

Said state tax shall be apportioned and certified by the secretary of state to the several counties, and by the county clerks of the several counties to the several towns, cities and incorporated villages in their respective counties, and shall be collected and paid over according to existing laws.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 15, 1880.

[No. 125, S.]

[Published March 29, 1880.]

CHAPTER 265.

AN ACT relating to offenses against the lives and persons of individuals, and amendatory of section four thousand three hundred and eighty-nine, chapter one hundred and eighty-one, revised statutes, 1878.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. Section four thousand three hundred and eighty-nine of chapter one hundred and eighty-one of the revised statutes of 1878 is hereby amended by inserting after the word "boys" in the fourth line of said section the words "or girls," so that said section will read, when so amended, as follows: Section 4389. Any officer or other person in charge of or employed in any hospital for the insane, poor house, state prison, jail, institute for the education of the deaf and dumb or blind, house of correction, industrial school for boys or girls, or orphan asylum, who shall abuse, neglect or ill-treat any person confined therein, or an inmate thereof, shall be punished by imprisonment in the county jail not more than one year or by fine not exceeding two hundred dollars.

Amended.  
Penalty for treating in mates.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 15, 1880.

[No. 82, S.]

[Published February 29, 1880.]

CHAPTER 266.

AN ACT to repeal sections five hundred and ninety-two and five hundred and ninety-four of revised statutes of 1878, relating to public charities, and to amend section five hundred and ninety-three, revised statutes, 1878, and to prescribe the procedure for committing persons to the insane hospitals.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. Section five hundred and ninety-three of the revised statutes of 1878 is hereby amended so as

Procedure in securing confinement of insane.

Examination  
by physicians.

to read as follows: Whenever any resident of this state shall be or be supposed to be insane, application may be made in his behalf, by any respectable citizen, to the judge of the county court, in and for the county in which he resides, for a judicial inquiry as to his mental condition, and for an order of commitment to some hospital or asylum for the insane. The application shall be in writing, and shall specify whether or not a trial by jury is desired by the applicant. On the receipt of said petition, the judge to whom it is addressed shall appoint two disinterested physicians of good repute for medical skill and moral integrity, to visit and examine the person alleged to be insane, and such physicians shall proceed without unnecessary delay to the residence of the person supposed to be insane, and shall by personal examination and inquiry satisfy themselves fully as to his condition, and report the result of their examination to the court or judge. Such report shall be substantially as follows:

Style of report.

1. What is the age of the patient?
2. Where was the patient born?
3. Present place of residence?
4. Married, single or widowed?
5. If children, how many and the age of the youngest?
6. What has been the occupation of the patient and the reputed pecuniary circumstances?
7. When were the first symptoms of the disease manifested, and what were they?
8. Is this the first attack? If not, when did others occur, and what was their duration?
9. What is the cause of this attack?
10. Is the disease increasing or stationary?
11. Are there rational intervals? If so, how often, and what is their duration?
12. Have any changes occurred in the condition of body or mind since the attack?
13. On what subject, or in what way is derangement now manifested? Are there any permanent hallucinations?
14. Has the patient shown any disposition to injure others? And if so, was it from sudden passion or premeditation?
15. Has suicide or homicide ever been attempted? If so, in what way? Is the propensity now active?
16. Has the patient any disposition to destroy clothing or other property?
17. Is there any disposition to filthy habits?

18. What treatment was pursued for the relief of the patient? Mention particulars and effects.

19. What is the present physical condition?

20. Has restraint or confinement ever been employed? If so, what and how long?

21. Did the patient manifest any peculiarities of temper, habits, disposition or pursuits before the accession of the disease; any predominant passions, religious impressions, etc.?

22. Was the patient ever addicted to the intemperate use of intoxicating drinks, opium or tobacco, or any improper habits?

23. Has the patient ever had any injury on the head, paralysis, epileptic or other fits; any hereditary disease, suppressed eruptions, discharges or sores?

24. What relatives, including grandparents and cousins, have been insane?

25. Were the parents blood relations?

26. To whom and where should letters be addressed in case of death, need of clothing, etc.?

27. State any other matter supposed to have a bearing on the case. If epileptic, state duration and frequency of paroxysm.

Said physicians shall be entitled to a fee of three Physicians' fee. dollars each, and ten cents a mile for each mile necessarily traveled in complying with said order. Upon the receipt of the report of the examining physicians, the judge may, if no demand has been made for a jury, make and enter his order of commitment to the hospital or asylum of the district to which the county belongs, or if not fully satisfied, he may make such additional investigation of the case as may seem to him to be necessary and proper, and at any stage of the examination, the person alleged to be insane, or any relative or friend acting in his behalf, shall have the right to demand that the question of sanity be tried by a jury, and when such demand is made, the county judge shall forthwith enter an order for a jury trial. Case may be submitted to jury. In case a trial by jury is demanded, the forms of procedure shall be the same as in trials by jury in justices' courts, and the trial shall be in the presence of the person supposed to be insane and his counsel and immediate friends and the medical witnesses. All other persons shall be excluded by the court on motion of either party. The person supposed to be insane shall have the right to be assisted by counsel, and may challenge jurors as in civil cases, and the court may, for good cause, continue the case

from time to time. The same fees shall be allowed to witnesses and jurors as is allowed in trials in justice court, and shall be paid by the county within which the proceedings are had. For the purposes of this act the county court shall be always open. The jury, after hearing the evidence, shall render their verdict in writing, signed by them, which verdict may be in the following form:

Style of verdict. STATE OF WISCONSIN, }  
County of ———, } ss.

We, the undersigned jurors in the the case of ———, having heard the evidence in the case, are satisfied that the said ——— is a fit person to be sent to a hospital or asylum for the insane. If the jury find that the supposed insane person is sane, they shall simply so state by their verdict. In case the jury find by their verdict that the supposed insane person is sane, the court shall forthwith enter an order for the discharge of such person. The verdict of said jury shall be recorded at length, together with an abstract of all such proceedings, in a book to be kept for that purpose by the county judge. The costs of the proceedings herein provided for shall be paid in like manner, as provided by law, in criminal trials in justices' court. The court shall transmit to the hospital or asylum, to which any person is so committed, the certificate or finding of the physicians provided for in this act.

Repealed.

SECTION 2. Sections five hundred and ninety-two and five hundred and ninety-four of the revised statutes of 1878, and all acts or parts of acts conflicting with the provisions of this act, are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 15, 1880.

[No. 81, S.]

[Published March 29, 1880.]

### CHAPTER 267.

AN ACT to amend section four thousand three hundred and ninety-five of the revised statutes of 1878, entitled of offenses against the lives and persons of individuals.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

Hole, made by removing ice, to be guarded.

SECTION 1. Section four thousand three hundred and ninety-five of the revised statutes of 1878, is hereby amended by striking out all after the word "removal," where it occurs in the third line of said sec-