

CHAPTER 46.

WRONGS TO CHILDREN,

An Act to prevent and punish wrongs to children.

Be it enacted by the Legislature of the State of Wyoming:

Exhibition of children.

Section 1. It shall be unlawful for any person having the care, custody or control of any child under the age of fourteen years to exhibit, use or employ, or in any manner, or under any pretense, sell, appretence, give away, let out or otherwise dispose of any such child to any person, in or for the vocation or occupation, service or purpose of singing, playing on musical instruments, dancing, rope or wire walking, begging or peddling, or as a gymnast, contortionist, rider or acrobat, in any place whatsoever; or as an actor or performer in any concert hall or room where intoxicating liquors are sold or given away, or in any variety theater, or for any illegal, obscene, indecent or immoral purpose, exhibition or practice whatsoever; or for or in any business exhibition or vocation, injurious to the health or dangerous to the life or limb of such child, or cause, procure or encourage such child to engage therein. Nothing in this section contained shall apply to or affect the employment or use of any child as a singer or musician in any church, school or academy, or at any respectable entertainment, or the teaching or learning the science or practice of music.

Exception.

Unlawful to employ for certain purposes.

Sec. 2. It shall be unlawful for any person to take, receive, hire, employ, use, exhibit or have in custody any child, under the age, and for the purposes prohibited in the first section of this Act.

Sec. 3 It shall be unlawful for any person having the care or custody of any child, wilfully to cause or permit the life of such child to be endangered, or the health of such child to be injured, or wilfully to cause or permit such child to be placed in such a situation that its life or health may be endangered, or wilfully, or unnecessarily to expose to the inclemency of the weather, or wilfully to abandon such child, or to torture, torment, cruelly punish, and negligently or wilfully to deprive of necessary food, clothing or shelter or in any other manner injure such child.

Life or health endangered.

Sec. 4 It shall be unlawful for any person or persons to give or sell cigarettes, spirituous liquors or tobacco to any person or persons under the age of sixteen years.

Unlawful to sell cigarettes, liquor or tobacco.

Sec. 5. Any person who shall be convicted of violating any of the provisions of the preceding sections of this Act, shall be fined not exceeding one hundred dollars, or be imprisoned in the county jail not exceeding three months, or both, in the discretion of the court; and upon conviction for a second or any subsequent offense, shall be fined not exceeding two hundred dollars, or be imprisoned in the county jail not exceeding six months. Penalty.

Sec. 6. Any justice of the peace of any county in which any of the offenses defined in this Act is (are) committed, may upon his own knowledge, or upon the oath of any competent person, issue a warrant to any proper officer of his county, for the arrest of any person charged with such offense, and upon the arrest of such person, the justice of the peace before whom such person is brought for trial, shall have jurisdiction to hear and determine the cause, and if he find the accused guilty, shall assess the fine or fix the term of imprisonment, or both. Provided, the accused may have a trial by jury, and if the jury shall find the accused guilty, they shall assess and state the amount of the fine or term of imprisonment, or both; upon which, the justice of the peace before whom the trial shall be had, shall give judgment accordingly and proceed to collect such fine and the costs of the trial; and when such fines shall be collected, the same shall be paid to the treasurer of the county, who shall give his receipt therefor, which said receipt shall be filed with the justice of the peace; said fine to be credited to the county school fund for the benefit of the public school fund of the county; Provided, that when a society shall be organized and incorporated for the prevention of cruelty to children, known as the "Wyoming Humane Society," that from said time of incorporation all fines assessed under the provisions of this Act shall be turned over to the treasurer of said humane society. Authority of justices of the peace.

Wyoming Humane Society.

Sec. 7. In case any person or persons or body corporate shall establish, keep or maintain any house or institution for the care or custody of children and shall cause or permit the Institution for care of children

life or health of any child or inmate therein to be endangered or injured, the Board of County Commissioners of the county in which such house or institution is situated may take such child from such house or institution, and place it in some proper institution for the care and custody of children, or in the county hospital or poor-house, or otherwise dispose of such child as such board of commissioners may deem proper.

Restrictions. child as such board of commissioners may deem best, and, if necessary to prevent further injury to children, such board may declare any house or institution where a child is mistreated, as aforesaid, a public nuisance and abate the same in the manner provided for the abatement of nuisances injurious to public health.

Guardian. Sec. 8. The district court of any county, when it appears that a minor under the age of fourteen years, resident therein, is without a guardian and is entirely abandoned, or is treated with gross and habitual cruelty, by the parents of such child, or one of them or by any other person or persons having the custody of such child, or is illegally deprived of liberty, may appoint a guardian for such child, for such period as may seem fit. If there shall be in existence and incorporated, any society for the humane care of children, known as the Wyoming Humane Society, or by any other name, the court may designate any such society as guardian of any child, if it is deemed advisable. The court shall have authority, at any time to revoke any such appointment, and make new appointments.

Notice. Sec. 9. No order of guardianship shall be entered pursuant to the foregoing section without at least five days notice in writing to the person or persons having the custody of such child, to show cause why such order should not be made; and it shall be the duty of the district court to make proper rules to govern its practice and procedure under the provisions of this and the next preceding section.

Approved February 15, A. D. 1895.