submitted to the district court, or judge thereof, of the proper county and shall be summarily tried as an equitable action, and the judgment of the district court or judge shall be final.

SEC. 12. In effect. This act, being deemed of immediate importance, shall be in force and effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa

Approved April 7, 1900.

I hereby certify that the foregoing act was published in the Iowa State Register April 12, 1900, and the Des Moines Leader April 13, 1900.

G. L. DOBSON,
Secretary of State.

CHAPTER 145.

RELATING TO TRAVELING LIBRARIES.

S. F. 230.

AN ACT to amend chapter one hundred forty-eight (148) of the acts of the Twenty-seventh General Assembly of Iowa, relating to traveling libraries.

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

SECTION 1. Purchase of books—other purposes. That chapter one hundred forty-eight (148) of the acts of the Twenty-seventh General Assembly, be amended by adding thereto the following: "And for such other purposes as in the judgment of the library board are for the best interest of the traveling library system as operated in the state of Iowa."

Approved April 4, 1900.

CHAPTER 146.

RELATIVE TO PAYMENT OF SWAMP LAND INDEMNITY MONEY TO COUNTY AUTHORITIES.

H. F. 368.

AN ACT repealing section nine (9) chapter one hundred sixty (160) of the acts of the Ninth General Assembly, and providing for the payment by the treasurer of state of swamp land indemnity money direct to county authorities.

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

SECTION 1. Treasurer of state to notify county auditor and treasurer of receipt. Whenever the treasurer of state receives money known as swamp land indemnity, which is paid to the state of Iowa by the United States government under the provisions of acts of congress approved March 2, 1849, March 2, 1855, and March 3, 1857, or other acts of congress relating thereto, the same being purchase money for swamp lands situated in the state of Iowa, which were duly claimed by the state but subsequently disposed of by the United States, the treasurer of state shall duly notify in writing the auditor and treasurer of the county wherein such swamp land was situated and in whose favor the commissioner of the general land office of the United States awarded such swamp land indemnity, of the receipt of the same.

SEC. 2. Duties of county authorities. Upon receipt of such information the county auditor as clerk of the board of supervisors shall communicate such information to the supervisors of his county at their first regular meeting thereafter; and the board of supervisors shall thereupon authorize by resolution the county treasurer to present an order to