

51 and all other personnel directly charged with the medical, mental,
 52 moral or therapeutical care or treatment of any patient or inmate of
 53 said institution.

Approved April 19, 1939.

CHAPTER 94

IOWA SOLDIERS' HOME

S. F. 390

AN ACT to repeal chapter one hundred sixty-eight (168) of the code, 1935, relating to the Iowa Soldiers Home, located at Marshalltown, and to enact a substitute therefor.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Chapter one hundred sixty-eight (168), Code, 1935,
 2 is repealed and the following enacted in lieu thereof.

1 SEC. 2. The Iowa Soldiers' Home, located in Marshalltown, shall be
 2 maintained for honorably discharged soldiers, sailors, marines and
 3 nurses who have served the United States in any of its wars and who
 4 do not have sufficient means or ability to support themselves, and
 5 for the dependent widows and wives of such soldiers, sailors or
 6 marines.

1 SEC. 3. All persons named in section two (2) of this Chapter who
 2 do not have sufficient means for their own support, or who are dis-
 3 abled by disease, wounds, old age or otherwise, or who are unable
 4 to earn a livelihood, and who have been residents and citizens of the
 5 state of Iowa for the three years immediately preceding the date of
 6 the application and who are residents of the state of Iowa at the time
 7 of the application, may be admitted to the Home as members thereof
 8 under such rules and regulations as may be adopted by the Board
 9 of Control.

1 SEC. 4. The Board of Control shall have power to determine the eli-
 2 gibility of applicants for admission to the Home in accordance with
 3 the provision of this chapter, and shall adopt all the necessary rules
 4 and regulations for the preservation of order and enforcement of dis-
 5 cipline, the promotion of health and well being of all the members and
 6 for the management and control of the Home and the grounds thereof.

1 SEC. 5. When a married man is or becomes a member of the Home,
 2 his wife, if she has been married to him for ten years and is otherwise
 3 eligible under this Chapter, may be admitted as a member of the Home
 4 subject to all the rules and regulations of said Home. Husband and
 5 wife may be permitted to occupy, together, cottages or other quarters
 6 on the grounds of the Home.

1 SEC. 6. If any deceased soldier, sailor or marine, who would be en-
 2 titled to admission to the Home if he were living, has left a widow
 3 surviving him, such widow shall be entitled to admission to the Home
 4 with the same rights, privileges and benefits as though her soldier,
 5 sailor or marine husband were living and a member of the Home, pro-

6 vided, however, that such widow has reached the age of fifty years or
7 is found by the Commandant to be totally and permanently disabled
8 and she does not have sufficient means or is unable to support and
9 maintain herself, and provided further that she has been for the ten
10 years preceding the date of her application, a resident of the State of
11 Iowa, and that she has not married at any time since the death of her
12 veteran husband except to a member of the Home.

1 SEC. 7. Before admission, each applicant shall file with the Com-
2 mandant an affidavit signed by two members of the Soldiers' Relief
3 Commission of the county in which such person resides, stating that
4 such person to the best of their knowledge and belief is a resident of
5 such county as required under this Chapter and that such person is
6 unable to earn a livelihood and his income is less than six hundred dol-
7 lars (\$600.00) per annum exclusive of pension, compensation, and/or
8 War Risk Insurance payments. Such affidavit shall be conclusive evi-
9 dence of the residence of such persons and prima facie only in all other
10 matters affecting the eligibility of the applicant and the liability of
11 the county with respect to the expense of any such person for which
12 the county may be liable. All records of admission shall show the resi-
13 dence of the applicant.

1 SEC. 8. The Board of Control shall appoint a Commandant who
2 shall serve as the chief executive of the Home and who shall have the
3 immediate custody and control, subject to the orders of the Board, of
4 all property used in connection with the Home.

1 SEC. 9. The Commandant shall be a resident of the State of Iowa
2 who has an honorable discharge from the United States Army, Navy
3 or Marine Corps and who has served in the military or naval forces of
4 the United States in any war.

1 SEC. 10. The Commandant shall receive an annual salary of two
2 thousand eight hundred dollars (\$2,800.00). In addition to said sal-
3 ary, the Board of Control shall furnish said Commandant with a dwell-
4 ing house or with appropriate quarters in lieu thereof and such addi-
5 tional allowances as are provided in Section three thousand two hun-
6 dred ninety-seven (3297), Code, 1935, for executive heads of state
7 institutions.

1 SEC. 11. The Commandant, subject to the approval of the Board,
2 shall appoint an Adjutant, a Quartermaster, a Chief Surgeon, and a
3 Chaplain, each of whom shall have the same qualifications as the Com-
4 mandant.

1 SEC. 12. The Board shall determine the number and fix the com-
2 pensation of all subordinate officers and employees. The Employees
3 shall be appointed by the Commandant who shall keep in the record
4 of each officer and employee, the date of employment, the compensa-
5 tion, and the date of discharge and the reasons therefor. The Com-
6 mandant shall have the power to discharge any officer or employee for
7 insubordination or neglect of duty or other good cause and his acts
8 and decisions shall be reviewable only by the Board of Control whose
9 decision shall be final.

1 SEC. 13. The Adjutant, Quartermaster, Chief Surgeon and Chap-
2 lain shall be furnished, without charge, the use of the houses erected

3 by the State and now occupied by such officers, together with elec-
4 tricity, heat, fuel and water.

1 SEC. 14. No person shall be received or retained in the Home who
2 is insane, is an inebriate, or is addicted to the use of drugs. When a
3 member of the Home is discharged therefrom, or voluntarily leaves the
4 Home, or is adjudged insane after admittance, his or her residence
5 shall be that of the county in which he or she was residing at the time
6 of his or her admittance to the Home.

1 Sec. 15. Every member of the Home who receives pension, compen-
2 sation or gratuity from the United States Government, or income
3 from any source, shall contribute to his or her maintenance or sup-
4 port while a member of the Home. The amount of such contribution
5 shall be determined by the Board of Control but in no case to exceed
6 the actual cost of keeping and maintaining such person in said Home.
7 The Board may require every member of the Home to render such
8 assistance in the care of the Home and grounds as the physical condi-
9 tion of any such member will permit.

1 SEC. 16. Each member of the Home who receives a pension or compen-
2 sation and who has a dependent wife or minor children shall de-
3 posit with the Commandant forthwith on receipt of his pension or
4 compensation check one-half of the amount thereof, which shall be sent
5 at once to the wife if she be dependent upon her own labor or others
6 for support, or, if there be no wife, to the guardian of the minor chil-
7 dren if dependent upon others for support. The Commandant, if satis-
8 fied that the wife has deserted her husband, or is of bad character, or
9 is not dependent upon others for support, may pay the money deposited
10 as herein provided to the guardian of the dependent minor children.

1 SEC. 17. The Board may, if there is room for all dependent appli-
2 cants and members, admit and allow to remain in the Home, persons
3 who have sufficient means for their own support, but are otherwise eli-
4 gible to become members of the Home, on payment of the cost of their
5 support, which cost shall be fixed from time to time by the Board of
6 Control.

1 SEC. 18. All sums paid to and received by the Commandant, under
2 this Chapter, for the support of members in the Home, shall be paid
3 quarterly by him to the Treasurer of the State and credited to the Sup-
4 port Fund of the Home.

1 SEC. 19. The Commandant shall administer and enforce all rules
2 and regulations adopted by the Board of Control, including rules of
3 discipline, and shall have power to dismiss any member from the Home
4 for infraction of such rules and regulations subject to the approval
5 of the Board.

1 SEC. 20. Any person who, while a member of the Home, is twice
2 convicted of an offense against the statutes of the State, or twice found
3 guilty by the Commandant or a court martial of intoxication or other
4 infraction of the rules of the Home, shall be required to deposit all of
5 his pension money with the Commandant immediately upon receipt
6 of his pension check or warrant. In lieu of trial by the Commandant
7 the member may demand a court martial. Such pension money shall
8 be deposited by the Commandant in a separate account for and in be-
9 half of such pensioner and the Commandant shall, under such rules as

10 the Board of Control may provide, pay the same out with the consent
 11 of the pensioner in such manner and for such purposes as the Board of
 12 Control may approve. If, after a period of six months, the pensioner
 13 shall conduct himself in an orderly and sober manner, said deposit
 14 shall be returned to him. If the pensioner be discharged from the
 15 Home the balance of such deposit shall be paid to said pensioner with-
 16 in thirty days after his discharge.

1 SEC. 21. Pension money deposited with the Commandant shall not
 2 be assignable for any purpose except as provided in Section sixteen
 3 (16) and Section twenty (20) of this Act.

1 SEC. 22. The provisions of this Act relating to eligibility for ad-
 2 mission shall not apply to the present members of the Home.

1 SEC. 23. The Board of Control shall, biennially, on or before Octo-
 2 ber first, prior to the meeting of the General Assembly, make a full and
 3 detailed report to the Governor of the State showing the condition of
 4 the Home, the number of members in the Home, the order and disci-
 5 pline enforced, and the needs of the Home financially and otherwise,
 6 together with an itemized statement of all receipts and disbursements
 7 and any and all other matters of importance in the management and
 8 control of the Home.

1 SEC. 24. If any provision or part of this Act shall be held invalid,
 2 the remaining provisions shall be given full force and effect as if the
 3 part held invalid had not been included therein.

Approved March 27, 1939.

CHAPTER 95

HOSPITAL FOR EPILEPTICS AND SCHOOL FOR FEEBLE-MINDED

H. F. 541

AN ACT to amend chapter one hundred seventy-two (172) of the code, 1935, relating to the hospital for epileptics and the school for feeble minded; providing liability for, collection, and payment of the cost of supporting patients of said institution; and repealing section thirty-four hundred seventy-four (3474) of the code, 1935.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section thirty-four hundred seventy-four (3474) of the
 2 Code, 1935, is hereby repealed.

1 SEC. 2. Chapter one hundred seventy-two (172) of the Code is
 2 amended by adding thereto the following:

3 The superintendent shall supply all patients with clothing when not
 4 otherwise supplied. The actual cost thereof together with the neces-
 5 sary and legal costs and expenses attending the care, investigation,
 6 commitment, and support in the hospital shall be paid: