

shall remain under the terms of the original commitment. All the expense incident to the commitment of said patient to the state hospital for the insane, including the expense of the hearing before the commissioners of insanity of Marion county, and the expense of returning said patient to the hospital for inebriates, shall in the first instance be paid by said hospital for inebriates, and an itemized statement thereof shall be certified by said superintendent to the auditor of state, and said auditor of state and treasurer of state shall credit said hospital with the amount of said expense, which may be drawn by said hospital in the same manner as other funds to its credit in the treasury of the state are drawn, and the auditor of state is authorized to collect said sum from the county where the patient has his legal residence.

**SEC. 24. Physical condition of patients.** Whenever the physical condition of any patient shall become such that, in the judgment of the superintendent, further confinement will prove injurious to the health of said patient, the state board of control may parole him, under proper conditions and restrictions, for such period of time as it may deem advisable.

**SEC. 25. Escape—expenses.** In case of the escape of any patient from the hospital, all necessary expense incurred in the recapture and recommitment of such patient, shall be paid by the state.

**SEC. 26. Subject to prosecution.** Whenever any person shall have been committed to the state hospital for inebriates under the provisions of this act, he shall still be subject to prosecution for any public offense committed against the penal statutes of the state and he shall, at all times, be subject to arrest notwithstanding such commitment. Such person shall, when discharged be returned to said hospital at the expense of the county in which said prosecution was pending and concluded.

**SEC. 27. In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

Approved April 6, A. D. 1904.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Daily Capital, April 9, 1904.

W. B. MARTIN,  
*Secretary of State.*

## CHAPTER 81.

### DAMAGE DONE BY DOGS.

H. F. 44.

AN ACT to amend section twenty-three hundred and forty (2340) of the code, relating to damage done by dogs.

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

**SECTION 1. Liability of owner.** That section twenty-three hundred and forty (2340) of the code, be, and the same hereby is amended as follows: by striking out the words "by his dog" in the fifth line thereof.

**SEC. 2. In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published at Des Moines, Iowa.

Approved April 13, A. D. 1904.

I hereby certify that the foregoing act was published in the Des Moines Daily Capital, April 15, 1904, and the Register and Leader, April 16, 1904.

W. B. MARTIN,  
*Secretary of State.*