

A BILL

FOR AN ACT TO DEFINE AND PUNISH THE CRIME OF CRUEL AND INHUMAN TREATMENT OF CHILDREN, AND TO PROVIDE FOR CARE OF SUCH CHILDREN PENDING PRELIMINARY AND FINAL HEARING.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That any father, 2 mother, guardian, or other person to whom is confided or intrusted the care of any child, who 3 shall cruelly and inhumanly maim, beat, strike or kick, or require such child to perform any 4 cruel or unusual service by which the health of such child may be impaired, or who shall 5 fail to furnish such child with necessary food and clothing, with intent to cruelly treat such 6 child, shall, upon conviction thereof, be fined not less than one hundred dollars nor more 7 than five hundred dollars, and shall be confined in the county jail not less than thirty days 8 nor more than six months.

SEC. 2. The officer to whom the warrant is delivered for the arrest of the person charged 2 with the offense defined in the first section of this act shall forthwith take such child in his 3 custody and provide such care and treatment for the same as he shall deem for its health and 4 comfort, and such officer shall safely keep such child until the final hearing, and such officer 5 shall, under the order of court, deliver such child to the legal custodian thereof, or to a 6 guardian thereafter to be appointed as provided by law. If the defendant is found guilty 7 under the provisions of this act, or if the court shall, upon the final hearing, from the facts 8 disclosed on the trial, be of the opinion that the defendant is not a proper person to have the 9 custody of such child, the court shall enter an order commanding such defendant to refrain 10 from exercising any control over such child in any manner whatever, and a violation of such 11 order of court shall be punished as now provided by law for the punishment of contempt.

SEC. 3. All cost and expense for the keeping and maintaining of such child, as provided 2 in section 2 of this act, shall be audited and paid as provided by law for expenses on prelimi- 3 nary proceedings; and upon final hearing, if the accused shall be found guilty of the offense 4 charged, such costs and expenses so audited shall be taxed as part of the costs in the final

5 hearing; the county auditor shall forthwith certify to the district court the amount so
6 audited under the provisions of this act.

SEC. 4. This act being deemed of immediate importance, shall take effect and be in force
2 from and after its publication in the *Iowa State Register* and the Council Bluffs *Nonpareil*,
3 newspapers published in Des Moines and Council Bluffs, Iowa.

J. M. PARKER, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:

Your Committee on Judiciary, to whom was referred house file No. 275, a bill for an act to define and punish the crime of cruel and inhuman treatment of children, and to provide for care of such children pending preliminary and final hearing, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the house with the recommendation that it be amended by striking out "maim," in the third line of section one, and inserting the word "torture"; and by striking out the first thirteen words following the period in the sixth line of section 2; and being so amended the bill do pass.

J. M. PARKER, *Chairman.*

Ordered passed on file.

HOUSE FILE NO. 275.]

[BY CARSON.

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SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That any father, 2 mother, guardian, or other person to whom is confided or intrusted the care of any child, who 3 shall cruelly and inhumanly torture, beat, strike or kick, or require such child to perform any 4 cruel or unusual service by which the health of such child may be impaired, or who shall 5 fail to furnish such child with necessary food and clothing, with intent to cruelly treat such 6 child, shall, upon conviction thereof, be fined not less than one hundred dollars nor more than 7 five hundred dollars, and shall be confined in the county jail not less than thirty days nor 8 more than six months.

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6 guardian thereafter to be appointed, as provided by law. If the court shall, upon the final
7 hearing, from the facts disclosed on the trial, be of the opinion that the defendant is not a
8 proper person to have the custody of such child, the court shall enter an order commanding
9 such defendant to refrain from exercising any control over such child in any manner what-
10 ever, and a violation of such order of court shall be punished as now provided by law for the
11 punishment of contempt.

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5 hearing; the county auditor shall forthwith certify to the district court the amount so audited
6 under the provisions of this act.

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