

# ACTS AND RESOLUTIONS

PASSED AT THE

REGULAR SESSION

OF THE

## TWENTY-FIRST GENERAL ASSEMBLY

OF THE

STATE OF IOWA,

BEGUN JANUARY 11, AND ENDED APRIL 13, 1886.

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PUBLISHED UNDER AUTHORITY OF THE STATE.

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## STATE GOVERNMENT, 1886.

*List of State Officers, Judges of the Supreme, District, Circuit and Superior Courts, District Attorneys, and Members and Officers of the General Assembly, at the time of passage of the Laws contained in this book.*

## EXECUTIVE DEPARTMENT.

NAME.	POSITION.	COUNTY FROM WHICH ORIGINALLY CHOSEN.
William Larrabee .....	Governor .....	Fayette.
John A. T. Hull .....	Lieutenant-Governor .....	Polk.
Albert Head .....	Speaker House of Representatives .....	Greene.
Frank D. Jackson .....	Secretary of State .....	Butler.
Daniel W. Smith .....	Deputy Secretary of State .....	Shelby.
Charles Beardsley .....	Acting Auditor of State .....	Des Moines.
P. H. Bristow .....	Acting Deputy Auditor of State .....	Polk.
Voltaire P. Twombly .....	Treasurer of State .....	Van Buren.
John Whitten .....	Deputy Treasurer of State .....	Van Buren.
John W. Akers .....	Superintendent of Public Instruction .....	Linn.
George H. Nichols .....	Deputy Supt. of Public Instruction .....	Floyd.
George E. Roberts .....	State Printer .....	Webster.
L. S. Merchant .....	State Binder .....	Linn.
*William L. Alexander .....	Adjutant-General .....	Lucas.
*Mrs. S. B. Maxwell .....	State Librarian .....	Guthrie.
*E. R. Hutchins .....	Commissioner of Labor Statistics .....	Polk.
*John Blanchard .....	State Inspector of Oils .....	Dubuque.
*A. W. Aldrich .....	Fish Commissioner .....	Jones.
*Milliken Stalker .....	State Veterinary Surgeon .....	Polk.
*Prof. Nathan R. Leonard .....	Superintendent Weights and Measures .....	Johnson.
*Peter A. Dey .....		Johnson.
*James W. McDill .....	} Railroad Commissioners .....	Union.
*Lorenzo S. Coffin .....		Webster.
W. S. Robertson .....	President State Board of Health .....	Muscatine.
Dr. J. F. Kennedy .....	Secretary State Board of Health .....	Polk.
*Geo. H. Schafer .....		Lee.
*R. W. Crawford .....	} Commission of Pharmacy .....	Webster.
*John H. Pickett .....		Story.
*Fred'k W. Hossfeld .....	Private Secretary to the Governor .....	Fayette.
Ed Wright .....	Secretary Capitol Commissioners .....	Polk.
Erastus G. Morgan .....	Sec'y Board of Railroad Commissioners .....	Webster.
J. A. Sanford .....	Clerk Executive Council .....	Polk.

\* Appointed by the Governor.

## JUDICIAL DEPARTMENT.

## SUPREME COURT.

NAME.	POSITION.	COUNTY FROM WHICH CHOSEN.	POST-OFFICE ADDRESS.
Austin Adams.....	Chief Justice..	Dubuque.....	Dubuque.
William H. Seevers.....	Judge.....	Mahaska.....	Oskaloosa.
Joseph R. Reed.....	Judge.....	Pottawattamie..	Council Bluffs.
James H. Rothrock.....	Judge.....	Linn.....	Cedar Rapids.
Joseph M. Beck.....	Judge.....	Lee.....	Ft. Madison.
A. J. Baker.....	Attorney-Gen.	Appanoose.....	Des Moines.
Gilbert B. Pray.....	Clerk.....	Hamilton.....	Des Moines.
Christopher T. Jones.....	Deputy Clerk..	Washington.....	Des Moines.
Ezra C. Ebersole.....	Reporter.....	Tama.....	Toledo.

## DISTRICT COURTS.

District.	NAME.	POSITION.	COUNTY FROM WHICH CHOSEN.	POST-OFFICE ADDRESS.
1	Abraham H. Stutsman.....	Judge.....	Des Moines.....	Burlington.
2	Edward L. Burton.....	Judge.....	Wapello.....	Ottumwa.
3	John W. Harvey.....	Judge.....	Decatur.....	Leon.
4	Charles H. Lewis.....	Judge.....	Cherokee.....	Cherokee.
5	William H. McHenry.....	Judge.....	Polk.....	Des Moines.
6	J. Kelley Johnson.....	Judge.....	Mahaska.....	Oskaloosa.
7	Walter I. Hayes.....	Judge.....	Clinton.....	Clinton.
8	James D. Giffen.....	Judge.....	Linn.....	Marion.
9	Carl F. Couch.....	Judge.....	Black Hawk.....	Waterloo.
10	L. O. Hatch.....	Judge.....	Clayton.....	McGregor.
11	H. C. Henderson.....	Judge.....	Marshall.....	Marshalltown..
12	Geo. W. Ruddick.....	Judge.....	Bremer.....	Waverly.
13	C. F. Loofbourov.....	Judge.....	Cass.....	Atlantic.
14	Lot Thomas.....	Judge.....	Buena Vista.....	Storm Lake.
1	D. N. Sprague.....	Dist. Attorney.	Lee.....	Keokuk.
2	Samuel Jones.....	Dist. Attorney.	Davis.....	Bloomfield.
3	James P. Flick.....	Dist. Attorney.	Taylor.....	Bedford.
4	Stephen M. Marsh.....	Dist. Attorney.	Woodbury.....	Sioux City.
5	A. W. Wilkinson.....	Dist. Attorney.	Madison.....	Winterset.
6	John A. Donnell.....	Dist. Attorney.	Keokuk.....	Sigourney.
7	M. V. Gannon.....	Dist. Attorney.	Scott.....	Davenport.
8	J. H. Preston.....	Dist. Attorney.	Linn.....	Cedar Rapids.
9	James H. Shields.....	Dist. Attorney.	Dubuque.....	Dubuque.
10	Cyrus Wellington.....	Dist. Attorney.	Winneshiek.....	Decorah.
11	John L. Stevens.....	Dist. Attorney.	Story.....	Ames.
12	John C. Sherwin.....	Dist. Attorney.	Cerro Gordo.....	Mason City.
13	A. B. Thornell.....	Dist. Attorney.	Fremont.....	Sidney.
14	J. W. Cory.....	Dist. Attorney.	Dickinson.....	Spirit Lake.

STATE GOVERNMENT.

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CIRCUIT COURTS.

District. Circuit.	NAME.	POSITION.	COUNTY FROM WHICH CHOSEN.	POST-OFFICE.
1 1	W. J. Jeffries.....	Judge .....	Henry .....	Mt. Pleasant.
2 2	C. H. Phelps.....	Judge .....	Des Moines.....	Burlington.
2	H. C. Traverse.....	Judge .....	Davis.....	Bloomfield.
2	Dell Stuart .....	Judge .....	Lucas.....	Chariton.
3	John Chaney .....	Judge .....	Clarke .....	Osceola.
4 1	Daniel D. McCallum.....	Judge .....	Osceola .....	Sibley.
4 2	Geo. W. Wakefield .....	Judge .....	Woodbury .....	Sioux City.
5 1	Josiah Given .....	Judge .....	Polk .....	Des Moines.
5 1	J. H. Henderson.....	Judge .....	Warren .....	Indianola.
5 2	S. A. Callvert .....	Judge .....	Dallas .....	Adel.
6 1	W. R. Lewis.....	Judge .....	Poweshiek.....	Montezuma.
6 2	Geo. W. Crozier .....	Judge .....	Marion .....	Knoxville.
7 1	A. J. Leffingwell.....	Judge .....	Clinton .....	Lyons.
7 2	Nathaniel French .....	Judge .....	Scott .....	Davenport.
8	Christian Hedges .....	Judge .....	Iowa .....	Marengo.
9	W. H. Utt .....	Judge .....	Dubuque.....	Dubuque.
10	C. T. Granger.....	Judge .....	Allamakee.....	Waukon.
11	D. D. Miracle.....	Judge .....	Hamilton .....	Webster City.
12	J. B. Cleland.....	Judge .....	Mitchell .....	Osage.
13	J. P. Conner .....	Judge .....	Crawford .....	Denison.
14	J. H. Macomber .....	Judge .....	Ida .....	Ida Grove.

SUPERIOR COURTS.

NAME.	POSITION.	COUNTY FROM WHICH CHOSEN.	POST-OFFICE ADDRESS.
John T. Stoneman .....	Judge .....	Linn .....	Cedar Rapids.
E. E. Aylesworth.....	Judge .....	Pottawattamie ..	Council Bluffs.
Geo. P. Wilson.....	Judge .....	Union .....	Creston.
Henry Banks, Jr.....	Judge .....	Lee .....	Keokuk.

TWENTY-FIRST GENERAL ASSEMBLY  
OF THE  
STATE OF IOWA.

SENATE.

District.	COUNTIES COMPRISING DISTRICT.	SENATORS.	POST-OFFICE.
1	Lee	J. M. Casey	Ft. Madison.
2	Van Buren and Davis	John W. Carr	Milton.
3	Appanoose and Monroe	Edward J. Gault	Cincinnati.
4	Wayne and Lucas	Lewis Miles	Corydon.
5	Clarke and Decatur	John McDonough	Woodburn.
6	Ringgold, Taylor and Union	A. P. Stephens	Creston.
7	Page and Fremont	T. E. Clark	Clarinda.
8	Mills and Montgomery	James S. Hendrie	Pacific City.
9	Des Moines	W. W. Dodge	Burlington.
10	Henry and Jefferson	John S. Woolson	Mt. Pleasant.
11	Louisa and Washington	Francis A. Duncan	Columbus Junction.
12	Wapello	J. G. Hutchison	Ottumwa.
13	Keokuk and Iowa	James Dooley	What Cheer.
14	Mahaska	Ben. McCoy	Oskaloosa.
15	Marion	Ed. R. Cassatt	Pella.
16	Madison and Warren	Eli Wilkin	Winterset.
17	Audubon, Guthrie and Dallas	Tim. J. Oaldwell	Adel.
18	Adair, Adams and Cass	Lafe Young	Atlantic.
19	Pottawattamie	George Carson	Council Bluffs.
20	Muscatine	S. T. Chesebro	West Liberty.
21	Scott	W. O. Schmidt	Davenport.
22	Clinton	P. B. Wolfe	De Witt.
23	Jackson	G. L. Johnson	Maquoketa.
24	Cedar and Jones	John C. Chambers	West Branch.
25	Johnson	Moses Bloom	Iowa City.
26	Linn	J. W. Henderson	Cedar Rapids.
27	Benton	John Ryder	Vinton.
28	Marshall	Preston M. Sutton	Marshalltown.
29	Jasper	M. P. Doud	Newton.
30	Polk	C. H. Gatch	Des Moines.
31	Boone and Story	John Scott	Nevada.
32	Hardin and Grundy	M. Underwood	Eldora.
33	Buchanan and Delaware	Wm. G. Donnan	Independence.
34	Harrison and Shelby	L. R. Bolter	Logan.
35	Dubuque	W. J. Knight	Dubuque.

## SENATE—CONTINUED.

District.	COUNTIES COMPRISING DISTRICTS.	SENATORS.	POST-OFFICE.
36	Clayton.....	F. D. Bayless.....	Elkader.
37	Hamilton, Webster and Wright.	N. F. Weber.....	Clarion.
38	Black Hawk.....	Matt Parrott.....	Waterloo.
39	Butler and Bremer.....	Alvin M. Whaley.....	Aplington.
40	Allamakee and Fayette.....	W. C. Earle.....	Waukon.
41	Howard, Mitchell and Worth.....	J. H. Sweney.....	Osage.
42	Winneshiek.....	T. W. Burdick.....	Decorah.
43	Cerro Gordo, Franklin, Hancock and Winnebago.....	John D. Glass.....	Mason City.
44	Chickasaw and Floyd.....	R. G. Reiniger.....	Charles City.
45	Poweshiek and Tama.....	A. N. Poyner.....	Montour.
46	Woodbury, Monona and Crawford.....	C. E. Whiting.....	Whiting.
47	Humboldt, Pocahontas, Palo Alto, Emmet, Kossuth and Clay.	Chas. C. Chubb.....	Algona.
48	Greene, Carroll and Calhoun.....	J. K. Deal.....	Carroll.
49	Plymouth, Sioux, Lyon, O'Brien, Osceola and Dickinson.....	O. M. Barrett.....	Sheldon.
50	Buena Vista, Cherokee, Sac and Ida.....	G. S. Robinson.....	Storm Lake.

## OFFICERS OF THE SENATE.

*President*—J. A. T. Hull, Des Moines, Polk county.

*Secretary*—Don D. Donnan, Elkader, Clayton county.

*Assistant Secretary*—Ernst Hofer, McGregor, Clayton county.

*Second Assistant Secretary*—W. R. Cochrane, Bedford, Taylor county.

*Enrolling Clerk*—Nellie Milligan, Des Moines, Polk county.

*Engrossing Clerk*—Nannie T. Stull, Keosauqua, Van Buren county.

*Sergeant-at-Arms*—Ben. E. Eberhardt, La Porte City, Black Hawk county.

*Bill Clerk*—Sadie Patch, Winterset, Madison county.

*Postmistress*—Alice A. Smith, Boone, Boone county.

*Door-Keeper*—Theo Schreiner, Mt. Pleasant, Henry county.

*Assistant Door-Keepers*—W. T. Lyon, S. A. Moore, C. W. Martin, P. J. Merkle,  
Wm. Bintner, Robt. Blizzard, E. Roberts, John Sims.

## HOUSE OF REPRESENTATIVES.

District.	COUNTIES COMPRISING DISTRICT.	REPRESENTATIVE.	POST-OFFICE.
1	Lee.....	J. E. Craig.....	Keokuk.
		W. G. Kent.....	Ft. Madison.
2	Des Moines.....	W. B. Culbertson.....	Burlington.
		John S. Penny.....	Latty.
3	Henry.....	W. S. Withrow.....	Salem.
4	Jefferson.....	H. B. Mitchell.....	Fairfield.
5	Van Buren.....	W. M. Walker.....	Keosauqua
6	Wapello.....	D. A. La Force.....	Ottumwa.
		J. R. Burgess.....	Ottumwa.
7	Davis.....	L. D. Hotchkiss.....	Pulaski.
8	Monroe.....	A. A. Ramsey.....	Albia.
9	Appanoose.....	E. M. Reynolds.....	Centerville.
10	Lucas.....	George C. Boggs.....	Russell.
11	Wayne.....	J. R. Bradley.....	Seymour.
12	Clarke.....	W. G. Agnew.....	Osceola.
13	Decatur.....	Thomas Teale.....	Lamoni.
14	Union.....	W. H. Robb.....	Creston.
15	Ringgold.....	John Coie.....	Tingley.
16	Adams.....	Ed. C. Russell.....	Corning.
17	Taylor.....	G. L. Finn.....	Bedford.
18	Montgomery.....	F. P. Greenlee.....	Villisca.
19	Page.....	Wm. Butler.....	Clarinda.
20	Mills.....	John Barnum.....	Emerson.
21	Fremont.....	J. M. Hammond.....	Hamburg.
22	Pottawattamie.....	J. H. Keatley.....	Council Bluffs.
		R. S. Hart.....	Avoca.
23	Cass.....	Silas Wilson.....	Atlantic.
24	Adair.....	John A. Storey.....	Fontanelle.
25	Madison.....	A. R. Dabney.....	Winterset.
26	Warren.....	C. L. Anderson.....	Ford.
27	Marion.....	E. Shaw.....	Pella.
28	Mahaska.....	D. L. Lyons.....	Indianapolis.
29	Keokuk.....	W. W. Kline.....	South English.
30	Washington.....	B. F. Tipton.....	Lexington.
31	Louisa.....	L. A. Riley.....	Wapello.
32	Muscatine.....	B. H. Garrett.....	Letts.
33	Scott.....	Philipp Dietz.....	Walcott.
		George H. Clark.....	Donahue.
		R. G. Cousins.....	Tipton.
34	Cedar.....	C. S. Ranck.....	Iowa City.
35	Johnson.....	George W. Ball.....	Iowa City.
		N. B. Holbrook.....	Marengo.
36	Iowa.....	W. H. Redman.....	Montezuma.
37	Poweshiek.....	Aaron Custer.....	Monroe.
38	Jasper.....	J. H. Smith.....	Ira.
39	Polk.....	Wesley Redhead.....	Des Moines.
		J. G. Berryhill.....	Des Moines.
40	Dallas.....	D. J. Pattee.....	Perry.
41	Guthrie.....	J. A. Lyons.....	Guthrie Center.
42	Harrison.....	D. M. Harris.....	Missouri Valley.



## HOUSE OF REPRESENTATIVES—CONTINUED.

District.	COUNTIES COMPOSING DISTRICT.	REPRESENTATIVE.	POST-OFFICE.
43	Boone.....	S. L. Moore.....	Boone.
44	Story.....	Oley Nelson.....	Sheldahl.
45	Marshall.....	J. G. Brown.....	Marshalltown.
46	Tama.....	H. J. Stiger.....	Toledo.
47	Benton.....	S. S. Sweet.....	Belle Plaine.
48	Linn.....	Wm. G. Thompson.....	Marion.
		John T. Hamilton.....	Cedar Rapids.
49	Jones.....	George W. Lathrop.....	Oxford Mills.
50	Clinton.....	John Coleman.....	Clinton.
		Edward Hart.....	Wheatland.
51	Jackson.....	John Manderscheid.....	Cottonville.
52	Dubuque.....	J. J. Linehan.....	Dubuque.
		I. W. Baldwin.....	Cascade.
53	Delaware.....	L. S. Gates.....	Manchester.
54	Buchanan.....	W. H. Chamberlin.....	Independence.
55	Black Hawk.....	G. W. Hayzlett.....	Laporte City.
56	Grundy.....	Hans Peterson.....	Reinbeck.
57	Hardin.....	S. M. Weaver.....	Iowa Falls.
58	Hamilton.....	Augustus Anderson.....	Stratford.
59	Webster.....	S. T. Meservey.....	Ft. Dodge.
60	Woodbury.....	R. C. Rice.....	Smithland.
61	Butler.....	Elwood Wilson.....	Shell Rock.
62	Bremer.....	M. S. Wright.....	Sumner.
63	Fayette.....	J. K. Montgomery.....	West Union.
64	Clayton.....	J. Killen.....	Monona.
		J. F. Thompson.....	Elkader.
65	Allamakee.....	Theo. Nachtwey.....	Lansing.
66	Winneshiek.....	Nels Larson.....	Hesper.
67	Howard.....	S. A. Converse.....	Cresco.
68	Chickasaw.....	H. H. Bailey.....	Williamstown.
69	Mitchell.....	D. F. McCarthy.....	St. Ansgar.
70	Floyd.....	E. W. Wilbur.....	Rockford.
71	Plymouth.....	W. H. Dent.....	Le Mars.
72	Lyon, Sioux and Osceola.....	E. C. Roach.....	Rock Rapids.
73	Monona.....	W. F. Wiley.....	Castana.
74	Crawford.....	I. T. Roberts.....	Denison.
75	Buena Vista, Ida.....	G. L. Dobson.....	Newell.
76	Cherokee, Clay.....	M. S. Butler.....	Cherokee.
77	Sac.....	Phil. Schaller.....	Sac City.
78	Pocahontas, Calhoun.....	J. J. Bruce.....	Rolfe.
79	Greene.....	Albert Head.....	Jefferson.
80	Carroll.....	W. L. Culbertson.....	Carroll.
81	Shelby.....	C. J. Wyland.....	Harlan.
82	Audubon.....	J. A. Overholtzer.....	Viola Center.
83	O'Brien, Dickinson.....	George W. Schee.....	Primghar.
84	Palo Alto, Emmet, Kossuth.....	R. H. Spencer.....	Algona.
85	Humboldt, Wright.....	I. L. Welch.....	Humboldt.
86	Winnebago, Hancock and Worth.....	Simon Rustad.....	Northwood.
87	Cerro Gordo.....	N. Densmore.....	Rockwell.
88	Franklin.....	R. S. Benson.....	Hampton.

## OFFICERS OF THE HOUSE.

- Speaker*—Albert Head, Jefferson, Greene county.  
*Chief Clerk*—J. K. Powers, Avoca, Pottawattamie county.  
*First Assistant Clerk*—Frank S. Rice, Rockwell City, Calhoun county.  
*Second Assistant Clerk*—J. D. Posten, Grinnell, Poweshiek county.  
*Enrolling Clerk*—Nettie Stephenson, Des Moines, Polk county.  
*Engrossing Clerk*—Mollie Heist, Allerton, Wayne county.  
*File Clerk*—D. C. Kolp, Ida Grove, Ida county.  
*Postmistress*—Ella Richards, Indianola, Warren county.  
*Sergeant-at-Arms*—J. P. Pierce, Hampton, Franklin county.  
*Assistant Sergeant-at-Arms*—Owen Lovejoy, Rippey, Greece county.  
*Door-keeper*—A. D. Gaston, Ames, Story county.  
*Assistant Door-keepers*—R. N. Dahlburg, J. W. B. Cole, Geo. W. McNutt, Samuel Little, D. P. Andrus, James E. McMillen.

COMMISSIONERS IN OTHER STATES.

*List of Commissioners for Iowa in other States, qualified to act as such this 3d day of May, 1886, whose terms of office will not expire prior to July 5, 1886, published as required by section 274 of the Code of 1873, showing their name, post-office, date of commission, qualification, and expiration of commission.*

CALIFORNIA.

NAME.	POST-OFFICE.	DATE ON AND AFTER WHICH QUALIFIED TO ACT.	DATE OF EXPIRATION OF COMMISSION.
James L. King.....	San Francisco ....	Feb. 6, 1886	Feb. 5, 1889

COLORADO.

David Mitchell.....	Denver.....	May 23, 1884	May 22, 1887
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CONNECTICUT.

Henry S. Talbot.....	Hartford .....	Dec. 5, 1884	Dec. 4, 1887
Chas. B. Matthewman.....	New Haven.....	Oct. 12, 1883	Oct. 11, 1886
A. Heaton Robinson.....	New Haven.....	Sept. 20, 1883	Sept. 19, 1886

DAKOTA.

George Quinby .....	Carrington .....	April 26, 1886	April 25, 1889
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GEORGIA.

Henry Krouse .....	Atlanta. ....	March 16, 1885	March 15, 1888
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ILLINOIS.

Frank P. Crandon.....	Chicago .....	April 3, 1885	April 2, 1888
Phillip A. Hoyne.....	Chicago .....	July 3, 1885	July 2, 1888
S. S. Willard.....	Chicago .....	Feb. 7, 1885	Feb. 6, 1888
John Dunn. ....	Chicago .....	Sept. 8, 1883	Sept. 7, 1886

LOUISIANA.

Meloney C. Soniat.....	New Orleans.....	April 21, 1885	April 20, 1888
Geo. A. Hero .....	New Orleans.....	March 11, 1884	March 10, 1887

MARYLAND.

Murray Hanson.....	Baltimore.....	Dec. 22, 1885	Dec. 21, 1888
G. Evelt Reardon .....	Baltimore.....	June 19, 1884	June 18, 1887
Ph. H. Hoffman .....	Baltimore.....	Jan. 14, 1884	Jan. 14, 1887

## COMMISSIONERS IN OTHER STATES—CONTINUED.

## MASSACHUSETTS.

NAME.	POST-OFFICE.	DATE ON AND AFTER WHICH QUALIFIED TO ACT.	DATE OF EXPIRATION OF COMMISSION.
John L. Coffin .....	Boston .....	March 26, 1886	March 25, 1889
Chas. Hall Adams .....	Boston .....	Feb. 28, 1886	Feb. 27, 1889
Samuel Jennison .....	Boston .....	July 3, 1885	July 2, 1888
Edward J. Jones .....	Boston .....	Feb. 16, 1885	Feb. 15, 1888
J. Henry Hill .....	Boston .....	June 19, 1884	June 18, 1887
David F. Kimball .....	Boston .....	March 6, 1884	March 5, 1887

## MICHIGAN.

John B. Corliss .....	Detroit .....	July 2, 1885	July 1, 1888
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## MISSOURI.

Chas. D. Green, Jr. ....	St. Louis .....	Nov. 27, 1885	Nov. 26, 1888
McLain Jones .....	Springfield .....	Oct. 24, 1885	Oct. 23, 1888
Augustus L. Abbott .....	St. Louis .....	Feb. 10, 1885	Feb. 9, 1888
Francis Nohl .....	St. Louis .....	Sept. 8, 1884	Sept. 7, 1887
Morrison Renshaw .....	St. Louis .....	Oct. 2, 1883	Oct. 1, 1886

## NEW JERSEY.

Geo. P. Kingsley .....	Orange .....	Nov. 16, 1885	Nov. 15, 1888
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## NEW YORK.

Edwin F. Corey .....	New York City .....	Feb. 19, 1886	Feb. 18, 1889
Frederick A. Burnham .....	New York City .....	Feb. 15, 1886	Feb. 14, 1889
Chas. F. Lunt .....	New York City .....	Feb. 6, 1886	Feb. 5, 1889
Benj. E. Andrews .....	South Brooklyn .....	Nov. 20, 1885	Nov. 19, 1888
Thomas F. Ward .....	New York City .....	Oct. 3, 1885	Oct. 2, 1888
William S. Burns .....	Bath .....	Aug. 3, 1885	Aug. 2, 1888
William H. Clarkson .....	New York City .....	Sept. 3, 1885	Sept. 2, 1888
Joseph B. Howes .....	New York City .....	Sept. 4, 1885	Sept. 3, 1888
Charles Nettleton .....	New York City .....	Aug. 15, 1885	Aug. 14, 1888
Monroe Crannell .....	Albany .....	July 3, 1885	July 2, 1888
Charles Edgar Mills .....	New York City .....	July 3, 1885	July 2, 1888
Solomon A. Emanuel .....	New York City .....	May 17, 1885	May 16, 1888
Charles Taylor .....	New York City .....	May 2, 1885	May 1, 1888
John A. Hillery .....	New York City .....	Feb. 12, 1885	Feb. 11, 1888
Thomas W. Folsom .....	New York City .....	March 25, 1885	March 24, 1888
George Bidgood .....	New York City .....	Jan. 5, 1885	Jan. 4, 1888
Isaac S. Smith .....	New York City .....	Dec. 29, 1884	Dec. 28, 1887
Eleazer Jackson .....	New York City .....	Dec. 4, 1884	Dec. 3, 1887
Henry F. Giere .....	New York City .....	Sept. 30, 1884	Sept. 29, 1887
Louis Beckhardt .....	New York City .....	April 30, 1884	April 29, 1887
Vincent Rosemon .....	New York City .....	April 14, 1884	April 13, 1887
Joseph Hillman .....	Troy .....	April 1, 1884	March 31, 1887
Thomas Kilvert .....	New York City .....	March 4, 1884	March 3, 1887
Thomas B. Clifford .....	New York City .....	March 3, 1884	March 2, 1887
Wm. Johnson .....	Buffalo .....	Jan. 4, 1884	Jan. 3, 1887
Wm. F. Lett .....	New York City .....	Dec. 29, 1883	Dec. 28, 1886
Henry C. Banks .....	New York City .....	Dec. 24, 1883	Dec. 23, 1886
Rufus K. McHarg .....	New York City .....	Dec. 20, 1883	Dec. 19, 1886
Joseph H. Bosworth, Jr. ....	New York City .....	Oct. 11, 1883	Oct. 10, 1886
Bernard J. Kelley .....	New York City .....	Sept. 8, 1883	Sept. 7, 1886
Joseph B. Braman .....	New York City .....	April 26, 1886	April 25, 1889
M. D. Tennant .....	Westfield .....	May 5, 1886	May 4, 1889

COMMISSIONERS IN OTHER STATES—CONTINUED.

OHIO.

NAME.	POST-OFFICE.	DATE ON AND AFTER WHICH QUALIFIED TO ACT.	DATE OF EXPIRATION OF COMMISSION.
Samuel S. Carpenter .....	Cincinnati .....	July 14, 1885	July 13, 1888
Joseph T. Harrison .....	Cincinnati .....	June 18, 1885	June 17, 1888
Lipman Levy .....	Cincinnati .....	Nov. 18, 1884	Nov. 17, 1887

OREGON.

Eugene D. White.....	Portland .....	July 5, 1884	July 4, 1887
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PENNSYLVANIA.

Joseph Sparhawk .....	Philadelphia.....	Jan. 30, 1886	Jan. 29, 1889
Edward Shippen .....	Philadelphia.....	Jan. 9, 1886	Jan. 8, 1889
Theo. D. Rand .....	Philadelphia.....	Sept. 7, 1885	Sept. 6, 1888
John H. Wheeler .....	Philadelphia.....	Aug. 5, 1885	Aug. 2, 1888
William F. Robb .....	Pittsburg .....	Aug. 3, 1885	Aug. 2, 1888
Samuel S. Taylor .....	Philadelphia.....	July 18, 1885	July 17, 1888
Kinley J. Tener .....	Philadelphia.....	July 14, 1885	July 13, 1888
Charles Chauncey .....	Philadelphia.....	March 21, 1885	March 20, 1888
Joseph Frankish, Jr. ....	Philadelphia.....	Jan. 27, 1885	Jan. 26, 1888
Edward H. Cloud .....	Philadelphia.....	Oct. 24, 1884	Oct. 23, 1887
Albert L. Wilson .....	Philadelphia.....	April 17, 1884	April 16, 1887
Otis Egan .....	Philadelphia.....	Feb. 14, 1884	Feb. 13, 1887
Thomas J. Hunt .....	Philadelphia.....	Dec. 29, 1883	Dec. 28, 1886
Alex. Ramsey .....	Philadelphia.....	Dec. 18, 1883	Dec. 17, 1886
David E. Davis .....	Pittsburg .....	Dec. 3, 1883	Dec. 2, 1886

VERMONT.

Geo. R. Bottum.....	Rutland .....	Nov. 21, 1883	Nov. 20, 1886
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VIRGINIA.

Wm. A. Hester .....	Halifax C. H.....	Feb. 18, 1884	Feb. 17, 1887
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147	An Act to appropriate funds to furnish buildings, buy lands, and make improvements for the soldiers' orphans home, and home for indigent children at Davenport, Iowa. Approved April 9, 1886.	S. F.	47 167
148	An Act to provide for the appointment and compensation of a custodian of public buildings and property, and prescribing his duties. Approved April 10, 1886.	S. F.	374 168
149	An Act to amend chapter 185 of the laws of the Twentieth General Assembly, in relation to the inspection of illuminating oils. Approved April 10, 1886.	S. F.	164 170
150	An Act to apportion the State into representative districts, and declaring the ratio of representatives. Approved April 10, 1886.	H. F.	691 172
151	An Act to prescribe certain powers and duties of the Governor and Senate sitting as a court in cases of impeachment. Approved April 10, 1886.	S. F.	415 176
152	An Act fixing the number of senators in the General Assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the State into senatorial districts. Approved April 10, 1886.	{ Sub for S. F.'s 206, 325, 362.	177
153	An Act to amend section 4738 of the Code, relating to the labor of prisoners under the supervision of sheriffs and placing the same under the direction and regulation of county boards of supervisors. Approved April 10, 1886.	S. F.	277 179
154	An Act to re-organize the congressional districts of the State. Approved April 10, 1886.	S. F.	329 180
155	An Act to locate the State Fish Hatching House at Spirit Lake, and sell the property heretofore used for a fish hatchery in Jones county, to abolish the office of assistant fish commissioner and to appropriate money for the purpose of this act. Approved April 10, 1886.	S. F.	343 181
156	An Act to amend chapter 11, title 24, of the Code, relating to contagious diseases in domestic animals. Approved April 10, 1886.	H. F.	38 182
157	An Act to facilitate the giving of bonds required by law, and authorize the acceptance of fidelity surety companies as sureties upon any such bonds and prescribing the rights and liabilities of such companies as sureties. Approved April 10, 1886.	H. F.	95 183
158	An Act providing for the employment and payment of assistant librarian and messenger. Approved April 12, 1886.	S. F.	288 184
159	An Act to legalize the contracts and acts of the board of supervisors of Marion county, Iowa, in relation to the preservation of government corners. Approved April 12, 1886.	S. F.	318 185
160	An Act granting powers to cities of the first-class organized as such since January 1, 1886, in relation to sewers and the improvement of streets and alleys and providing for payment therefor, by issuing bonds and the levy of a tax, in addition to and amendment of chapter 162, laws of the Seventeenth General Assembly of Iowa, and chapter 20, laws of the Twentieth General Assembly. Approved April 12, 1886.	S. F.	406 186
161	An Act to provide for ascertaining the citizens who shall be entitled to vote in all incorporated cities, to repeal section 618 of the Code and repeal chapter 2, title 5, of the Code. Approved April 12, 1886.	S. F.	129 187

## LAWS OF 1886—CONTINUED.

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162	An Act making an appropriation for the institution for feeble minded children at Glenwood. Approved April 12, 1886.....	S. F. 260	183
163	An Act to legalize acknowledgements by county auditors and deputy county auditors in the State of Iowa. Approved April 12, 1886.....	H. F. 657	194
164	An Act appropriating two hundred and fifty (\$250) dollars for the payment of E. W. Stier of his claim for subsistence furnished the militia of Iowa under the border defense act of 1862. Approved April 12, 1886.....	H. F. 56	195
165	An Act regulating the sale and transfer of grain in elevators and other places of storage. This bill having remained with the Governor three days without approval, became a law April 13, 1886.....	H. F. 19	195
166	An Act supplementary to chapter 162 of the acts of the Seventeenth General Assembly, entitled an act to authorize cities of the first-class containing according to any legally authorized census or enumeration, a population of over thirty thousand to provide for the construction of sewers additional to Code chapter 10, title 4, concerning cities and incorporated towns. Approved April 13, 1886.....	S. F. 379	197
167	An Act making appropriations for the payment of State and judicial officers and other matters. Approved April 13, 1886.....	S. F. 418	200
168	An Act making further provision with respect to contracts by cities of the first-class containing a population of over thirty thousand for paving and curbing streets and construction of sewers, and the making and collection of assessments, and issuance of bonds or certificates to pay for same. Approved April 13, 1886.....	S. F. 387	206
169	An Act to amend sections 1169 and 1179 of the Code. Approved April 13, 1886.....	H. F. 307	210
170	An Act to appropriate money to reimburse certain citizens for money advanced to aid in making an exhibit of the resources of Iowa at the World's Exposition at New Orleans, La., 1884-5. Approved April 13, 1886.....	S. F. 404	211
171	An Act authorizing cities under special charter to levy a special tax for the maintenance of a paid fire department. Approved April 13, 1886.....	S. F. 384	212
172	An Act to amend section 3770 of the Code of Iowa. Approved April 13, 1886.....	S. F. 308	213
173	An Act to repeal section 1, of chapter 5, of the acts of the Fifteenth General Assembly, empowering cities and towns to make contracts with railroad and bridge companies for the use of wagon bridges across rivers, and to enact a substitute therefor. Approved April 13, 1886.....	S. F. 284	213
174	An Act in relation to canned or preserved food. Approved April 13, 1886.....	S. F. 283	215
175	An Act making an appropriation for the Iowa Industrial School, Boys' Department, at Eldora, Iowa Approved April 13, 1886.....	S. F. 188	216
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178	An Act to authorize the Secretary of State to issue patents to State University lands in certain cases. Approved April 13, 1886 . . . . .	H. F.	629 219
179	An Act to legalize the official acts of the town council and ordinances of the incorporated town of Dexter, Dallas county, Iowa. Approved April 13, 1886. . . . .	H. F.	655 220
180	An Act legalizing the acts of the council of the incorporated town of Story City, in the county of Story and State of Iowa, and legalizing the ordinances passed and adopted by said council and for the government of said town. Approved April 13, 1886. . . . .	H. F.	680 221
181	An Act to amend section 1587 of the Code of 1873, relating to State University. This bill having remained with the Governor three days without approval, became a law this 14th day of April 1886. . . . .	S. F.	216 222

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STATE OF IOWA

# L A W S

OF THE

## TWENTY-FIRST GENERAL ASSEMBLY

OF THE

### STATE OF IOWA,

PASSED AT THE REGULAR SESSION THEREOF, AT DES MOINES, THE CAPITAL OF THE STATE, BEGUN ON THE ELEVENTH DAY OF JANUARY, AND ENDED ON THE THIRTEENTH DAY OF APRIL, A. D. MDCCCLXXXVI, IN THE FORTIETH YEAR OF THE STATE.

#### CHAPTER 1.

PROVIDING FOR TEACHING AND STUDY OF EFFECT OF ALCOHOL AND STIMULANTS UPON THE HUMAN SYSTEM.

AN ACT to Provide for the Teaching and Study of Physiology and Hygiene with Special Reference to the Effects of Alcoholic Drinks, Stimulants and Narcotics upon the Human System, in the Public Schools and Educational Institutions of the State. S. F. 36.

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

SECTION 1. That physiology and hygiene, which must in each division of the subject thereof include special reference to the effects of alcoholic drinks, stimulants and narcotics upon the human system shall be included in the branches of study now and hereafter required to be regularly taught to and studied by all pupils in common schools and in all normal institutes, and normal and industrial schools and the schools at the Soldiers' Orphans' Home, and Home for Indigent Children.

The effect of alcohol upon the human system to be taught with the study of physiology and hygiene in all public schools.

SEC. 2. It shall be the duty of all boards of directors of schools and of boards of trustees, and of county superintendents in the case of normal institutes, to see to the observance of this statute and make provision therefor and it is especially enjoined on the county superintendent of each county that he include in his report to the Superintendent of Public Instruc-

To be observed by school boards and superintendents.

Superintendent to report to Superintendent of Public Instruction.

tion the manner and extent to which the requirements of section one of this act are complied with in the schools and institutes under his charge, and the secretary of school boards in cities and towns is especially charged with the duty of reporting to the superintendent of public instruction as to the observance of said section one hereof, in their respective town and city schools, and only such schools and educational institutions reporting compliance, as above required, shall receive the proportion of school funds or allowance of public money to which they would be otherwise entitled.

Certificates granted under provisions of this act after July 1, 1887.

SEC. 3. The county superintendent shall not after the 1st day of July 1887 issue a certificate to any person who has not passed a satisfactory examination in physiology and hygiene with especial reference to the effects of alcoholic drinks, stimulants and narcotics upon the human system, and it shall be the duty of the county superintendent as provided by section 1771 to revoke the certificate of any teacher required by law to have a certificate of qualification from the county superintendent, if the said teacher shall fail or neglect to comply with section one of this act, and said teacher shall be disqualified for teaching in any public school for one year after such revocation, and shall not be permitted to teach without compliance.

Certificate may be revoked.

Approved February 17, 1886.

## CHAPTER 2.

AMEND CHAPTER 24, ACTS OF THE NINETEENTH GENERAL ASSEMBLY, RELATING TO SUPERIOR COURTS.

S. F. 92.

AN ACT to Amend Chapter 24, of the Acts of the Nineteenth General Assembly, Relating to the Superior Courts.

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

Amends chapter 24 acts 19th G. A.

SECTION 1. That chapter 24 of the acts of the Nineteenth General Assembly be and the same is hereby amended as follows: By striking out of section one thereof the words "eight thousand" in the fifth line of said section and inserting in lieu thereof the words "seven thousand."

Publication.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader newspapers published in Des Moines Iowa said publication to be without expense to the State.

Approved February 17, 1886.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, February 18, 1886.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 3.

## LEGALIZING INDEPENDENT SCHOOL DISTRICT OF BERTRAM, LINN COUNTY.

AN ACT Legalizing the Organization of the Independent School District of Bertram in Linn county, Iowa. H. F. 182.

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

SECTION 1. That the organization of independent school district of Bertram in Linn county in the State of Iowa, as bounded and described in the records and proceedings of the electors of said district be and the same is hereby declared legal and all proceedings relative to said organization is hereby declared valid and binding as fully as though such organizations had been completed before the 1st day of August 1885. Independent school district of Bertram legalized.

SEC. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Cedar Rapids Times and Iowa State Register published at Des Moines Iowa, which publication shall be without expense to the State. Publication.

Approved February 18, 1886.

I hereby certify that the foregoing act was published in the *Cedar Rapids Times* February 25 and the *Iowa State Register* February 22, 1886.  
FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 4.

## SUBSTITUTE FOR FIRST SUB-DIVISION OF SECTION 2193, CODE OF 1873, RELATING TO MARRIAGES.

AN ACT to Repeal the First Sub-division of Section 2193 of the Code and to Enact a Substitute therefor Relating to Marriages. S. F. 182.

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

SECTION 1. That the first sub-division of Section 2193 of the Code is hereby repealed and in lieu thereof is hereby enacted the following: Amends section 2193 of Code of 1873.

1. By a justice of the peace, or mayor of the city or incorporated town wherein the marriage takes place.

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

Approved February 18, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader*, February 20, 1886.  
FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 5.

## APPROPRIATION FOR INAUGURATION EXPENSES.

S. F. 156. AN ACT Appropriating Money to Defray the Expenses of the Inauguration Ceremonies.

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

\$438 appropri-  
ated.

SECTION 1. That there be and hereby is appropriated out of any money in the State Treasury not otherwise appropriated, the sum of Four Hundred and Thirty-eight Dollars, or so much thereof as may be necessary to pay the expenses incurred on account of the inauguration ceremonies.

Publication.

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

Approved February 18, 1886.

I hereby certify that the foregoing act was published in the *Iowa Daily State Register* and *Daily Des Moines Leader*, February 20, 1886.

FRANK D. JACKSON, *Secretary of State*.

## CHAPTER 6.

## LEGALIZE ACTS OF MASON CITY CEMETERY ASSOCIATION.

S. F. 16. AN ACT to Legalize Certain Acts of the Mason City Cemetery Association and the Renewal of the same, and to Relinquish an Escheat.

Preamble.

WHEREAS, On the 11th day of May, A. D. 1867, a corporation was duly effected under the laws of Iowa, under the name of "The Mason City Cemetery Association," which adopted and recorded in manner by law provided, articles of incorporation providing as follows, viz.: "This corporation shall begin on the 11th day of May, 1867, and shall continue ten years, with the privileges of renewal, subject to dissolution within a shorter period by a vote of two-thirds of all the stockholders therefor upon giving notices as by law required. All the real estate held or owned by this corporation shall be vested in the corporation, and shall be conveyed by the president, except in case of his death or a vacancy in his office, when same shall hold good as to the vice president." And

To run 10  
years.

WHEREAS, The by-laws of said corporation provide as fol-

laws, viz.: "This corporation shall hold regular meetings on the 1st Saturday of May each year, and special meetings upon call of the secretary;" and

WHEREAS, At the regular annual meeting of said corporation as provided for in its articles of incorporation and by-laws adopted thereunder, on the 11th day of May, A. D. 1877, the following proceedings were had and recorded by the secretary of said corporation in the journal of its proceedings, to-wit.: "Mason City, Iowa, May 11, 1877. The stockholders of the Mason City Cemetery Association met in regular annual meeting as required by articles of incorporation. Met in City Hall. Called to order by Wm. Ensign, president. By reference to articles of incorporation, it was determined that the corporation limited to a term of ten years was now expired, unless by vote of the stockholders at this meeting, the same should be renewed. It was thereupon moved that the corporation known as the 'The Mason City Cemetery Association' be renewed for the term of twenty five years from date. Motion carried;" and

WHEREAS, A president of said association and other officers provided for by the said articles of incorporation were then elected and qualified, and continued to act and do business for said association as such officers, and such officers have been so elected by the stockholders of said association, and continued to act and do business, execute, purchase and sell real estate, deliver and receive conveyances of real estate on behalf and in the name of such association from year to year ever since said 11th day of May, 1877, to the present time; and whereas, said (first and old) corporation prior to the 11th day of May, A. D. 1877, (held) (and) owned and held the following real estate situated in Cerro Gordo county, Iowa, viz.: Five acres of land in the northeast corner of the northwest quarter of the northeast quarter of section No. sixteen (16), township No. ninety-six (96), north of range No. twenty (20), west 5th P. M., viz.: Commencing at the northeast corner of said forty acres, thence south 32 rods, thence west 25 rods, thence north 32 rods, thence east 25 rods to the place of beginning, the same being platted into lots and recorded on pages 65 and 66 of book A of the surveyors record of said county; also lot one (1) in the subdivision of the southwest quarter of the southeast quarter of section No. 9, township No. 96, north of range No. 20, west 5th P. M., platted into lots and recorded on pages 196 and 197 of Book A of Town Plats of the Recorder's records of Cerro Gordo county, Iowa; and

WHEREAS, The persons elected as aforesaid, and claiming to be officers of said corporation as renewed as aforesaid, under and in the name of "The Mason City Cemetery Association" have bought real estate and received deeds of conveyances therefor of certain tracts of land from various persons under the aforesaid name of said association, described as follows, viz.: Commencing at the northwest corner of the northeast quarter of the northeast quarter of section sixteen (16), township No.

96, north of range No. 20, west 5th P. M., thence south thirty-two (32) rods, thence east twenty (20) rods, thence north thirty-two (32) rods, thence west twenty (20) rods to the place of beginning; also lots one (1) to eight (8) inclusive, block No. 36 in South Mason City, Iowa: and

WHEREAS, Various lots and tracts of said land, as also the land first above described purporting to be owned and held by and in the name of said Association, before and after May 11, 1877, have been bargained and sold and deeds of conveyance executed in the name of the "Mason City Cemetery Association" to various persons, by those elected and claiming to be the president and officers as aforesaid at various times; some of which have been recorded in the office of the recorder of deeds of Cerro Gordo county; and

WHEREAS, Doubts have arisen as to the legality and validity of the renewal and continuance of said original incorporation, and as to whether the title to said lands passed to said association or was owned by it, or conveyed to the various purchasers as aforesaid; therefore,

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

Legalized.

SECTION 1. That the acts, vote and proceedings of the said stockholders of "The Mason City Cemetery Association" on the 11th day of May 1877 before the expiration and dissolution of its incorporation and purporting to renew the said corporation for the period of twenty-five years, from said date, is hereby declared legal and valid to all intents and purposes, the same as if they had fully complied with all the requirements and provisions of the laws of Iowa, with reference to such corporations and the renewal of the same, and such original corporation is hereby declared to have been and to be duly and legally renewed, re incorporated and continued under the name of "The Mason City Cemetery Association," for the period of twenty-five years, from said 11th day of May 1877, and to have been and to be possessed of all the rights, privileges and powers of said corporation as originally formed, and all said real estate, owned by said corporation on and prior to May 11th, 1877 and then remaining unsold as also all real estate and property afterwards purchased by those purporting to act for such corporation after the 11th day of May, 1877, and all deeds and conveyances purporting to be made to "The Mason City Cemetery Association" of the real estate aforesaid are hereby declared to have been and to be legal and valid purchases and conveyances, conveying a good title in law and equity to said corporation, and all deeds and conveyances of real estate purporting to be executed by the president or other officer of said association to other persons as purchasers from said association are hereby declared to be legal and valid deeds and conveyances to such purchases of the property described therein vesting the legal and equitable title in the grantees in such deeds and conveyances, and all acts of those purporting to act as officers of



said, "The Mason City Cemetery Association," on and since the 11th day of May 1877, are hereby declared to be legal and valid in all respects, and the State of Iowa does hereby relinquish to said corporation, all right and title which she now has or might acquire by escheat, in and to any of the real estate above described.

(SEC. 2.) This act being considered of immediate importance shall take effect from and after its publication in the "Iowa State Register," a newspaper published at Des Moines Iowa, and the "Mason City Express," published at Mason City, Iowa, without expense to the State. Publication.

Approved February 18, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register*, April 23, and the *Mason City Express*, April 24, 1886.

FRANK D. JACKSON, *Secretary of State*.

## CHAPTER 7.

### LEGALIZING INCORPORATION OF TOWN OF LITTLE SIOUX.

AN ACT to Legalize the Incorporation of the Town of Little Sioux, H. F. 32. Harrison County, Iowa, the Election of its Officers and all Acts Done, and Ordinances Passed by the Council of said Town.

WHEREAS, Doubts have arisen as to the legality of the incorporation of the town of Little Sioux, Harrison county, Iowa, the election of its officers, and the ordinances passed by the council of said town, therefore Preamble.

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

SECTION 1. That the incorporation of said town of Little Sioux, Harrison county, Iowa, the election of its officers, and all the official acts done and ordinances passed by the council of said town, not in contravention with the laws of the State, are hereby legalized, and the same are hereby declared to be valid and binding, the same as though the law had in all respects been strictly complied with in the incorporation of said town, election of its officers and the passing of its ordinances. Legalized.

SEC. 2. This act being deemed of immediate importance, shall be in force and take effect from and after its publication in the *Des Moines Leader*, and the *Independent*, newspapers published at Des Moines, and Little Sioux, Iowa, without expense to the State. Publication.

Approved, February 25, 1886.

I hereby certify that the foregoing act was published in the *Des Moines Leader*, March 2d, and the *Independent*, March 6, 1886.

FRANK D. JACKSON, *Secretary of State*.

## CHAPTER 8.

## LEGALIZING INCORPORATION OF TOWN OF BAYARD.

H. F. 45. AN ACT to Legalize the Incorporation of the Town of Bayard in Guthrie County, Iowa, the Election of Officers and all Acts Done, and all Ordinances Passed by the Council of said Town.

Preamble. WHEREAS, Under and by virtue of the laws for incorporating  
Incorporation. towns, proceedings were had for the incorporation of the town of Bayard, and

WHEREAS, Doubts have arisen as to the legality of said incorporation, and it is pretended full compliance with the statute providing for the incorporation of towns, was not had, and

WHEREAS, The council of said town of Bayard did make and adopt laws, rules and ordinances for the government of said town, and have performed such other duties devolving upon them, including the levy of taxes as authorized by law therefore

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

Legalized. SECTION 1. That the incorporation of said town of Bayard, Guthrie county, Iowa, the election of its officers, all laws rules and ordinances adopted or passed by the council of said town, and all taxes levied and all the official acts of said council and officers not in contravention of the laws of the State and within the legal limits of the powers of incorporated towns be and the same are hereby legalized and declared to be valid and binding, the same as though the laws relating to incorporated towns had in all respects been strictly complied with.

Publication. SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register, and the Bayard News, newspapers published at Des Moines, and Bayard Iowa, without expense to the State.

Approved, February 25, 1886.

I hereby certify that the foregoing act was published in the Iowa State Register March 2, and the Bayard News March 5, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 9.

## LEGALIZING INCORPORATION OF TOWN OF ROLFE.

AN ACT to Legalize the Incorporation of the Town of Rolfe in H. F. 92.  
Pocahontas County, Iowa, the Election of Officers, and all Acts  
done and Ordinances Passed by the Council of said Town.

WHEREAS, Under and by virtue of chapter 10, title iv of the Preamble.  
Code of Iowa, proceedings were had for the incorporation of  
the town of Rolfe; and

WHEREAS, Doubts have arisen as to the legality of said in-  
corporation, in that it is pretended a full compliance with the  
statute relating to the incorporation of towns was not had; and

WHEREAS, The council of said town of Rolfe did make and  
adopt laws, rules and ordinances for the government of said  
town, and have performed other duties devolving upon them,  
including the levy of taxes as authorized by law; therefore

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

SECTION 1. That the incorporation of said town of Rolfe in Legalized.  
the county of Pocahontas, Iowa, the election of its officers, all  
laws, rules and ordinances adopted or passed by the council of  
said town and all taxes levied and all the official acts of said  
council and officers not in contravention of the laws of the  
State and within the lawful limits of the powers of incorpo-  
rated towns be and the same are hereby legalized and declared  
to be valid and binding, the same as though the laws relating  
to incorporated towns had in all respects been strictly complied  
with.

SEC. 2. This act being deemed of immediate importance Publication.  
shall take effect and be in force from and after its publication  
in Iowa State Register a newspaper published at Des Moines  
Iowa and in the Rolfe Reporter, a newspaper published at  
Rolfe, Iowa, said publication to be without expense to the  
State.

Approved February 25, 1886.

I hereby certify that the foregoing act was published in the Iowa  
State Register March 2, and the Rolfe Reporter, March 4, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 10.

## AMEND SECTION 1381 OF THE CODE. TAX FOR SUPPORT OF POOR.

H. F. 233. AN ACT to Amend Section 1381 of the Code.

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

Amends section 1381 Code of 1873.

SECTION 1. That Section 1381 of the Code of Iowa as amended by chapter 149 of the Sixteenth General Assembly be and the same is hereby amended by striking out all after the word "than" in the last line of the proviso and adding in lieu thereof the word fourteen thousand inhabitants.

Approved February 25, 1886.

## CHAPTER 11.

## LEGALIZE INCORPORATION OF TOWN OF ADAIR.

H. F. 278. AN ACT to Legalize the Incorporation of the Town of Adair in Adair County, Iowa, and the Acts of the Officers thereof.

Preamble. WHEREAS, Certain questions have arisen in relation to the legality of the incorporation of the town of Adair in Adair county, Iowa, and the legality of the acts of its council and officers, arising out of the alleged fact that one of the six Commissioners, viz: M. L. McManus, appointed by the circuit court of Adair county, Iowa, to hold an election of officers for said town of Adair, on the 12th day of April, 1884, did not officiate as one of the Commissioners, and the vacancy was filled by substitution.

WHEREAS, The council and officers of said town of Adair have passed ordinances and performed other acts duly authorized by law to be done by officers of incorporated towns; therefore

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

Legalized.

SECTION 1. That the incorporation of the said town of Adair, be and the same is hereby declared to be legal and valid to all intents and purposes, and the official acts of said council and officers, including the ordinances made by them, are declared to be legal and valid to the same extent as though the said Com-

missioner M. L. McManus, appointed by the circuit court of Adair county had officiated at said election.

SEC. 2. This act being deemed of immediate importance shall be in force and effect from and after its publication in the Iowa State Register, published at Des Moines, Iowa, and the Greenfield Transcript, published at Greenfield in Adair county Iowa, without expense to the State. Publication.

Approved February 25, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* March 2, and the *Greenfield Transcript* March 3, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 12.

### PAY EXPENSES TO COMMITTEES TO VISIT STATE INSTITUTIONS.

AN ACT to Provide for the Payment of the Expenses of the Committees Appointed to Visit the State Institutions. H. F. 491.

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

SECTION 1. That there is hereby appropriated from the State Treasury the following sums of money to the persons and for the purposes herein named. Expenses:  
Committees.  
\$1,052.95 ap-  
propriated.

SEC. 2. To Matt Parrott, J. A. Overholtzer and W. H. Robb for expenses incurred in visiting the Hospital for the Insane at Clarinda, twenty-six dollars and fifty cents (\$26.50) each. Insane Hos-  
pital at Clar-  
inda.

SEC. 3. To O. M. Barrett, Thomas Teale and C. S. Ranck for expenses incurred in visiting the Asylum for the Deaf and Dumb at Council Bluffs Iowa, Thomas Teale, \$18.85 and to C. S. Ranck \$24.15 and to O. M. Barrett \$24.05. Deaf and  
Dumb.

SEC. 4. To Lafayette Young and R. S. Benson and E. Shaw for expenses incurred in visiting the Penitentiary at Fort Madison \$32.50 each. Penitentiary  
at Fort Madi-  
son.

SEC. 5. To John Scott, J. R. Bradley and J. E. Craig for expenses incurred in visiting the college for the Blind at Vinton Iowa \$25.00 each. College for  
Blind.

SEC. 6. To A. P. Stevens, [Stephens] Phil Schaller and G. W. Hayzlett for expenses incurred in visiting the Orphans' Home at Davenport \$25.75 each. Orphans'  
Home.

SEC. 7. To M. P. Doud, R. H. Spencer and J. [I.] T. Roberts expenses incurred for visiting the Reform School at Eldora \$18.70 each. Boys' Reform  
School.

- Girls' Reform School. SEC. 8. To P. M. Sutton, Ole [y] Nelson and W. W. Kline for expenses incurred in visiting the Reform School at Mitchellville, Iowa, Ole [y] Nelson \$7.25 W. W. Kline \$9.25 and P. M. Sutton \$9.25.
- Feeble-minded Children. SEC. 9. To John D. Glass, J. A. Lyons and J. M. Hammond for expenses incurred in visiting the Asylum for Feeble Minded Children fifteen dollars each.
- Fish Hatching Houses. SEC. 10. To A. N. Poyneer Aaron Custer and Theo. *Natchwey* [Nachtwey], for expenses incurred in visiting the State Fish Hatching House at Anamosa and Spirit Lake, sixty dollars and ten cents each.
- State University. SEC. 11. To J. H. *Sweeney* [Sweney], R. G. Cousins and N. B. Holbrook for expenses incurred in visiting the State University at Iowa City, R. G. Cousins \$27.75 and N. B. Holbrook \$20.75 and J. H. *Sweeney* [Sweney], \$19.90.
- Agricultural College. SEC. 12. To Edward J. Gault, Silas Wilson and H. B. Mitchell for expenses incurred in visiting the Agricultural College \$5.50 each.
- Insane Hospital Mt. Pleasant. SEC. 13. To T. J. Caldwell, D. A. LaForce and John Coleman for expenses incurred in visiting the hospital for the Insane at Mt. Pleasant \$17.70 each.
- Insane Hospital Independence. SEC. 14. To Myron Underwood and G. L. Dobson and H. J. Stiger for expenses incurred in visiting the Insane at Independence \$28.00 each.
- Normal School. SEC. 15. To John K. Deal, W. S. Withrow and D. N. [M.] Harris for expenses incurred in visiting the Normal School \$27 40 each.
- Penitentiary at Anamosa. SEC. 16. To Alvin N. [M.] Whaley, C. L. Anderson and J. G. Hamilton for expenses incurred in visiting the Penitentiary at Anamosa \$25.00 each.
- Publication. SEC. 17. This act being deemed of immediate importance shall take effect and be in full force and effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved, February 25, 1886.

I hereby certify that the foregoing act was published in the *Des Moines Leader* March 2, and the *Iowa State Register* March 5, 1886.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 13.

TO ENABLE CITIES TO AID IN CONSTRUCTION OF HIGHWAY BRIDGES OVER NAVIGABLE BOUNDARY RIVERS OF IOWA.

AN ACT to Enable Cities to Aid in the Construction of Highway Bridges over Navigable Boundary Rivers of the State of Iowa. S. F. 253.

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

SECTION 1. That taxes not to exceed five per centum on the assessed value of any incorporated city having over five thousand inhabitants, may be voted to construct, or to aid any company which is or may be incorporated under the laws of the State of Iowa, in the construction of a highway bridge, commencing or terminating in such city, across any navigable boundary river of the State of Iowa.

5 per cent tax may be voted in cities of over 5,000 inhabitants to build bridges.

SEC. 2. Whenever a petition shall be presented to the council of any incorporated city, containing the population herein provided, signed by a majority of the resident freehold taxpayers of said city, asking that the question of construction or aiding any company incorporated under the laws of the State of Iowa, in the construction of a highway bridge over such river, be submitted to the voters thereof, it shall be the duty of the council of such incorporated city to immediately give notice of a special election, by publication in some newspaper published in such city: and also by posting copies of such notice in five public places in such incorporated city at least ten days before such election which notice shall specify the time and place of holding such election and, in case of a petition to vote aid to such incorporated company, the name of the company proposed to be aided, minimum rate per centum of the tax to be levied, the amount which the board of supervisors are instructed and authorized to cause to be collected each year and in case of proposed aid to such company said notice to also state the amount of work required to be done on such bridge, and any other condition which shall be performed before said tax or any part thereof shall become due, collectible or payable, until the conditions are complied with by such company such notice may also contain terms and conditions to be performed by such company receiving such aid, after the completion of such bridge, which terms and conditions shall become obligatory and binding upon such company and its successors and assigns. At such election the question of taxation shall be submitted to the electors of such incorporated city, and the form of the ballots shall be: "For taxation" and "Against taxation" and if a majority of the votes polled be "For taxation" then the clerk of such city shall forthwith certify to the county auditor of the

Petition.

Question to be submitted to the voters.

Notice.

What it shall contain.

Result of election certified to County Auditor and recorded with County Recorder.

county in which such city is situated, the result of said election, the maximum rate per centum of tax thus voted, the years during which the same is to be collected, the amount to be collected each year and, provided aid is voted to such incorporated company, the name or designation of such company, and the terms and conditions upon which the same when collected is to be paid to such company, together with an exact copy of the notice under which such election was held, which the county auditor shall at once cause to be recorded in the office of the recorder of deeds of the county. When such certificate shall have been recorded, the board of supervisors of the county shall at the time of the levying the ordinary taxes, levy each year on the taxable property of such incorporated city such taxes as are voted under the provisions of this act, as shown by said certificate, and cause the same to be placed on the tax lists of said incorporated city. Said taxes shall be collected in the same manner, and subject to the same laws after they are collected or collectible as other taxes; in conformity with the terms and conditions of the notice submitting the question of taxation to said electors.

Levy to be made to pay tax.

How paid out.

SEC. 3. The *monies* [moneys] collected under the provisions of this act shall be paid out by the county treasurer to the treasurer of such company to whom such aid is voted for the purpose of such highway bridge, or the treasurer of such incorporated city, upon the order of the president or a majority of the directors of such company or the order of the council of such incorporated city, at any time after such council, or a majority of its members, shall have certified to the county treasurer that the conditions required as set forth in the notice for the special election at which the tax was voted, have been complied with; and said council or a majority of its members shall make such certificate whenever such conditions shall have been so performed.

Council to certify when conditions are complied with.

Tax forfeited in one year.

SEC. 4. Should taxes levied under the provisions of this act remain in the county treasury more than one year after the same shall have been collected, the right to them shall be considered forfeited, and the same shall be refunded to the tax payers, and the board of supervisors shall cause the same to be cancelled, and stricken from the tax books of the county, which cancellation shall remove all liens created by the levy of said taxes.

Publication.

SEC. 5. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines Iowa, anything in section 33 of the Code to the contrary notwithstanding.

Approved February 25th, 1886.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader March 2, 1886.

FRANK D. JACKSON, *Secretary of State.*



## CHAPTER 14.

AMEND CHAPTER 58, ACTS SEVENTEENTH GENERAL ASSEMBLY, H. F. 7.  
RELATING TO REFUNDING TO OUTSTANDING BONDED DEBTS.

AN ACT to Amend Chapter 58 of the Acts of the Seventeenth General Assembly, relating to the Refunding of Outstanding Bonded Debt of Counties, Cities and Towns at Lower Rates of Interest.

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

SECTION 1. That section 1, chapter 58, acts of the Seventeenth General Assembly be amended by striking out of the seventh line of the form of bond set out in section 1 of said act, the words "the office of said treasurer;" and by striking out of the second line of the form of coupon set out in said section 1, the words "his office."

Amends Sec. 1,  
Chap. 58, Acts  
17th G. A.

Approved February 26th, 1886.

## CHAPTER 15.

COMPENSATION OF COUNTY SUPERVISORS.

AN ACT to Amend Section 3791 of the Code of Iowa, Relating to Compensation of County Supervisors. S. F. 176.

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

SECTION 1. That section 3791 of chapter two, title twenty-three of the Code of Iowa be and the same is hereby amended by adding thereto the following: And in counties having a population of forty thousand or over, not more than fifty days in one year.

Amends sec.  
3791 of code of  
1873.

Approved February 26th, 1886.

## CHAPTER 16.

## INCORPORATION OF TOWN OF RUTHVEN LEGALIZED.

H. F. 30. AN ACT to Legalize the Incorporation of the Town of Ruthven, Palo Alto County, Iowa, the Election of Its Officers and the Acts Done and Ordinances Passed by the Council of said Town.

Preamble. WHEREAS, On the 18th day of March 1885 the town of Ruthven, Palo Alto county, Iowa, had been duly incorporated, in accordance with the requirements, of chapter ten, title IV of the Code of Iowa, except that no certified copy, of the papers and record entries, relating to the incorporation of the said town had been filed in the recorders office of said county, or in the office of the Secretary of State.

Articles of incorporation not filed.

WHEREAS, On the 29th day of May, 1885, said certified copy of papers and record entries were filed in the office of the recorder of Palo Alto county, and in the office of the Secretary of State;

WHEREAS, Between the dates aforesaid, said town elected its officers, passed ordinances, and did other acts pertaining to the organization and government of incorporated towns, under the belief that said town had been duly incorporated.

WHEREAS, Doubts have arisen as to the legality of said incorporation, the election of its officers, and the acts done by them, and the ordinances passed by the council of said town therefore,

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

Legalized. SECTION 1. That the incorporation of the town of Ruthven, Palo Alto county, Iowa, the election of its officers and all acts done by them and all ordinances passed by the council of said town, be and the same are hereby legalized, made valid and to have the same effect as though the law relating to the incorporation of said town, not in contravention of the laws of the State, and within the lawful limits of the powers of incorporated towns, the election, and qualification of its officers, the acts done by them, and the acts done and ordinances passed by its council had been fully and strictly complied with.

Publication. SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register, and Ruthven Free Press, newspapers published in the State of Iowa, and the last named in the incorporated town of Ruthven, without expense to the State.

Approved February 26th, 1886.

I hereby certify that the foregoing act was published in the *Ruthven Free Press* March 6, and the *Iowa State Register* March 12, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 17.

## LEGALIZING CONSTRUCTION OF LEVEE ON MUSCATINE ISLAND, AND PROVIDING FOR ASSESSMENT OF COSTS THEREOF.

AN ACT to Legalize the Proceedings of the Boards of Supervisors of Muscatine and Louisa Counties, in Locating and Constructing a Levee on Muscatine Island in said Counties, and to Provide for an Assessment of the Costs Thereof, on the Lands Benefitted Thereby. H. F. 57.

WHEREAS, The proceedings of the boards of supervisors of the counties of Muscatine and Louisa in the years 1882 and 1883, in respect to the location and construction of a levee on Muscatine Island in said counties, along or near the west bank of Mississippi river from the city of Muscatine to Port Louisa, and in assessing the cost thereof on the land benefitted thereby, and claimed to have been invalid because said proceedings do not show upon their face that said levee was petitioned for by a majority of the owners of land adjacent thereto, and because, as it is claimed, such majority did not in fact petition therefor, and because of an alleged partial deviation in locating and constructing said levee from the route petitioned for, and because of other alleged irregularities and informalities; and, Preamble.  
Levee along Mississippi River in Muscatine and Louisa counties.  
Proceedings for levee informal.

WHEREAS, On a writ of certiorari issued out of the circuit court of Muscatine county on the petition of sundry owners of lands in said county assessed for the costs of said levee, the assessment of the lands of said petitioners have been by the judgment of said court adjudged invalid and set aside; and, Adjudged invalid.

WHEREAS, The said levee was constructed under and in pursuance of the said order and proceedings of said boards, and under contract entered into under the same and on the faith thereof,

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

SECTION 1. That the proceedings of the boards of supervisors of the counties of Muscatine and Louisa in the years 1882 and 1883, in respect to the location and construction of a levee on Muscatine Island in said counties, from the city of Muscatine to Port Louisa, along or near the west shore of the Mississippi river, including the orders of the boards of supervisors for the location and construction of said levee, the letting and making of contracts therefor, the order for issuing warrants for payment for the work done in said construction, and the warrants issued thereunder be and the same are hereby legalized, and shall be held and decreed valid and effectual to the same extent All acts in regard to levee legalized.

and effect, in all respects as to said proceedings, as if the same had fully conformed to the law when the same were had and taken, and said levee as actually constructed, shall be held and deemed to be a lawful levee, to be maintained and repaired as provided by law, in respect to such public improvements, and all provisions of the law applicable to levees duly constructed under chapter two, title ten, of the Code, and the amendments thereto, shall apply to the said levee.

Boards of supervisors to proceed to ascertain anew the cost of said levee.

Amount to be reapportioned and reassessed upon benefited lands.

Interested persons to be heard upon the assessment

Owners of land entitled to credit for payments made.

Publication.

SEC. 2. The boards of supervisors of Muscatine and Louisa counties respectively shall at their regular meetings next after the expiration of thirty days from the taking effect of this act, proceed to ascertain anew the total amount of the cost and expense of the construction of said levee, including interest accrued and to accrue on the excess of the amount of any unpaid warrants issued for payments due to contractors, over and above the amount of money applicable to such payments, now in the hands of the treasurers of Muscatine and Louisa counties, and including all costs and expenses of the proceedings in locating and constructing said levee, (exclusive of any costs or expenses of litigation in reference thereto), and any amount necessary to compensate for property appropriated for said levee. And said boards shall re-apportion and re-assess the said amount so ascertained among and upon the lands in said counties, benefitted by location and construction of the said levee, in proportion to the amount of benefit to said lands respectively. Said boards shall take as the basis for such re-apportionment and re assessment, the lists or schedules of lands in their respective counties, heretofore assessed by them for said levee, as benefitted thereby. But all persons interested in or affected by said assessments shall have the right to appear and be heard before said boards in respect to said apportionments and assessments, and the said boards shall on such hearings make such changes, both in respect to the lands to be assessed and the amounts to be assessed thereon respectively, as in their judgment may be necessary to make such apportionments and assessments just and equitable. And on the completion of said re-apportionments and re-assessments, all the provisions of law applicable to apportionments and assessments made under and by virtue of chapter two of title ten of the Code, and the amendments thereof, in respect to the mode of collection and application of the proceeds thereof, and appeals therefrom, including the provisions of sections six and seven of chapter eighty-five of the acts of the Eighteenth General Assembly, shall apply to the said re-assessments hereby directed. *Provided*, that the owners of any lands so assessed shall be entitled to credit upon their said re-assessments, for any payments made and not refunded upon any previous assessments made or assumed to be made upon such lands respectively for or on account of the construction of the said levee.

SEC. 3. This act being deemed of immediate importance shall take effect from and after its publication in the Muscatine

Journal and the Wapello Republican, newspapers published in Muscatine and Louisa counties, and in the Iowa State Register a newspaper published at Des Moines Iowa, such publications to be without expense to the State.

Approved February 27, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* March 2, the *Wapello Republican* March 4, and the *Muscatine Journal* March 5, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 18.

AMEND CHAPTER 44, LAWS OF THE TERRITORIAL LEGISLATURE, INCORPORATING ASPEN GROVE CEMETERY ASSOCIATION, AND CONFER AUTHORITY TO ACQUIRE REAL ESTATE.

AN ACT to Amend Chapter 44 of the Laws of the Session of the Legislature of the Territory of Iowa, Approved December 18th, 1843, Incorporating the Aspen Grove Cemetery Association of Burlington, and Conferring upon it Authority to Acquire Real Estate. S. F. 229.

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

SECTION 1. That chapter 44 of the laws of the session of the Legislature of the Territory of Iowa, approved December 18th, 1843, be amended to read as follows: Said Aspen Grove Cemetery Association of Burlington, Iowa may acquire, hold, enjoy and convey so much real estate as may be necessary for the purpose of maintaining a cemetery in Des Moines county, but for no other purpose, and all said real estate so acquired shall be held for the same purpose and subject to the same conditions and exemptions as the real estate now held by said association. Chap. 44, Laws of Session 1843, approved Dec. 18, 1843, amended.

SEC. 2. All parts of chapter 44, laws of the session of the Legislature of the Territory of Iowa, approved December 18, 1843 in contravention of the provisions of this act are hereby repealed. Repeals.

SEC. 3. This act shall take effect and be in force from and after its publication in the Des Moines Leader and the Burlington Gazette, newspapers published at Des Moines and Burlington, Iowa, and without expense to the State. Publication.

Approved March 6, 1886.

I hereby certify that the foregoing act was published in the *Des Moines Leader* March 11, and the *Burlington Gazette* March 10, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 19.

TO CEDE JURISDICTION OVER GOVERNMENT LOTS IN KEOKUK FOR  
SITE OF GOVERNMENT BUILDING.

H. F. 556.

**AN ACT** to Cede Jurisdiction Over Certain Lots, owned by the United States Government, in the City of Keokuk, Lee County, Iowa, for the Site of Postoffice, Internal Revenue Office and Other Government Offices.

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

Jurisdiction  
ceded to cer-  
tain lots in  
Keokuk for  
government  
buildings.

SECTION 1. That jurisdiction is hereby ceded to the United States, over the following described premises to-wit: Lots three (3), four (4), five (5) and six (6) in block ninety-four (94), in the city of Keokuk, Lee county, Iowa, and such other property as said United States Government may hereafter acquire in said city of Keokuk, to be held and used for the accommodation of the postoffice, internal revenue offices, and other government offices. *Provided*, that such jurisdiction is granted upon the express condition that the State of Iowa shall retain concurrent jurisdiction with the United States in and over said lots, so far as that civil process in all cases, not e[ffect]ing the real and personal property of the United States, and such criminal and other process as shall issue under the authority of the State of Iowa, against any person, or persons, charged with crime, or misdemeanor committed within or without the limits of said lots, may be executed therein, in the same way and manner as if no jurisdiction had been hereby ceded.

Proviso.

Publication.

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

Approved, March 6, 1866.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* March 11, 1866.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 20.

## TRIBUNALS OF VOLUNTARY ARBITRATION.

AN ACT to Authorize the Creation and to Provide for the Operation of Tribunals of Voluntary Arbitration to Adjust Industrial Disputes between Employers and Employed. H. F. 444.

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

SECTION 1. That the district court of each county, or a judge thereof in vacation, shall have the power, and upon the presentation of a petition, or of the agreement hereinafter named, it shall be the duty of said court, or a judge thereof in vacation, to issue in the form hereinafter named, a license or authority for the establishment within and for each county of tribunals for voluntary arbitration and settlement of disputes between employers and employed in the manufacturing, mechanical, or mining industries. District judge have power to establish arbitration tribunals.

SEC. 2. The said petition or agreement shall be substantially in the form hereinafter given and the petition shall be signed by at least twenty persons employed as workmen, and by four or more separate firms, individuals, or corporations within the county, or by at least four employers, each of whom shall employ at least five workmen, or by the representative of a firm, corporation or individual employing not less than twenty men in their trade or industry; *provided*, that at the time the petition is presented, the judge before whom said petition is presented, may, upon motion require testimony to be taken as to the representative character of said petitioners, and if it appears that said petitioners do not represent the will of a majority, or at least one-half of each party to the dispute, the license for the establishment of said tribunal may be denied, or may make such other order in this behalf as to him shall seem fair to both sides. Petition or agreement. Signed by twenty persons. May take testimony as to signers.

SEC. 3. If the said petition shall be signed by the requisite number of both employers and workmen, and be in proper form and contain the names of the persons to compose the tribunal, being an equal number of employers and workmen, the judge shall forthwith cause to be issued a license substantially in the form hereinafter given, authorizing the existence of such tribunal and fixing the time and place of the first meeting thereof, and an entry of the license so granted shall be made upon the journal of the district court of the county in which the petition originated. License to issue—When. Fixing time and place. Record entry.

SEC. 4. Said tribunal shall continue in existence for one year from date of the license creating it, and may take jurisdiction To continue one year. Jurisdiction.

Vacancies.	of any dispute between employers and workmen in any mechanical, manufacturing, or mining industry, or business, who shall have petitioned for the tribunal, or have been represented in the petition therefor, or who may submit their disputes in writing to such tribunal for decision. Vacancies occurring in the membership of the tribunal shall be filled by the judge or court that licensed said tribunal, from three names, presented by the members of the tribunal remaining in that class, in which the vacancies occur. The removal of any member to an adjoining county, shall not cause a vacancy in either the tribunal or post of umpire. Disputes occurring in one county may be referred to a tribunal already existing in an adjoining county. The place of umpire in any of said tribunals and vacancies occurring in such place, shall only be filled by the mutual choice of the whole of the representatives, of both employers and workmen constituting the tribunal, immediately upon the organization of the same, and the umpire shall be called upon to act after disagreement is manifested in the tribunal by failure during three meetings held and full discussion had. His award shall be final and conclusive upon such matters only as are submitted to him in writing and signed by the whole of the members of the tribunal, or by parties submitting the same.
Umpire.	
Award final—when.	
Number of members of tribunal.	SEC. 5. The said tribunal shall consist of not less than two employers or their representatives, and two workmen or their representatives. The exact number which shall in each case constitute the tribunal, shall be inserted in the petition or agreement, and they shall be named in the license issued. The said tribunal, when convened shall be organized by the selection of one of their members as chairman and one as secretary, who shall be chosen by a majority of the members, or if such majority cannot be had after two votes, then by secret ballot, or by lot, as they prefer.
Organization.	
Compensation. Expenses.	SEC. 6. The members of the tribunal shall receive no compensation for their services from the city or county, but the expenses of the tribunal, other than fuel, light and the use of the room and furniture, may be paid by voluntary subscription, which the tribunal is authorized to receive and expend for such purposes. The sessions of said tribunal shall be held at the county seat of the county where the petition for the same was presented, and a room in the court house or elsewhere for the use of said tribunal shall be provided by the county board of supervisors.
Place of meeting.	
Room provided by supervisors.	
Chairman to administer oaths in absence of umpire. May examine books, accounts, etc. May direct accountant to examine.	SEC. 7. When no umpire is acting, the chairman of the tribunal shall have power to administer oaths to all witnesses who may be produced, and a majority of said tribunal may provide for the examination and investigation of books, documents and accounts pertaining to the matters in hearing before the tribunal, and belonging to either party to the dispute; <i>provided</i> , that the tribunal may unanimously direct that instead of producing books, papers and accounts before the tribunal, an accountant agreed upon by the entire tribunal may be appointed to exam-



ine such books, papers and accounts, and such accountant shall be sworn to well and truly examine such books, documents and accounts, as may be presented to him, and to report the results of such examination in writing to said tribunal. Before such examination, the information desired and required by the tribunal shall be plainly stated in writing, and presented to said accountant, which statement shall be signed by the members of said tribunal, or by a majority of each class thereof. Attorneys at law or other agents of either party to the dispute, shall not be permitted to appear or take part in any of the proceedings of the tribunal, or before the umpire.

To be sworn.

Report in writing.

No attorneys or agents permitted.

SEC. 8. When the umpire is acting he shall preside and he shall have all the power of the chairman of the tribunal, and his determination upon all questions of evidence, or other questions in conducting the inquiries there pending, shall be final. Committees of the tribunal consisting of an equal number of each class may be constituted to examine into any question in dispute between employers and workmen which may have been referred to said committee by the tribunal, and such committee may hear, and settle the same finally, when it can be done by a unanimous vote; otherwise the same shall be reported to the full tribunal, and be there heard as if the question had not been referred. The said tribunal in connection with the said umpire shall have power to make or ordain and enforce rules for the government of the body when in session to enable the business to be proceeded with, in order, and to fix its sessions and adjournments, but such rules shall not conflict with this statute, nor with any of the provisions of the constitution, and laws of Iowa.

Umpire to preside while acting.

Questions may be referred to committees.

Power as government and rules.

SEC. 9. Before the umpire shall proceed to act, the question or questions in dispute shall be plainly defined in writing and signed by the members of the tribunal, or a majority thereof of each class, or by the parties submitting the same, and such writing shall contain the submission of the decision thereof to the umpire by name, and shall provide that his decision thereon, after hearing shall be final. The umpire shall be sworn to impartially decide all questions that may be submitted to him during his term of office. The submission and his award may be made in the form hereinafter given, and said umpire must make his award within ten days from the time the question or questions in dispute are submitted to him. Said award shall be made to the tribunal; and if the award is for a specific sum of money, said award may be made a matter of record by filing a copy thereof in the district court of the county wherein the tribunal is in session. When so entered of record it shall be final and conclusive, and the proper court may, on motion of any one interested enter judgment thereon; and when the award is for a specific sum of money may issue final and other process to enforce the same.

Question to be plainly defined in writing.

Umpire to be sworn.

Award to be made in 10 days. To tribunal.

May be recorded and made final.

Form of petition.

SEC. 10. The form of the joint petition or agreement praying for a tribunal under this act shall be as follows:

To the District Court of ..... County, (or to a judge thereof as the case may be): The subscribers hereto being the number, and having the qualification required in this proceeding, being desirous of establishing a tribunal of voluntary arbitration for the settlement of disputes in the (here name the branch of industry), trade, and having agreed upon A, B, C, D, and E representing the employers, and G, H, I, J, and K representing the workmen, as members of said tribunal, who each are qualified to act thereon, pray that a license for a tribunal in the ..... trade may be issued to said persons named above.

EMPLOYERS.	NAMES.	RESIDENCE.	WORKS.	NUMBER EMPLOYED.
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....

EMPLOYES.	NAMES.	RESIDENCE.	BY WHOM EMPLOYED.
.....	.....	.....	.....
.....	.....	.....	.....

Form of license.

SEC. 11. The license to be issued upon such petition may be as follows.

STATE OF IOWA }  
 .. . . . County } ss

Whereas, The joint petition, and agreement of four employers (or representatives of a firm or corporation or individual employing twenty men as the case may be), and twenty workmen have been presented to this court (or if to a judge in vacation so state) praying the creation of a tribunal, of voluntary arbitration for the settlement of disputes in the workman trade within this county and naming A, B, C, D, and E representing the employers, and G, H, I, J, and K representing the workmen. Now in pursuance of the statute for such case made, and provided said named persons are hereby licensed, and

authorized to be, and exist as a tribunal of voluntary arbitration for the settlement of disputes between employers, and workmen for the period of one year from this date, and they shall meet, and organize on the ..... day of ..... A. D. ...., at .....

Signed this ..... day of ....., A. D. ....

.....  
Clerk of the .... District Court of ..... County.

SEC. 12. When it becomes necessary to submit a matter in controversy to the umpire it may be in form as follows :

We A, B, C, D, and E representing employers, and G, H, I, J, and K representing workmen composing a tribunal of voluntary arbitration hereby submit, and refer unto the umpirage of L (the umpire of the tribunal of the ..... trade) the following subject matter viz. : (Here state full, and clear the matter submitted), and we hereby agree that his decision and determination upon the same shall be binding upon us, and final, and conclusive upon the question thus submitted, and we pledge ourselves to abide by, and carry out the decision of the umpire when made.

Witness our names this ..... day of .....  
A. D. ....

(Signatures) .....  
.....  
.....

SEC. 13. The umpire shall make his award in writing to the tribunal, stating distinctly his decisions on the subject matter submitted, and when the award is for a specific sum of money, the umpire shall forward a copy of the same to the clerk of the proper court. <sup>Award to be in writing.</sup>

Approved March 6, 1886.

## CHAPTER 21.

TO VALIDATE COUNTY BONDS OUTSTANDING APRIL 11, 1884.

S. F. 317.

AN ACT to Validate County Bonds Outstanding April 11, 1884.

Preamble.  
Chap. 58, acts  
17th G. A.  
Amended by  
chap. 175, acts  
of 20 G. A.

WHEREAS, The Twentieth General Assembly of the State of Iowa passed an act amending chapter 58 of the acts of the Seventeenth General Assembly of the State of Iowa, which amendment took effect April 11, 1884, and is published as chapter 175 of the laws of the Twentieth General Assembly, and entitled "An Act to amend chapter 58, Acts of the Seventeenth General Assembly;" and,

WHEREAS, Doubts have arisen as to the effect of said amendment; now, therefore,

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

Validated and  
made to apply  
to bonds out-  
standing April  
11, 1884.

SECTION 1. That all issues of bonds made by any county or counties in the State of Iowa, which are in all other respects legal and valid, and which are affected by the doubts as to the construction of said amendment, are hereby legalized and fully validated as if the said amendment had in terms extended the provisions of said chapter 58 of the laws of the Seventeenth General Assembly, to apply to bonds outstanding April 11, 1884.

Publication.

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

Approved March 6, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* March 11, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 22.

## BONDING OF COUNTY INDEBTEDNESS.

AN ACT to Amend Chapter 80 of the Acts of the Twentieth General Assembly, Relating to the Bonding of County Indebtedness. S. F. 149.

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

SECTION 1. That chapter 80 of the acts of the Twentieth General Assembly be and the same is hereby amended, as follows: Strike out of the fourth line of section one of said chapter the figures 1884, and insert in lieu thereof the figures 1886; also strike out of the sixth line of said section the figures 1884 and insert in lieu thereof the figures 1886. Chap. 80, acts 20th G. A. amended.

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

Approved March 13, 1886.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader March 18, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 23.

## TO LEGALIZE OFFICIAL ACTS OF M. R. EASTMAN.

AN ACT to legalize the official acts of Moses R. Eastman, a notary public in and for Buchanan county. S. F. 286.

WHEREAS, The commission of Moses R. Eastman, a notary public in and for Buchanan county, expired on the fourth day of July, 1885, and the renewal of said commission is dated upon the fifteenth day of July, 1885; therefore, Preamble: M. R. Eastman not qualified notary public.

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

[SECTION 1.] That all of the official acts of the said Moses R. Eastman, by him performed as a notary public in and for Buchanan county after the expiration of his commission and the renewal of the same in the year 1885, be and the same are hereby legalized and made valid to the same extent as though he had been a qualified notary public at the time of performing the said acts. Acts legalized.

Approved March 16, 1886.

## CHAPTER 24.

TO LEGALIZE VOTE UPON CITY OFFICERS OF MANCHESTER, IOWA.

S. F. 336. AN ACT to legalize the vote upon city officers of the city of Manchester, Iowa, on Monday, March 1, 1886.

Preamble. WHEREAS, The Governor's statement published in the Manchester Press, a newspaper published in Manchester, Iowa, December 11, 1885, set forth the facts that the town of Manchester, Iowa, was entitled to perfect its organization as a city of the second class; and,

WHEREAS, The trustees of the town of Manchester, Iowa, in accordance with such statement adopted ordinances for the purpose of perfecting said organization as a city of the second class; said organization to be known as "The City of Manchester, Iowa," defining the territory of said city, the number and boundaries of its wards, the officers to be chosen, and the places or polls for each ward or precinct, which ordinances were duly and legally printed and published; and,

WHEREAS, In some of said wards or precincts at the municipal election held on Monday, March 1, 1886, the judges and clerks of election were not residents of the wards or precincts in which they officially acted; and,

WHEREAS, In the wards or precincts in which said irregularities took place, there was but one ticket voted, and the persons elected to fill the offices were the unanimous choice of the electors of said wards or precincts; and,

WHEREAS, Doubts exist as to the legality of the election in said wards or precincts on said March 1, 1886, and as to the election of the officers for whom the votes were cast, and as to the legality of all ordinances or acts to be adopted or performed by the officers so elected; therefore,

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

Legalized. SECTION 1. That the election of the councilmen, mayor, city solicitor, treasurer, and assessor for the city of Manchester, Iowa, which took place at the general municipal election of cities and towns of Iowa on March 1st, 1886, be and the same is hereby legalized and declared to be as valid and binding as though the said judges and clerks of election in said wards or precincts had been duly qualified for said positions.

Publication. SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register, a newspaper published in Des

Moines, Iowa, and the Manchester Press, a newspaper published in Manchester, Iowa, without expense to the State.

Approved March 16, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* March 20, and the *Manchester Press* March 26, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 25.

TO LEGALIZE ACTS OF MAYOR AND COUNCIL OF ZEARING, IOWA.

AN ACT to legalize the acts of the Mayor and Council of Zearing, S. F. 305. Story County, Iowa:

WHEREAS; At the first municipal election of the town of Zearing the polls were not kept open for the full number of hours required by law; and,

WHEREAS; The mayor of said town of Zearing did fail to call and enter the "yeas" and "nays" on the passage of certain bills and ordinances; and

WHEREAS; Doubts have arisen as to the legality of said incorporation, and as to the legality of such acts of the mayor and council; therefore,

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

SECTION 1. That the incorporation of the said town of Zearing, and the acts of the town council of said town are hereby legalized and made valid, and of as full force and effect as though the said first municipal election had fully conformed to all the requirements of law, and as though the mayor had caused the "yeas" and "nays" to be taken, and recorded on the records of said town. Legalized.

SEC. 2. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and the Crucible newspapers published at Des Moines, Iowa, and at Zearing, Iowa, the same to be without expense to the State. Publication.

Approved March 16, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* March 20, and the *Crucible* March 25, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 26.

TO CURE DEFECTS IN DESCRIPTION OF LAND PATENTED TO JOHN  
W. LYTLE.

S. F. 312. AN ACT to cure defects of description in the land certificates and patent No. 10759 of the State of Iowa to John W. Lytle, conveying lands in Page County, Iowa:

Preamble. Certificate No. 10759, to John W. Lytle. Land in Page county.

WHEREAS; The State of Iowa sold and conveyed to John W. Lytle of Page County, by certificate and patent No. 10759, under date of May 10th, 1859, the following described land situate in Page County in this State to wit: The north half of the northeast quarter of section sixteen, in township sixty-eight north, of range thirty seven, west of the fifth principal meridian; and the east half of the southwest quarter of section sixteen, in township sixty-nine north, of range thirty eight west of the said fifth principal meridian; which said patent is recorded in volume ten, page 150, in the records of the State Land Office; and,

Erroneous description.

WHEREAS; In said patent the east half of the southwest quarter of section sixteen in township sixty-nine, range thirty-eight, is erroneously described as "lot No. six (6) east half of the southwest quarter of section sixteen (16) in township No. sixty-nine (69) north of range No. thirty-eight (38), west of the fifth principal meridian," by which misdescription a cloud is cast on the title of said John W. Lytle and his grantees to said land; therefore

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

Title confirmed in John W. Lytle.

SECTION 1. That the title and estate of the State of Iowa in and to said east half ( $\frac{1}{2}$ ) of southwest quarter ( $\frac{1}{4}$ ) of section sixteen (16) in township sixty-nine (69) north of range thirty-eight (38) west of the fifth principal meridian, and situate in Page county, Iowa is hereby vested and confirmed in said John W. Lytle his heirs and grantees forever; and said error in said patent and certificate No. 10759 is cancelled, and said defect therein cured.

Error cancelled.

Approved March 16, 1886.



## CHAPTER 27.

## TO PAY EXPENSES OF ESCORT OF REMAINS OF HON. J. L. MITCHELL.

AN ACT making an appropriation to pay expenses incurred in escorting the remains of the late Hon. J. L. Mitchell to the place of interment. S. F. 272.

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

SECTION 1. That there is hereby appropriated out of any money in the State Treasury, not otherwise appropriated the following sums of money, to-wit: To Senators Geo. Carson, A. N. Poyneer, and Edward J. Gault, and Representatives L. A. Riley, Ed. C. Russell, H. H. Bailey, and H. B. Mitchell the sum of twenty-two dollars and fifty cents (\$22.50) each, to pay their expenses as members of the joint committee appointed by the General Assembly to accompany the remains of the late Hon. J. L. Mitchell to the place of interment. Appropriates to pay expense of escort of remains of Hon. J. L. Mitchell \$157.50.

SEC. 2. This act being deemed of immediate importance shall take effect and be in full force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa. Publication.

Approved March 18th, 1886.

I hereby certify that the foregoing act was published in the Iowa State Register and the Des Moines Leader March 20, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 28.

## TO LEVY TAX FOR SOLDIERS AND SAILORS HOME, IMPROVEMENTS ON STATE INSTITUTIONS AND PAY OUTSTANDING WARRANTS.

AN ACT to provide for the levy of one-half mill tax for the years A. D. 1886 and 1887 to provide a home for Iowa soldiers and sailors, and for making necessary repairs and improvements on State Institutions and for paying outstanding warrants. S. F. 257.

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

SECTION 1. That for the purpose of providing for a Home for indigent Iowa Soldiers and Sailors and for making necessary repairs and improvements in State Institutions and for paying

One-half mill tax levied for Soldiers and Sailors Home, keeping up State Institutions and paying State warrants. outstanding warrants, the Board of Supervisors of each county shall, at their September sessions in the years A. D. 1886 and 1887, levy one-half mill state tax in addition to the tax directed to be levied by the Executive Council, and said tax shall be collected and remitted to the State Treasury, in the same manner as other taxes.

Approved March 18th, 1886.

#### CHAPTER 29.

TO AMEND SUBDIVISION 2 OF SECTION 2956 OF THE CODE OF 1873.

S. F. 62.

AN ACT to amend sub-division 2 of section 2956 of the Code of 1873, relating to attachments.

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

Amends section 2956 of 1873.

SECTION 1. That sub-division 2 of Section 2956 of the Code of 1873 be and the same is hereby amended by inserting after the word "remove" in the first line the words "or has removed", also by inserting after the word "which" in the third line "removal or."

Approved March 18th, 1886.

#### CHAPTER 30.

TO REPEAL SECTION 3909 OF THE CODE AND ENACT SUBSTITUTE, DEFINING AND PUNISHING EMBEZZLEMENT.

S. F. 7.

AN ACT to repeal Section of the Code, and to enact a substitute therefor, defining and punishing embezzlement.

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

Repeals section 3909 of 1873.

[SECTION 1.] That section 3909 of the Code is hereby repealed, and that in lieu thereof it is enacted as follows: If any officer, agent, clerk or servant of any incorporated company, or voluntary association, or if any clerk, agent or servant of any private person, or of any co-partnership except persons under the age of sixteen years, or if any attorney-at-law, collector or other person, who in any manner receives or collects money or any other property for the use of and belonging to another, embezzles or fraudulently converts to his own use, or takes and secretes with intent to embezzle and convert to his own use without the consent of his employer, master, or the owner of the money or goods collected, or received any money or property of

All persons over 16 years of age embezzles money or goods guilty of larceny.

another, or which is partly the property of another and partly the property of such officer, agent, clerk, servant, attorney-at-law, collector, or other person which has come to his possession or under his care in any manner whatsoever, he shall be deemed guilty of larceny and punished accordingly. And in a prosecution for such crime it shall be no defence that such officer, agent, clerk, servant, collector, attorney-at-law, or other person was entitled to a commission or compensation out of such money or property as compensation or commission for collecting or receiving the same, for or on behalf of the owner thereof. *Provided*, it shall be no embezzlement on the part of such agent, clerk, servant, attorney-at-law, collector, or other person to retain his reasonable compensation or collection fee, for collecting or receiving the same; but this proviso shall not authorize or warrant an attorney-at-law to retain any money or property as compensation, or as money and property on which he has an attorney's lien after the filing of a bond as provided for in section 216 of the Code. No offense committed before the taking effect of this act shall be affected by the repeal of section 3909 of the Code.

No defence that it was commission or compensation.

Proviso.

Attorney's lien.

Approved March 18th, 1886.

## CHAPTER 31.

### LEGALIZING ACTS AND ORDINANCES OF CITY COUNCIL OF LEMARS.

AN ACT legalizing the acts of the Council of the city of LeMars, in the county of Plymouth and State of Iowa, and legalizing the ordinances passed, and adopted for the government of the said city.

H. F. 28.

WHEREAS, The city of LeMars in Plymouth county, Iowa, incorporated under the laws of Iowa, and through its board of Trustees, passed and adopted ordinances and performed such other acts as properly devolved upon them by law; and,

Preamble.

WHEREAS, Said city of the second class and by its council passed and adopted ordinances for the government of the said city, and performed such other acts as they were by law authorized to do: and,

WHEREAS, In certain cases the records of said acts, and ordinances fail to show what members of the council were present at the meeting when such ordinances were passed and adopted; that the rule was suspended by a three-fourths vote of the council, and that in certain cases the ayes and nays were called on the passage of ordinances; therefore,

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

Legalized.

SECTION 1. That the records and ordinances of the city of Le Mars, being a city of the second class in the county of Plymouth, and State of Iowa and the acts of the council of said city, not in contravention of law be and the same are hereby legalized, and declared to be as valid and binding as though all the requirements of law, had in all respects been complied with as fully as if the records showed a suspension of the rules by a three-fourths vote, and the names and votes of the trustees by "yeas and nays."

Publication.

SEC. 2. This act to take effect and be in force from and after its publication in the Des Moines Leader a newspaper published at Des Moines, Iowa, and the Le Mars Globe, a newspaper published at Le Mars, Iowa without expense to the State.

Approved March 18, 1886.

I hereby certify that the foregoing act was published in the *Des Moines Leader* March 20, and the *Le Mars Globe* March 25, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 32.

TO LEGALIZE ACTION OF DIRECTORS OF DISTRICT TOWNSHIP OF VERMILION, APPANOOSE COUNTY.

S, F. 287.

AN ACT to legalize the action of the Board of Directors of the District Township of Vermilion, Appanoose county, and State of Iowa.

Preamble.

WHEREAS, The Board of Directors of the District Township of Vermilion, in Appanoose county, and State of Iowa, on the third Monday in September, at their regular meeting held at the school-house in said township, at which time and place a petition was presented to said board of directors by the legal citizens in the following described territory, asking that section nineteen (19) and north-west quarter of section twenty (20), in township sixty-eight (68), range seventeen (17), situated in Caldwell township, but belonging to Vermilion township, for school purposes; and said petition asking that said territory be transferred to Caldwell township for school purposes; and,

WHEREAS, At said meeting the vote was unanimous for the transfer of the aforesaid territory to Caldwell township for school purposes.

WHEREAS, Doubts have arisen as to the legality of the action of said board of directors in transferring the aforesaid territory for school purposes from Vermilion township to Caldwell township, by reason of the fact that there were not fifteen pupils residing in said territory as required by statute.

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

SECTION 1. That the action of the board of directors of the district township of Vermilion be and the same is hereby legalized and made valid to the same extent as if said requisite number of pupils resided in said territory at the time of the action of said board. Legalized.

Approved March 19, 1886.

## CHAPTER 33.

### TO LEGALIZE INCORPORATION OF RIVERSIDE.

AN ACT to legalize the incorporation of the town of Riverside, in Washington county, Iowa, and its ordinances and the acts of its officers thereunder. H. F. 64.

WHEREAS, Under and by virtue of the provisions of chapter 10, title 4, of the Code of Iowa of 1873, and the amendments thereto, proceedings were had for the incorporation of the town of Riverside, in Washington county, Iowa; and, Preamble.

WHEREAS, Doubts have arisen as to the legality of said incorporation, and it is pretended that full compliance with the statute providing for the incorporation of towns was not had, and it is especially claimed that one of the commissioners appointed by the circuit court of the State of Iowa, in and for Washington county to hold the election, did not serve, but that his place was filled by another not appointed by the court; and,

WHEREAS, Since the aforesaid proceedings for incorporation were had, officers have been elected, ordinances passed, rules adopted and the municipal affairs of said town conducted as though the same was legally incorporated; therefore,

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

SECTION 1. That the incorporation of the said town of Riverside be and the same is hereby legalized as fully, and completely as though all the commissioners holding the said election for the incorporation of said town had been duly appointed, and qualified as provided by law. Legalized.

SEC. 2. That all ordinances passed, and rules and regulations adopted, by the council of said town, and the official acts of the said council, and all officers of said town thereunder within the legal limits of the powers of incorporated towns, be and the same are hereby legalized, as fully as though all the commissioners holding the election for the incorporation of said town had been duly appointed, and qualified as provided by law.

SEC. 3. This act being deemed of immediate importance shall take effect, and be in force from, and after its publication

in the Iowa State Register a newspaper published at Des Moines, Iowa, and the Riverside Leader a newspaper published at Riverside, Iowa without expense to the State.

Approved March 19, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* March 24, and the *Riverside Leader* April 10, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 34.

### AMEND SECTION 1, CHAPTER 162, ACTS OF THE SEVENTEENTH GENERAL ASSEMBLY.

H. F. 111. AN ACT to amend Section 1, of Chapter 162, of the Acts of the Seventeenth General Assembly, Authorizing Cities of the First Class, to Provide for the Construction of Sewers.

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

Amends sec. 1,  
chap. 162, acts  
17th G. A.

In relation to  
sewers.

SECTION 1. That sec. (1), of chapter 162, of the acts of the Seventeenth Gen. Assembly, be and the same is hereby amended by striking out, after the words "that all cities of the first class in the State" the words "which have not commenced a general system of sewerage by the levy and expenditure of any tax, therefor under the provisions of chapter 107, acts of the Sixteenth General Assembly."

Approved March 19, 1886.

## CHAPTER 35.

## LEGALIZING LEVY OF TAXES IN CRAWFORD COUNTY.

AN ACT to Legalize the Levy of Certain Taxes in Crawford County, H. F. 216.  
Iowa.

WHEREAS, The board of supervisors, of Crawford county, Preamble.  
at the September meeting in the year A. D. 1885, did levy a tax  
of six (6) mills for county purposes; and,

WHEREAS, This amount is allowed only to counties having a Illegal levy of  
population of less than fourteen thousand (14,000) except to taxes for 1885.  
counties having an area exceeding nine hundred square miles;  
and,

WHEREAS, Doubts having arisen as to the legality of said  
levy; therefore,

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

SECTION 1. That the proceedings of the board of supervi- Legalized.  
-ors of Crawford county, done and entered of record in making  
said levy, be and the same are hereby legalized, and made valid,  
to all intents and purposes, as though said levy had been made  
in strict compliance with law.

SEC. 2. This act being deemed of immediate importance Publication.  
shall be in force and take effect from, and after its publication  
in the Des Moines Leader and Iowa State Register, newspapers  
published at Des Moines, Iowa, without expense to the State.

Approved March 19, 1886.

I hereby certify that the foregoing act was published in the *Des  
Moines Leader* and *Iowa State Register* March 24, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 36.

## LEGALIZE ACTS AND ORDINANCES OF COUNCIL OF MORNING SUN.

H. F. 329. AN ACT to Legalize the Acts and Ordinances of the Town Council of the Incorporated Town of Morning Sun, in Louisa County, Iowa.

Preamble. WHEREAS, Doubts have arisen as to the legality of the official acts done, and ordinances passed, by the town council of the incorporated town of Morning Sun, in Louisa county, Iowa, by reason of the election of only five trustees or councilmen, instead of six trustees, or councilmen, in manner and form as provided by law, and by reason of the failure of the recorder of said town to record the yeas and nays upon the suspension of the rules, and upon the passage of ordinances of said town council, and the full and complete entry of such ordinances upon the records of said town council; therefore,

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

Legalized. SECTION 1. That all official acts done, and ordinances passed by the town council of the town of Morning Sun, in Louisa county, Iowa, within its authority not in contravention of any law of the State of Iowa, are hereby legalized, and the same are hereby declared to be valid, and binding and shall have the same force and effect as though all laws defining the powers, and duties of cities and incorporated towns, pertaining to the matters hereinbefore mentioned, had been strictly complied with.

Publication. SEC. 2. This act being deemed of immediate importance shall be in force and effect from, and after its publication in the Iowa State Register a newspaper published at Des Moines, Iowa, and the Morning Sun Herald, a newspaper published at Morning Sun Iowa, such publication being without expense to the State.

Approved March 19th, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* March 24, and the *Morning Sun Herald* March 25, 1886.  
FRANK D. JACKSON, *Secretary of State.*



## CHAPTER 37.

## LEGALIZE ACTS OF THE SUPERVISORS OF POTTAWATTAMIE COUNTY.

## AN ACT to Legalize Certain Acts of the Board of Supervisors of Pottawattamie County. H. F. 245.

WHEREAS, On the 12th day of April, 1856, Joseph Hall, and his wife, Rachel Hall, were the owners in fee simple of the S. W.  $\frac{1}{4}$  S. W.  $\frac{1}{4}$  section 16, and the N. W.  $\frac{1}{4}$  N. W.  $\frac{1}{4}$  section 21, township 77, range 43; and, Preamble,  
Joseph Hall  
and wife.  
Description.

WHEREAS, On such date said Hall, and wife executed a mortgage on such lands to Pottawattamie county; and, Mortgage.

WHEREAS, On the 30, day of April, 1862, the district court of such Pottawattamie county, entered a decree foreclosing such mortgage, and a sheriff's deed executed to the State of Iowa; and, Foreclosure.

WHEREAS, Such decree provided that "defendants Hall and wife are allowed to pay off the judgment, and receive deeds for such property from Pottawattamie county in name of Christian Peterson, and deed is issued accordingly and this judgment is satisfied;" and, Deeded to  
Christian  
Peterson.

WHEREAS, Such Christian Peterson is still the owner and occupant of such lands; therefore,

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

SECTION 1. That the decree of such district court set out in the foregoing preamble be legalized, and be made valid by this act; and, that the act of said Pottawattamie county in executing such quit claim deed to such Christian Peterson and said acts of such district court, and the clerk thereof, and of such county of Pottawattamie are hereby validated and made effective, the same as if the State of Iowa had joined with the the said Pottawattamie county in the execution and delivery of such quit claim deed. Legalized.

SEC. 2. That this act being deemed of immediate importance shall be in force from, and after its publication in the Daily Nonpareil at Council Bluffs, Iowa, and the Des Moines Leader a newspaper published in Des Moines, Iowa, the same without expense to the State. Publication.

Approved March 19, 1886.

I hereby certify that the foregoing act was published in the *Des Moines Leader* March 24 and the *Daily Nonpareil* March 25, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 38.

## TO LEGALIZE ACTS OF A. G. SMITH.

H. F. 448. AN ACT to Legalize the Acts of A. G. Smith while acting as Justice of the Peace of South Fork township in Delaware county, Iowa.

Preamble.

WHEREAS, A. G. Smith was elected, qualified, and acted as justice of the peace in South Fork Township in Delaware county, his bond being approved by the board of supervisors of said county at their January session, 1885, and

WHEREAS, He duly entered upon the discharge of the duties of said office, and did perform all and singular such acts as were required of him as justice of the peace until the 26th day of February, 1885, when he resigned said office by letter to the auditor of said county; but was reappointed justice of the peace of said township by the trustees thereof and his appointment and bond forwarded to the auditor of said county on May 11th, 1885, who approved of said bond on said day, and

WHEREAS, Said justice being informed that he, being his own successor, was entitled to continue to act, and did act as justice of the peace before his bond was approved, and

WHEREAS, Doubts have arisen in respect to the legality of such acts, therefore

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

Legalized.

SECTION 1. That the acts of the said A. G. Smith while so acting as justice of the peace be and the same are hereby declared to be valid and legal as if he had been qualified during said time of vacancy.

Publication.

SEC. 2. This act shall take effect and be in force from and after its publication in the Iowa State Register, a newspaper published in Des Moines, Iowa, and Manchester Press, a newspaper published in Manchester Iowa, without expense to the State.

Approved March 19th, 1886.

I hereby certify that the foregoing act was published in the Iowa State Register March 24, and the Manchester Press March 26, 1886.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 39.

LEGALIZE ACTS OF SCHOOL BOARDS OF PLUM GROVE AND PLAINVIEW, BLOOMFIELD TOWNSHIP, POLK COUNTY.

AN ACT to Legalize Certain Acts of the School Boards of Plum Grove and Plainview, in Bloomfield Township, Polk County, Iowa. H. F. 503.

WHEREAS, At a joint meeting of the school boards of Plum Grove and Plainview, in Bloomfield township, Polk county, Iowa, all the territory in said Bloomfield township west of the east line of lot 11, section 22, township 78, range 25 was attached to Plainview, and the northwest quarter of the northeast quarter of section 26, township 78, range 25, was attached to Plum Grove; and Preamble.

WHEREAS, The transfer from Plum Grove to Plainview was by regular proceeding; and

WHEREAS, Doubts have arisen as to the validity of the proceeding, in consequence of the failure of Plainview to transcribe the record thereof; therefore

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

SECTION 1. That the said changes of territory in the said districts of Plum Grove and Plainview are hereby legalized, and made valid and binding, the same as though all proceedings had been in strict compliance with law. Legalized.

SEC. 2. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Grand Army Advocate and the Daily Iowa Capital, newspapers published in Des Moines, Iowa; said publication to be without expense to the State. Publication.

Approved March 19, 1886.

I hereby certify that the foregoing act was published in the *Grand Army Advocate* March 26 and the *Daily Iowa Capital* March 24, 1886,  
FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 40.

## TO LEGALIZE ORDINANCES OF TOWN OF ROCK RAPIDS.

H. F. 544. AN ACT to Legalize Certain Ordinances of the Incorporated Town of Rock Rapids, Lyon County, Iowa, and to Legalize Acts Done thereunder.

Preamble. WHEREAS, In the month of May, 1885, the council of the incorporated town of Rock Rapids in Lyon county regularly passed ordinances of said town, numbered one (1), two (2), three (3), four (4) and five (5), and in the month of June, A. D. 1885, passed ordinances numbered six (6) and seven (7), and in the month of July, 1885, passed ordinance numbered eight (8), and in the month of November, 1885, passed ordinance numbered ten (10); and,

Ordinances passed. Not properly attested. WHEREAS, Said ordinances were not recorded, and signed by the presiding officer of the council, and clerk as provided by section four hundred and ninety-two (492), of the Code of 1873, prior to the publication thereof but were published without the signatures of the presiding officer of the council and clerk; and,

WHEREAS, Said ordinances were in fact published; and,  
 WHEREAS, Doubts have arisen as to whether said ordinances were legally published for the reason that the signatures, authenticating them were not annexed thereto when published; therefore,

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

Legalized. SECTION 1. That ordinances numbered one (1) two (2), three (3) four (4) five (5) six (6) seven (7) eight (8) and ten (10) of the incorporated town of Rock Rapids, Lyon county, Iowa, be and the same are declared legal and binding, and all acts done in pursuance of said ordinances, are hereby declared legal and binding to the same extent as though such ordinances had been recorded, and signed prior to their publication, and the signatures authenticating the same published therewith.

Publication. SEC. 2. This act being deemed of immediate importance shall be in full force, and effect from and after its publication in the Iowa State Register, a newspaper published at Des Moines, Iowa, and the Lyon County Reporter, a newspaper published at Rock Rapids, Iowa, such publication to be without expense to the State.

Approved March 19, 1886.

I hereby certify that the foregoing act was published in the Iowa State Register March 24, and the Lyon County Reporter April 1, 1886.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 41.

## LEGALIZE ORDERS AND JUDGMENTS OF CIRCUIT COURTS IN PROBATE MATTERS.

AN ACT to Legalize Certain Orders and Judgments of Circuit Courts and Judges in Probate Matters. H. F. 353.

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

SECTION 1. That in all cases where matters or proceedings in probate have been heard by the circuit courts, or judges outside the county in which such matters or proceedings were pending, and in all cases where orders, and judgments in probate matters, and proceedings have been made by the circuit courts, and judges outside the county in which such proceeding or matter was pending, and where such hearing was had or order or judgment made within the circuit to which the county belonged in which such proceeding or matter was pending, such hearing order or judgment shall be held, and deemed to be of the same validity and force and effect as if such hearing was had or such order or judgment was made within the county in which such proceeding or matter was pending, and that all titles and rights acquired under such, orders and judgments shall be held and deemed to be of the same legal force, and effect, and to be as valid as if such order or judgment had been made within the county in which proceeding or matter was pending.

Legalizing proceedings in probate heard out of county where pending.

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

Publication..

Approved March 23, 1886.

I hereby certify that the foregoing act was published in the Iowa State Register March 25, and the Des Moines Leader March 24, 1886.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 42.

## NUMBER OF GRAND AND TRIAL JURORS.

S. F. 10. AN ACT Repealing Sections 231, 241, 4256 and 4291 of the Code, and Enacting Substitutes Therefor, Relating to Grand Jurors, and Reducing the Number Thereof, and Fixing the Number of Trial Jurors.

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

Repeals Code,  
sec. 231.

SECTION 1. That section 231 of the Code be and the same is hereby repealed, and the following enacted in lieu thereof:

Substitute.

Grand jury consists of five members in counties of less than 16,000 population, and seven members in counties of over 16,000. Trial jury consist of 15 in counties of less than 15,000; in counties of over 15,000 to consist of 24.

Sec. 231. That from and after the first day of January, A. D. 1887, the grand jury shall be composed as follows: In counties having a population of sixteen thousand inhabitants or less, the grand jury shall be composed of five members; and in counties having a population of more than sixteen thousand inhabitants the grand jury shall be composed of seven members. The trial jurors in the counties containing less than fifteen thousand inhabitants shall consist of fifteen, unless the judge otherwise orders, but in counties containing fifteen thousand inhabitants or over, the number of trial jurors shall be twenty-four. Such population shall in each case be determined by the last preceding national or State census.

Code, section  
241 repealed.

SEC. 2. That section 241, of the Code be and the same is hereby repealed, and the following enacted in lieu thereof:

Substitute.

Jury; how  
drawn.

Sec. 241. After thoroughly mixing the same, the clerk or his deputy shall draw therefrom the requisite number of jurors to serve as aforesaid, and shall, within three days thereafter, issue a precept to the sheriff commanding him to summon the said jurors to appear before the court as provided in section two hundred and thirty of the Code. When the grand jury shall be composed of five members only, the number drawn shall be eight, and when the grand jury shall be composed of seven members the number of grand jurors to be drawn shall be twelve; *provided*, that in drawing such grand jury not more than one person shall be drawn as a grand juror from any civil township, excepting where the grand jury is by law required to be drawn from a district containing fewer civil townships than the number of grand jurors required to be summoned; in which case, if the number of civil townships in such district be not less than one-half of the number of jurors required, not more than two persons

Proviso.

shall be drawn as grand jurors from any such township; and if the number of civil townships be less than one-half of the number of jurors required not more than three persons shall be drawn as grand jurors from any such township. If more persons shall be drawn from any civil township than are hereby authorized it shall be the duty of the officer drawing such grand jury to reject all superfluous names so drawn, and to proceed with the drawing until the required number of jurors shall be secured. No person shall serve as grand juror for two consecutive years.

SEC. 3. That section 4256, of the Code be and the same is hereby repealed, and the following hereby enacted in lieu thereof: Code, section 4256 repealed.

Sec. 4256. At a term of court at which grand jurors are required to appear, the panel shall be called and the names of the grand jurors appearing shall be entered on the record. From the number of jurors thus summoned and appearing the clerk shall select, by lot, the required number. If more grand jurors have appeared than the number required to fill the panel, the remaining number shall be discharged for the term. If from any cause, either then or afterward, the number of the panel be reduced to a less number than required, the court may order the sheriff of the county to summon a sufficient number of qualified persons to complete the panel.

Substitute.  
Selection of grand jurors.

SEC. 4. That section 4291 of the Code be and the same is hereby repealed, and the following enacted in lieu thereof: Code, section 4291 repealed.

Sec. 4291. An indictment cannot be found without the concurrence of four grand jurors, when the grand jury is composed of five members; and not without the concurrence of five grand jurors when the grand jury is composed of seven members. Every indictment must be indorsed "a true bill," and the indorsement must be signed by the foreman of the grand jury.

Substitute.  
Four grand jurors must concur in an indictment when composed of 5 members and 5 when composed of 7 members.

SEC. 5. That none of the provisions, clauses, or enactments of this chapter shall in any way or manner affect any trial or grand jury to be empaneled prior to the first day of January, A. D. 1887, or the manner of drawing or empaneling any of said juries; and shall in no way or manner affect the validity of any indictment found prior to the first day of January, A. D. 1887; but said provisions, clauses, and enactments shall relate to and apply only to juries to be empaneled on or after said first Monday of January, A. D. 1887. To take effect first Monday of January, 1887.

Approved March 24, 1886.

## CHAPTER 43.

## FILING OF CHARGES FOR REMOVAL OF STATE MINE INSPECTOR.

S. F. 40. **AN ACT** Amending Section 16, of Chapter 21, of the Acts of the Twentieth General Assembly, Relating to the Filing of Charges for the Removal of State Mine Inspector.

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

Section 16,  
chapter 21,  
acts of 20 G. A.  
amended.

SECTION 1. That section 16 of chapter 21, of the acts of the Twentieth General Assembly, is hereby amended as follows, That there is stricken out of the third line of said section, the following words, "signed by not less than fifteen miners," and inserting the following words in lieu thereof, "signed and sworn to by five miners." That after the words "free-holder" in the sixth line of said section there be and is hereby inserted the words, "To be approved by the clerk of the courts of the county where the bond is made."

Publication.

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

Approved March 24, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* March 27, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 44.

## APPOINTMENT OF SHORT-HAND REPORTERS IN SUPERIOR COURTS.

S. F. 167. **AN ACT** to Provide for the Appointment of Short-hand Reporters in the Superior Courts of the State.

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

Judges of su-  
perior courts  
may appoint  
short-hand  
reporters.

SECTION 1. That the judges of the several superior courts in the State may appoint, whenever in the judgment of either of them, it will expedite the public business, a short-hand reporter, who shall be well skilled in the art and competent to discharge the duties required, for the purpose of recording the oral testimony of the witnesses, in all civil cases, upon the request of either party thereto.



SEC. 2. All of the provisions of section 3777 of the Code shall apply to the appointment and compensation of such short-hand reporter, and to the testimony so taken, so far as the same shall be applicable, except that, the compensation of such short hand reporter shall not exceed five dollars per day for the time actually employed. Code, section 3777 shall apply.

SEC. 3. This act being deemed of immediate importance shall take effect from and after its publication in the Des Moines Leader and Cedar Rapids Gazette, newspapers published at Des Moines and Cedar Rapids, Iowa. Publication.

Approved March 24, 1886.

I hereby certify that the foregoing act was published in the *Des Moines Leader* March 27 and the *Cedar Rapids Gazette* March 30, 1886.  
FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 45.

### TO LEGALIZE THE INCORPORATION OF DUNLAP.

AN ACT to Legalize the Incorporation and Ordinances of, and to Correct errors in the Proceeding and Acts Incorporating the Town of Dunlap in Harrison County, Iowa. S. F. 312.

WHEREAS, Heretofore, to-wit: In the December term, 1870, of the circuit court of the State of Iowa in and for Harrison county, there was filed a petition for the incorporation of the town of Dunlap, in said county, and Preamble.

WHEREAS, The records of the circuit court of said county do not show that the commissioners, who were appointed by the court to call and to hold the election for the purpose of voting upon the question of incorporation, reported the result of such election to the court as required by statute, and Record of the incorporation incomplete.

WHEREAS, There is no return of the commissioners on file in the office of the clerk of the circuit court of said county, nor is there a copy of the notice of the result of the election, with proper proof of its publication in a newspaper, on file in the office of the clerk of the circuit court of said county, neither is there a certified copy of all papers and record entries, relating to the matter of the incorporation of said town of Dunlap filed in the recorder's office of said Harrison county as required by statute, and, No return of commissioners.

WHEREAS, Certain ordinances of the said town of Dunlap, to-wit: ordinances numbered one (1), two (2), three (3), four (4), five (5), six (6), seven (7), and twenty-one (21), provide that they shall be in full force and effect from and after publication in the *Valley Republican*, but the certificate of the recorder of Ordinances not published properly.

said town of Dunlap, attached to each of said ordinances shows that said ordinances were published in the Dunlap Reporter and,

WHEREAS, The certificate of publication of ordinances numbered twenty-four (24) and twenty-six (26) is lacking in the ordinance book of said town of Dunlap and,

WHEREAS, Ordinance numbered twenty (20) of the ordinances of said town of Dunlap is in doubtful compliance with the statute providing for the amendment and revision of ordinances, the yeas and nays having been called but not recorded, and,

WHEREAS, Doubts have arisen as to the legality of the incorporation of the said town of Dunlap, and also, as to the legality and validity of the ordinances of said town; therefore,

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

Legalized.

SECTION 1. That the incorporation of the town of Dunlap, in the county of Harrison, and State of Iowa, be and the same is, hereby legalized, and all the official acts of the town council of the said town of Dunlap, done in pursuance of said incorporation be and the same are hereby legalized and binding as though no defect in the incorporation of said town had existed, and that all ordinances of the said town of Dunlap, and all acts of the officers of said town in the enforcement thereof, are hereby declared to be legal and valid in all respects, and to the same extent as though no irregularity had occurred in recording the same or in the passage and publication thereof.

Publication.

SEC. 2. This act being deemed of immediate importance shall take effect from and after its publication in the Des Moines Leader a newspaper published at Des Moines, Iowa and the Dunlap Reporter, a newspaper published at Dunlap, Iowa, without expense to the State.

Approved March 24th, 1886.

I hereby certify that the foregoing act was published in the *Des Moines Leader* March 27, and the *Dunlap Reporter* April 1, 1886.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 46.

TO LEGALIZE ORDINANCES OF WINTERSSET.

AN ACT to Make Valid Certain Ordinances of the City of Wintersset and Acts Performed Thereunder. S. F. 358.

WHEREAS, The council of the city of Wintersset, Madison county, Iowa, a city of the second class, in the month of July, 1885, revised the ordinances of said city, and in such revision there were twenty-three chapters covering the various subjects upon which in the judgment of said council ordinances were required; and, Preamble.

WHEREAS, In the adoption of said ordinances by said council on the ninth day of July, 1885, the whole twenty-three chapters of said ordinances were acted upon and adopted in accordance with the form of law as if one ordinance, and thereafter duly published and entered on record and authenticated by the mayor and city clerk as if one ordinance; and, Ordinalces revised and adopted as a whole.

WHEREAS, Doubts have arisen as to the validity of said ordinance; therefore,

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

SECTION 1. That the said revised ordinances of the city of Wintersset, adopted on the ninth day of July, 1885, are hereby made valid and of the same force and effect as if the same had contained but one subject, and which subject had been clearly expressed in its title, and all acts heretofore done and performed under said ordinances shall have the same validity as if the said ordinances had been fully adopted, published, and authenticated as required by law. Legalized.

Sec. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register, a newspaper published in Des Moines, Iowa and the Madisonian and Chronicle, a newspaper published at Wintersset, Iowa without expense to the State. Publication.

Approved March 24, 1886.

I hereby certify that the foregoing act was published in the Iowa State Register March 26, and in the Madisonian and Chronicle April 1, 1886.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 47.

## DISCHARGE OF NON RESIDENT INSANE.

S. F. 24. AN ACT to Amend Section 1419, of the Code, Relating to the Discharge of Non-residents Insane.

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

Code, section 1419 amended. SECTION 1. That Section 1419 of the Code be and the same is hereby amended by adding after the word "proper" in the last line thereof, the following, to-wit: The cost of such removal to be paid directly from the State treasury upon the sworn statement of the superintendent and approval of the trustees appended to each voucher, and counties from which such patients are hereafter received, shall be reimbursed for expenses incurred in sending such patients to the hospital, claim for such reimbursement to be certified to by the county auditor and be paid directly from the State treasury.

To be paid from State treasury. Publication. SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Des Moines Leader and Iowa State Register, newspapers published in Des Moines, Iowa.

Approved March 24, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* March 27, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 48.

## CONSOLIDATION OF TOWNSHIPS.

S. F. 318. AN ACT to Amend Section 384 of the Code and to Provide for Consolidation of Townships heretofore Divided.

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

Code, section 384 amended. SECTION 1. That chapter nine, title four of the Code be amended by adding to section 384 thereof the following: "Provided that when the citizens of any township so set off desire to dissolve their township organization and return again to the township from which they were taken, they may do so by the same procedure as provided in section 382 and 383 for the division except that said petition shall be signed by a majority of the electors of both townships."

Approved March 26, 1886.

Same proceedings as in sections 382 and 383.

## CHAPTER 49.

## LEGALIZE ACTS OF SUPERVISORS OF SIOUX COUNTY.

AN ACT to Legalize the Acts of the Board of Supervisors of Sioux County, Iowa, in the Establishment of Highways. S. F. 221.

WHEREAS, The board of supervisors of Sioux County, Iowa, were petitioned by Henry De Jong and others to appoint a commissioner to locate county roads on all section lines in Nassau township, Sioux county, Iowa, where roads had not yet been located; and by L. Van Der Meer and others to appoint a commissioner to locate county roads on all section lines in Holland township, Sioux county, Iowa; and by Patrick Quigley and others to appoint a commissioner to locate county roads on all section lines in Reading township, Sioux county, Iowa; and by A. G. Crandall and others to appoint a commissioner to locate county roads on all section lines in Settlers township, Sioux county, Iowa; and by Lewis P. Kenyon and others to appoint a commissioner to locate county roads on all section lines in Rock township, Sioux county, Iowa; and by Robert Linch, Jr., and others to appoint a commissioner to locate county roads on all section lines in Grant township, Sioux county, Iowa; and,

WHEREAS, Said prayers were granted and commissioners appointed, as prayed; and,

WHEREAS, The board of supervisors of Sioux county, Iowa, on the second day of September, A. D. 1873, at a regular meeting of said board did order that all of said roads reported by the commissioners so appointed be and are established absolute according to the reports of the commissioners, and ordered the auditor to record the field notes thereof, as shown on pages 158 and 159 of Supervisors Calendar No. 1; and

WHEREAS, Doubts have arisen as to the legality of said proceedings of the said board and other officers in establishing said highways; therefore,

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

SECTION 1. That the establishment and locating of said highways and all the proceedings and acts of the officers in Sioux county, Iowa, in establishing said highways be and the same are hereby legalized and declared valid and binding to the same extent as if the law had in all respects been strictly adhered to in locating and establishing said highways, and that the location and establishment of all said highways heretofore established by the board of supervisors of Sioux county, Iowa, as shown by the records in the office of the auditor of said county, be and are hereby legalized and declared valid as if the law had been in all respects strictly complied with.

Approved March 26, 1886.

## CHAPTER 50.

## ESTABLISH UNIFORM GAUGE OF CREAM.

S. F. 150. AN ACT to Establish a Uniform Inch or Gauge of Cream.

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

Cream gauge : SECTION 1. That an inch or gauge of cream shall be two  
two quarts. standard quarts wine measure,  $115\frac{1}{2}$  cubic inches.  
Approved March 26, 1886.

## CHAPTER 51.

## DEFINING POWERS AND DUTIES OF CLERKS OF CIRCUIT COURT.

S. F. 33. AN ACT further defining the powers and duties of Clerks of the Circuit Court.

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

Clerks of cir- SECTION 1. The clerks of the circuit court in their respective  
cuit courts may approve bonds. counties may approve the bonds of guardians of minors, or of other persons subject to guardianship.

Shall examine sureties on bonds biennially. SEC. 2. Such clerks shall during the month of January 1887 and during the same month in each even numbered year thereafter examine as to the sufficiency of the sureties upon all executor's and guardian's bonds in force in his office and having been executed more than one year prior to such time, and if he finds the same sufficient he shall note upon such bond his examination and re approval. If he shall not find the same sufficient, or if the sureties shall not re qualify on being by him so required to do, he shall note his disapproval on such bond and notify the executor or guardian of such disapproval and place the matter upon the calendar of the court at the next term thereof for proper order.

Publication. SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader newspapers published in Des Moines, Iowa.

Approved March 26, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* March 31, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 52.

PREVENT DECEPTION IN MANUFACTURE AND SALE OF IMITATIONS  
OF BUTTER AND CHEESE, AND CREATE DAIRY COMMISSIONER.AN ACT to Prevent Deception in the Manufacture and Sale of Im- S. F. 121.  
itations of Butter and Cheese.*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That for the purposes of this act every article, substance or compound other than that produced from pure milk or cream from the same made in the semblance of butter and designed to be used as a substitute for butter made from pure milk or cream from the same is hereby declared to be imitation butter; and that for the purposes of this act every article, substance or compound other than that produced from pure milk or cream from the same made in the semblance of cheese and designed to be used as a substitute for cheese made from pure milk or cream from the same is hereby declared to be imitation cheese; *provided* that the use of salt, rennet, and harmless matter for coloring the product of pure milk or cream, shall not be construed to render such product an imitation.

SEC. 2. Each person who manufactures imitation butter or imitation cheese shall mark by branding, stamping or stenciling upon the top and sides of each tub, firkin, box or other package in which such article shall be kept and in which it shall be removed from the place where it is produced, in a clear and durable manner, in the english language, the name of the contents thereof as herein designated, in printed letters of plain roman type each of which shall be not less than one inch in length by one-half of one inch in width. Every person who by himself or another violates the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not to exceed two hundred and fifty dollars or by imprisonment in the county jail not to exceed sixty days.

SEC. 3. No person by himself or another shall knowingly ship, consign or forward by any carrier whether public or private any imitation butter or imitation cheese, unless the same be marked as provided by section two of this act; and no carrier shall knowingly receive for the purpose of forwarding or transporting any imitation butter or imitation cheese, unless it shall be marked as hereinbefore provided, consigned, and by the carrier receipted for by its name as designated by this act; *provided* that this act shall not apply to any goods in transit between foreign States and across the State of Iowa.

SEC. 4. No person shall knowingly have in his possession or under his control any imitation butter or imitation cheese un-

Imitation but-  
ter defined.Imitation  
cheese de-  
fined.

Proviso.

Shall be  
marked, how.

Misdemeanor.

Penalty.

Shall not be  
shipped unless  
marked.

Proviso.

Possession.

- less the tub, firkin, box or other package containing the same be clearly and durably marked as provided by section two of this act; *provided*, that this section shall not be deemed to apply to persons who have the same in their possession for the actual consumption of themselves or family.
- Proviso.**      **SEC. 5.** No person by himself or another shall knowingly sell or offer for sale imitation butter or imitation cheese under the name of, or under the pretense that the same is pure butter or pure cheese; and no person by himself or another shall knowingly sell any imitation butter or imitation cheese unless he shall have informed the purchaser distinctly at the time of the sale, that the same is imitation butter or imitation cheese as the case may be and shall have delivered to the purchaser at the time of the sale a statement clearly printed in the english language which shall refer to the article sold and which shall contain in prominent and plain roman type the name of the article sold as fixed by this act and shall give the name and place of business of the maker.
- Selling with-  
out being  
marked.**
- Hotels, eating-  
houses, etc.**      **SEC. 6.** No keeper of a hotel, boarding house, restaurant, or other public place of entertainment shall knowingly place before any patron for use as food any imitation butter or imitation cheese unless the same be accompanied by a placard containing the name in english of such article as fixed by this act printed in plain roman type. Each violation of this section shall be deemed a misdemeanor.
- Misdemeanor.**
- Action on con-  
tract.**      **SEC. 7.** No action can be maintained on account of any sale or other contract made in violation of or with intent to violate this act by or through any person who was knowingly a party to such wrongful sale or other contract.
- Possession  
presumes  
knowledge.**      **SEC. 8.** Every person having possession or control of any imitation butter or imitation cheese which is not marked as required by the provisions of this act shall be presumed to have known during the time of such possession or control the true character and name as fixed by this act of such imitation product.
- Defacing or  
removing  
marks.**      **SEC. 9.** Whoever shall deface, erase, cancel or remove any mark provided for by this act with intent to mislead, deceive or to violate any of the provisions of this act, shall be deemed guilty of a misdemeanor.
- Penalty for  
violation.**      **SEC. 10.** Whoever shall violate any of the provisions of the third, fourth and fifth sections of this act shall, for the first offense, be punished by a fine of not less than fifty dollars nor more than one hundred dollars, or by imprisonment not exceeding thirty days, and for each subsequent offense shall be punished by a fine of not less than two hundred and fifty dollars nor more than five hundred dollars or by imprisonment in the county jail not less than thirty days nor more than six months, or by both such fine and imprisonment in the discretion of the court.
- Governor to  
appoint dairy  
commissioner.**      **SEC. 11.** The Governor shall within thirty days from the taking effect of this act by and with the *advise* [advice] and consent of



the Executive Council appoint an officer who shall be known as the State Dairy Commissioner who shall have practical experience in the manufacture of dairy products the term of office of such Commissioner shall commence on the first day of May A. D. 1886, and shall continue two years. Said Commissioner shall give an official bond conditioned for the faithful performance of the duties of his office in the sum of ten thousand dollars with sureties to be approved by the Governor. He may be removed from office by the Governor with the approval of the Executive Council for neglect or violation of duty. Any vacancy shall be filled by the appointment of the Governor by and with the advice and consent of the Executive Council.

SEC. 12. The State Dairy Commissioner shall receive a salary of fifteen hundred dollars per annum, payable monthly and the expenses necessarily incurred in the proper discharge of the duties of his office, *provided* that a complete itemized statement of all expenses shall be kept by the Commissioner and by him filed with the Auditor of State after having been duly verified by (him) before receiving the same. He shall be furnished a room in the Agricultural department of the Capitol at Des Moines, in which he shall keep his office and all correspondence, documents, records and property of the State pertaining thereto all of which shall be turned over to his successor in office. He may, if it is found to be necessary, employ a clerk whose salary shall not exceed the sum of fifty dollars per month. Said salaries and expenses to be paid from the appropriation provided for in section seventeen of this act. The Commissioner provided for by this act shall hold no other official position under the laws of Iowa or a professorship in any of the State institutions.

SEC. 13. It shall be the duty of the State Dairy Commissioner to secure, so far as possible the enforcement of this act. He shall collect, arrange and present in annual reports to the Governor on or before the first day of November of each year, a detailed statement of all matters relating to the purposes of this act, which he shall deem of public importance including the receipts and disbursements of his office, such reports shall be published with the reports of the State Agricultural Society.

SEC. 14. The State Dairy Commissioner shall have power in all cases where he shall deem it important for the discharge of the duties of his office, to administer oaths, to issue subpoenas for witnesses and to examine them under oath and to enforce their attendance to the same extent and in the same manner as a justice of the peace may now do, and such witnesses shall be paid by the commissioner the same fees now allowed witnesses in justices' courts.

SEC. 15. Whoever shall have possession or control of any imitation butter or imitation cheese contrary to the provisions of this act shall be construed to have possession of property with intent to use it as a means of committing a public offense within the meaning of chapter 50 of title XXV, of the Code; *provided*

- that it shall be the duty of the officer who serves a search warrant issued for imitation butter or imitation cheese, to deliver to the State Dairy Commissioner or to any person by such commissioner authorized in writing to receive the same, a perfect sample of each article seized by virtue of such warrant, for the purpose of having the same analyzed and forthwith to return to the person from whom it was taken, the remainder of each article seized as aforesaid. If any sample be found to be imitation butter or imitation cheese it shall be returned to and retained by the magistrate as, and for, the purpose contemplated by section 4648 of the Code, but if any sample be found not to be imitation butter or imitation cheese, it shall be returned forthwith to the person from whom it was taken.
- Samples.**
- Under code, section 4648.**
- Costs.** SEC. 16. It shall be the duty of the court in each action for the violation of this act to tax as costs in the cause, the actual and necessary expense of analyzing the alleged imitation butter or imitation cheese which shall be in controversy in such proceeding provided that the amounts so taxed shall not exceed the sum of twenty-five dollars. It shall be the duty of the district or county attorney, upon the application of the Dairy Commissioner, to attend to the prosecution in the name of the State of any suit brought for violation of any of the provisions of this act within his district, and in case of conviction he shall receive twenty five per cent of the fines collected, which shall be in addition to any salary he may receive to be taxed as costs in the case.
- Proviso.**
- District or county attorney to prosecute.**
- \$20,000 appropriated.** SEC. 17. There is hereby appropriated for the purposes of this act the sum of twenty thousand dollars or so much thereof as shall be necessary not more than one half of which shall be drawn from the State treasury prior to the first day of July A. D. 1887. The amount hereby appropriated shall be expended only under the direction and with the approval of the Executive Council. And all salaries, fees, costs and expenses of every kind incurred in the carrying out of this law shall be drawn from the sum so appropriated.
- Chapter 39, acts 18 G. A., repealed.** SEC. 18. Chapter 39 of the acts of the Eighteenth General Assembly of Iowa and all acts and parts of acts in conflict with this act are hereby repealed.
- Publication.** SEC. 19. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Iowa Homestead, newspapers published at Des Moines, Iowa.
- Approved March 27, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* March 31, 1886, and the *Iowa Homestead* April 9, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 53.

## AUTHORIZE GOVERNOR TO GRANT RIGHT OF WAY THROUGH CERTAIN STATE LANDS.

AN ACT Authorizing the Governor to convey or grant Right of Way through Certain State Land. S. F. 342.

WHEREAS, The lines bounding the east half of the southwest quarter of section thirty-three (33), township eighty five (85), range four (4), Jones county, Iowa, owned by the State of Iowa, and known as the "State Quarry" have been found to be one hundred feet west of lines as located by the county surveyor of said Jones county prior to the purchase of said land by the State; and,

WHEREAS, After the lines had been located by the county surveyor, and before the discovery of said error John A. Green had purchased the west half of said southwest quarter of said section thirty-three (33) and had expended a large sum of money in building a railroad track and opening a quarry upon land which by the former survey was upon his own land, but which, by the true line as surveyed and located since said money was expended and labor performed by the said Green, is upon the land then owned, and now owned and occupied by the State; and,

WHEREAS, The rough nature of the land and the high cliffs make it impossible to build a railroad to the land of the said Green, as bounded by the true line as now recognized, without very great expense; and,

WHEREAS, The said strip of land hereinafter described, being the land between the line as first surveyed and the true line as now recognized, lies between the railroad as built by the said Green and his land as now bounded and prevent the use and working for quarry purposes of said land of the said Green; therefore,

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

SECTION 1. That the Governor of the State of Iowa is hereby authorized and directed to execute and deliver to the said John A. Green a deed for the tract of land which shall include the land upon which said labor and money has been expended by said Green, described as follows: Commencing at the northwest corner of the southeast quarter of southwest quarter of section thirty-three (33) township eighty five (85) range four (4) west of the fifth (5) P. M. thence east one hundred (100) feet, thence south four hundred and seventy (470) feet thence west one hundred (100) feet thence north four hundred

and seventy (470) feet to the place of beginning, whenever the said Jno. A. Green shall deliver to the State of Iowa a warranty deed with good and sufficient title to a tract of land which in the judgment of the Executive Council shall be of value for quarry purposes equal to the value of the land to be conveyed to him, and which shall lie west of and contiguous to the land now owned by the State.

May contract for right of way by consent of Council.

SEC. 2. And in case the Executive Council shall not deem it for the best interest of the State that the State should convey the title of said tract of land described in section one herein, to the said Green, the Governor is hereby authorized to enter into any contract or agreement with the said Green which will give the said Green the right of way over the land of the State and enable the said Green to open and work the quarries upon his land and which in the judgment of the Executive Council will not prejudice the interests of the State.

Publication.

SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register, a newspaper published at Des Moines and the Anamosa Eureka, a newspaper published at Anamosa without expense to the State.

Approved March 30, 1886.

I hereby certify that the foregoing act was published in the Iowa State Register April 6, and the Anamosa Eureka April 8, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 54.

### QUALIFICATION OF COUNTY AND TOWNSHIP OFFICERS.

S. F. 337. AN ACT Relating to the Qualification of County and Township Officers.

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

May qualify in ten days.

SECTION 1. All county and township officers who have been or may be prevented by sickness, the inclement state of the weather or other unavoidable casualty from qualifying for their respective offices by the first Monday of January following their election shall be held to have legally qualified if they do so qualify within ten days thereafter.

Publication.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the "Iowa State Register" and "Des Moines Leader" newspapers published in Des Moines Iowa.

Approved March 30, 1886.

I hereby certify that the foregoing act was published in the Iowa State Register April 6, 1886, and Des Moines Leader April 1, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 55.

## UNDER-GROUND TILE DRAIN ACROSS PUBLIC HIGHWAY.

AN ACT to allow Underground Tile Drain across Public Highway, S. F. 273.  
and Defining the Duties of Road Supervisors relative to the same,  
and Repeal Section 1225, Chapter 2, Title 10, of Code of Iowa.

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

SECTION 1. When any water course or natural drain crosses any public highway in the State of Iowa, and the adjoining or abutting land owner wishes to cross said highway with an underground tile drain for an outlet, or to connect with another underground tile drain, they shall notify the road supervisor having supervision over that public highway to be crossed, in writing, specify the depth of drain and size of tile to be used in crossing said highway, and give the road supervisor twenty days time to construct said underground tile drain.

SEC. 2. When the road supervisor receive said written notice, he shall order said underground tile drain constructed across said highway, and pay for the tile and construction of the same out of any money or fund in his command.

SEC. 3. If the supervisor fails to construct said underground tile drain within the twenty days time, then the abutting or adjoining land owner may go upon the highway and construct said underground tile drain across said highway, and he shall receive pay for constructing the same, including tile used in crossing said highway, out of any money or fund belonging to such road district, provided he shall leave the highway in as good condition as it was before the drain was constructed.

SEC. 4. That section 1225, chapter 2, title 10, of the code of Iowa, is hereby repealed.

Approved March 30, 1886.

Drains across highways.

Notice to supervisor.

Supervisor shall construct drain.

In case of failure.

Proviso.

Code, section 1225, repealed.

## CHAPTER 56.

APPROPRIATION FOR ADDITIONAL WING TO HOSPITAL FOR INSANE  
AT MT. PLEASANT, AND FOR SUPPORT OF HOSPITAL.

H. F. 71 and 73. AN ACT Making an Appropriation for erecting an additional wing to the Iowa Hospital for the Insane at Mt. Pleasant, for female patients, and for the support of said Hospital.

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

\$106,000 appro- SECTION 1. That for the purpose of erecting an additional  
priated. wing for female patients to the Iowa Hospital for the Insane at  
Mount Pleasant the sum of one hundred thousand dollars \$100-  
000 (or so much thereof, as may be necessary) is hereby appro-  
priated out of any money in the State Treasury not otherwise  
appropriated. The amount herein named shall be for the erec-  
tion of a good substantial stone structure for the proper accom-  
modation of two hundred patients, with the necessary attendants,  
and employes for their care, and for heating apparatus, gas  
fixtures, and furnishing the same for occupancy.

For wing for  
female pa-  
tients, \$100,000.

Superintend-  
ent to have  
charge.

SEC. 2. The superintendent of said hospital, under the direc-  
tion of the board of trustees, shall have general charge and  
supervision of the work, of constructing and finishing this addi-  
tion.

Limited to ap-  
propriation.

SEC. 3. No plan shall be adopted, or contract let, which shall  
involve the expenditure of more money than is herein appro-  
priated.

Time of com-  
pletion.

SEC. 4. The proposed wing shall be completed, and ready  
for occupancy by July 1, 1887.

How drawn.

SEC. 5. The money herein appropriated shall be drawn quar-  
terly, and paid on the order of the trustees of said hospital as  
follows: \$20,000 on July 1st, 1886; \$20,000 October 1st, 1886;  
\$20,000, on January 1st 1887; \$20,000, April 1st 1887 (or so  
much thereof as may be necessary) \$20,000, July 1st 1887 (or  
so much thereof as may be necessary).

Contingent  
fund, \$6,000.

SEC. 6. For the contingent fund of said hospital the sum of  
\$6,000.00. Total amount appropriated by this bill \$106,000.00  
*provided* however, that not more than one-half of said con-  
tingent fund be drawn in the year 1886, and the remainder  
quarterly during the year 1887.

Publication.

SEC. 7. This act being deemed of immediate importance,  
shall take effect, and be in force from and after its publication  
in the Iowa State Register, and the Des Moines Leader news-  
papers published at Des Moines Iowa.

Approved March 30, 1886.

I hereby certify that the foregoing act was published in the *Iowa  
State Register* April 6, and *Des Moines Leader* April 1, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 57.

## INDEBTEDNESS OF CORPORATIONS.

AN ACT to amend Section 1061, of the Code of 1873, relating to the s. F. 155.  
Indebtedness of Corporations.

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

SECTION 1. That Section 1061 of the Code of 1873, be further amended by adding thereto the proviso as follows: Provided further, that the provisions of this section shall not apply to the debentures or bonds of any company, duly incorporated under the provisions of this chapter, the payment of which debentures or bonds shall be secured by an actual transfer of real estate securities for the benefit and protection of purchasers of said debentures or bonds, such securities to be at least equal in amount to the par value of such bonds or debentures, and to be first liens upon unencumbered real estate worth at least twice the amount loaned thereon. Code, section 1061, amended.

SEC. 2. This act being deemed of immediate importance shall be of force and effect from and after its publication in the Iowa Daily State Register and Daily Des Moines Leader, newspapers published in the city of Des Moines, Iowa. Publication.

Approved March 30, 1886.

I hereby certify that the foregoing act was published in the *Iowa Daily State Register*, April 6, and the *Daily Des Moines Leader*, April 1, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 58.

## ESTABLISH SOLDIERS HOME.

AN ACT to establish and maintain a Soldiers Home in the State of Iowa, and making an appropriation for the purchase of land and the construction or purchase of necessary buildings. s. F. 385.

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

SECTION 1. That there be and is hereby created and established in this State an institution to be known as the "Iowa Soldiers' Home," and that the sum of seventy-five thousand dollars, or so much thereof as is necessary, be and is hereby appropriated out of any money in the treasury not otherwise appropriated, \$75,000 appropriated for grounds and buildings. Soldiers' home established.

\$25,000 for maintenance.	for the purchase and preparation of grounds and for the erection and completion or purchase of suitable buildings and fixtures thereon, and furnishing and equipping the same; and the further sum of twenty-five thousand dollars, or so much thereof as may be necessary for the purpose of maintaining such Soldiers' Home for the year 1887; <i>provided</i> , however, that it shall not be lawful for the board of managers hereinafter created to draw upon the sum hereby appropriated, an amount exceeding seventy-five thousand dollars in the year 1886 and the sum of twenty-five thousand dollars in the year 1887.
Time to be drawn.	SEC. 2. The object of the "Iowa Soldiers' Home" shall be to provide a home and subsistence for all honorably discharged soldiers, sailors and marines who have served in the army or navy of the United States and who are disabled by disease, wounds or otherwise; <i>provided</i> , that no applicant shall be admitted to said home who has not been a resident of the state of Iowa for three years next preceeding his application for admission therein unless he served in an Iowa regiment or was accredited to the state of Iowa. The board of commissioners shall determine the eligibility of applicants for admission to said home as herein provided.
Objects. Applicants must have resided in State 3 years or have served in Iowa regiment.	SEC. 3. Said home shall be located by the Twenty First General Assembly in joint convention, for which purpose the Senate and House shall meet in the hall of the House of Representatives Friday April second [1886], at ten o'clock A. M., as provided in chapter two of the code, except that the sense of the joint convention shall be determined by ballot, and balloting shall continue until a majority of all votes cast are cast for one location.
Admission by commissioners.	SEC. 4. The general supervision and government of said Soldiers' Home shall be vested in a Board of Commissioners, to consist of six members, who shall be appointed by the Governor, by and with the consent of the Senate, immediately after the taking effect of this act, not more than four of whom shall belong to the same political party, and no two of whom shall be from the same congressional district, and no member of the General Assembly shall be eligible to the office, but all shall be ex-Union soldiers. The members of the Board shall hold their office for the respective terms of two, four, and six years, from the first day of May, eighteen hundred and eighty-six, and until their successors shall be appointed and qualified, said respective terms of office to be determined by lot, and thereafter there shall be two members of said board appointed every two years during the session of the general assembly, whose term of office shall continue for six years from the first day of May next ensuing, or until their successors are appointed and qualified. The governor shall call a meeting of said board for the purpose of organization, within thirty days after the first appointments are made. No compensation shall be allowed any member of the board of commissioners other than president, treasurer, and secretary, save their actual expenses; <i>provided</i> , however, that a building committee may be appointed from the members of said
Located by 21 G. A. in joint convention by ballott.	
Government. Number of commissioners appointed by Governor.	
Terms.	
First meeting of board.	
Compensation.	
Proviso.	



board, consisting of not more than two persons, whose duty it shall be to visit and inspect the buildings at least once in two weeks during their period of construction, and who may receive in addition to their actual expenses the sum of five dollars for each day so actually employed. *Provided*, however, that no member of said building committee shall receive compensation for more than ten days' service in any one month. In case of a vacancy in the board of commissioners by death or any other cause, the appointing power provided for shall have power to fill the vacancy for the unexpired portion of the term. Four members of the board shall constitute a quorum for the transaction of business; *provided*, that for the adoption of plans and the letting of contracts for buildings and the selection of a commandant for said home, the affirmative vote of a majority of the entire board shall be required.

Building committee.

Proviso.

Vacancy.

SEC. 5. Before entering upon his duties each member of the Board of Commissioners shall take and sign an oath and execute a bond in the penal sum of ten thousand dollars for the use of the State of Iowa, to be approved by the Executive Council and filed in the office of the Secretary of State, conditioned for the faithful performance of his duties and the honest and faithful disbursement of and accounting for all moneys which may come into his hands under the provisions of this act. The said board, having first taken the oath prescribed for the trustees of state institutions, is hereby empowered and required to cause to be prepared suitable plans and specifications by a competent architect, but no plans shall be adopted which shall not first have been approved by the governor. Such plans shall contemplate the erection of a home which shall accommodate not less than one hundred and fifty nor more than three hundred inmates, and shall be accompanied by specifications, and by a detailed estimate of the amount, quality and description of all material and labor required for the entire and full completion of the buildings, and no plan shall be adopted that contemplates the expenditure of more money for its completion than the amount appropriated by this general assembly added to any donations received by the state for the erection of the home.

Board to qualify and give bond.

Plans, etc.

Approved by Governor.

Limit of accommodations.

SEC. 6. That the said Board of Commissioners may at their discretion employ a competent architect or superintendent of construction, who may, in the discretion of said Board, be the same person, and who shall receive such compensation as the Board shall, by agreement, determine.

Architect or superintendent.

SEC. 7. Whenever the said plans and specifications shall have been approved and adopted, the Commissioners shall cause to be inserted in the Iowa State Register and Des Moines Leader, newspapers published in the city of Des Moines, Iowa, an advertisement for sealed bids for the construction of the buildings herein authorized, and they shall furnish a printed copy of this act and of the specifications to all parties applying therefor, and all parties interested who may desire it shall

Bids advertised for.

have free and full access to the plans and specifications with the privilege of taking notes and making memoranda.

Bids opened in  
30 days.

SEC. 8. Not less than thirty days after the publication of said proposals for bids, on a day and hour to be named in said advertisement at the place where said institution shall be located in the presence of the bidders, or so many of them as may be present, the bids received shall be opened for the first time, and the contract for building shall be let to the lowest and best bidder; *provided*, that should the commissioners deem it for the interest of the State they may reject any and all bids and advertise again and also provided, that no contract shall be made, and no expense incurred for any building or buildings, requiring for the completion of the same and fixtures thereon and furnishing and equipping the same a greater expense than is provided for in the appropriation made in this act added to any donations received by the State for the erection of the home. And *provided further*, that no bid shall be accepted which is not accompanied by a good and sufficient bond in the sum of ten thousand dollars, signed by at least three good and sufficient sureties who shall be resident free-holders of the state of Iowa conditioned as a guarantee for the responsibility and good faith of the bidder, and that he will enter into a contract and give bond as provided in this act in case his bid is accepted.

May reject all  
bids.

Proviso.

Bids to be ac-  
companied  
with bond.

Contract bond.

SEC. 9. The contract to be made with the successful bidder shall be accompanied by a good and sufficient bond, to be approved by the Governor before being accepted, conditioned for the faithful performance of his contract, shall provide for the appointment of an architect or a superintendent of construction, who shall receive not more than five dollars per day for his services, and who shall carefully and accurately measure the work done, and the materials upon the ground at least once a month; for the payment of the contractor upon the aforesaid measurement, and for the withholding of twenty per cent of the value of the work done and materials on hand until the completion of the buildings. And for a forfeiture of a stipulated sum per diem for every day that the completion of the work shall be delayed after the time specified for the completion of the contract, and for the full protection of all persons who may furnish labor or materials by withholding payment from the contractor and by paying the parties to whom any moneys are due for service or materials, as aforesaid, directly for all work done or materials furnished by them, and for a settlement of all disputed questions as to the value of alterations and extras by arbitration at the time of final settlement, as follows: One arbitrator to be chosen by the commissioners, one by the contractor, and one by the Governor of the State; and all three of said arbitrators to be practical mechanics and builders. And said contract shall provide for the power and privilege of the commissioners to order changes in the plans and specifications at their discretion, and to refuse to accept any-

Architect or  
superintend-  
ent.

Differences  
settled by  
arbitration.

Changes may  
be provided  
for.

work which may be done not fully in accordance with the letter and spirit of the plans and specification; and all work not accepted shall be replaced at the expense of the contractor, and be deducted from the contract price. They may also make such other provisions and conditions in the said contract not hereinabove specified as may seem to them necessary or expedient, *provided*, that no conditions shall be inserted contrary to the letter and spirit of this act, and that in no event shall the State be liable for a greater amount of money than is appropriated for said buildings and appurtenances. Proviso.

SEC. 10. The said contract shall be signed by the President of the Board of Commissioners in behalf of the Board after a vote authorizing him so to sign shall have been entered upon the minutes of the Board, and it shall be attested by the signature of the Secretary of the Board and by the seal of the Institution hereinafter provided for. It shall be drawn in triplicate, and one copy of the same shall be deposited in the office of the Secretary of State. Contract signed.  
Attested.  
Triplicate.

SEC. 11. All bids shall show the estimated cost of the work to be done of each description in detail. And the Commissioners shall have the right and power at their discretion to accept bids for particular portions of the work if for the advantage of the State, and all measurements and accounts as the work progresses, shall show in detail the amount and character of the work for which payment is made. Bids to show cost.

SEC. 12. The cost of location, including the cost of suitable grounds, may be paid out of the appropriations herein made, but shall not exceed the sum of ten thousand dollars. *Provided* that should the land be purchased with suitable buildings erected thereon, the same shall not exceed the sum of fifty thousand dollars and in that case the parts of this act which refer to erections of buildings shall not apply. Location and grounds.  
Proviso.

SEC. 13. The moneys herein appropriated shall be paid to the parties to whom they may become due and payable, directly from the Treasurer of State, on the warrant of the Auditor of State, and the Auditor is hereby authorized and required to draw the said warrants for money due under this act, upon the order of the board of commissioners accompanied by vouchers approved by the Governor in the usual manner, and the board is authorized to advance and pay on contracts, before the same are fully completed not exceeding eighty per cent on the estimates of material delivered or labor performed. All other moneys appropriated by this act shall be drawn quarterly on the requisition of the board of commissioners, in the usual manner, and then only in such amounts as the wants of the institution may require. Moneys, how payable.  
Payments not to exceed 80 per cent until work completed.

SEC. 14. No commissioner or officer of the said institution shall be in any way interested in any contract for the erection or purchase of said buildings, or furnishing any materials for said buildings, and if any such commissioner or officer shall be so interested he shall be deemed guilty of a misdemeanor and Interest of commissioners.  
Penalty.

on conviction be fined in any sum not exceeding five thousand dollars.

SEC. 15. It shall be the duty of the Board of Commissioners to meet annually on the second Wednesday in May of each year, and at said annual meeting they shall elect from their own body a president, treasurer and secretary, whose compensation shall be determined by the board, and who shall hold office for one year, or until their successor shall be elected and qualified. The treasurer shall give a bond, which shall be approved by the executive council for double the amount of money liable to come into his hands at any one time. The Board of Commissioners shall meet at least once in three months, on the second Wednesday in August, November and February, and oftener if they deem it advisable, and shall have the power to adopt a seal and make rules and regulations, not inconsistent with the laws and constitution of the State, for the management and government of said Home, including such rules as they may deem necessary for the preserving of order, enforcing discipline and preserving the health of its inmates. If necessary, for the purpose of procuring a better insight into the practical working of similar homes, and for the better information of the board, they may authorize not more than three of their number to visit similar institutions now in operation that they may have the benefit of their personal observation and investigation, and the expense actually incurred in any such visit may be charged against the appropriation hereinbefore made. The Board of Commissioners shall make full and minute report of all the disbursements of the Home, and of its condition, financial and otherwise, to each regular session of the General Assembly.

SEC. 16. The board of commissioners shall have the power and it shall be their duty to appoint a commandant for said home who shall serve as such during the pleasure of the board of commissioners and who shall be one who has been honorably discharged from the military or naval service of the United States, whose salary shall not exceed twelve hundred dollars per annum, and who shall nominate for the action of the board of commissioners, all necessary subordinate officers, who shall also be persons who have been honorably discharged from the military or naval service of the United States, who may be removed by said commandant for inefficiency or misconduct; but in case of every removal a detailed statement of the cause shall be reported to the board of commissioners by the commandant. The board of commissioners shall have the power to fix the salary of all subordinate officers; *provided*, the amount so paid shall not exceed such reasonable compensation as is paid for like service in similar institutions.

SEC. 17. Every contract and duty required by this act to be acted upon by the board of commissioners must receive the approval of the majority of the board in regular session duly called in order to make the same binding and valid: that all the pro-

ceedings of said board shall be recorded in a book and open to the inspection of anybody on request. Minutes of board.

SEC. 18. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines Iowa. Publication.

Approved March 31, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 1, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 59.

### ESTABLISHING SUPREME COURT AT SEAT OF GOVERNMENT.

AN ACT establishing the Supreme Court at the seat of Government, S. F. 144. and providing officers therefor.

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

SECTION 1. That the supreme court shall be held at the seat of government, and shall convene and hold four terms each year, one of which shall commence on the first Tuesday of March, one on the first Tuesday of June, one on the first Tuesday of October and one on the first Tuesday of December. Each of said terms of court shall be for the submission and determination of causes and for the transaction of such other business as shall properly come before the court. All causes on the docket shall be heard at each term unless continued or otherwise disposed of by order of the court. The court shall remain in session so far as practicable until it is determined what the opinion of the court shall be in all causes submitted to it except in causes where a re-argument is ordered. Judgments of affirmance, rulings and orders in causes submitted, and orders authorized by law may be made and entered by the court at any time regardless of the terms of court. Supreme court held at seat of government. Terms of court. Causes; how disposed of. Judgments and rulings may be entered at any time.

SEC. 2. The court is hereby authorized to appoint the necessary bailiffs to attend the court and to perform such other duties and execute such orders as may be directed or ordered by the court. Each bailiff shall receive two dollars and fifty cents for a days service to be paid out of the contingent fund on the order of the chief justice. The court may also at any time require the attendance and services of the sheriff of Polk county. Court to appoint bailiffs. Compensation; how paid. May require attendance of sheriff.

SEC. 3. All causes and other business pending in said court for the terms now authorized to be held at Council Bluffs, Davenport, and Dubuque, shall be at once transferred for further action and disposition to the term of said court which is to commence on the first Tuesday of October A. D. 1886. Causes for Council Bluffs, Davenport and Dubuque terms transferred to term Oct., 1886.

Code, sections  
183, 184, 185,  
186 and 187 re-  
pealed.

SEC. 4. Sections numbered 183, 184, 185, 186, and 187 of the Code, and all acts and parts of acts in conflict with this act are hereby repealed.

This bill having remained with the governor three days, (Sunday excepted), the general assembly being in session, has become a law this first day of April, A. D. 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 60.

### LEGALIZE PROCEEDINGS OF SUPERVISORS OF POWESHIEK COUNTY.

H. F. 546.

AN ACT to legalize certain proceedings of the Board of Supervisors of Poweshiek county, Iowa, in relation to restraining stock from running at large.

Legalizing  
board of  
supervisors  
Poweshiek  
county.

WHEREAS, The board of supervisors of Poweshiek county, Iowa, at their regular sessions in June and September, 1877, passed a resolution, and caused to be issued, and published a proclamation to the electors of said county, relative to submitting to the people of said county, the question whether or not stock should be restrained from running at large within the corporate limits of said county, and

WHEREAS, Doubts have arisen as to the validity and legality of the manner in which said question was submitted to the people of said county by said board of supervisors; therefore,

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

Acts legalized.

SECTION 1. That all the acts and proceedings of the board of supervisors of Poweshiek county, Iowa, in relation to the submission of the question whether or not stock should be restrained from running at large within the corporate limits of said county, to the people of said county, be and the same are hereby legalized and declared to be legal, and valid in all respects as if the law had been strictly complied with by said board of supervisors, in submitting said question to the people of said county.

Publication.

SEC. 2. This act being deemed of immediate importance, shall take effect and be in full force from and after publication in the Iowa State Register, a newspaper published at Des Moines, Iowa, and the Weekly Republican, a newspaper published at Montezuma, Iowa, without expense to the state.

Approved April 1, 1886.

I hereby certify that the foregoing act was published in the Iowa State Register, April 6, and the Weekly Republican, April 7, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 61.

## TO LEGALIZE ACTS OF THE COUNCIL OF GOWRIE.

AN ACT to legalize the official acts of the town council, and ordinances of the incorporated town of Gowrie, Webster county, Iowa. H. F. 672.

WHEREAS, Doubts have arisen as to the legality of the official acts and ordinances passed by the town council of said incorporated town of Gowrie, Webster county, Iowa, by reason of the failure of the recorder of said town to record the yeas and nays on the suspension of the rules and upon the passage of ordinances, and the failure of said recorder to record the order for the publication of ordinances, and the failure of the mayor to sign the record of proceedings of the council; therefore,

Preamble.

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

SECTION 1. That all official acts done and ordinances passed by the council of said town of Gowrie, not in contravention with the laws of the state are hereby legalized and the same are hereby declared to be valid and binding the same as though the laws in all respects had been strictly complied with in respect to the matters hereinbefore mentioned.

Legalized.

SEC. 2. This act being deemed of immediate importance shall be in force and effect from and after its publication in the Iowa State Register and the Gowrie Register, newspapers published at Des Moines and Gowrie Iowa, without expense to the State.

Publication.

Approved April 1, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 6, and the *Gowrie Register* April 9, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 62.

## SOLDIERS' MONUMENTS AND MEMORIAL HALLS.

H. F. 575.

AN ACT to repeal Chapter 162, of the Acts of the Twentieth General Assembly, and to enact a substitute therefor in relation to Soldiers' Monuments and Memorial Halls, and providing for levying a tax therefor.

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

Chapter 162,  
acts 20 G. A.,  
repealed.

Tax may be  
voted, of one  
mill for monu-  
ments and  
memorials.

SECTION 1. That a tax, not to exceed one mill on the dollar on the assessed valuation of any county, may be voted for the purpose of erecting monuments and memorial halls on which or in which shall be included the names of all deceased soldiers and sailors and all who may hereafter die, who enlisted or entered the service from the county where such appropriations may be made and also the names of such other deceased soldiers as the grand army posts of said county shall direct, as hereinafter provided.

Board of  
supervisors to  
submit upon  
petition to a  
vote.

SEC. 2. Whenever a petition shall be presented to the board of supervisors of any county in this state signed by a majority of the members of the grand army posts in said county asking said board of supervisors to submit to the legally qualified voters of said county, at the next general election, after said petition shall have been presented, the question of aiding in the erection of a soldiers' and sailors' monument or memorial hall, as provided for in Sec. 1 of this act. At such election the question of taxation shall be submitted, the form of the ballot shall be "for taxation" and "against taxation" and if a majority of the ballots polled be for taxation, then the board of supervisors of said county at the time of levying the ordinary taxes, next succeeding said election shall levy such tax as is voted under the provisions of this act, the same to be placed upon the tax lists of said county and collected as other taxes.

Taxes, how  
drawn and  
expended.

SEC. 3. The taxes when collected by the county treasurer shall be drawn and expended for the erection of such soldiers' and sailors' monuments or memorial halls under the direction of a committee of three to be selected by a majority of all the members of the grand army posts in the county where such tax is voted, and the county auditor shall draw his warrants upon the treasurer for said money at the times and in the amounts as may be directed by said committee and shall charge it with the same and the committee shall settle and account with the board of supervisors for all money so drawn in the same manner as is now or may hereafter be provided by law for the settlement of the accounts of township clerks. *Provided:* this act shall not be held to apply to any county which has before the passage of

Provido.



this act made an appropriation for the erection of a soldiers' monument under the provisions of said chapter 162 of the acts of the Twentieth General Assembly.

SEC. 4. That chapter 162 of the acts of the Twentieth General Assembly be and the same is hereby repealed.

Chapter 162,  
acts 20 G. A.,  
repealed.

Approved April 1st, 1886.

## CHAPTER 63.

### FISH DAMS ACROSS OUTLETS OF MEANDERED LAKES.

AN ACT to authorize cities and incorporated towns to erect and maintain fish dams across the outlets of meandered lakes, and to provide punishment for the injury or destruction of the same. S. F. 218.

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

SECTION 1. That any city or incorporated town which is bounded in whole or in part by any meandered lake of this State is hereby authorized and empowered to construct and maintain across any outlet of such lake a dam to obstruct the passage of fish. Such dam may be constructed of earth, masonry or other substance to the *height* [height] of the natural and ordinary level of the lake, but above such level and across the entire width of the natural outlet it shall be an open net-work of bars, rods, or wire including however the necessary and proper framework and supports therefor. Said net-work may be constructed to prevent so far as possible the escape of fish from the lake. But nothing herein contained shall be construed to authorize the raising of the ordinary and natural level of the lake or the interfering with any water power, dwelling house, out-building, orchard or grove.

Cities and  
towns may  
maintain fish  
dams.

SEC. 2. Such city or town is authorized to purchase or to condemn in the manner provided by law for condemning private property for streets and other municipal purposes so much land situate within or without the corporate limits of said city or town as the council shall deem necessary for the construction and maintenance of such dam and to pay for the same out of the general fund; *provided*, however that before any city or incorporated town shall be authorized to acquire property or construct or maintain a dam by virtue of the provisions of this act a majority of the resident taxpayers of such city or town shall petition the council therefor.

May condemn  
property.

Provide.

SEC. 3. If any person shall willfully injure or destroy or be a party to the injury or destruction of any dam constructed or maintained by virtue of the provisions of this act he shall be punished by a fine not exceeding five hundred dollars and by imprisonment in the county jail not exceeding one year.

Penalty for  
injuring fish  
dam.

Publication. SEC. 4. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Storm Lake Pilot and Storm Lake Tribune, newspapers printed at Storm Lake Iowa without expense to the State.  
Approved April 1, 1886.

I hereby certify that the foregoing act was published in the *Storm Lake Pilot* and the *Storm Lake Tribune* April 10, 1886.  
FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 64.

### TO LEGALIZE ACTS OF THE BOARD OF SUPERVISORS OF HUMBOLDT COUNTY.

H. F. 523. AN ACT to legalize the official acts of the Board of Supervisors of Humboldt County, in granting certain permits to buy and sell intoxicating liquors.

Preamble. WHEREAS, The board of supervisors of Humboldt county, Permits granted. did on the fifth day of September A. D. 1884, and the sixth day of April A. D. 1885, by resolutions grant permits, to certain parties to buy and sell intoxicating liquors for lawful purposes and

Not specific. WHEREAS, Said permits did not clearly set forth the buildings in which such sales might be made, nor the length of time for which such permission was granted, and

WHEREAS, The auditor of said county, did, thereupon, issue to each of the parties named in said permits, his certificate under the seal of said county, stating that permission was granted each of said parties to buy and sell intoxicating liquors at the respective places of business of said parties in the towns of Humboldt and and Livermore in said county, for twelve months from the date of the resolution wherein each permit was granted; therefore,

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

Legalized. SECTION 1. That the said resolutions of said board of supervisors are hereby legalized and made binding for all purposes to the same extent as though said resolutions had particularly stated that said permits should be for twelve months and had particularly described the buildings wherein sales might be made.

Sec. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register a newspaper published at Des Moines Iowa and the Humboldt Kosmos a newspaper published at Humboldt Iowa without expense to the state. Publication.  
 Approved April 1, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 6, and the *Humboldt Kosmos* April 8, 1886.  
 FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 65.

### TO REGULATE MUTUAL BENEFIT ASSOCIATIONS.

AN ACT to Regulate the Organization and Operation of Mutual Benefit Associations. S. F. 151.

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

SECTION 1. Every corporation or association organized under the laws of this State upon the mutual assessment co-operative or natural pre[m]ium plan, for the purpose of insuring the lives of individuals, or of furnishing benefits to the widows, heirs, orphans or legatees, of deceased members, or of paying endowments or accident indemnity, shall, before commencing business, comply with the provisions of this act.

SEC. 2. The articles of incorporation of such organizations shall show the plan of business, and shall be submitted to the Auditor of State, and Attorney General, and if such articles are found to comply with the provisions of this act they shall approve the same. When said articles are thus approved, they shall be recorded in the office of the Recorder of Deeds, in the county where such organization is located and of the Secretary of State and a notice published as provided for under the general incorporation law of the State of Iowa. Nothing in this section shall be construed to require the incorporation of such companies already duly incorporated and operating under the laws of Iowa. Articles of Incorporation.

SEC. 3. No corporation or association organized under this act, shall take any name in use by any other organization or so closely resembling such name as to mislead the public as to its identity. Name.

SEC. 4. Each association organized under this act, shall, before issuing any policy or certificate of membership, if said associa-

- tion has not membership sufficient to pay the full amount of the certificate or policy on an assessment it shall cause the application for insurance to have printed in red ink in a conspicuous manner along the margin of said application the words "It is understood and agreed that the amount to be paid, when the certificate or policy issued upon this application becomes a claim, shall be dependent upon the amount collected from an assessment made to meet such claim and they must have actual applications upon at least two hundred and fifty individual lives for at least one thousand dollars each, and shall file, with the Auditor of State, satisfactory proof that the president, secretary and treasurer, of said corporation or association have each given a good and sufficient bond for five thousand dollars, for the faithful discharge of their duties as such officers; sworn copies of which bonds shall be filed with the Auditor of State, also a list of said applications giving the name, age, and residence of each applicant and the amount of insurance applied for by each, together with the annual dues and the proposed assessments thereon, which statement shall be verified under oath by the president and secretary of the association.
- Policy proviso.**
- Application for insurance.**
- Bond of secretary and treasurer.**
- File list of applications.**
- Agents certificate.**
- Assessments.**
- Insurable age.**
- Beneficiary.**
- Assignment of policy.**
- SEC. 5. No person shall act, within this State as agent or otherwise in receiving or procuring applications for insurance for any assessment association (except for the purpose of taking applications for organization), unless the corporation or association for which he is acting, has received a certificate from the Auditor of State as provided in this act, authorizing said corporation or association to transact business in this State, nor as general or traveling agent or traveling solicitor, until he shall have received from said Auditor a certificate in substance the same as that provided for in section 18 of this act, and certifying that said corporation or association has complied with the provisions of this act, and that said general traveling agent or traveling solicitor is authorized to act as such.
- SEC. 6. The by-laws of any such corporation or association, and its notices of assessment, shall state the object or objects for which the money to be collected is intended, and no part of the proceeds of such assessment shall be applied to any other purpose than is stated in said notices and by-laws, and the excess beyond payment of the benefit provided for in such assessment, shall be set aside and applied only to such purposes as said by-laws and notices specify.
- SEC. 7. No corporation or association organized or operating, under this act, shall issue any certificate of membership, or policy to any person under the age of fifteen years, nor over the age of sixty-five years nor unless the beneficiary under said certificate shall be the husband, wife, relative, legal representative, heir or legatee of such insured member, nor shall any such certificate be assigned, except an endowment certificate, and any certificate issued or assignment made in violation of this section shall be void. Any member of any corporation, association or society operating under this act shall have the right at

any time, with the consent of such corporation, association or society, to make a change in his beneficiary without requiring the consent of such beneficiary.

SEC. 8. The business year of each Iowa corporation or association organized or operating under this act, shall close on the thirty-first day of December, each year and such corporation or association, shall, within sixty days thereafter prepare under oath of its president and secretary and file in the office of the Auditor of State a detailed statement of its assets, liabilities, receipts, from each assessment and all other sources, expenditures, salaries of officers, number of contributing members, death losses paid and amount paid on each death loss, death losses reported but not paid, and answer such other interrogatories as the Auditor (who shall furnish blanks for that purpose) may require, in order to ascertain its true financial condition, and shall pay upon filing each annual statement, the sum of ten dollars. The Auditor shall publish said annual statement in detail in his annual report, and for the purpose of verifying such statement, the Auditor may make or cause to be made, an examination of the affairs of any Iowa association doing business under this act, at the expense of the association, which expense shall not exceed the necessary hotel and traveling expenses of the Auditor or clerk. If the Auditor appoints some person not employed in his office to make the examination, he shall in addition to actual expenses be allowed not to exceed five dollars per day for the time actually employed. If the said Auditor shall deem it necessary for the security of the funds of the association, he may require the official bonds of the officers to be increased to an amount not to exceed double the sum for which they are accountable, and he may require supplemental reports from any such association at such time and in such form as he may direct.

SEC. 9. Any corporation or association accumulating any moneys to be held in trust for the purpose of the fulfillment of its policy or certificate, contract, or otherwise, shall invest such accumulations in bonds or treasury notes of the United States, or of this or other states, or in interest-bearing bonds of any municipal corporation in Iowa or in notes secured by mortgage on unencumbered real estate in the State of Iowa, not to exceed forty per cent of the appraised value thereof exclusive of improvements and shall deposit such securities with the Auditor of State, who shall furnish such corporation or association with a certificate, under his seal of office, of such deposit, showing the purpose of such deposit and to what fund the same is to be applied when paid out and also showing the aggregate liabilities of such corporation or association at the date of issuance of such certificate, *provided*, however, that such corporation or association may invest in real estate in Iowa, such a portion of said accumulation as is necessary for its accommodation in the transaction of its business to be owned by said corporation or

Report to Auditor of State.

Publication of report.

Examination by Auditor.

Trust funds.

Real estate investment.

association, and in the erection of any building for such purpose may add thereto rooms for rental.

Change of securities.

SEC. 10. Such association may have the right at any time to change its securities on deposit by substituting for those withdrawn a like amount in other securities of the character provided for in this act.

Withdrawal of securities.

SEC. 11. The Auditor shall permit corporations or associations having a deposit with him of such securities to withdraw the same upon filing with him by the president and secretary of such corporations and associations, satisfactory proof that they are to be used for the purpose for which they were originally deposited in his office.

Collection of interest on securities.

SEC. 12. The Auditor shall permit corporations or associations having on deposit with him such stocks and bonds, notes or other securities, to collect and retain the interest accruing on such deposits, delivering to them respectively the evidence of interest as the same becomes due, but on default of any corporation or association to make or enforce such collection, he may collect such interest and add the same to the securities in his possession belonging to such corporation or association, less the expense of such collection.

Foreign companies.

SEC. 13. Any foreign corporation or association organized under the laws of any other State to carry on the business of insuring the lives of individuals or of furnishing benefits to the widows, orphans, heirs or legatees of deceased members, or of paying accident indemnity, or surrender value of certificate of insurance upon the mutual assessment plan, may be licensed by the Auditor to do business in this State by complying with the following conditions, to wit: Said corporation shall file with the Auditor of State a copy of its charter or articles of incorporation duly certified by the proper officers of the State wherein organized together with a copy of its by-laws, application, and policy or certificate of membership. It shall also file with said auditor a sworn statement signed and verified by its president and secretary, which statement shall contain the name and location of the said corporation or association, its principal place of business, the name of its president, secretary and other principal officers, the number of certificates or policies in force, the aggregate amount insured thereby the amount paid to beneficiaries in event of death or accident, the amount collected of each member on each assessment, and the purposes for which assessments are made and the authority under which they are made; the amount paid on the last death loss and the date thereof, the amount of cash or other assets owned by the company and association and how invested; and any information which the auditor may require. All said statements and papers thus filed shall show that death or surrender value of certificate of insurance or accident indemnity is in the main provided for by assessments upon or contributions by surviving members of such corporation or association and shall show to the satisfaction of said auditor that said corporation or association is legally or-

Kind licensed.

Preliminary papers.

ganized and honestly managed, and that an ordinary assessment upon its members or other regular contribution to its mortuary fund, is sufficient to pay its maximum certificate to the full limit named therein. Such foreign corporation or association shall also designate to the said Auditor an attorney or agent residing in this State on whom service of process or original notice may be made; and in the event of a failure to appoint or designate such attorney, such service may be made upon the Auditor who shall at once notify said company by mailing a copy of said notice to the secretary of said corporation or association, directed to his last known post office address. Any action commenced in this State by service upon such attorney or auditor may be commenced in the county of the plaintiff's residence, regardless of the residence of said attorney or Auditor, and every corporation or association coming into this State shall file with the Auditor of State a contract or agreement that it will not transfer any action commenced against it in any court of this State to the United States courts, which contract shall contain the provision that if such transfer is made to the United States courts, the certificate of authority issued by said auditor to do business shall be revoked or cancelled, and it shall be the duty of the auditor to promptly revoke the certificate of such corporation or association as soon as such transfer is made; and such corporation or association shall not be permitted to do business again within the State. Upon complying with the provisions of this section, and upon payment of twenty-five dollars, the Auditor shall issue to such foreign corporation or association so complying, a certificate of authority to do business in this State, provided the same right is extended by the State in which said corporation is organized, to similar corporations or associations organized in this State. After any such foreign corporation or association shall have been licensed to do business in this State, it shall make before the first day of March of each year, to the auditor, on blanks furnished by him, the same detailed statement as is provided in section 8 of this act, which statement shall be published in the annual report of the auditor, and shall also pay to the auditor, on filing such statement, a fee of twenty dollars. Whenever the Auditor of this State shall have reason to doubt the solvency of any such foreign corporation or association and the failure to pay the full limit named in its certificate or policy shall be such evidence that it is not solvent and to require the auditor to investigate, he must for this or other good cause, at the expense of such corporation or association cause an examination of its books and papers to be made, and publish and distribute his report as provided in section 8, of this act, and if in his judgment such examination establishes the fact that such corporation or association is not financially sound and is not paying its policies to the full limit named therein or is conducting its business fraudulently, or if it should fail to make the statement required by this act, he may revoke the authority of such corporation or association and prohibit it from doing bus-

Company must  
appoint an  
attorney.

Action com-  
menced in  
plaintiff's  
county.

Contract not to  
transfer suits  
to U. S. courts.

Fee for first  
authority.

Annual report..

Examinations-  
by Auditor.

Fees for examination.

iness in this State until it can again comply with the provisions of this act. If the Auditor appoints some one not receiving a regular salary in his office to make the examination provided for in this section he shall be entitled to receive five dollars per day for his service in addition to his actual traveling and hotel expenses to be paid by the association examined or by the State on approval of the Executive Council, if the association fails to pay the same.

Penalty for non-compliance with this chapter.

SEC. 14. Any foreign corporation or association doing business in this State that shall refuse or neglect to comply with the provisions of this act after the space of ninety days after it takes effect shall be deemed and be held to be doing business unlawfully and any officer or agent of such corporation or association who shall do business in this State, or assist in, or knowingly permit the same in violation of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than five hundred dollars, or be imprisoned in the county jail not more than six months, or both, in the discretion of the court. It shall be the duty of the county attorney to prosecute any violation of this section when sufficient evidence is presented to him to warrant a prosecution of any person charged with its violation.

Penalty for agents acting for unauthorized company.

SEC. 15. Any solicitor or agent taking or soliciting applications for insurance within this State, for any corporation or association doing business on the mutual assessment or natural premium plan, after ninety days from the taking effect of this act without the certificate herein provided for, or shall take applications when the assessments will not pay the certificate or policy in full, without having the application form comply with the requirements of section four (4) of this act, shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not exceeding one hundred dollars for each offense, together with the costs of prosecution including attorneys' fee, and shall stand committed to the county jail until the fine and costs are paid. And the county attorney in each county shall prosecute parties charged with a violation of this section.

Proceedings in case of Iowa companies violating this law.

SEC. 16. Whenever any Iowa corporation or association shall fail to make its annual statement to the Auditor on or before the first day of March, or is conducting its business fraudulently or not in compliance with this act, or is not carrying out its contracts with its members in good faith, then it shall be the duty of the Auditor to promptly communicate the fact to the Attorney-General, who shall at once commence action before the district or circuit court of the county in which said organization is located or any judge thereof, citing the officers to appear before said court or judge, and if upon a hearing of said cause, it is found to be [for] the best interests of the holders of the certificates of membership in said corporation, said court or judge shall have the power to remove any officer or officers of said corporation and appoint others in their place until the next annual election. If it is found to the best interests of said holders of



certificates that the affairs of said corporation be wound up said court or judge shall so direct and for that purpose may appoint a receiver, who shall regard all proper claims for death benefit as preferred claims. Said receiver may also upon the approval of the court or judge transfer the members of said association who consent thereto to some solvent Iowa assessment or natural premium association or divide the surplus accumulated in proportion to the share due each certificate in force at the time.

SEC. 17. The Auditor shall receive from each foreign corporation or association doing business in this State for each certificate issued to its agents or solicitor, as provided in this act, the sum of two dollars and from each corporation or association organized under the laws of this State the sum of fifty cents. Any other fees to be paid to said Auditor not provided for in this act shall be the same as provided for in the general insurance laws of this State, in relation to life insurance companies. All fees collected by the Auditor by this act shall be accounted for and paid into the State treasury in the same manner as provided in section 3778, Code of 1873.

SEC. 18. On compliance with this act by any corporation or association the Auditor shall issue a certificate setting forth: Form of certificate. First: The corporate name of the association. Second: Its principal place of business. Third: The number of certificates or policies in force at the date of its last report. Fourth: The sum of money which an ordinary assessment for payment of a single certificate or policy would produce in each class. Fifth: The amount paid on its last death loss as evidenced by proof on file in his office and the date of such payment. Sixth: The amount of securities deposited in his office, and for what purpose deposited. Seventh: That it has fully complied with the provisions of this act, and is authorized to transact business for a period of one year from April first of the year of its issue, which certificate shall be published by said association for four weeks in a newspaper of general circulation published at the principal place of business of said association. Publication of certificate.

SEC. 19. Any agent, physician, or other person who, shall knowingly and by means of concealment or false or fraudulent statements assist in securing from any such organization, or assessment association, a policy or certificate of membership on the life of any person shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or undergo an imprisonment of not more than one year in the county jail, or both, in the discretion of the court. Penalty for fraud in procuring insurance.

SEC. 20. Any corporation, or association doing business in this State which provides in the main, for the payment of death losses or accident indemnity by any assessment upon its members or upon the natural premium plan, shall for the purpose of this act, be deemed a mutual benefit association, and shall not be subject to the general insurance laws of this State, regula- Definition of assessment company.

ting life insurance. No corporation or association, operating upon the assessment plan, promising benefits upon any other event than that of the death or disability resulting from accident to the member shall be permitted to do business in this State. But this shall not prevent any assessment life association or organization authorized by this act, from providing for an equitable surrender value paid up policy or endowment upon the cancellation of any policy or certificate provided the terms and conditions thereof are set forth in said policy or certificate of membership, and provided that such endowment or surrender value shall in the main be accumulated during the term of such policy or certificate. This act shall not relieve any corporation or assessment association, now doing business in this State, from the fulfillment of any contract heretofore entered into with its members under its policies or certificates of membership, nor shall any member be released hereby from his or her part of said contract.

Only life and accident business permitted.

Surrender value of policy.

Existing contracts not abrogated.

Benevolent societies exempted.

Live-stock companies.

Repealing clause.

SEC. 21. Nothing in this act shall be construed to apply to any secret fraternal society nor any association organized solely for benevolent purposes and composed wholly of members of any one occupation, guild, profession, or religious denomination, provided that any such society or organization named above in this section, shall by complying with the provisions of this act be entitled to all the privileges and be amenable to the obligations of this act.

SEC. 22. The provisions of this act shall be applied to all assessment or co-operative livestock insurance companies or associations, now existing or hereafter organized in this or other States, so far as the same can be made to apply, and the Auditor of State shall have the same power and authority in regard to such companies or associations as in regard to mutual benefit associations.

SEC. 23. All acts or parts of acts conflicting with this act are hereby repealed, *provided* that nothing in this act shall be construed to affect insurance companies known as fixed or level premium companies, having a mathematical annual reserve.

This bill having remained with the Governor three days (Sunday excepted), the General Assembly being in session, has become a law this 2d day of April, A. D. 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 66.

## RELATING TO THE SALE OF INTOXICATING LIQUORS.

AN ACT Amendatory of Chapter 143 of the Acts of the Twentieth S. F. 263. General Assembly Relating to Intoxicating Liquors, and Providing for the more Effectual Suppression of the Illegal Sale and Transportation of Intoxicating Liquors and Abatement of Nuisances.

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

SECTION 1. That actions to enjoin nuisances as authorized by section 12, of chapter 143, of the acts of the Twentieth General Assembly, may be brought in the name of the State of Iowa, by the district or county attorney of the proper county; and it shall be the duty of such district or county attorney where any such nuisance exists, to institute and prosecute such action for the abatement thereof; *provided*, however if after notice or information given him of such nuisance, said district or county attorney refuse or neglect to bring suit, and prosecute the same with reasonable diligence, then any citizen residing in the county may institute and prosecute such action in the name of the State for the abatement of such nuisance. But nothing in this section shall prevent any citizen of a county from instituting and maintaining in his own name an action under said section 12, of said chapter 143, and to all of such actions, whether brought under the provisions of said section 12 of said chapter 143 or of this act, the provisions contained in this act shall apply. All such actions shall be triable at the first term of court, after due and timely notice of the commencement thereof has been given. Evidence of the general reputation of the place designated in the petition shall be admissa[i]ble for the purpose of proving the existence of such nuisance, and if successful in the action the plaintiff shall be entitled to an attorney's fee of not less than twenty-five dollars, to be taxed and collected as costs against the defendant.

SEC. 2. In any such action the court, if in session, or the judge thereof in vacation shall upon the demand of the attorney or party charged with the management of the cause for the plaintiff, grant a temporary injunction without bond, if it be made to appear to the satisfaction of the court or judge, by evidence in the form of affidavits or otherwise as the court or judge may order, that such nuisance actually exists, or is being maintained, and when the cause is continued at the instance of the defendant, a temporary injunction shall be issued as a matter of course without bond.

SEC. 3. In case of the violation of any injunction granted in such action, the court, or in vacation the judge thereof shall

Chap. 143, acts: 20th G. A. amended.

Actions may be brought in name of State by district attorney.

Neglect to prosecute.

Any citizen may prosecute.

Triable at first term.

Attorney's fee.

Injunction shall be granted.

For violation of injunction.

- have power to try summarily and punish the party or parties guilty thereof, as required by section 12 of chapter 143, of the acts of the Twentieth General Assembly; provided, that if the penalty inflicted for such contempt, be imprisonment alone, it shall not be for less than three nor more than six months. The evidence in such proceeding or trial for contempt, may be in the form of affidavits, or on the demand of either party the witnesses shall be brought before the court for examination and the provisions of section 3404 of the Code shall not be held to apply to persons charged with violating injunctions issued under this act and the act to which this is amendatory.
- Code sec. 3404 not to apply.**
- Penalty upon conviction.**
- Chap. 47, title 25, Code, shall not apply.**
- Nuisance abated; how.**
- Proviso.**
- Proceeds, how applied.**
- SEC. 4.** Whoever is convicted of keeping a nuisance as provided in section 12, of chapter 143, acts of the Twentieth General Assembly, shall pay a fine not exceeding one thousand dollars, nor less than three hundred dollars, and costs of prosecution, and the cost shall include a reasonable attorney fee to be assessed by the court, and stand committed until the fine and costs are paid, and the provisions of chapter 47, title 25, of the Code shall not be applicable to persons committed under this section.
- SEC. 5.** If the existence of the nuisance be established either in criminal or equitable action, it shall be abated under the judgment and order of the court, by seizing and destroying the liquor therein, and removing from the building, erection or place, all fixtures, furniture, vessels, and all moveable property, used in or about the premises, in carrying on the unlawful business, and selling the same in a manner provided for sale of chattels under execution, and by securely closing the said building, erection, or place, as against the use or occupation of the same for saloon purposes, and keeping the same securely closed for the period of one year (unless sooner released as hereinafter provided) and any person breaking open said building, erection, or place, or using the premises so ordered to be closed, shall be punished as for contempt as above provided in case of the violation of injunctions, *provided*, however, that when lease hold premises are adjudged to be a nuisance, the owner thereof shall have the right to terminate the lease by giving three days' notice thereof, in writing, to the tenant, and when this is done the premises shall be turned over to the owner upon the order of the court or judge. But the release of the property shall be upon condition that the nuisances shall not be continued, and the return of the property shall not release any lien upon said property occasioned by any prosecution of the tenant.
- SEC. 6.** The proceeds of the sale of the personal property as provided in the preceding section, shall be applied, first: in payment of the costs of the action and abatement, secondly: to the satisfaction of any fine and costs adjudged against the proprietor of the premises and keepers of said nuisance, and the balance if any shall be paid to the defendant.
- SEC. 7.** If the owner appear and pay all costs of the proceeding and file a bond with sureties to be approved by the

clerk, in the full value of the property to be ascertained by the court or in vacation by the clerk, auditor and treasurer of the county, conditioned that he will immediately abate said nuisance and prevent the same from being established or kept therein within the period of one year thereafter, the court, or in vacation the judge may, if satisfied of his good faith, order the premises taken and closed under the order of abatement, to be delivered to said owner, and said order of abatement cancelled so far as the same may relate to said property, and if the proceeding be an action in equity, and said bond be given and costs therein paid before judgment and order of abatement, the action shall be thereby abated; *provided*, however, that the release of the property under the provisions of this section shall not release it from any judgment lien or penalty, or liability to which it may be subject under any other statute or law.

Owner may pay costs, etc., and abate nuisance.

Proviso.

SEC. 8. In all actions, prosecutions and proceedings under the laws of this state prohibiting the illegal manufacture and sale of intoxicating liquors, the finding of such liquors, except in the possession of one legally authorized to sell the same or except in a private dwelling house, which does not include, or is not used in connection with a tavern, public eating house, restaurant, grocery or other place of public resort shall be presumptive evidence that such liquors were kept for illegal sale; and proof of actual sale shall be presumptive evidence of illegal sale.

Presumption of possession.

SEC. 9. Any person who shall have been convicted of keeping a nuisance under the laws prohibiting the illegal sale of intoxicating liquors, or who shall have been enjoined under the provisions of this act or the act to which this is amendatory, and shall again directly or indirectly engage in such unlawful business, of keeping a nuisance or selling such liquors in violation of law, in the same or any other county in this state, shall upon conviction thereof be punished by imprisonment in the county jail not less than three months or more than one year. But no equitable proceeding, order or judgment shall be construed as a conviction under the provisions of this section.

Penalty for re-engaging in keeping nuisance.

SEC. 10. That section 1553 of the Code, as amended and substituted by chapter 143, of the acts of the Twentieth General Assembly be and the same is hereby repealed and the following enacted in lieu thereof:

Sec. 1553 Code, as amended by Chap. 143, Acts 20th G. A. Repealed.

Sec. 1553. If any express company, railway company, or any agent or person in the employ of any express company, or of any common carrier, or any person in the employ of any common carrier, or if any other person knowingly bring within this state for any other person or persons, or corporation, or shall knowingly transport or convey between points, or from one place to another within this state, for any other person or persons or corporation, any intoxicating liquors, without first having been furnished with a certificate from and under the seal of the county auditor of the county to which said liquor is to be transported or is con-

Substitute.

Penalty for transporting intoxicating liquors.

Costs and attorney's fee.

The offense defined.

Penalty for false statements to procure shipments.

signed for transportation, or within which it is to be conveyed from place to place, certifying that the consignee or person to whom said liquor is to be transported, conveyed or delivered, is authorized to sell such intoxicating liquors in such county. Such company, corporation, or person so offending, and each of them, and any agent of such company, corporation, or person so offending, shall, upon conviction thereof, be fined in the sum of one hundred dollars for each offense and pay costs of prosecution and the cost shall include a reasonable attorney fee to be assessed by the court, which shall be paid into the county fund, and stand committed to the county jail until such fine and costs of prosecution are paid. The offense herein defined shall be held to be complete and shall be held to have been committed in any county of the state, through or to which said intoxicating liquors are transported, or in which the same is unloaded for transportation or in which said liquors are conveyed from place to place or delivered. It shall be the duty of the several county auditors of this state; to issue the certificate herein contemplated, to any person having such permit and the certificate so issued shall be truly dated when issued, and shall specify the date at which the permit expires as shown by the county records.

SEC. 11. If any person for the purpose of procuring the shipment, transportation, or conveyance of any intoxicating liquors from point to point or from one place to another within this state, shall make to any company, corporation or common carrier, or to any agent of such company, corporation or common carrier, or other person, any false statements as to the character or contents of any box, barrel or other vessel or package containing such liquors or shall refuse to give correct and truthful information as to the contents of any such box, barrel, or other vessel or package so sought to be transported or conveyed; or shall falsely mark, brand or label such box, barrel, or other vessel or package, in order to conceal the fact that the same contains intoxicating liquors for the purpose aforesaid; or shall by any device or concealment procure or attempt to procure the conveyance or transportation of such liquors as herein prohibited, he shall upon conviction, be fined for each offense one hundred dollars, and costs of prosecution, and the costs shall include a reasonable attorney fee to be assessed by the court, which shall be paid into the county fund, and be committed to the county jail until such fine and costs are paid. Any peace officer of the county under process or warrant to him directed shall have the right to open any box, barrel, or other vessel or package, for examination if he has reasonable ground for believing that it contains intoxicating liquors, either before or while the same is being so transported or conveyed.

SEC. 12. That section 1558 of the Code, be, and the same is hereby repealed, and the following enacted in lieu thereof, viz: Code, Sec. 1558 repealed.

Section 1558. For all fines and costs assessed, or judgments rendered, of any kind, against any person for any violation of the provisions of this chapter, or costs paid by the county on account of such violations, the personal and real property, except the homestead and the personal property of such person which is exempt from execution, as well as the premises and property, personal or real, occupied and used for the purpose, with the knowledge of the owner thereof or his agent, by the person manufacturing or selling or keeping, with intent to sell intoxicating liquors contrary to law, shall be liable; and all such fines, costs and judgments shall be a lien on such real estate until paid. And where any person is required by section fifteen hundred and twenty-eight (1528) and fifteen hundred and twenty-nine (1529) of this chapter to give bond with sureties, the principal and sureties on such bond, shall be jointly and severally liable for all civil damages, costs and judgments that may be adjudged against the principal in any civil action authorized to be brought against him for any violation of the provisions of this chapter; costs paid by any county for the prosecution or on account of any violation of the law prohibiting the illegal sale of intoxicating liquors, that would be a lien on the property under the foregoing provisions and including costs paid in seizure and condemnation proceedings, may be covered by such county, by the enforcement of such lien by execution, or by action against the owner to subject the property to sale for the payment thereof. And evidence of the general reputation of the place shall be admissa[i]ble on the question of knowledge and written notice given him or his agent by any citizen of the county shall be sufficient to charge the owner with knowledge under the provisions of this section.

Substitute.

Personal and real property subject to costs and fines.

Bondsmen liable for civil damages.

Evidence.

SEC. 13. All acts and parts of acts, inconsistent with this act, are hereby repealed; *provided*, however, that this repeal shall not effect any act done, or right accruing or accrued, or which has been established, nor any action or proceeding commenced before the time this repeal takes effect, nor any offense committed or penalty or forfeiture incurred; and any suit or proceeding pending when the repeal takes effect, or thereafter brought, for any offense committed, or for recovery of a forfeiture or penalty incurred, prior thereto shall be maintained and prosecuted under the law, as in force prior to the taking effect of this act. Acts inconsistent, repealed.

SEC. 14. This act being deemed of immediate importance, shall take effect and be in force, from and after its publication. Publication.

in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 5, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register and Des Moines Leader* April 8, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 67.

### APPROPRIATION FOR AGRICULTURAL COLLEGE.

S. F. 123. AN ACT making appropriation for repairs and improvements on the Iowa State Agricultural College and Farm.

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

\$5,300 appropriated.

SECTION 1. That there is hereby appropriated for the purposes hereafter named out of any money not otherwise appropriated sums as follows:

Electric light,  
\$2,300.

1. For engine for electric light system and improvement thereof, \$2,300.

Gas and laboratory,  
\$500.

2. For renewing gas supply and for laboratory extension, \$500.

Repairs and contingent,  
\$2,500.  
Proviso.

3. For general repairs and contingent fund, \$2,500: *Provided*, not more than one half of the amount so appropriated shall be drawn during the year 1886.

Approved April 5, 1886.

## CHAPTER 68.

### APPROPRIATION FOR STATE UNIVERSITY.

S. F. 126. AN ACT for an Appropriation for the Support of the State University of Iowa.

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

Total appropriation, \$52,000.

SECTION 1. That there be and is hereby appropriated out of any money in the State treasury not otherwise appropriated, for the aid and support of the State University of Iowa, the sums herein specified for the following purposes, to-wit:

For deficit,  
\$20,000.

To supply deficiency or the immediate wants of the University for the current year, \$20,000.



To supplement endowment fund from June 30, 1886, to June 30, 1888, \$30,000. Endowment, \$30,000.

For equipment of dental department, \$2,000. Dental Dept., \$2,000.

Sec. 2. The money hereby appropriated shall be drawn from the State treasury for said University by its treasurer on the order of the Executive Committee appointed by the board of regents of said University, countersigned by the secretary, under the University seal, at such times as they shall deem necessary. *Provided*, that not more than one-half the amount herein appropriated shall be drawn during the year 1886. How drawn.

Sec. 3. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Leader and Iowa State Register, newspapers published at Des Moines, Iowa. Publication.

Approved April 15, 1886.

I hereby certify that the foregoing act was published in the *Iowa State [Des Moines] Leader* April 15, and the *Iowa State Register* April 10, 1886.

FRANK D. JACKSON, *Secretary of State*.

## CHAPTER 69.

### APPROPRIATION FOR COLLEGE FOR BLIND.

AN ACT Making Appropriations for the College for the Blind at S. F. 238. Vinton.

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

SECTION 1. That there is hereby appropriated for the College for the Blind, at Vinton, out of any money not otherwise appropriated the following sums, for the following purposes, to-wit: \$108,200 appropriated.

- |  |                          |
|--|--------------------------|
| 1. For repairs to roof of main building, gutters, etc., \$500. | Roof repairs \$500.      |
| 2. Building cupolas and porches, \$225.                        | Porches, etc., \$225.    |
| 3. Outside and inside painting, \$1,100.                       | Painting, \$1,100.       |
| 4. Portland cement work, \$675.                                | Cement work, \$675.      |
| 5. Iron stairs to replace old ones worn out, \$3,100.          | Iron stairs, \$3,100.    |
| 6. For new floors, \$775.                                      | Floors, \$775.           |
| 7. For repairs to outside woodwork and plastering \$325.       | Plastering, etc., \$325. |
| 8. For constructing two cisterns, \$500.                       | Cisterns, \$500.         |
| 9. For contingent fund and general repairs \$3,000.            | Contingent, \$3,000.     |

How drawn. The money herein appropriated shall be drawn and paid on the order of the trustees of said College at such times as may be deemed necessary by said trustees. *Provided*, that not more than one-half of the amount herein appropriated shall be drawn during the year eighteen hundred and eighty-six (1886).

Proviso.

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

Approved April 5, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 10, and the *Des Moines Leader* April 15, 1886.  
FRANK D. JACKSON, *Secretary of State*.

## CHAPTER 70.

### LEGALIZING CANTRIL, VAN BUREN COUNTY.

H. F. 677. AN ACT to Legalize the Ordinances of the Incorporated Town of Cantril, Van Buren County, Iowa.

Preamble. WHEREAS, The incorporated town of Cantril, Van Buren county, Iowa, in the year 1877 passed a certain ordinance entitled ordinance No. 12, defining nuisances and providing for the abatement of the same; and,

Certain ordinances passed. WHEREAS, Said incorporated town during the years 1883 and 1884 passed certain ordinances as follows, to wit: Ordinance No. 19 being an ordinance granting the right to property owners to construct, repair or improve sidewalks. Ordinance No. 20, being an ordinance to provide for the improvement of streets and alleys and the levying of a special tax therefor. Ordinance No. 23 being an ordinance to license shows and other exhibitions. Ordinance No. 22 being an ordinance to license peddlers. Ordinance No. 24 being an ordinance defining the powers and duties of street commissioner. Ordinance No. 25 being an ordinance for restraining animals from running at large. Ordinance No. 26, being an ordinance creating the office of city treasurer and defining the duties thereof; and,

WHEREAS, Said ordinances were passed on a suspension of the rule requiring ordinances to be read on three different days by a less majority than is required by section 489 of the Code of 1873; and,

WHEREAS, Doubts have arisen as to the validity of each and all of said ordinances; therefore,

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

SECTION 1. That ordinance No. 12 passed in the year 1877; Legalized. ordinances Nos. 20, 22, 23, 24 and 25 passed during the year 1883 and ordinance No. 26 passed in the year 1884 by the incorporated town of Cantril, Van Buren county, Iowa, passed upon a suspension of the rule, requiring said ordinances to be read on three different days, without a three-fourths majority vote of all the trustees or councilmen of said town as provided by section 489 of the Code of 1873, be and the same are hereby declared valid and in full force in law, to all intents and purposes as if said ordinances had been passed in strict compliance with all the requirements of section 489 of the Code of Iowa.

Approved April 5, 1886.

## CHAPTER 71.

RELATING TO TRADES UNIONS AND OTHER ORGANIZATIONS.

AN ACT to Amend Section 1091 of the Code of 1873 Providing for H. F. 47.  
the Incorporation of Temperance Societies, Trades Union and  
other Organizations of Labor.

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

SECTION 1. That section 1091 of the Code be amended by Code, section  
inserting after the word "character" in the fourth line thereof 1091 amended.  
the following words temperance societies and trades union and  
other organizations of labor, for the regulation, by lawful  
means of prices of labor, of hours work, and other matters per-  
taining to industrial pursuits.

Approved April 5, 1886.

## CHAPTER 72.

## RELATING TO STATE BANKS.

H. F. 251

AN ACT Requiring Banking Corporations other than Savings Banks to Incorporate the word "State" in their Corporate Name, and to Prohibit Associations, Partnerships or Individuals Engaged in Banking Business, Buying, or Selling Exchange, Receiving Deposits, Discounting Notes, etc.; from Adopting, or Using the Word State in Connection with such Association, Partnership, or Individual Name.

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

Banks incorporated under general law to include word "state" in their name.

SECTION 1. That all associations hereafter organized under the general incorporation laws of this state, for transacting a banking business, buying, or selling exchange, receiving deposits, discounting notes etc.; other than savings banks, shall have the word "state" incorporated in and made a part of the name of such corporation, and no such corporation shall be authorized to transact business, unless the provisions of this act have been complied with.

May change name to comply with this chapter.

SEC. 2. All such banking associations other than savings banks, incorporated at the time of the taking effect of this act may change their corporate name, by amendment of their respective articles of incorporation, so as to embrace the word "state" in their respective corporate names.

Other banks not to use word state in their name.

SEC. 3. It shall be unlawful for any association, not incorporated, partnership, or individual engaged in banking business, buying or selling exchange, receiving deposits, discounting notes and bills etc.; to incorporate or embrace in the name of such associations, partnership, or individual the word "state" *provided* this act shall not apply to banking associations organized under the laws of the United States.

Proviso.

Approved April 5, 1886.

## CHAPTER 73.

## COUNTY ATTORNEYS AND THEIR DUTIES—REPEALS CHAPTER 8, TITLE THREE AND SECTION 3775 OF CODE.

AN ACT to Provide for the Election of County Attorneys, Define S. F. 78. their Duties, and Fix their Compensation, and to Repeal Chapter 8, Title 3, and Section 3775 of Code of 1873.

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

SECTION 1. That at the general election in 1886, and every two years thereafter, a county attorney shall be elected in each county, who shall hold his office for the term of two years from the first Monday in January next following his election, and until his successor is elected and qualified, who shall before he enters upon the duties of his office execute a bond to the State of Iowa, with two or more sureties, in a sum of not less than five thousand dollars, to be approved by the board of supervisors, which bond shall be conditioned for the faithful performance of the duties of the office and the payment to the county treasurer of all moneys which shall come to the hands of such officer by virtue of his office. The bond shall be filed in the office of the county auditor and be recorded as other official bonds.

County attorney elected in each county.  
Term of office.  
Execute bond.  
Filed with Auditor.

SEC. 2. The county attorney shall appear for the State and county in all cases and proceedings in the courts of his county to which the State or county is a party, and in the Supreme Court in all cases in which the county is a party, and shall collect and pay over to the person or officer entitled thereto, all money due the State or county, so far as he is able to collect the same; *provided*, that in criminal cases less than a felony elsewhere than in the district court it shall be his duty to appear unless otherwise engaged in the performance of his official duties. In every criminal case appealed from his county to the supreme court he shall, at least thirty days prior to the term at which the case is to be heard, prepare and deliver to the Attorney-General, a properly prepared abstract of the case.

Duties.

SEC. 3. The county attorney shall, without compensation, give opinions and advice to the board of supervisors, and other civil officers of their respective counties, when requested so to do by such board or officers, upon all matters in which the State or county is interested or relating to the duty of the board or officers, in which the State or county may have an interest, but shall not appear before the board of supervisors in the trial of any cause in which the State or county is not interested, or in applications to establish, vacate or alter highways.

Shall give opinions.

SEC. 4. The county attorney may appoint deputies, who shall

May appoint  
deputies.

act without any compensation from the county, to assist him in the discharge of his duties. With the approval of the district court he may procure such assistance in the trial of a person charged with the crime of felony as he shall deem necessary, and such assistant, upon presenting to the board of supervisors a certificate of the district judge before whom said cause was tried, certifying to the service rendered, shall be allowed a reasonable compensation therefor, to be fixed by the board of supervisors. But nothing in this section shall be construed to prevent the board of supervisors from employing an attorney to assist the county attorney in any cause or proceeding in which the State or county is interested.

May procure  
assistance.

In inability to  
act, court may  
appoint.

SEC. 5. In the absence, sickness, or disability of the county attorney and his deputies, the court before whom it is his duty to appear and in which there may be business for him to attend may appoint an attorney to act as county attorney by order to be entered upon the minutes of the court, and he shall receive out of the compensation allowed to the county attorney when such appearance is before a justice of the peace, such sum as the board of supervisors shall determine to be reasonable for the services rendered, and when it is before a court of record such sum as the judge shall determine to be a reasonable compensation and while acting under said appointment he shall have all the authority and be subject to all the responsibilities herein conferred on county attorneys. But in criminal cases less than a felony, a justice of the peace or magistrate cannot appoint an attorney at the expense of the county or county attorney; *provided*, that a justice of the peace shall not appoint an attorney to act as county attorney in any case unless reasonable notice in writing has been given the county attorney that his services will be required before such justice at a time therein named.

Shall receive  
no other com-  
pensation.

SEC. 6. No county attorney shall receive any fee or reward from or on behalf of any prosecutor or other individual, for services in any prosecution or business to which it shall be his official duty to attend, nor be concerned as an attorney or council [sel] for a party other than for the State or county, in any civil or criminal action pending or arising in his county upon the same facts upon which any criminal action or civil action wherein the State or county was a party, has been by such attorney commenced or prosecuted.

Shall give re-  
ceipts for all  
moneys offici-  
ally received.

SEC. 7. It shall be the duty of the county attorney whenever he shall receive any money in his official capacity, to give the person paying the same a receipt and file a duplicate with the county auditor.

Shall attend  
the grand jury.

SEC. 8. Whenever required by the grand jury the county attorney shall attend them for the purpose of examining witnesses in their presence, or of giving them advice in any legal matter, and to cause subpoenas or other writs of process to issue to bring witnesses and draw up bills of indictment, but he shall not be present with the grand jury when an indictment is considered and found.

SEC. 9. In case of vacancy in the office of county attorney by death, resignation or otherwise, the board of supervisors, shall appoint a county attorney, who shall give bond and take the same oath, and perform the same duties as the regular county attorney and shall hold said office until his successor is elected and qualified.

When vacancy occurs, board of supervisors appoint.

SEC. 10. Wherever the term district attorney appears in the laws of Iowa, it shall hereafter mean county attorney, and all laws now in force regulating the duties of district attorneys in criminal matters and proceedings, shall apply to county attorneys within their respective counties.

All laws in regard to district attorney shall apply to county attorney.

SEC. 11. The county attorneys of the several counties in this state shall be allowed an annual salary to be fixed by the board of supervisors of their respective counties at their June meeting of each even numbered year as follows: In counties of not more than five thousand inhabitants not to exceed five hundred dollars. In counties of over five thousand and under ten thousand, not exceeding six hundred dollars. In counties of over ten thousand and under fifteen thousand not exceeding seven hundred and fifty dollars. In counties of over fifteen thousand and under twenty thousand, not exceeding nine hundred dollars. In counties of over twenty thousand and under thirty thousand, not exceeding one thousand dollars. In all counties of over thirty thousand not exceeding fifteen hundred dollars; said salary to be paid quarterly at the first meeting of the board of supervisors after it shall become due and in addition thereto for all fines collected (and school fund mortgages foreclosed) the same fees as are now allowed to attorneys for suits on written instruments where judgment is obtained and shall be entitled to his necessary and actual expenses incurred attending the discharge of his duty at a place other than his place of residence and the county seat which shall be audited and allowed by the board of supervisors of the county. Population shall be determined by the last preceding national or state census *providing*; that in no county shall the salary be less than three hundred [dollars] and fees as herein specified.

Compensation.

How paid.

Fees.

Expenses.

Minimum salary.

SEC. 12. The term of office of all district attorneys in the state shall end on the first day of January A. D. 1887.

Term of office ends.

SEC. 13. That chapter 8 of title 3 and section 3775 of the Code of 1873 be and the same together with all acts and parts of acts inconsistent herewith are hereby repealed.

Repeals Chap. 8, title 3, and section 3775 of Code.

SEC. 14. This act being of immediate importance shall be in force after its publication in the Iowa State Register and Des Moines Leader newspapers published in Des Moines, Iowa.

Publication.

Approved April 5, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 13, and the *Des Moines Leader*; April 11, 1886.

FRANK D. JACKSON, *Secretary of State*.

## CHAPTER 74.

## LEGALIZING KEOKUK CITY ORDINANCES.

H. F. 488. AN ACT to Legalize the Ordinances of the City of Keokuk.

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

Legalized.

SECTION 1. That all ordinances passed by the city council of the city of Keokuk which have not been repealed or amended by a subsequent ordinance are hereby legalized and shall be taken and deemed to be of the same force and effect as if they had been duly and legally passed after the taking effect of this act and from and after the passage of this act, all courts in which the validity of any such ordinance of said city shall be questioned shall be governed by the provisions hereof and shall consider such ordinances as if passed at the date of the taking effect of this law, and if the authority to pass such ordinance exist at such time, then such ordinances shall be from such time construed as lawful and authorized.

Applied to all printed ordinances.

SEC. 2. The foregoing section shall be applicable to all printed ordinances of said city of Keokuk, published by its authority, where the original ordinances or ordinance books are not in existence as same are so printed as well as to all other ordinances of said city.

SEC. 3. Nothing herein shall be considered as repealing or impairing the effect of such ordinances; all such ordinances that were authorized at the time of their passage are now authorized shall be held valid from such time; all such ordinances as may not have been authorized at the time of their passage but are authorized at the time of the taking effect of this act shall be deemed to have been passed at such date.

Publication.

SEC. 4. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Keokuk Constitution newspapers published at Des Moines and Keokuk Iowa without expense to the state.

Approved April 5, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 13, and the *Keokuk Constitution* April 10, 1886.

FRANK D. JACKSON, *Secretary of State.*



## CHAPTER 75.

## PROVIDING FOR USE OF PUBLIC SQUARES FOR SCHOOL PURPOSES.

AN ACT to Authorize the People of an Incorporated Town, Located Wholly Within an Independent School District, in which Town is Situated a Public Square or Plat of Ground, Dedicated or Deeded to the Use of the Public, to Transfer or Dedicate Such Public Square or Plat or Ground, to the Purpose of a Public School House Lot. H. F. 668.

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

SECTION 1. That it shall be lawful for the people of any incorporated town, located wholly within an independent school district in which is situated a public square or plat of ground, deeded or dedicated to the said town or the public, by the proprietor of the town, or of any addition thereof, to transfer or re-dedicate such plat or square, to the purpose of a public school-house lot, to be used either for the erection thereon of a public school-house, or as school grounds, in connection with such school house. Public squares may be used for school purposes.

SEC. 2. The manner of procedure to effect the change or transfer of the purpose for which such lot or square shall be used, as is authorized in section 1, of this act, shall be as follows: When a plat or lot of the character described in section 1, of this act, is located in such incorporated town and one-half of the resident voters of such town, according to the last census thereof, national or state, shall petition the mayor and town council of such town, asking said city authorities to submit to the voters of the town at a general or special election the question whether or not such public square, lot or plat shall be transferred, dedicated and used for the purposes of a public school house lot, for the use of the independent district, in which the same is situated said mayor and town council shall submit the question to the voters of the town, in accordance with the prayer of said petitioners after giving ten days notice thereof, by written or printed notices, in which the proposition submitted, shall be clearly set forth, and signed by said mayor three of which notices shall be posted in public and conspicuous places in the town, and one shall be published in the last two issues, preceding such election in a weekly newspaper published in the town, or if there be no such newspaper published in the town then in the weekly newspaper published elsewhere in the county, having the largest circulation in said town such notice shall state the manner of voting, which shall be by ballot, and substantially as follows: The ballot shall contain in print, ink or pencil the words "For transferring lot or block or Manner of transfer.  
When one half the voters petition.  
Question to be submitted to vote of the people.  
Notice.  
Manner of voting.

Two-thirds  
vote.

square (as the case may be, describing it) to the purposes of a public school house lot . . . . . or . . . . . " Against transferring lot or block or square (as the case may be, describing it) to the purposes of a school house lot." And such election shall be held as per notice given and be conducted as ordinary town elections are, under the supervision of the town authorities, who shall canvass the vote as by law provided in other cases. If it shall appear that two-thirds or more, of all the legal votes cast at such election, for and against the proposition submitted, have been cast in favor of the transfer of such, lot or block or square, to the purposes of a public school house lot, then such transfer shall be held to have been completed, and the lot or block or square may be appropriated and used for the purposes so indicated, by said vote and shall be no longer held for any other purpose. If less than two-thirds of the votes cast at such election are found to be in favor of the transfer then it shall be held that the proposition failed and no transfer shall be effected.

Approved April 5, 1886.

## CHAPTER 76.

### FOREIGN CORPORATIONS REQUIRED TO FILE ARTICLES WITH SECRETARY OF STATE.

S. F. 66.

**AN ACT** Requiring Foreign Corporations to File their Articles of Incorporation with the Secretary of State, and Imposing Certain Conditions upon such Corporations Transacting Business in this State.

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

Certain corporations for pecuniary profit must file articles with Secretary of State.

Date to begin.

Application for permit to Secretary of State.

Secretary shall issue.

**SECTION 1.** That hereafter any corporation for pecuniary profit other than for carrying on mercantile or manufacturing business organized under the laws of any other state or of any territory of the United States or of any foreign country desiring to transact its business, or to continue in the transaction of its business in this state shall be and hereby is required, on and after September, [first] A. D. 1886 to file with the secretary of state a certified copy of its articles of incorporation duly attested, accompanied by a resolution of its board of directors or stock-holders, authorizing the filing thereof and also authorizing service of process to be made upon any of its officers or agents in this state engaged in transacting its business, and requesting the issuance to such corporation of a permit to transact business in this state. Said application to contain a stipulation that said permit shall be subject to each of the provisions of this act. And thereupon the secretary of state shall issue to such corporation a permit in such form as he may prescribe for the

general transaction of the business of such corporation. And upon the receipt of such permit such corporation shall be permitted and authorized to conduct and carry on its business in this state. Provided that nothing in this act contained, shall be construed, to prevent any foreign corporations, from buying, selling, and otherwise dealing, in notes, bonds, mortgages, and other securities, or from enforcing the collection of the same, in the federal courts, in the same manner, and to the same extent, as is now authorized by law.

SEC. 2. No foreign corporation which has not in good faith complied with the provisions of this act, and taken out a permit, shall hereafter be authorized to exercise the power of eminent domain or exercise any of the rights and privileges conferred upon corporations until they have so complied herewith and taken out such permit.

SEC. 3. Any foreign corporation sued or impleaded in any of the courts of this state upon any contract made or executed in this state or to be performed in this state or for any act or omission, public or private, arising, originating, or happening in the state, who shall remove any such cause from such state court into any of the federal courts held or sitting in this state, for the cause that such corporation is a non-resident of this state or a resident of another state than that of the adverse party, or of local prejudice against such corporation, shall thereupon forfeit and render null and void any permit issued or authority granted to such corporation to transact business in this state; such forfeiture to be determined from the record of removal, and to date from the date of filing of the application on which such removal is affected, and whenever any corporation shall thus forfeit its said permit no new permit shall be issued to it for the space of three months, unless the executive council shall for satisfactory reasons cause it to be issued sooner.

SEC. 4. Any foreign corporation that shall carry on its business and transact the same on and after September 1, 1886 in the state of Iowa by its officers, agents, or otherwise, without having complied with this statute and taken out, and having a valid permit shall forfeit and pay to the state for each and every day in which such business is transacted and carried on the sum of one hundred dollars (\$100) to be recovered by suit in any court having jurisdiction. And any agent, officer or employe who shall knowingly act or transact such business for such corporation when it has no valid permit as provided herein shall be guilty of a misdemeanor and for each offense shall be fined not to exceed one hundred dollars (\$100) or imprisoned in the county jail not to exceed thirty days and pay all costs of prosecution.

SEC. 5. All acts and parts of acts inconsistent with the provisions hereof are hereby repealed; provided, that nothing contained in this act shall relieve any company, corporation, association or partnership from the performance of any duty or obligation now enjoined upon them or required of them or either of them by the laws now in force.

Approved April 6, 1886.

## CHAPTER 77.

## INDEPENDENT DISTRICTS OF HAWKEYE, AND FARMERSBURG AND WAGNER, LEGALIZED.

H. F. 617. AN ACT to Legalize Certain Acts of the School Board of the Independent District of Hawkeye of Farmersburg, and of the Independent District of Farmersburg and Wagner in Clayton County, Iowa.

Preamble. WHEREAS, On the 24th day of March, 1882, the board of directors of the Independent School District of Hawkeye of Farmersburg, Clayton county, Iowa, set off to the Independent District of Farmersburg and Wagner, for school purposes, the northwest quarter of southwest quarter of section seventeen (17) township ninety-four (94) north of range four (4) west of the fifth principal meridian, and the board of directors of the Independent District of Farmersburg and Wagner at a called meeting on the 25th day of March 1882, accepted said tract of land and annexed said territory to said Independent District of Farmersburg and Wagner for school purposes; and,

WHEREAS, Doubts have since arisen as to the legality of the action of said boards of directors in so transferring said territory; therefore,

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

Legalized. SECTION 1. That the official acts of said boards of directors of the Independent Districts of Hawkeye of Farmersburg, and of Farmersburg and Wagner in the transfer of said territory from the Independent District of Hawkeye to the Independent District of *Farmburg* [Farmersburg] and Wagner for school purpose, are hereby legalized, and the same are made valid as though the law had in all respects been strictly complied with.

Publication. SEC. 2. This act being deemed of immediate importance shall be in force and take effect from and after its publication in the *Des Moines Leader* and the *North Iowa Times*, newspapers published at Des Moines and McGregor, Iowa, without expense to the State.

Approved April 6, 1886.

I hereby certify that the foregoing act was published in the *Des Moines Leader* April 15, and the *North Iowa Times* April 15, 1886.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 78.

PROVIDING FOR FUNDING CERTAIN OUTSTANDING INDEBTEDNESS OF CERTAIN CITIES.

AN ACT Authorizing Certain Cities to Fund Certain Outstanding Indebtedness, and to Provide for the Levy of Taxes for the Payment Thereof, and Providing a Penalty for the Diversion of Such Tax. H. F. 517.

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

SECTION 1. That all cities organized under the general incorporation laws of the State, and having a population of not less than seven thousand according to the census of 1885, and whose outstanding indebtedness, evidenced by the warrants of said cities exceeds the sum of ten thousand dollars, are hereby authorized and empowered to fund the same and issue bonds of said cities therefor, in sums of not less than one hundred and not more than one thousand dollars each, having not more than twenty years to run, and bearing a rate of interest not exceeding six per cent per annum, payable semi-annually. Cities under general incorporation law of not less than 7,000 population and whose warrants exceeds \$10,000, may fund the same.

SEC. 2. Said bonds shall be substantially in the following form:

No.... The city of ..... in the State of Iowa for value received promises to pay ..... or order at ....., on the ..... day of ..... 18...., or at any time before that date, at the pleasure of said city, the sum of ..... dollars, with interest at the rate of ..... per cent per annum, payable semi-annually at ....., on the ..... days of ..... and ..... in each year, upon presentation and surrender of the interest coupons hereto attached. This bond is issued by the city council of said city, under the provisions of chapter ..... of the acts of the Twenty-first General Assembly of the State of Iowa, and in corformity with a resolution of said city council, dated ..... day of ..... 18.... Form of bond.

IN TESTIMONY WHEREOF The said city council of the city of ..... have caused this bond to be signed by its [SEAL] mayor and attested by its auditor (or clerk,) with the seal of said city affixed, this .... day of ..... 18..

Attest: ..... Auditor or Clerk, ..... Mayor of the City of.....

And the interest coupons attached to said bonds shall be substantially in the following form:

Form of coupon.

No..... The treasurer of the city of.....in the State of Iowa, will pay the holder hereof on the....day of..... 18.. at.....the sum of.....dollars, for interest on city bond No....series of.....issued under the provisions of chapter..... of the acts of the Twenty-first General Assembly of the State of Iowa.

..... City Auditor or Clerk.

Bonds when executed delivered to treasurer.

SEC. 3. Whenever any bonds issued under the provisions of this chapter shall be duly executed, numbered consecutively and sealed, they shall be delivered to the treasurer of said city issuing the same, and his receipt taken therefor, and he shall stand charged on his official bond with all bonds so delivered to him and the proceeds thereof, and he shall sell them on the best available terms or exchange them for any legal indebtedness of said city, evidenced by the outstanding warrants of said city outstanding at the date of the final passage of this act, but in no case shall said bonds be so sold or exchanged for a less sum than their face value and all interest accrued at the date of said sale or exchange; and if any of such bonds shall be sold for money, the proceeds thereof shall be applied exclusively to the payment of such indebtedness outstanding at the date of the final passage of this act. When they are exchanged for warrants of said city said treasurer shall at once cancel said warrants as by the ordinances of said city provided. He shall keep a record of all bonds sold or exchanged by him, by number, date of sale, amount, date of maturity, the name and address of the purchaser, and if exchanged, what evidences of debt were received therefor, which record shall at all times be open to the inspection of the citizens of said city; said treasurer shall also report under oath to the city council of said city at each first regular session thereof in each month, a statement of all such bonds so sold or exchanged by him since his last report and the date of such sale or exchange, and when exchanged, a description of the city indebtedness exchanged therefor.

Shall sell the same.

May be exchanged for city warrants. Shall keep a record of all bonds.

Shall not exceed constitutional limit.

SEC. 4. No bonds shall be issued under this act in excess of the constitutional limit nor for any other purpose than to fund the outstanding indebtedness of said cities evidenced by the warrants of said cities outstanding at the date of the final passage of this act.

City council shall levy tax to meet interest on bonds.

SEC. 5. The city council of all cities issuing bonds under and by virtue of this chapter shall cause to be assessed and levied each year upon all the taxable property of said city in addition to the levy for other purposes, a sum sufficient to pay the interest on bonds outstanding issued in conformity with and by virtue of the provisions of this act, accruing before the next annual levy, and such proportion of the principal, that at the end of five years the sum raised shall equal at least twenty per cent of the amount of bonds issued; at the end of ten years at least forty per cent of said amount; at the end of fifteen years at least sixty-five per cent of said amount, and at or be-

Also a proportion of principal.

fore the date of the maturity of said bonds a sum equal to the whole amount of the principal and interest, and the money arising from such levies shall be known as the bond fund, and shall be used for the payment of the bonds issued under and by virtue of the provisions of this act, and the interest thereon and for no other purpose.

To be known as bond fund.

SEC. 6. Whenever the amount in the hands of the treasurer belonging to the bond fund, after deducting the amount required to pay the interest on said bonds maturing before the next levy, shall be sufficient to redeem one or more bonds, he shall notify the owner of such bond or bonds that he is prepared to pay the same with all interest accrued thereon, and if not presented for payment or redemption within thirty days after the date of such notice, the interest on such bonds shall cease and the amount due thereon shall be set aside for the payment thereof whenever presented. All redemptions shall be made in the exact order of their issuance, and the notice herein required shall be directed to the address of the owner of said bonds as shown by the record thereof kept in the treasurer's office.

Shall pay off bonds as fast as funds accrue therefor.

Order of redemptions.

SEC. 7. If the city council of any city which has issued bonds under the provisions of this act, shall fail to make the levy necessary to pay such bonds and interest coupons at maturity, and the same shall have been presented to the treasurer of such city, and payment thereof refused, the owner may file the bond together with all unpaid coupons with the auditor of state, taking his receipt therefor, and the same shall be registered in the auditor's office, and the executive council at their next session as a board of equalization, and at each annual equalization thereafter shall add to the state tax to be levied in said city a sufficient rate to realize the amount of principal and interest past due and to become due prior to the next levy, and the same shall be collected as part of the state tax and paid into the state treasury and passed to the credit of such city, as bond tax, and shall be paid by warrants as the payments mature to the holder of such bond as shown by the register of the state auditor, until the same shall be fully satisfied and discharged: *Provided*, that nothing herein contained shall be construed to limit or postpone the right of any holder of any such bonds to resort to any other remedy which such holder might otherwise have.

In failure of city council to levy tax, etc.

Bonds may be collected through the Auditor of State.

Proviso.

SEC. 8. Any member of the council or any officer of any city levying and collecting taxes under the provisions of this act who shall in any manner participate in, or advise the diversion of said tax to any other purpose, than that provided for in this act shall be deemed guilty of the crime of embezzlement, and shall be punished accordingly.

Diversion of funds.

Penalty.

SEC. 9. This act being deemed by the General Assembly of immediate importance shall take effect and be in force from

Publication.

and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in the city of Des Moines.  
Approved April 6, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 10, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 79.

### PROHIBITING TRAFFIC IN DISEASED HOGS.

S. F. 43. AN ACT to prohibit the traffic in hogs infected with swine plague or hog cholera and to prevent the spread of the same.

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

Traffic in swine dying of cholera prohibited. SECTION 1. All traffic in swine which have died with the swine plague or hog cholera or from other infectious or contagious diseases within the state is hereby prohibited and it shall be unlawful for any person to haul in any vehicle or public conveyance any dead hogs which have so died or are known to be affected with such disease, upon any public road or highway or upon any enclosure other than that upon which said hogs have died.

Shall be burned or buried. SEC. 2. Any person having in his possession swine which have died from the swine plague, hog cholera or other infectious disease shall within a reasonable time cause the same to be burned or buried to a depth of at least thirty inches so as to prevent the spread of the disease.

Penalty for violation. SEC. 3. Any person violating or failing to comply with any provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by fine of not less than five dollars nor more than one hundred dollars at the discretion of the court.

Publication. SEC. 4. This act being deemed of immediate importance shall take effect on and after its publication in the Iowa State Register and Des Moines Leader newspapers published in Des Moines Iowa.

Approved April 6, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 13, and the *Des Moines Leader* April 12, 1886

FRANK D. JACKSON, *Secretary of State.*



## CHAPTER 80.

## APPROPRIATION FOR INSANE HOSPITAL AT CLARINDA.

AN ACT to Provide for the Carrying on of the Work and Construction of the Additional Hospital for the Insane at Clarinda, Iowa, and Appropriating Funds Therefor. S. F. 145.

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

SECTION 1. That there be and is hereby appropriated out of funds in the State treasury not otherwise appropriated the sum of one hundred and three thousand dollars for the next biennial period. One-half to be drawn and expended in the year 1886 and the balance in 1887. \$103,000 appropriated for insane hospital at Clarinda. How drawn.

SEC. 2. That said money shall be used in carrying on the work and construction of the said hospital building at Clarinda, Iowa as provided by chapter 201 of the acts of the Twentieth General Assembly and shall be paid out and expended as provided by section 8 chapter 201 acts of the Twentieth General Assembly. *Provided further* that the money thus appropriated shall be used according to estimate number (2) two of the commissioners of said Clarinda hospital now before the General Assembly that is to say that the building now under way shall be completed, omitting the kitchen department and using the Steward's department for kitchen and laundry purposes and putting the heating apparatus under the wing so as to accommodate two hundred and forty patients. How used and expended. Proviso.

SEC. 3. This act being deemed of immediate importance shall be of force and take effect from and after its publication in the Iowa State Register and the Des Moines Leader newspapers published at Des Moines, Iowa. Publication.

Approved April 6, 1886.

I hereby certify the foregoing act was published in the *Iowa State Register* April 10, and the *Des Moines Leader* April 12, 1886.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 81.

AMEND SECTION 5, CHAPTER 171, ACTS NINETEENTH GENERAL ASSEMBLY.

S. F. 171. AN ACT to Amend Section 5, of Chapter 171, of the Laws of the Nineteenth General Assembly, Relating to the Sale of Indemnity Lands.

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

Sec. 5, acts 19 General Assembly amended.

SECTION 1. That section 5 of chapter 171 of the laws of the Nineteenth General Assembly be amended by striking out the words "in three years thereafter with eight per cent interest," in the fifth and sixth lines of said section and inserting after the word "payable" in the fifth line thereof the words "at such time, not exceeding ten years thereafter, as the board of supervisors may determine, with interest not less than six per cent."

Publication.

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

Approved April 6, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 10, and *Des Moines Leader*, April 15, 1886.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 82.

TO LEGALIZE ACTS OF COUNCIL OF FOREST CITY.

S. F. 274. AN ACT to legalize the official acts of the town council of the incorporated town of Forest City, Winnebago county, Iowa.

Preamble.

WHEREAS, The town council of the incorporated town of Forest City, Winnebago county, Iowa, did on the 7th day of July, 1881, pass an ordinance vacating the alley running east and west through block forty-eight (48) and a strip eight (8) feet wide on the north side of "J" street, and adjoining said block forty-eight (48), on the south, and situated in Forest City, Winnebago county, Iowa; and,

Vacation of alley.

Alley conveyed, by deed.

WHEREAS, The said town council of Forest City, did, by deeds of conveyance, dated September 19th and 20th, 1881, con-

vey to Nels George and E. L. Stilson, all the right, title and interest of said incorporated town of Forest City, in and to said alley and the portion of "J" street so vacated, and,

WHEREAS, Doubts exist as to the legality of the official acts of the council and officers of said town in vacating said alley and portion of street, and of the conveyances of said property to Nels George and E. L. Stilson, therefore,

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

SECTION 1. The vacation of the aforementioned alley and portion of street, described above in preamble by said town council is hereby legalized.

SEC. 2. The said conveyance of said property by the said town council to the persons above named in the preamble is hereby legalized to the extent of conveying to said persons all the title and interest said town had in the property thus conveyed.

Approved April 6, 1886.

## CHAPTER 83.

AMEND CHAPTER 75, ACTS EIGHTEENTH GENERAL ASSEMBLY AND CHAPTER 137, ACTS NINETEENTH GENERAL ASSEMBLY, RELATING TO PHARMACY.

AN ACT to Amend Chapter 75, of the Acts of the Eighteenth General Assembly, and Chapter 137, of the Acts of the Nineteenth General Assembly, Relating to the Practice of Pharmacy. H. F. 464.

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

SECTION 1. That section 3, chapter 75, of the acts of the Eighteenth General Assembly be and the same is hereby amended by adding thereto the following to-wit: Except that the Secretary of State is authorized to furnish said commissioners with stationery and blanks necessary for their office, and said commissioners are authorized to administer oaths, and take and certify the acknowledgements of instruments in writing. Sec. 3, chapter 75, acts 18th G. A., amended.

SEC. 2. That section 8 of chapter 75, of the acts of the Eighteenth General Assembly be repealed, and the following enacted in lieu thereof: Sec. 8, chapter 75, acts 18th G. A., amended.

Section 8. Pharmacists whose certificates of registration are in full force and effect, shall have the sole right to keep and to sell under such regulations as have been or may be established from time to time by the commissioners of pharmacy, all medicines and poisons, including intoxicating liquors only for the actual necessities of medicine; *provided* that such pharmacists

Registered pharmacists may keep and sell medicines, poisons, and liquors.

Provido.

Must procure permit.  
Proviso.

Subject to law in relation to intoxicating liquors.  
Second violation.

25 per cent of fines to be paid into State treasury for benefit of Board of Pharmacy.

Permits; how procured.

Proviso.

Any person may appear and show cause why permit should not be granted.

County Auditor to issue permit, etc.

How used.

shall have procured permits therefor as hereinafter prescribed. *Provided* further, that nothing herein contained shall be so construed as to *shield* [shield] the person who in any wise abuses this trust, for the legitimate and actual necessities of medicine only, from the utmost rigors of the law, now or hereafter in force relating to intoxicating liquors, and in addition thereto, for a second violation thereof, his name shall be stricken from the register by the commissioners of pharmacy upon receipt of transcript of conviction, which shall be transmitted by the court or by order of the court, before whom conviction is had. Twenty-five per cent of all moneys recovered as fines under the provisions of this act shall be paid into the State treasury, and reported to the State Auditor, and held subject to the order of the commissioners of pharmacy as needed, to be by them used solely to defray the expenses of prosecutions, under, and the enforcement of this act or acts to which this is amendatory. In order to procure a permit to sell intoxicating liquors as aforesaid and a shipping permit he shall present to such board of supervisors a petition signed by at least one-fourth of the free holders having the qualification of electors of the township, town or ward wherein such business is located, certifying that the registered pharmacist applying is a person of good moral character, is not a minor and is, and for the six months last preceding has been lawfully conducting a pharmacy as proprietor in such township, town, or ward, and that they believe him to be a proper person to buy and sell intoxicating liquors for the purposes named in this act. The board being satisfied that all the provisions of the law have been complied with, a permit shall be issued. *Provided*, however, that any resident of the township, town or ward, may appear and show cause why such permit should not be granted, and the same shall be refused unless the board are fully satisfied that all the requirements of the law have been complied with, ten days notice of the time of granting such permit having been given by publication in a newspaper published in the county or by posting notices in the township, town or ward in which the business is to be conducted. The county auditor shall issue to such pharmacist, his certificate of registration and his permit to buy and sell, being in full force and effect, a permit to receive intoxicating liquors within the county in which he does business, and the presentation of said permit to any railway company, express company or common carrier within the borders or traversing the territory of the state, shall convey full authority to receive, transport and deliver, intoxicating liquors to the person

named in such permit; *provided*, that such permit shall be for specified packages and kinds of liquors, and that a certified copy of such permit shall be kept on file in the office of the auditor issuing the same. The commissioners of pharmacy shall, on the revocation or forfeiture of any certificate of registration, subsequent to their last biennial report or abstract of the state pharmacy register, report such revocation or forfeiture to the county auditor of the county wherein such certificate was last in force. On or before the tenth day of each month said pharmacist shall make to the county auditor a complete report, verified by his affidavit specifically showing all sales of intoxicating liquors made during the preceding calendar month, to whom sold, and the purpose for which the same was to be used as represented by duplicate applications executed by each purchaser. The registered pharmacist to whom application is made shall refuse to execute same, if he has reason to believe that the application is not made in good faith, and that the liquor would be used as a beverage. He shall not accept an application from a minor or from any person who is in the habit of becoming intoxicated, or when any relative of such person has given written notice to said pharmacist that such person uses intoxicating liquors as a beverage. The drinking of intoxicating liquors in a pharmacy, whether under a permit or not shall be presumptive evidence that the same was sold or given away by such pharmacist contrary to law.

Proviso.

Commissioners shall report revocation to County Auditor.

Pharmacist shall report in full to County Auditor.

Duties defined as to selling liquors.

Presumption.

SEC. 3. That section 2 of chapter 137, of the acts of the Nineteenth General Assembly, be and the same is hereby amended by striking out the words "twenty-five" in the eighth line and inserting in lieu thereof the words "one hundred nor more than two hundred" and by striking out the word "one" in the ninth line of said section and inserting in lieu thereof the word "two."

Amends Sec. 2, Chap. 137, acts 19th G. A.

SEC. 4. That section 12, of chapter (75), of the acts of the Eighteenth General Assembly, as amended, be and the same is hereby repealed, and the following enacted in lieu thereof:

Amends sec. 12 chap. 75 acts 18th General Assembly.

"Section 12. Physicians dispensing their own prescriptions only, are not required to be registered pharmacists. *Provided*, that nothing in this act shall prevent any person not a registered pharmacist or not holding a permit, from keeping and selling proprietary medicines, and such other domestic remedies as do not include any intoxicating liquors or poisons."

Exceptions.

Proviso.

SEC. 5. This act being deemed of immediate importance shall take effect and be in force from and after its publication

Publication.

in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 7, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader*, April 8, 1886.

FRANK D. JACKSON, *Secretary of State*.

## CHAPTER 84.

### ORDER OF PAYMENT OF COUNTY WARRANTS.

H. F. 486. AN ACT to provide for the order of Paying County Warrants being additional section 328½ of the Code.

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

Additional sec.  
328½ Code.

Order of pay-  
ment of county  
warrants.

Notice.

SECTION 1. The treasurer shall keep a record of the number and amount of the warrants presented and endorsed for non-payment, which shall be paid in the order of such presentation when there are funds in the treasury for their payment to an amount sufficient to render it advisable; he shall give notice to what number of warrants the funds will extend, or the number which he will pay, by posting a written notice in his office, and at the expiration of thirty days from the date of such posting, interest on the warrants so named as being payable shall cease.

Approved April 7, 1886.

## CHAPTER 85.

### HIGHWAYS MAY BE ESTABLISHED BY BOARDS OF SUPERVISORS ALONG STREAMS.

H. F. 171. AN ACT to give discretionary power to the Board of Supervisors in their respective Counties to change and establish Highways along streams where they can avoid building a bridge or bridges across said stream.

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

Boards of su-  
pervisors may  
change high-  
way along  
streams.

SECTION 1. That the board of supervisors shall have the power to change and establish highways along streams where they can avoid building a bridge or bridges over said stream, and said highway shall be placed in good traveling condition by said county board of supervisors; and all cost accruing in the establishment of said road shall be paid out of the county bridge fund.

SEC. 2 The board of supervisors shall have power wherever such highway is necessary to be established, at their regular session, to appoint three disinterested persons to assess the damages of the same. May appoint three persons to assess damages.

SEC. 3. In all cases the party or parties aggrieved by said assessment may appeal to the circuit court, but the party or parties appealing must give sufficient bond for costs, to be approved by the clerk of said court. Appeal.

Approved April 8, 1886.

## CHAPTER 86.

AMEND CHAPTER 197 ACTS TWENTIETH GENERAL ASSEMBLY, RELATING TO BOARDS OF SUPERVISORS.

AN ACT to Amend Chapter 197, of the Acts of the Twentieth General Assembly. H. F. 569.

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

SECTION 1. That section 2, of chapter 197, of the acts of the Twentieth General Assembly be and the same is hereby amended by inserting after the word "and" in the 24th line of said section 2 the following: *Provided*, that in counties having a population of seventeen (17) thousand inhabitants or more. Three papers (not more than two of which shall be published in the same town) may be selected in which such proceedings shall be published with the same limitation as to compensation etc. Amends sec. 2, chap. 197, acts. 20th General Assembly.

SEC. 2. That section 307, of the Code, as amended by chapter 197, of the acts of the Twentieth General Assembly, be and the same is hereby amended by striking out of said section the following words, to-wit: "*Provided*, that in counties having ten thousand inhabitants or more, a newspaper printed in each foreign language, if published within the county, may also be selected, in which such proceedings shall be published under the same limitations as to compensation." Code sec. 307 amended. Provide. Foreign language.

Approved April 8, 1886.

CHAPTER 87.

AMENDS SECTION 989 OF CODE, RELATING TO ROAD SUPERVISORS.

H. F. 236.

AN ACT to Amend Section Nine Hundred and Eighty-Nine of the Code of Iowa, relative to the Duties of Road Supervisors.

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

Code sec. 989,  
amended.

SECTION 1. That section nine hundred and eighty-nine of the Code of Iowa be and the same is hereby amended by adding to said section the words "nor to destroy or injure the ingress or egress to any property, or to turn the natural drainage of the surface water to the injury of the adjoining owners."

Approved April 8, 1886.

CHAPTER 88.

CONSOLIDATION OF COUPON WITH GENERAL REVENUE FUND.

H. F. 457.

AN ACT Authorizing the Consolidation of the Coupon Fund in the State Treasury, with the General Revenue Fund.

Preamble.

WHEREAS, There is now in the state treasury an unused balance of one hundred and fifty-one dollars and thirty-five cents, known as the coupon fund; and,

WHEREAS, There is no probability of the same ever being called for use of said fund and the same is being carried from year to year as a coupon fund, thus keeping open and unsettled an unnecessary account in the state treasurer's office; and,

WHEREAS, There is no authority in law for the transfer of said funds; therefore,

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

Transferred to  
general revenue  
fund.

SECTION 1. That the said fund known as the coupon fund be and the same is hereby consolidated with the general revenue fund.

Auditor and  
treasurer to  
cover into gen-  
eral revenue  
fund.

SEC. 2. That the auditor and treasurer of state be and they are hereby authorized to cover the unpaid balance of said coupon fund into the general revenue fund, and that any outstanding coupons or warrants that may hereafter be drawn upon or presented for payment and which are payable from said coupon fund, shall be paid out of and charged to the general revenue fund.

Approved April 8, 1886.



## CHAPTER 89.

## LEGALIZING TOWN OF OAKLAND.

AN ACT to Legalize the Incorporation and Ordinances of the Town H. F. 468.  
of Oakland, Pottawattamie county, Iowa:

WHEREAS, The town of Oakland, Pottawattamie county, Iowa, *Preamble.*  
embraces the following territory, to-wit: Commencing at the s.w.  
corner of section 12, township 75, range 40, west of the 5th P. M.,  
running north ( $\frac{3}{4}$ ) three-fourths of a mile, thence east ( $\frac{3}{4}$ ) three-  
fourths of a mile, thence south ( $\frac{3}{4}$ ) three-fourths of a mile, thence  
west ( $\frac{3}{4}$ ) three-fourths of a mile, to the place of beginning, in  
Pottawattamie county, Iowa, and,

WHEREAS, On the 1st day of February, 1882, the inhabitants  
of said town duly filed their petition in the circuit court of Pot-  
tawattamie county, Iowa to be incorporated under the general  
incorporation laws of the state of Iowa and

WHEREAS, It is claimed that full compliance with the statute  
providing for the incorporation of towns was not had and it is  
especially claimed that no copies of the record of the circuit  
court with reference to such incorporation or any papers per-  
taining to such incorporation were filed with the county recorder  
of said county and with the secretary of State as required by  
section 423 of the code of the state of Iowa, and

WHEREAS, Doubts have arisen as to the legality of said incor-  
poration, of the election of its officers, as to the validity of the  
ordinances passed, and other official acts done by the council of  
said town, therefore,

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

SECTION 1. That the incorporation of the town of Oakland *Legalized.*  
Pottawattamie county Iowa, the election of its officers, and all  
official acts done, and ordinances passed by the council of said  
town, not in conflict with the laws of the state of Iowa, are  
hereby legalized and the same are hereby declared to be valid  
and binding the same as though the law had in all respects been  
strictly complied with.

SEC. 2. This act being deemed of immediate importance *Publication.*  
shall take effect and be in full force from and after its publica-  
tion in the Iowa State Register, a newspaper published at Des  
Moines, Iowa, and the Oakland Acorn, a newspaper published  
at Oakland, Pottawattamie county, Iowa, without expense to the  
state.

Approved April 8, 1886.

I hereby certify that the foregoing act was published in the *Iowa*  
*State Register* April 21, and *Oakland Acorn* April 29, 1886.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 90.

APPROPRIATIONS FOR PENITENTIARY AT ANAMOSA.

H. F. 449. AN ACT to appropriate Funds to Carry on the Work at the Additional Penitentiary at Anamosa, and Other Purposes Connected Therewith.

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

\$31,400 appropriated.

SECTION 1. That there be and is hereby appropriated out of any funds in the state treasury not otherwise appropriated, for the additional penitentiary at Anamosa, or so much thereof as may be necessary for the purposes herein set forth:

For criminal insane and for female department, \$30,000.  
For warden's apartments, \$400.  
For transportation of convicts, \$1,000.

For continuation of work on wall for the criminal insane and department for female convicts, thirty thousand dollars.....\$ 30,000  
For furnishing apartments of warden..... 400  
For transportation of convicts..... 1,000

-----  
\$ 31,400

How expended.

The money so appropriated shall be expended under the direction of the warden, who shall superintend the work in accordance with the plans submitted to, and approved by the executive council and the architect, *provided*, however, that not more than one half of the money herein appropriated shall be drawn during the year 1886, and the remainder thereof quarterly during the year 1887.

Proviso.  
One-half to be drawn in 1886.

Approved April 8, 1886.

CHAPTER 91.

AMEND CHAPTER 36, TITLE 25 CODE, RELATING TO IMPEACHMENT.

H. F. 690. AN ACT to Amend Chapter Thirty-six of Title Twenty-five of the Code of Iowa, of 1873 in Relation to Impeachment, and the Procedure thereunder.

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

House shall select a board of managers who shall present articles of impeachment.

SECTION 1. When an impeachment of an officer, is directed, the House of Representatives shall elect from its own body seven members whose duty it shall be to prosecute such impeachment, and such members so elected, shall, as a board of managers, be authorized, and empowered to exhibit, and present articles

of impeachment in accordance with the resolutions of the House, previously adopted.

SEC. 2. Whenever an impeachment of an officer is directed the Senate shall forthwith, after the hour of final adjournment of the Legislature, be organized as a court for the trial of the same at the Capitol of the State, and such organization shall be held and deemed to be perfected when the presiding officer of the Senate, and all the members thereof, present shall have taken the oath or affirmation prescribed; and no member of the court shall sit in the trial, or give his vote upon such trial until he shall have taken such oath or affirmation, which oath or affirmation shall be administered by the Secretary of the Senate to the presiding officer thereof, and by the presiding officer to each of the members of the Senate. The Senate sitting as a court, upon the trial of an impeachment shall have the same power to compel the attendance, of its members as when engaged in the ordinary business of legislation.

Senate shall organize as a court of impeachment.

Shall take oath.

SEC. 3. That section 4552, of the Code of 1873, be and the same is hereby amended by adding thereto the following words: "and shall be allowed counsel as in the trial of ordinary cases."

Code, Sec. 4552 amended.

SEC. 4. It shall be the duty of the secretary of the Senate, in all cases of impeachment, to keep a full and accurate record of the proceedings, which shall be held and taken as a public record; and shall have power to administer all requisite oaths or affirmations.

Secretary to keep record of proceedings. Power to administer oaths.

SEC. 5. The Senate sitting as a court of impeachment shall have power from time to time to appoint such subordinate officers, clerks and reporters as may be necessary for the convenient transaction of business, and may at any time remove such officers, or any of them.

Power to appoint necessary officers.

SEC. 6. The managers elected by the House of Representatives and counsel for the person impeached shall severally be entitled to process for compelling the attendance of persons or the production of papers and records required for the trial of the impeachment.

Process for attendance of witnesses.

SEC. 7. The Senate sitting as a court of impeachment shall have full power and authority to establish such rules and regulations for the trial of the accused, as may be necessary.

Senate may adopt rules.

SEC. 8. The presiding officer, and members of the Senate, while sitting as a court of impeachment, and the managers elected by the House of Representatives, shall receive the sum of six dollars each per day, and mileage at the rate of five cents per mile in going from and returning to their places of residence, by the ordinary traveled routes; and the compensation of the secretary, sergeant-at-arms, and all subordinate officers, clerks and reporters shall be such an amount as shall be determined upon by a vote of the members of such court. The State Treasurer shall upon presentation of a certificate or certificates signed by the presiding officer and secretary of the Senate, pay all the expenses of the Senate, managers, officers clerks

Compensation of members.

Six dollars per day and mileage.

How audited and paid.

and reporters which may be incurred under the provisions of this act.

Application of  
this act.

SEC. 9. The provisions of this act shall apply to all resolutions, and proceedings heretofore had, or hereafter to be had in the impeachment of any civil officer of this State.

Publication.

SEC. 10. This act being deemed of immediate importance shall be in force and effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines in the State of Iowa.

Approved April 8, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 9, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 92.

AMEND SECTION 537, CODE OF 1873, RELATING TO CITIES AND TOWNS.

H. F. 481.

AN ACT to Amend Section 537 of the Code of 1873.

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

Code, Secs. 537,  
amended.

Stands for cabs  
and coaches.

SECTION 1. That section 537 of the Code of 1873 be and the same is hereby amended by inserting after the words "to establish stands for hackney coaches, cabs and omnibuses," the following: "drays and express wagons."

Approved April 8, 1886.

## CHAPTER 93.

GRANTING POWERS TO CITIES UNDER SPECIAL CHARTERS.

H. F. 487.

AN ACT to grant additional authority to cities organized under special charters and to make certain provisions of law applicable thereto.

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

Code, Secs. 454  
to 463, and Sec.  
3720, and Chap.  
89, acts of 19th  
G. A., made to  
apply to cities  
under special  
charters.

SECTION 1. That sections 454 to 463 inclusive, and section 3720 of the Code of Iowa, 1873, and all the provisions of chapter 89 of the Nineteenth, General Assembly are hereby made applicable to the cities acting under special charters, the same as if such cities were therein specially enumerated.

SEC. 2. That nothing in section one of this act shall be construed or considered as repealing any law now in existence granting authority to any cities incorporated under special charters but wherever authority on any of the subjects mentioned in foregoing laws is now in existence the provisions of said section shall be deemed merely cumulative thereto.

Sec. one does not repeal any existing law.

SEC. 3. All cities organized under special charters are hereby authorized to provide by ordinance for the election of mayor and city marshal, for such terms as the city council may deem expedient. *Provided*, that no such term of office shall exceed two years.

Election of mayor and city marshal authorized.

Term not to exceed 2 years.

SEC. 4. That cities organized under special charters are hereby authorized to prohibit, or regulate, the piling or depositing of any kind of wood, lumber, or timber upon, any lot or property within the city limits within a distance of one hundred yards of any dwelling house.

May regulate certain acts for public good.

SEC. 5. Cities organized under special charters, are hereby authorized to provide by ordinance for the repair of any building which is dangerous, or which may be liable to fall, and to levy and collect a special tax, against the property and owner thereof for the expense thereof as other special taxes are levied and collected.

May provide by ordinance for the public safety.

SEC. 6. This act being deemed of immediate importance shall take effect, and be in force from and after its publication in the Des Moines Leader, and Iowa State Register, newspapers published at Des Moines Iowa without expense to the State.

Publication.

Approved April 8, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 16, 1886.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 94.

RIGHT OF WAY GRANT TO CHICAGO, IOWA & NORTHERN RAILROAD COMPANY.

AN ACT to Grant the Right of Way to the Chicago, Iowa & Northern Pacific Railroad Company over Lands owned by the State of Iowa near Anamosa.

H. F. 52a.

WHEREAS, The Chicago, Iowa & Northern Pacific Railroad Company a corporation duly organized and existing under the laws of the State of Iowa, propose to construct a railroad from a point on the track of the Chicago, & Northwestern Railroad

Preamble.

Company between the city of Anamosa, and the quarry owned by the State, northwesterly up the valley of Buffalo Creek, and,  
 WHEREAS, Such line of railroad as surveyed runs across the east half of the southwest quarter of section thirty-three (33,) in township eighty-five (85) north of range four (4,) which land is owned by the State of Iowa; therefore,

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

- Right of way, 100 feet granted. SECTION 1. That the right of way fifty feet in width on each side of the center of the line of the Chicago Iowa, & Northern Pacific Railroad Company's track, as the same may be definitely located over the east half, of the southwest quarter, of section thirty-three (33,) in township eighty-five (85,) north of range four (4,) west of the fifth principal meridian be and is hereby granted unto the Chicago Iowa, & Northern Pacific Railroad Company, for the purpose of constructing a railroad over said land, the state reserving the stone, on and, under said right of way, and the privilege of quarrying the same, except under the road bed, *provided*, that said railroad, shall be so constructed as not in any manner to interfere, with the use of said land for the purpose of quarrying stone on the same. *Provided*, further, that the location across said land of the right of way shall be approved by the governor of the state as not interfering with the use of the land for quarry purposes.
- Land described. SEC. 2. In case said railroad is not constructed across said land on or before the 31st day of December 1887, then the rights of the company under this grant shall cease and determine.
- Reservation to the State. Proviso. SEC. 3. This act being deemed by the General Assembly of immediate importance shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines Iowa, *provided* said publication is done without expense to the state.
- Non-construction of road forfeits the grant. Approved April 8, 1886.
- Publication.

I hereby certify the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 15, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 95.

AMENDS CHAPTER 132, ACTS OF EIGHTEENTH GENERAL ASSEMBLY,  
RELATING TO INDEBTEDNESS OF SCHOOL DISTRICTS.

AN ACT to amend chapter 132 of the acts of the Eighteenth General Assembly. H. F. 571.

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

SECTION 1. That chapter one hundred and thirty two (132) of the acts of the eighteenth general assembly be and the same is hereby amended by inserting the words "or judgment" immediately after the word "bonded" in the second line of section one (1) of said act; also by inserting the said words "or judgment" immediately after the word "bonded" where the same occurs in the fourth line and seventh line of section two (2) of said act. Chap. 132, acts  
18th G. A.,  
amended.  
  
Sec. 1.

SEC. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed. Repealing  
clause.

SEC. 3. This act being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa. Publication.

Approved April 8, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 17, and *Des Moines Leader* April 16, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 96.

AMENDS CHAPTER 10, ACTS EIGHTEENTH GENERAL ASSEMBLY RELATING TO REINBECK.

AN ACT to Amend a Legalizing act namely, Chapter 10 of the Acts of the Eighteenth General Assembly Legalizing the Incorporation of the town of Reinbeck [Reinbeck] in Grundy county. H. F. 635.

WHEREAS, By chapter 10 of the acts of the Eighteenth General Assembly, the incorporation of the town of Reinbeck [Reinbeck] in Grundy county was legalized, and, Preamble.

WHEREAS, A mistake was made in the description of the lands included in the 1st section, of the said chapter 10 of such acts, of the Eighteenth General Assembly in the 7th line of

such act, as it is printed in the session laws of such General Assembly using the words "southwest quarter" where the words "southeast quarter" in such line should have been used, therefore;

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

Chap. 10, acts  
21 General As-  
sembly  
amended.

SECTION 1. That the word "West" shall be stricken out of such 7th line of such printed act, chapter 10 of such session laws, and the word "East" inserted in lieu thereof for the purpose of making such description of such lands read thus, "Southeast-quarter" in such 7th line of section one, of such acts as printed in the session laws of the Eighteenth General Assembly.

Publication.

SEC. 2. This act being of immediate importance, shall take effect and be in force on and after its publication in the Iowa State Register, published at Des Moines, and the Reinbeck [Reinbeck] Times, a paper published at the town of Reinbeck [Reinbeck], Grundy county, Iowa, without expense to the State.

Approved April 8, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register*, April 14, and the *Reinbeck Times*, April 16, 1886.

FRANK D. JACKSON, *Secretary of State*.

## CHAPTER 97.

### AMEND SECTION 797 CODE OF 1873, RELATING TO HOMESTEADS.

S. F. 192.

AN ACT to Amend Section 797 of the Code of Iowa, and to Exempt from Taxation Certain Homesteads.

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

Code sec. 796  
amended.  
Homestead ex-  
emptions.

SECTION 1. That section 797 of the Code is hereby amended by adding thereto the following as an additional sub-division to-wit: The homestead not to exceed \$500.00 in value, of the widow of any federal soldier or sailor who died during the late war while in service or who has since died of wounds received or disease contracted while in such service. *Provided* that the provisions of this act shall only apply to persons who do not own other real estate than such homestead.

Proviso.

Approved April 8, 1886.



## CHAPTER 98.

AMENDS CHAPTER 13, ACTS 21ST GENERAL ASSEMBLY.

AN ACT to amend An Act passed at the present session of the General Assembly entitled "An Act to enable Cities to aid in the construction of Highway Bridges over navigable boundary rivers of the State of Iowa." S. F. 345.

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

SECTION 1. That the provisions of an act passed at the present session of this General Assembly, entitled "An Act to enable cities to aid in the construction of highway bridges over navigable boundary rivers of the State of Iowa" shall apply to cities incorporated and acting under special charters as well as to cities incorporated under the general incorporation of law, and wherever the words city clerk are used in said act they shall be construed and understood to mean city recorder in any case where a city has not a city clerk but has a city recorder. Chap. 13, acts 21st G. A. amended. Made to apply to cities under special charters.

SEC. 2. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at the city of Des Moines, Iowa. Publication.

Approved April 8, 1886.

I hereby certify that the foregoing act was published in the Iowa State Register April 17, and the Des Moines Leader April 16, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 99.

APPROPRIATIONS FOR INSANE AT INDEPENDENCE.

AN ACT making an Appropriation for the Hospital for the Insane at Independence. S. F. 393.

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

SECTION 1. That there is hereby appropriated for the Iowa Hospital for the Insane at Independence, out of any money in the State treasury, the following sums for the following purposes, to-wit: Appropriates \$26,000.

For enlarging rear center building so to increase the size of kitchen, make room for a new bakery, supply both with machinery, provide more rooms and furniture for domestics, fifteen thousand dollars (\$15,000). Kitchen addition, etc., \$15,000.

Laundry addition, etc., \$3,000.	For enlarging laundry building and more machinery for same, in addition to the amount appropriated by the Twentieth General Assembly, three thousand dollars (\$3,000).
Fire proof improvements, \$2,000.	For making basement and attics more thoroughly fire-proof, two thousand dollars (\$2,000).
Contingent, \$6,000.	For repair and contingent fund, annually for two years, three thousand dollars (\$3,000), total \$6,000.00.
How drawn.	SEC. 2. The money herein appropriated shall be drawn and paid on the order of the trustees of said hospital, at such times as may be deemed necessary by said trustees; <i>provided</i> that not more than one half of the money appropriated by this act shall be drawn from the treasury during the year 1886; and the superintendent is hereby authorized to utilize the labor of patients in performing any part of the work contemplated by this act, or in any other employment in connection with the institution, whenever the same can be done without injury to said patients.
Proviso.	
How drawn.	
Publication.	SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa. Approved April 8, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 14, and the *Des Moines Leader* April 12, 1886.

FRANK D. JACKSON, *Secretary of State*.

## CHAPTER 100.

### PROVISION FOR SETTLEMENT WITH BOARD OF CAPITOL COMMISSIONERS.

S. F. 400. AN ACT to Provide for a Settlement with the Board of Capitol Commissioners, and to Limit the Term of Office of the Members of said Board.

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

Terms expire June 30, 1886.

SECTION 1. That the term of office of the members of the board of commissioners charged with the execution of the provisions of law in respect to the erection of the state capitol shall expire on the 30th day of June, 1886.

Governor has power to settle with board.

SEC. 2. That the governor of the state is hereby empowered on behalf of the state to make a full settlement with the said board of commissioners, charged with the execution of the provisions of law in respect to the erection of the capitol, and each member of said board, covering the period of time from the organization of said board up to and including the thirtieth day of June, A. D. 1886 and he is hereby authorized to make a full

examination and investigation as to all appropriations of money made under acts of the general assembly for the erection of said capitol, or subject to be drawn upon by said board of commissioners and the expenditure of the same whether honestly and faithfully made under the law, and the discretion vested by the law in said board of commissioners and also to examine and investigate as to all moneys and property belonging to the state coming into the hands of said board of commissioners in any manner or from any source, and as to the expenditure and disposition of the same.

SEC. 3. That an inventory of all personal property belonging to the state and in the hands of or subject to the control of said board of commissioners on the thirtieth day of June, 1886, including the estimated value of the same and including moneys and credits belonging to the state and in the hands of or subject to the control of said board of commissioners on the day last above named, shall be made and filed with the secretary of state.

Inventory of property to be filed with Secretary of State.

SEC. 4. That the settlement in this act provided for shall be entered upon at as early a day as practicable after this act shall take effect, and to better enable the governor to perform such duties, he is authorized to employ, if deemed necessary, an expert accountant and the necessary clerks, at the expense of the State, and to compel the production of books and papers, and the attendance of witnesses and to administer oaths and enforce his mandates in the discharge of such duties under the same penalties, and with like effect as is now provided and had in the district court, and upon making such investigation and settlements provided for in this act, the governor shall thereupon take such steps in the premises as may be consistent with the law and the public welfare.

Provision for settlement with board.

SEC. 5. The compensation of said expert accountant and all expenses and clerk hire herein provided for shall be paid out of any money now or hereafter appropriated for the erection or construction of the capitol, and the auditor shall issue a warrant on the treasurer therefor to the party entitled thereto, upon the certificate of the governor.

Pay of clerks and accountants.

SEC. 6. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

Publication.

Approved April 8th, 1886.

I hereby certify that the foregoing act was published in the Iowa State Register April 14 and Des Moines Leader April 12, 1886.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 101.

## LEGALIZING ANNEXATION TO TOWN OF CLEVELAND.

S. F. 410. AN ACT to Legalize the Annexation of Certain Territory to the Town of Cleveland, Lucas County; Iowa, and to Legalize the Election and Proceedings Had and Held in the said Annexation.

Preamble. WHEREAS, In the proceedings for the annexation of the territory and lands hereinafter described in this act to the town of Cleveland, Lucas county, Iowa, the records of said proceedings were not attested by the town seal of said town of Cleveland;

WHEREAS, No notice of election in the matter of said annexation was served on the mayor of said town, and,

WHEREAS, Doubts have arisen in regard to the legality of the proceedings in the matter of said annexation and of the election held for the purpose of said annexation; therefore,

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

Legalized. SECTION 1. That the hereinafter described territory and lands is, and shall be for all purposes held as, a part of the town of Cleveland, in Lucas county, Iowa, as fully and to the same extent as if the records and transcripts of the annexation of the same now on file in the office of the Secretary of State and in the office of the recorder of Lucas county, were attested by the seal of the said town of Cleveland the said territory being as follows, to-wit: The said half ( $\frac{1}{2}$ ) of the north-east quarter ( $\frac{1}{4}$ ) of section thirteen (13), township seventy-two (72), range twenty-three (23), Lucas county, Iowa; also a strip of land commencing at the north-west corner of said S. E.  $\frac{1}{4}$  of said section thirteen (13), thence east 1097 links, thence south to the north line of the C., B. & Q. Railroad right of way, thence southwest along the north line of said right of way to the west line of said S. E.  $\frac{1}{4}$  of section 13, thence north to the place of beginning; also all that portion of said S. E.  $\frac{1}{4}$  of section 13, lying south of the north line of the right of way of the said C. B. & Q. Railroad; also lots "A" and "B" in the said S. E.  $\frac{1}{4}$  of section thirteen (13), township seventy-two (72), range twenty-three (23), Lucas county, Iowa, and further; that the above described lands and territory is, and shall be for all purposes held as a part, of said town of Cleveland, as fully as if the notice of the election, held by the commissioners appointed by the orders of the circuit court in and for Lucas [county], and pertaining to the annexation of the same had been formally served on the mayor of said town of Cleveland.

SEC. 2. The above act being deemed of immediate importance, shall be of full force and effect from and after its publication in the Chariton Patriot, a newspaper published at Chariton, Iowa, and the Iowa State Register, a newspaper published at Des Moines Iowa, said publication to be without expense to the State.

Approved April 8, 1886.

I hereby certify that the foregoing act was published in the Iowa State Register, April 13, and the Chariton Patriot, April 28, 1886.

FRANK D. JACKSON, Secretary of State.

CHAPTER 102.

ADDITIONAL COTTAGE FOR INSANE AT INDEPENDENCE.

AN ACT to authorize the building an Additional Cottage adjacent to the Iowa Hospital for the Insane at Independence. S. F. 371.

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

SECTION 1. That the trustees for the Iowa Hospital for the Insane at Independence be and are hereby authorized and directed to construct on the grounds belonging to said hospital an additional cottage, to be built of brick with stone basement and trimmings and a slate roof, in a good substantial manner, of sufficient capacity to accommodate one hundred patients and provide apartments for either sex and rooms for attendance [attendants] and help, with kitchen and heating apparatus.

Trustees authorized to build cottage. Description.

SEC. 2. As soon as practicable after the taking effect of this act the trustees of said hospital shall meet and provide for a plan of such cottage and specifications for the material and building of the same and for this purpose they may employ a competent architect.

Plans and specifications.

SEC. 3. When the plans and specifications have been adopted they may advertise for bids for the material and for such portion of the work as they may deem advisable and may in their discretion employ persons to do such parts of the work as may be done for the best interest of the State in that way and in doing such work they may use the labor of such patients as the superintendent may deem fit to work upon such building.

Advertise for bids. May use the labor of patients.

SEC. 4. They may employ a superintendent at a price not to exceed four dollars per day to take charge of the work and see that it is done according to the plan and specifications.

Superintendent.

SEC. 5. For the purpose of paying for the construction of such cottage there is hereby appropriated out of any money in the treasury not otherwise appropriated the sum of forty thousand dollars which may be drawn on the requisition of the trustee.

\$40,000 appropriated.

tees, but not more than five thousand dollars shall be drawn at any one time.

Time of completion. SEC. 6. This cottage shall be constructed as expeditiously as possible so as to be occupied as soon as practicable.

Trustees; compensation. SEC. 7. For such time as the trustees may find necessary to take in transacting the business pertaining to this cottage in addition to the other business now entrusted to them, they shall receive the same compensation as is now provided by law.

Publication. SEC. 8. This act being deemed by the General Assembly, of immediate importance shall be in force and take effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 8, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 13, and the *Des Moines Leader* April 12, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 103.

### AUTHORIZING ADMINISTRATORS EXECUTORS AND GUARDIANS TO RELEASE JUDGMENTS, ETC.

S. F. 180.

AN ACT to authorize administrators, executors and guardians appointed in other States or countries to release judgments, mortgages and deeds of trust.

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

Certificate and attestation of.

SECTION 1. That a copy of the original record of the appointment and qualification of any administrator, executor or guardian in any other State or country including the will of decedent if any, as probated, together with the certificate of the custodian of such record that such appointment is then in full force, which copy of the record shall be duly attested and authenticated as is now provided by law in the case of judicial records of another State, may be recorded in the proper probate record of any county in this State, such record or a duly certified copy thereof shall be presumptive evidence in all cases of such appointment and qualification.

Evidence.

Authorized to release of record.

SEC. 2. Any administrator, executor or guardian, a copy of whose record of appointment or qualification, is recorded as provided by section 1 of this act is hereby authorized to release and fully discharge of record in any manner and by any instrument authorized by law, to the same extent as any administrator, executor or guardian appointed under the laws of this State could do, any judgment rendered by the supreme court or by any court of the county where such copy of the original record is recorded, or any mortgage or deed of trust given as a mort-

gage of property within such county, belonging to the estate or to the minor or other person represented by him, and may also in the same manner and to the same extent release and fully discharge any property in this State from the lien of such judgment, mortgage or deed of trust, "provided, that the duly attested copies of the records herein provided for also show that the judgment, mortgage or deed of trust is listed in the assets of the estate in the court from which the said records come; and, provided further, that appended to and as a part of such release shall be the certificate of the judge or clerk of the foreign court, duly attested that said executor, administrator or guardian is, at the date of such release or instrument, still acting as such executor, administrator or guardian under authority of said court; and provided further, that nothing herein contained shall authorize any administrator, executor or guardian of another State or country to release or discharge any judgment, mortgage or deed of trust while any administrator executor or guardian of the estate to which such judgment, mortgage or deed of trust belongs is authorized to act by virtue of appointment and qualification under the laws of this State."

Proviso.

Further proviso.

SEC. 3. All releases and discharges of record of any judgment mortgage or deed of trust heretofore made by administrators, executors or guardians in the manner and to the extent authorized by this act where the copy of the original records required by this act has been or shall hereafter be recorded as required by this act are hereby declared to be legal and valid from the date of such release or discharge.

Legalized.

Approved April 8, 1886.

## CHAPTER 104.

### REGULATING THE PRACTICE OF MEDICINE.

AN ACT to regulate the Practice of Medicine and Surgery in the State of Iowa. H. F. 207.

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

SECTION 1. That every person practicing medicine, surgery or obstetrics, in any of their departments, within this state, shall possess the qualifications required by this act. If a graduate in medicine such person shall present his or her diploma to the state board of examiners, for verification as to its genuineness. If the diploma is found genuine, and is issued by a medical school legally organized and in good standing, of which the state board of examiners shall determine, and if the person presenting and claiming such diploma be the person to whom the same was originally granted, then the state board of examiners shall

Qualifications required.

Graduates.

Board shall issue certificate to holder of diploma.	issue its certificates to that effect signed by not less than five physicians thereof, representing one or more physicians of the schools on the board, and such certificate shall be conclusive as to right of the lawful holder to practice medicine, surgery, and obstetrics within this state. If not a graduate the person practicing medicine or surgery within this state, unless he or she shall have been in continuous practice in this state, for a period of not less than five years, of which he or she shall present to the state board of examiners satisfactory evidence in the form of affidavits, shall appear before said state board of examiners, and submit to such examination as said board may require. All examinations shall be conducted in writing, and all examination papers, together with the reports, and action of the examiners thereon, shall be preserved as the records of the said board for a period of five years, during which time they shall remain open for inspection at the office of the said state board of examiners. Such examinations shall be in anatomy, physiology, general chemistry, pathology, therapeutics, and the principles and practice of medicine, surgery and obstetrics. <i>Provided</i> , that each applicant upon receiving from the secretary of the board an order for an examination shall receive also a confidential number, which he or she shall place upon his or her examination papers so that when said papers are passed upon by the examiners, the latter shall not know by what applicant said papers have been prepared. That upon each day of examination all candidates be given the same set or sets of questions. It is further provided that the examination papers shall be marked upon the scale of one hundred (100), and that in order to secure a license, it shall be necessary for the applicant to attain such average as shall hereafter be determined by the state board of examiners, and if such examination be satisfactory to at least five physicians of said board, representing the different schools of medicine on the board, the board shall issue a certificate which shall entitle the lawful holder thereof to all the rights and privileges herein provided, and the physicians and the secretary of the state board of health shall constitute, and be deemed a board of examiners for the purpose of this act.
Examinations.	
How conducted.	
Subjects examined upon.	
Proviso.	
Method of examination.	
Papers; how marked.	
Board shall issue certificate.	
Board of examiners; how constituted.	
Shall procure a seal and receive applications for certificates and examinations.	<b>SEC. 2.</b> The state board of examiners shall procure a seal within sixty days after the passage of this act, and through the secretary of said board shall receive applications for certificates and examinations. The president, or any member of the board, shall have the authority to administer oaths and take testimony in all matters relating to their duties as examiners aforesaid. The board shall provide three forms of certificates; One for persons in possession of genuine diplomas, one for candidates examined by the board, and one for persons who have practiced medicine or surgery in any of its departments for five years as provided in this act. Said certificate shall be signed by not less than five physicians of the board, and this number may act as an examining board in the absence of the full board: <i>Provided</i> that one or more members of the different schools of
Power to administer oaths, etc.	
Three forms of certificates.	
How signed.	
Proviso.	



medicine represented in the state board of health shall also be represented in the board of examiners. The board of examiners shall hold meetings at such places as will best accommodate applicants residing in different portions of the state, and at any such time as they shall deem best, and due notice of the time and place of such meetings shall be published.

Meetings of board.

Notice.

SEC. 3. The board shall examine all diplomas submitted to them for such purpose to determine their genuineness and the rightful ownership of the person presenting the same. The affidavit of the applicant and holder of any diploma that he or she is the person therein named, and is the lawful possessor thereof, shall be necessary to verify the same, with such other testimony of the board may require. Diplomas and accompanying affidavits may be presented in person or by proxy. If the diploma shall be found genuine, and in possession of the person to whom it was issued, the state board of examiners shall, upon the payment of a fee of two dollars, to the secretary of the board, issue a certificate to the holder of such diploma, and no further fee or sum shall be demanded or collected from said applicant by said board for such certificate. If the diploma shall be found to be fraudulent, or not lawfully in possession of the holder or owner thereof, the person presenting such diploma or holding or claiming possession thereof, shall be deemed guilty of a misdemeanor, and on conviction thereof, before any court of competent jurisdiction, be fined not less than twenty dollars, nor more than one hundred dollars.

shall examine diplomas.

Fee for certificate on a diploma.

Fraudulent diploma.

Penalty for presenting same.

SEC. 4. Every person holding a certificate issued by the state board of examiners, shall, within sixty days after the date of such certificate, have the same recorded in the office of the county recorder in the county wherein he resides, and should he remove from one county to another to practice medicine, surgery, or obstetrics, his certificate must be recorded in the county to which he removes. The county recorder shall endorse upon the certificate the date of record, and he shall be entitled to charge and receive a fee of fifty cents for his services, the fee to be paid by the applicant.

Certificates shall be recorded with county recorder.

Fees for recording.

SEC. 5. The county recorder shall record in a book provided for that purpose, a complete list of the certificates presented for record, and the date of their issue by the state board of examiners. If the certificate is issued by reason of a diploma, the name of the medical college conferring the same, and the date when conferred shall be recorded; and when such certificate shall have been granted upon the examination of the board, or because of five years practice in the state, such fact shall be recorded. Said records, shall be open for inspection during business hours.

How recorded.

SEC. Candidates for examination shall pay in advance to the secretary of the state board of examiners, a fee of ten dollars, which fee, together with the fees received for certificates, shall defray the entire expense of the aforesaid board of examiners, and the balance shall be turned over to the state treasurer for

Fees for examination.

Expense of board; how met.

Compensation of members of board. the benefit of the school fund, except such an amount as will pay each member of the board ten dollars (\$10) per day during the time he is in actual attendance upon the session of the said board for the purpose of performing the duties required of him under this act, and, as will pay the secretary of the board such a salary as they may allow, not to exceed five dollars per day during the time he is actually engaged in performing the work of the board under this act, and each member of the board of

Of secretary of board. examiners shall also receive a sufficient amount to defray his actual and necessary expenses while in the discharge of the duties herein provided. Any one failing to pass the required examination shall be entitled to a second examination within twelve months without fee, *provided* that any applicant for examination by notice in writing to the secretary shall be entitled to an examination within three months from the time of said notice and a failure to give such opportunity, shall entitle such applicant to practice without the certificate required by this act until the next regular meeting of said board.

Also necessary expenses.

Second examination.

Certificates may not be granted; when.

SEC. 7. The state board of examiners may refuse to grant a certificate to any person, who has been convicted of a felony committed in the practice of his profession or in connection therewith or may revoke certificates for like cause, or for palpable evidence of incompetency, and such refusal or revocation shall prohibit such person from practicing medicine, surgery or obstetrics, provided, such refusal or revocation of a certificate can only be made with the affirmative vote of at least five physicians of the state board of examiners, in which number shall be included one or more members of the different schools of medicine represented in said board; and provided further, that the standing of a legally chartered medical college, from which a diploma may be presented, shall not be questioned except by a like vote.

Who deemed as practicing medicine.

SEC. 8. Any person shall be deemed as practicing medicine, surgery or obstetrics or to be a physician within the meaning of this act, who shall publicly profess to be a physician, surgeon or obstetrician, and assume the duties, or who shall make a practice of prescribing or of prescribing and furnishing medicine for the sick, or who shall publicly profess to cure or heal, by any means whatsoever, but nothing in this act shall be construed to prohibit students of medicine, surgery or obstetrics, from prescribing under the supervision of preceptors, or gratuitous service in case of emergency, nor shall this act extend to prohibit women who are at this time engaged in the practice of midwifery nor to prevent the advertising, selling or prescribing natural mineral waters flowing from wells or springs nor shall this act apply to surgeons of the United States army or navy, marine hospital service, nor to physicians as defined herein who have been in practice in this State for five consecutive years, three years of which time shall have been in one locality; provided, such physician shall furnish the state board of examiners satisfactory evidence of such practice, and shall procure the

How construed.

Proviso.

proper certificate, as provided in this act, and for which certificate such physician shall pay the secretary of the state board of examiners a fee of two dollars, and said board shall issue to the applicant such certificate nor shall this apply to registered pharmacists when filling prescriptions, nor shall it be construed to interfere with the sale of patent or proprietary medicines in the regular course of trade.

Practicing physician to procure certificate.

Fee for certificate.

SEC. 9. Any person who shall practice medicine or surgery within this state, without having complied with the provisions of this act, and who is not embraced in any of the exceptions or after being prohibited from so doing as provided in section 7 of this act, shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be punished by a fine of not less than fifty nor more than one hundred dollars, or by imprisonment in the county jail not less than ten days, nor more than thirty days.

Penalty for practicing contrary to the provisions of this act.

SEC. 10. Any person who shall file, or attempt to file, with the state board of examiners, as his or her own, the diploma of another person, or who shall file, or attempt to file with the county recorder the certificate of another person, as his or her own, or who shall file or attempt to file a diploma or certificate with the true name erased therefrom and the claimant's name inserted, or who shall file or attempt to file any forged affidavit of identification, shall be deemed guilty of the crime of forgery.

Penalty for fraud in diploma or certificate.

SEC. 11. The penalties, as provided in this act, or violations thereof, shall not be enforced prior to first day of January, A. D. 1887.

Time of taking effect of penalties.

SEC. 12. All acts and parts of acts in conflict with this act are hereby repealed.

Repealing clause.

This bill having remained with the Governor three days (Sunday excepted), the General Assembly being in session, has become a law this 9th day of April, A. D. 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 105.

### APPROPRIATION FOR BENEDICT HOME.

AN ACT for Appropriation for Benedict Home.

S. F. 322.

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

SECTION 1. That there shall be and is hereby appropriated out of any money in the State treasury, not otherwise appropriated the sum of two thousand dollars to be expended in the judgment of the Executive Council, for the support of Benedict Home situated at Des Moines, Iowa.

Appropriates \$2,000.

This bill having remained with the Governor three days (Sunday excepted), the General Assembly being in session, has become a law this 9th day of April, A. D. 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 106.

## LEGALIZING INDEPENDENT DISTRICT OF BARNUM.

H. F. 648. AN ACT to Legalize the Organization and Official Proceedings of the Independent School District of Barnum, in Webster County, Iowa.

Preamble. WHEREAS, At an election held in the village of Barnum, Webster county, Iowa, on March 2, 1886, it was unanimously decided to organize the village of Barnum and contiguous territory into an independent school district, to be known, and called the independent school district of Barnum; and,

WHEREAS, Doubts have arisen as to the legality of the organization of said independent district, and as to the legality of the acts of the officers of said independent district under said organization; therefore,

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

Legalized. SECTION 1. That the organization and acts of the independent school district of Barnum, consisting of the whole of sections Nos. 22 and 23, and the north-west quarter of section No. 26, and the south half of section No. 24, and the north half of section No. 27, and the east half of the north-east quarter of section No. 21, all in township No. 89, north of range No. 30, west of the 5th P. M. Iowa, and all in Johnson township Webster county, Iowa, and the acts of the officers of said independent district be, and the same are hereby declared, legal binding and valid and in every respect and to all intents and purposes of the same legal effect, force and efficacy as if the territory herein described had contained not less than two hundred inhabitants on the second day of March, A. D. 1886.

Publication. SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register, and in the Fort Dodge Times, without expense to the State.

Approved April 9, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 14, and the *Fort Dodge Times* April 15, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 107.

AMENDS CHAPTER 149, ACTS OF NINETEENTH GENERAL ASSEMBLY,  
RELATING TO SCHOOL DISTRICTS.

AN ACT to amend section 1, chapter 149, laws of 1882.

H. F. 349.

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

SECTION 1. That section 1, of chapter 149, laws of 1882, is hereby amended by striking out in the first and second lines the words "any independent school district" and inserting in lieu thereof the words "all school districts." Section 1, chapter 149, acts 19 G. A., amended.

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

Approved April 9, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 17, and the *Des Moines Iowa*, April 18, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 108.

AMENDS CHAPTER 95, ACTS SIXTEENTH GENERAL ASSEMBLY, IN RELATION TO LOANS BY CITIES AND TOWNS.

AN ACT to amend Chapter Ninety-five (95) of the Laws of the Sixteenth General Assembly as Amended by Chapter Seventy-nine (79), of the Laws of the Twentieth General Assembly in Relation to Loans by Cities and Incorporated Towns. H. F. 374

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

SECTION 1. That chapter ninety-five (95), of the laws of the Sixteenth General Assembly, as amended by chapter seventy-nine (79), of the laws of the Twentieth General Assembly, be amended by striking out the number 3,500, in the fifth line of section one of said chapter and inserting the number 1,000, in lieu thereof. Chapter 95, acts 16 G. A., as amended by chapter 79, acts 20 G. A., amended.

Publication. SEC. 2. This act being deemed of immediate importance shall be in full force, and effect from and after its publication in the "Iowa State Register," and "Des Moines Leader," newspapers published in Des Moines, Iowa.  
 Approved April 9, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* and the *Des Moines Leader*, April 16, 1886.  
 FRANK D. JACKSON, *Secretary of State*.

CHAPTER 109.

APPROPRIATION FOR DEAF AND DUMB.

S. F. 130. AN ACT making appropriations for the Institution for the Deaf and Dumb at Council Bluffs.

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

\$4,450 appropriated.

SECTION 1. That there is hereby appropriated out of any moneys in the treasury not otherwise appropriated the following sums for the Institution for the Deaf and Dumb for the purposes herein mentioned to-wit:

- |   |   |
|---|---|
| N-w furniture,<br>\$250.<br>Supply pipe,<br>\$200.<br>Repairs, etc.,<br>\$1,000<br>Kitchen,<br>\$3,000. | 1. For new furniture in main building, \$250.<br>2. For supply pipe to water reservoir, \$200.<br>3. For repairs and contingent fund, \$1,000.<br>4. For building kitchen, \$3,000. |
|---|---|

Publication. SEC. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the *Iowa State Register*, a newspaper published at Des Moines, Iowa, and the *Daily Nonpareil*, a newspaper published at Council Bluffs, Iowa.  
 Approved April 9, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Daily Nonpareil*, April 17, 1886.  
 FRANK D. JACKSON, *Secretary of State*.

CHAPTER 110.

APPROPRIATION FOR STATE NORMAL SCHOOL.

AN ACT Making Appropriations for the State Normal School at S. F. 208. Cedar Falls.

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

SECTION 1. That there is hereby appropriated out of any money in the State treasury the following sums for the aid and support of the State Normal School at Cedar Falls:

For salaries, \$21,600.	Salaries, \$21,600.
For apparatus, \$100.	Apparatus, \$100.
For steam-heating, \$200.	Steam heat, \$200.
For repairs and fire escapes, \$1,000.	Repairs, etc., \$1,000.
For coal sheds, \$200.	Coal sheds, \$200.
For sewerage, \$150.	Sewerage, \$150.
For contingent fund, \$2,000.	Contingent, \$2,000.

SEC. 2. The money hereby appropriated for teachers' salaries shall be paid quarterly, the first quarterly payment to be made July 1st, 1886, and the balance of the appropriations shall be paid at such times and in such sums as the board of directors may deem necessary, provided that not more than one-half of the total amount so appropriated shall be drawn during the year 1886.

SEC. 3. This act being deemed of immediate importance shall take effect and be in force on and after its publication in the Iowa State Register, a newspaper published at Des Moines, and the Cedar Falls Gazette, a newspaper published at Cedar Falls, Iowa.

Approved April 9, 1886.

I hereby certify that the foregoing act was published in the Iowa State Register April 16, and the Cedar Falls Gazette April 23, 1886.

FRANK D. JACKSON, Secretary of State.

CHAPTER 111.

SUBSTITUTE FOR SECTION 2, CHAPTER 94, ACTS SIXTEENTH GENERAL ASSEMBLY, RELATING TO SOLDIERS' ORPHANS' HOME.

S. F. 251. AN ACT to repeal section two (2) of chapter 94, acts of the Sixteenth General Assembly, relating to Soldiers' Orphans' Home, and enacting a substitute therefor, in relation to admitting children to the Soldiers' Orphans' Home.

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

Repeals section 2, chapter 94, acts 19 G. A.

Substitute. To whom application may be made.

SECTION 1. That section two (2) of chapter ninety-four (94) of the acts of the Sixteenth General Assembly be and the same is hereby repealed and the following is enacted in lieu thereof:

SEC. 2. Applications for admission of such children may be made to any court of record or to any judge thereof or to the board of supervisors of the county wherein the children to be admitted reside.

Approved April 9, 1886.

CHAPTER 112.

APPROPRIATION FOR EXPENSE OF COMMITTEE TO LOCATE SOLDIERS' HOME.

S. F. 401. AN ACT to make appropriation to defray expenses incurred by the Military Committee of the Senate and the Soldiers' Home Committee of the House of Representatives acting jointly to investigate the location for the Soldiers' Home for the State of Iowa.

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

Appropriates \$260.

Publication.

SECTION 1. That there is hereby appropriated out of any funds in the State Treasury not otherwise appropriated the sum of two hundred and sixty (\$260) dollars to be paid to the Pullman Palace Car Co., Chicago, Illinois, for the use of car service for said committee.

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

Approved April 9, 1886.

I hereby certify that the foregoing act was published in the Iowa State Register April 17, and the Des Moines Leader April 16, 1886.

FRANK D. JACKSON, Secretary of State.



## CHAPTER 113.

## RELATING TO SALE OF INTOXICATING LIQUORS.

## AN ACT in Relation to the Sale of Intoxicating Liquors.

H. F. 78.

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

SECTION 1. The fact that any person engaged in any kind of business, has or keeps posted, in or about his place of business, a receipt, or stamp, showing payment of the special tax, levied under the laws of the United States, upon the business of selling distilled, malt or fermented liquors, or shall have paid such special tax for the sale of distilled malt or fermented liquors in the state of Iowa, shall be evidence that said person, or persons so owning, or controlling such receipts or stamps, or having paid such special tax, are engaged in keeping, and selling intoxicating liquors contrary to the provisions of chapter 143, of the laws of the Twentieth General Assembly of the State of Iowa, and also *prima facie* evidence that any, and all intoxicating liquors found in the possession or under the control of any person so holding such receipts or stamp or having paid such special tax, are kept for sale in violation of law: and on conviction shall be subject to the penalties provided for in said chapter 143: *Provided* however, that this act shall not apply to persons lawfully authorized to keep for sale and to sell intoxicating liquors for such purposes as are authorized by law.

Possession of  
revenue liquor  
tax receipt  
evidence of  
violation of  
chapter 143,  
acts 21 G. A.

Liquors in  
possession.

Proviso: ex-  
ceptions.

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

Publication.

Approved April 9, 1886.

I hereby certify that the foregoing act was published in the Iowa State Register and Daily Iowa Capital April 15, 1886

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 114.

AMENDS CODE IN RELATION TO OFFENSE AGAINST LIFE AND THE PERSON.

H. F. 424. AN ACT to amend Sections 3861, 3865 and 3866 of the Code of 1873 in Relation to Offense against Life, and the Person.

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

Section 3861, Code, amended.

SECTION 1. That section 3861 of the Code be and the same is hereby amended by striking out the word "ten," wherever the same appears in said section, and inserting in lieu thereof the word thirteen.

Section 3865 amended.

SEC. 2. That section 3865 of the Code be, and the same, is hereby amended by striking out the word "fifteen" from the second line of said section, and inserting in lieu thereof the word eighteen; and by striking out the following words from the fourth line of said section to-wit, "without their consent."

Section 3866 amended.

SEC. 3. That section 3866 of the Code be and the same is hereby amended, by striking out of the third line of said section the word "twelve" and inserting in lieu thereof the word fourteen.

Approved April 9, 1886.

CHAPTER 115.

AMENDS CHAPTER 7, TITLE 14 OF CODE RELATING TO ASSIGNMENTS.

H. F. 620. AN ACT to amend Chapter Seven of Title 14 of the Code of 1873, Relating to Assignments.

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

Code, section 2118, amended.

On application of two thirds of the creditors assignee may be removed.

SECTION 1. That section 2118 of the Code of 1873 be and the same is hereby amended by adding thereto the following. "Provided, however, That on application of two thirds of the creditors, in number and amount, the court shall remove the assignee and appoint in his stead a person as assignee approved by the creditors in number and amount as aforesaid; and, when any assignee is removed, he shall immediately turn over to the clerk of the district court, or any person appointed by the court, all money and property of the estate in his hands."

Section 2123 amended.

Assignee shall make full settlement, when.

SEC. 2. Section 2123 is hereby amended by adding thereto the following: "The assignee shall dispose of all personal property, and divide the proceeds of the same among the creditors, as they may be entitled thereto, within six months of the date

of the assignment, and shall dispose of real estate within one year from the date of assignment, and make full settlement at that date unless the court, or judge, for good reason shown, shall extend the time within which such disposition shall be made."

Approved April 9, 1886.

CHAPTER 116.

RELATING TO CITIES ORGANIZED UNDER THE GENERAL INCORPORATION LAW.

AN ACT to Repeal Section 8, of Chapter 89, of the Laws of the Nineteenth General Assembly, Granting Additional Powers to Cities Organized under the General Corporation Laws of the State, and to Enact a Substitute therefor, and Provide Penalties. H. F. 372.

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

SECTION 1. That section 8, of chapter 89, of the acts of the nineteenth general assembly be hereby repealed, and that there be enacted in lieu thereof the following, viz: Section 8, acts 19 G. A., repealed.

Section 8. City councils of all cities organized under the general incorporation laws or special charters of the state of Iowa shall have power to require the connections from gas pipes, water pipes, steam heating pipes and sewer to the curb line of adjacent property to be made before the permanent improvement of the street whereon they are located; and to regulate the making of such connections on streets already improved, and in case the owners of property on such streets shall fail to make such connections within the time fixed by such council, they may cause such connections to be made, and to assess against the property in front of which such connections are made, the cost and expense thereof.

Substitute.  
Cities have power to require all water, gas, etc., connections to be made prior to street improvements.

Section 9. That they shall also have power to compel all property owners on streets along which sewers shall have been constructed to make proper connections therewith and to use the same for proper purposes and to enforce the same by reasonable penalties.

Sewer connections.

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

Approved April 9, 1886.

I hereby certify that the foregoing act was published in the Iowa State Register April 17, and Des Moines Leader April 16, 1886.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 117.

## RELATING TO LEVIES ON MORTGAGED PERSONAL PROPERTY.

H. F. 77. AN ACT to provide for the Levy of Attachment or Executions on Personal Property covered by Mortgage.

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

SECTION 1. That personal property not exempt from execution hereafter mortgaged, or heretofore mortgaged when the debt secured thereby is due, may be taken on attachment or execution issued at the suit of a creditor of a mortgagor, but before the property is so taken the officer or plaintiff must pay or tender to the holder of the mortgage the amount of the mortgage debt and interest accrued, or must deposit the amount thereof with the clerk of the district court of the county wherein the mortgaged property is found payable to the order of the holder of the mortgage. When the debt secured by a mortgage hereafter made is not due, as shown by such chattel mortgage, he must also deposit with the clerk, interest on the principal sum at the agreed rate specified in the mortgage, for the term of sixty days from the date of deposit; *provided however*, if the debt secured fall due in less than sixty days from the date of deposit, then interest shall be deposited only for such shorter period; and when such sums are tendered to the holder of the mortgage, or deposited with the clerk, the attaching creditor shall be subrogated to all the rights of the holder of the mortgage; and the proceeds from the sale of the mortgaged property shall go, first to the discharge of such indebtedness and costs of execution; *provided however*, that if the judgment debtor shall pay the debt for which the attachment or execution was issued, the property shall be released, and the creditor shall be entitled to receive money deposited to pay the mortgage debt, and shall have no right or interest in the mortgage, or in the mortgaged property.

SECTION 2. The holder of the mortgage shall state over his signature and under oath on the back of said mortgage, the amount due, or to become thereon, and deliver the same to the person paying him said amount, and if the said sum has been deposited with the clerk of the district court, the holder of the mortgage shall only receive the amount so stated to be due, and shall surrender to the clerk the mortgage and other evidence of indebtedness, and the surplus, if any, shall be returned to the person who made the deposit; *provided however*, that the execution or attaching creditor shall have the right to controvert, in the court from which the process issued, such statement of indebtedness in the manner provided in other garnishment pro-

Personal property not exempt from execution may be taken on attachment or execution.

Plaintiff must tender amount due on mortgage, or may deposit with clerk.

When mortgage not due.

Proviso.

Attaching creditor subrogated to rights of holder of mortgage.

Proviso.

Debtor may pay attachment debt and release the property.

Holder of mortgage shall only receive amount due.

Creditor may controvert.

ceedings, if he give notice in writing to the clerk at the time of the deposit; and the clerk shall hold the deposit until such matter is determined. If the attaching or judgment creditor fail to sustain his claim against the mortgage, he shall pay to the holder of the mortgage interest upon the debt at the rate of ten per cent per annum, together with the costs of the proceeding, and an attorney's fee of ten per cent on the amount of the debt.

In failure of claim.

SEC. 3. At the sale of said property no bid shall be received for a less sum than the amount then due, on said mortgage, together with the costs made by virtue of such levy of attachments or executions, and the costs of said sale. And unless there shall be a bid of more than such amount, the execution or attachment creditor shall pay the costs made by such levy and sale. If said property shall sell for more than the amount due on said mortgage and the costs aforesaid, the officer shall immediately pay the sum due on said mortgage to the person who paid the same, and shall apply this surplus on the execution or attachment held by him.

Bid must cover amount of debt and costs

SEC. 4. But nothing contained in this act shall in any way effect the right of any creditor to contest for any reason the validity of such mortgage.

Validity of mortgage may be contested.

SEC. 5. Upon written demand of a creditor, his agent, or atorney, or of any mortgagor of personal property other than exempt property, the person entitled to receive said debt shall deliver to said creditor a statement in writing under oath, which statement shall show the nature and amount of the original debt secured by the mortgage, the date and amount of each payment, if any, which has been made thereon, and an itemized statement of the amount then due and unpaid.

Mortgagee compelled to state amount of debt upon request.

SEC. 6. The refusal of the person entitled to receive said mortgage debt, or his failure within a reasonable time after demand to deliver to the attachment or execution creditor, or to his attorney or agent, or either of them, the statements required by the second and fifth sections of this act, is hereby declared to be a misdemeanor, and wilfully swearing to a greater amount of mortgage debt than is actually due, shall be deemed perjury. The person who fails or refuses to furnish the verified statements or either of them, required by the second and fifth sections of this act, shall also be liable to the attachment or execution creditor for all damages which shall result from such refusal or failure, and for reasonable attorney's fees and costs in any action brought to recover such damages, or to ascertain the amount of the mortgage debt.

Failure to comply

A misdemeanor.

Liable for damages.

Approved April 9, 1886.

## CHAPTER 118.

## RELATING TO SALARIES OF DEPUTY STATE OFFICERS AND CLERKS.

S. F. 268.

AN ACT to Amend Sections 3755, 3756, 3757, 3758, 3760 of the Code, and Section Two (2) of Chapter 117, Laws of the Nineteenth General Assembly, Relating to Salaries of Deputy State Officers and Governor's Private Secretary, and Clerks in State Officers. .

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

Code, section 3755 amended.

SECTION 1. That section 3755 of Code be amended by substituting the word fifteen for the word twelve in the last line thereof.

Section 3756 amended.

SEC. 2. That section 3756 of Code, be amended by substituting the word fifteen for twelve in the third line thereof.

Section 3757 amended.

SEC. 3. That section 3757 of Code be amended by substituting the word fifteen for twelve in the third line thereof.

Section 3758 amended.

SEC. 4. That section 3758 of Code be amended by substituting the word fifteen for twelve in the last line thereof.

Section 3760 amended.

SEC. 5. That section 3760 of Code be amended by substituting the word fifteen for twelve in the third line thereof.

Section 2, chapter 117, acts 19 G. A., amended.

SEC. 6. That section two (2) of chapter 117, of laws of the Nineteenth General Assembly, be amended by substituting the word fifteen for twelve in the ninth line thereof.

All fees turned into State treasury.

SEC. 7. The compensation of fifteen hundred dollars per annum shall be in full for all compensation to such deputy State officers, and all fees received by or paid to any deputy State officers by virtue of their official positions shall be turned into the State treasury. They shall receive no other compensation from the State for any services whatever while acting as such deputy, *provided further* that no clerk appointed by the Auditor or his deputy, the Treasurer or his deputy, the Secretary of State or his deputy or by the Executive Council or the Governor shall receive directly or indirectly a greater sum than fifteen hundred dollars per annum for such services as such clerk.

Provided.

Clerks shall receive no greater compensation than deputies.

SEC. 8. This act being deemed of immediate importance shall take effect and be in force after having been published in the Iowa State Register, and Des Moines Leader, newspapers published at Des Moines, Iowa.

Publication.

Approved April 10, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader*, April 13, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 119.

TO LEGALIZE THE ACTS OF EDMUND W. DURSTON, J. P.

AN ACT to Legalize the Official Acts of Edmund W. Durston as Justice of the Peace in and for Chickasaw county, Iowa. H. F. 478.

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

WHEREAS, Edmund W. Durston was elected to the office of justice of the peace in the township of Richland, Chickasaw county, Iowa, and acted in that capacity and transacted the business of said office, and

WHEREAS, Doubts have arisen as to his having the capacity to hold said office, and as to the legality of his official acts: that the official acts of said Edmund W. Durston done and performed while holding said office and within the legal jurisdiction [of said office of justice of the peace in and for Chickasaw county, Iowa, are hereby legalized and made lawful and valid.

Approved April 9, 1886.

## CHAPTER 120.

TO LEGALIZE GRAND JURY OF OSCEOLA COUNTY.

AN ACT to legalize the Grand Jury drawn in and for the county of Osceola for the year 1886. H. F. 651.

WHEREAS, At the general election in the year 1885, the judges of election in the township of Baker in the county of Osceola were required to return the names of three electors from whom to draw grand jurors for the year 1886; and,

WHEREAS, Said judges of election failed to certify said list; and,

WHEREAS, The county canvassers of said county failed to make such list for said delinquent township; and,

WHEREAS, The jury list from which the grand jury in and for said county for the year 1886, consisted of seventy-two names instead of seventy-five and the following named persons were drawn to serve as grand jurors in and for said county for the year 1886, viz.: D. H. Clayton, L. C. Chamberlain, Ephraim Miller, L. K. Phillips, T. P. May, F. N. Sipe, N. T. T. Davis, J. F. Taylor, W. R. Foster, C. A. Stevens, John Esterbrook, Joseph Kapps, D. J. Spencer, H. C. Gillis and F. M. Allen; therefore,

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

Legalized.

SECTION 1. That the acts of the officers in drawing the grand jury in and for Osceola county for the year 1886, are hereby declared to be legal and valid, and said grand jury composed of the following named electors, to-wit: D. H. Clayton, L. C. Chamberlain, Ephraim Miller, L. K. Phillips, T. P. May, F. N. Sipe, N. T. T. Davis, J. F. Taylor, W. R. Foster, C. A. Stevens, John Esterbrook, Joseph Kappes, D. J. Spencer, H. C. Gillis and F. M. Allen, be and the same is hereby declared to be the proper and legally drawn grand jury in and for Osceola county for the year 1886, and all acts hereafter done by said grand jury shall be deemed to be legal and valid to the same extent as though said grand jury had been drawn from a list of seventy-five names and each precinct had sent up the list of names as required by section 238 of the Code of 1873.

Publication.

SEC. 2. This act being deemed of immediate importance shall be in effect on and after its publication in the Iowa State Register, a newspaper published at Des Moines, Iowa, and the Sibley Gazette and Osceola County Tribune, newspapers published at Sibley, Iowa, without expense to the state.

Approved April 10, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 15, the *Sibley Gazette* April 16, and the *Osceola County Tribune*, April 23, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 121.

### LEGALIZE ACTS OF H. G. CRESTLER, J. P.

H. F. 643. AN ACT To Legalize the Acts of H. G. Crestler, Justice of the Peace in and for Union Township, Van Buren County, Iowa.

Preamble.

WHEREAS, The township trustees of Union township, Van Buren county, Iowa, did on the 5th day of October, 1885, pursuant to authority of law appoint one H. G. Crestler of said township to the office of justice of the peace, within and for said township: and,

WHEREAS, The qualified electors of said township, at the next general election therein, failed and neglected to fill said office by election, and,

WHEREAS, Said H. G. Crestler, has continued to act as justice of the peace in said township by virtue of said appointment, since the general election in 1885 and since the 1st day of January, 1886, and,

WHEREAS, Doubts have arisen as to the legality of the acts



of said H. G. Crestler, acting as justice of the peace aforesaid, therefore,

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

SECTION 1. That all the official acts of the said H. G. Crestler, acting as justice of the peace, within and for Union township, Van Buren county, Iowa, be and the same are hereby ratified, legalized and declared to be of full force and validity in law, to the same extent as if said officer had been elected by the qualified electors of his township at the general election in 1885. Legalized.

SEC. 2. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register, a newspaper published at Des Moines, Iowa, and the Birmingham Enterprise, a newspaper published at Birmingham, Iowa, without expense to the State.

Approved April 10, 1886.

## CHAPTER 122.

### LEGALIZE ACTS OF SCHOOL BOARD OF FAIRFIELD TOWNSHIP, BUENA VISTA COUNTY.

AN ACT to Legalize the acts of the Board of School Directors of the District Township of Fairfield, Buena Vista County, Iowa, in Redistricting the Township. H. F. 613.

WHEREAS, The board of school directors of the District Township of Fairfield, Buena Vista county, Iowa, at a special meeting held in Nov. 1885, did re-district the township of Fairfield, dividing it into nine (9) sub-districts; and, Preamble.

WHEREAS, Three of said sub districts have less than fifteen (15) pupils of school age; and,

WHEREAS, Doubts have arisen as to the legality of said act of the board of school directors in creating said sub-districts; therefore,

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

SECTION 1. That the acts of the board of school directors of the District Township of Fairfield, Buena Vista county, Iowa, at a special meeting in Nov. 1885 in re-districting, and dividing said district into nine (9) sub-districts be and the same are hereby legalized and made valid to the same extent as though each of said sub districts had contained not less than fifteen pupils on said date. Legalized.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication Publication.

in the Iowa State Register, and the Newell Mirror, newspapers published at Des Moines, Iowa, and Newell Buena Vista county, Iowa, without expense to the State.

Approved April 10, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 15, and the *Newell Mirror* April 23, 1886.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 123.

LEGALIZE SALE OF SCHOOL LANDS IN WEBSTER COUNTY.

H. F. 452. AN ACT to Legalize the Sale of Certain Lands in Webster county, and to Provide for the Issuance of a Patent therefor.

Preamble. WHEREAS, On the twelfth day of January, A. D. 1864, James Spring paid the clerk of the board of supervisors of Webster county the sum of \$50.00 in payment for the southwest quarter of the southeast quarter of section twenty-eight, township eighty-seven north, of range twenty-seven west, of the 5th P. M., a portion of the 500,000 acre school grant; and

Description of land.

WHEREAS, The clerk failed to make out a certificate of final payment, or to account for the money received from the said Spring; and

WHEREAS, the said Spring sold the said land to Elias Cadwell, who to complete the evidence of his title sought to secure a patent from the state; and

WHEREAS, The secretary of state refused to issue a patent on the ground that no proper evidence of purchase could be presented, owing to the delinquency in accounting for the money paid originally; and

WHEREAS, The said Cadwell in order to cure this deficiency, repaid the aforesaid \$50.00 purchase money, as shown by receipt and certificate of final payment of the auditor; therefore,

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

Legalized. SECTION 1. That the sale made by the clerk aforesaid to the said James Spring is hereby declared legal and valid.

Patent to issue to James Spring. SEC. 2. The secretary of state is hereby authorized and required to issue patent to said James Spring.

Approved April 10th, 1886.

## CHAPTER 124.

## RELATING TO RENT OF ROOM FOR SCHOOL PURPOSES.

AN ACT to amend section 1725 of the Code fixing the number of S. F. 249. pupils for which a room may be rented and a teacher employed.

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

SECTION 1. That section 1725 of the Code be and the same Code, section 1725, amended. is hereby amended by striking out from said section in the seventh line thereof the word "five" (5) and inserting in lieu thereof the word "ten" (10).

Approved April 9, 1886.

## CHAPTER 125.

## RELATING TO FEES FOR RECORDING ARTICLES OF INCORPORATION.

AN ACT to amend section 3756 of the Code in relation to fees to be S. F. 228. charged for filing and recording articles of incorporation.

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

SECTION 1. That section 3756 of the Code is hereby amended Code, section 3756, amended. by striking out the last paragraph thereof and inserting in [lieu] of the same the following:

For filing articles of incorporation other than those of a public character, five dollars, and for recording the same for every hundred words or fraction thereof fifteen cents; and upon payment of the fees above provided, the Secretary of State shall upon request issue a certificate under the seal of his office setting forth the fact of such filing. Fees for filing. For recording. Certificate by Secretary.

Approved April 9, 1886.

CHAPTER 126.

RELATING TO POWERS OF DEPUTY CLERK OF SUPREME COURT.

S. F. 353. AN ACT to authorize the Deputy Clerk of the Supreme Court to administer oaths and take and certify acknowledgements of instruments in writing.

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

Code, section 277, amended. SECTION 1. That section 277 of the Code is hereby amended by inserting in the same, after the words "the clerk of the supreme court" the words, "the deputy clerk of the supreme court."

Approved April 9, 1886.

CHAPTER 127.

APPROPRIATION FOR INDUSTRIAL SCHOOL AT MITCHELLVILLE.

H. F. 357. AN ACT Making Appropriations for the Girls' Department of the Iowa Industrial School at Mitchellville.

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

Appropriation, \$10,350. SECTION 1. That there is hereby appropriated out of the state treasury not otherwise appropriated, the following sums, for the purposes named.

Steam heat, \$1,000.	For steam heating for new family building erected in 1885.....	\$ 1,000
Contingent, \$3,000.	For contingent and repair fund.....	3,000
Land, \$4,000.	For purchase of eighty acres land.....	4,000
School, \$100.	For school supplies.....	100
Water, etc., \$1,000.	For completing water supply and grading.....	1,000
Bath, etc., \$250.	For bath tubs and plumbing.....	250
Furniture, etc., \$500.	For furniture, beds and bedding.....	500
Clothing, \$500.	For Sunday suits for girls.....	500
	Total amount appropriated by this bill.....	\$10,350

SEC. 2. The money herein appropriated shall be drawn and paid on the order of the board of trustees of said industrial school at such times as may be deemed necessary by them. *Provided*, however; that not more than half of this appropriation shall be drawn during the year 1886, and the remainder quarterly during the year 1887. How drawn and paid.  
Proviso.

SEC. 3. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register, and the Des Moines Leader, newspapers published in Des Moines, Iowa. Publication.

Approved April 10, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 17, and the *Des Moines Leader* April 16, 1886.

FRANK D. JACKSON, *Secretary of State*.

## CHAPTER 128.

### RELATING TO HOLDING COURTS.

AN ACT to regulate the manner of holding courts in the several judicial districts of the State, and to amend section 231 of the Code as amended by an act of the Twenty-First General Assembly relating to trial jurors. H. F. 692.

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

SECTION 1. That in districts in which the district court is composed of more than one judge, the judges shall not sit together in the trial of causes nor upon the hearing of motions for new trial; but may together hold the same term making an apportionment of the business between them; and in districts composed of more than one county they may hold terms in different counties at the same time. In districts where more than two judges: courts held.

SEC. 2. That section 231 Code of 1873 as amended by an act of the Twenty-First General Assembly, be and the same is hereby amended by adding thereto the following words. *Provided*, that where a single county constitutes a district the court may increase the number of such trial jurors not to exceed seventy-two. Code, section 231, amended.

Approved April 10, 1886.

## CHAPTER 129.

## RELATING TO LOCATION OF SOLDIERS' HOME.

S. F. 413. AN ACT to Repeal Section 3, Chapter 58, Acts of the Twenty-first General Assembly, and Enact a Substitute therefor, Relating to the Location of the Soldiers' Home.

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

Section 3, acts 21 G. A., repealed. SECTION 1. Section 3, chapter 58, acts of the Twenty-first General Assembly, is hereby repealed and the following enacted in lieu thereof:

Substitute. Sec. 3. Said home shall be located by a commission to be appointed by the Governor, to consist of one member from each congressional district, no more than seven of whom shall belong to the same political party, and no one of whom shall be a resident of any county in which is located any locality that is a candidate for the location of said home, nor a resident of any county in which is situated any other State institution.

Governor shall appoint a commission to locate Home. The appointment of commissioners shall be made within five days from the approval of this act, and on the third Tuesday thereafter said commissioners shall assemble at the Capitol in Des Moines for the purpose of locating said home, and, after having first taken the oath of office prescribed by statute shall organize by selecting from their number a chairman and secretary, and a correct record of all proceedings and all votes cast shall be kept and certified by said chairman and secretary to the Governor. Said commissioners shall take into consideration only the localities which have made propositions to the General Assembly under concurrent resolution relating thereto, and all propositions, bonds, petitions and papers relating to said home and now in possession of the Twenty-first General Assembly or the Soldiers' Home or Military Committees thereof, shall be deposited with the Secretary of State and by him turned over to the commissioners for their information, and no other or additional propositions shall be considered or received. Said commissioners if deemed best, may hear representatives of the different localities that are candidates for the location of the home but not later than seven days from the assembling of said commissioners as prescribed, said commissioners shall determine by vote the location for the Soldiers' Home and balloting shall continue till a majority of all votes cast are cast for one locality, *pro-*

Qualifications.

Appointment.

Meeting.

Elect officers.

Keep record.

Bids and localities.

Localities may be heard.

Location determined by vote.

Proviso.

*vided* a majority decision is reached by the twentieth ballot; otherwise the place receiving the lowest number, or places receiving the lowest and an equal number of votes, upon the twenty-first ballot shall be dropped on the next succeeding ballot, provided if two or more of the places having the lowest number, have an equal number of votes then the commission shall vote to decide which shall be dropped and not more than one place shall be dropped until another ballot is taken and this same provision shall obtain in the succeeding ballots, and balloting shall continue under this provision until some one place shall receive a majority of the votes of all the commissioners which place shall be declared the location for said home and so certified to the Governor as provided for in this section, whereupon the commission shall dissolve. Said commissioners while in the actual discharge of their duty under this act shall receive as compensation \$5.00 per day and actual expenses each, and 10 cents per mile for the actual number of miles traveled in reaching the capital. Anything in said chapter 58, in conflict with this section is hereby repealed.

Commission dissolve; when.

Compensation.

Mileage.

Repealing clause.

SEC. 2. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines Iowa, anything to the contrary in section 33 of the Code notwithstanding.

Publication.

Approved April 10, 1886.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader April 14, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 130.

### RELATING TO PARTITION.

AN ACT to amend Section 3299 of the Code, in relation to Partition. H. F. 243.

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

SECTION 1. That section 3299 of the Code be and the same is hereby amended by adding to said section the following. Code, section 3299, amended.

*Provided,* That whenever in the discretion of the court such lands can be disposed of to better advantage, and with less expense at private sale than in the manner herein before provided the same may be sold in compliance with such terms as are ordered by the court but in such case the real estate shall be duly appraised by three disinterested freeholders to be appointed by the court, and sold for not less than the appraised value. Land may be sold at private sale. Appraised.

Approved April 10, 1886.

CHAPTER 131.

RELATING TO ELECTORS OF INDEPENDENT DISTRICTS.

H. F. 518. AN ACT to Amend Section 1807 of the Code of Iowa, relating to the power of the Electors of Independent Districts at annual meetings, and legalizing acts heretofore done.

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

Code sec. 1807 amended.

Electors may direct sale of school property and the application of proceeds thereof.

Legalize acts done under ¶ 2, of section 1717, Code, etc., and section 2, chapter 8, acts of 18 G. A.

SECTION 1. That section 1807 of the Code of Iowa be amended by adding at the end thereof as part of said section the following, to-wit: And said electors may direct the sale or other disposition to be made of any school house or the site thereof or any part of such site and of such other property, real and personal as may belong to the Independent District and direct the manner in which the proceeds arising therefrom shall be applied.

SEC. 2. That all acts of Independent Districts heretofore done in authorizing or making sales of real estate, where done as provided in paragraph 2 of section 1717 of the Code of Iowa, or submitted and carried under section 2 of chapter 8 of the laws of A. D. 1880, of Iowa, be and the same are hereby legalized and made valid in all respects as duly authorizing or making such sales and conveyances thereunder, the same as though said paragraph 2, of section 1717 of the Code has been incorporated in and made part of said section 1807.

Approved April 10, 1886.

CHAPTER 132.

RELATING TO DELIVERY OF TAX LIST TO COUNTY TREASURER.

H. F. 96. AN ACT to amend Section 843, Chapter 1, Title 6, of the Code, Relating to the Delivery of Tax List to the County Treasurer.

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

Code, section 843, amended.

SECTION 1. That section 843 of chapter 1 of title 6 of the Code be and the same is hereby amended by striking out the words "first day of November" in the third line thereof, and by inserting in lieu thereof the words "thirty-first day of December."

Approved April 10, 1886.



## CHAPTER 133.

## LIEN OF TAXES BETWEEN VENDOR AND VENDEE.

AN ACT to amend Section 853, Chapter 1, Title 6, of the Code, Relating to the Lien of Taxes between Vendor and Vendee. H. F. 185.

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

SECTION 1. That section 853, chapter 1, title 6, be and the same is hereby amended by striking out the words "first day of November" and inserting the words "thirty-first day of December." Code, section 853, amended.

Approved April 10, 1886.

## CHAPTER 134.

## ABOLISHING CIRCUIT COURT AND REORGANIZING JUDICIAL DISTRICTS.

AN ACT to Abolish the Circuit Court and to Enlarge the Powers and Jurisdiction of the District Court, and to Provide for Additional Judges, and to Reorganize the Judicial Districts of the State. H. F. 493.

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

SECTION 1. That on and after the first day of January, A. D. 1887, the circuit court of the State of Iowa shall be abolished. Circuit court abolished January 1, 1887.

SEC. 2. On and after said first day of January, A. D. 1887, the district court shall be constituted and organized as herein re-organized.

SEC. 3. For judicial purposes the state is hereby divided into eighteen judicial districts, as follows: Judicial districts.

*First.* The first district shall consist of the counties of Lee and Des Moines, and shall have two judges. 1st district—2 judges.

*Second.* The second district shall consist of the counties of Lucas, Monroe, Wapello, Jefferson, Herry, Davis, Van Buren and Appanoose, and shall have three judges. 2d district—3 judges.

*Third.* The third district shall consist of the counties of Wayne, Decatur, Clarke, Union, Ringgold, Taylor and Adams, and shall have two judges. 3d district—2 judges.

- 4th district—3 judges. *Fourth.* The fourth district shall consist of the counties of Cherokee, O'Brien, Osceola, Lyon, Sioux, Plymouth, Woodbury, Harrison and Monona, and shall have three judges.
- 5th district—3 judges. *Fifth.* The fifth district shall consist of the counties of Dallas, Guthrie, Adair, Madison, Warren and Marion, and shall have three judges.
- 6th district—3 judges. *Sixth.* The sixth district shall consist of the counties of Jasper, Poweshiek, Mahaska, Keokuk, Washington and Louisa, and shall have three judges.
- 7th district—3 judges. *Seventh.* The seventh district shall consist of the counties of Muscatine, Scott, Clinton and Jackson, and shall have three judges.
- 8th district—1 judge. *Eighth.* The eighth district shall consist of the counties of Johnson and Iowa, and shall have one judge.
- 9th district—3 judges. *Ninth.* The county of Polk, shall constitute the ninth district and shall have three judges.
- 10th district—3 judges. *Tenth.* The tenth district shall consist of the counties of Dubuque, Delaware, Buchanan, Black Hawk and Grundy, and shall have three judges.
- 11th district—3 judges. *Eleventh.* The eleventh district shall consist of the counties of Marshall, Story, Boone, Webster, Hamilton, Hardin, Franklin and Wright, and shall have three judges.
- 12th district—2 judges. *Twelfth.* The twelfth district shall consist of the counties of Bremer, Butler, Floyd, Mitchell, Worth, Cerro Gordo, Hancock and Winnebago, and shall have two judges.
- 13th district—2 judges. *Thirteenth.* The thirteenth district shall consist of the counties of Clayton, Allamakee, Fayette, Winneshiek, Howard and Chickasaw, and shall have two judges.
- 14th district—2 judges. *Fourteenth.* The fourteenth district shall consist of the counties of Buena Vista, Clay, Palo Alto, Kossuth, Emmet, Dickinson, Humboldt and Pocahontas, and shall have two judges.
- 15th district—4 judges. *Fifteenth.* The fifteenth district shall consist of the counties of Pottawattamie, Cass, Shelby, Audubon, Montgomery, Mills, Page and Fremont, and shall have four judges.
- 16th district—2 judges. *Sixteenth.* The sixteenth district shall consist of the counties of Ida, Sac, Calhoun, Crawford, Carroll and Green, and shall have two judges.
- 17th district—1 judge. *Seventeenth.* The seventeenth district shall consist of the counties of Tama and Benton, and shall have one judge.
- 18th district—2 judges. *Eighteenth.* The eighteenth district shall consist of the counties of Linn, Jones and Cedar, and shall have two judges.
- Takes effect. Excepting for the purpose of electing judges the provisions of this section shall not take effect until the first day of January, A. D. 1887.
- Term of office. SEC. 4. The district judge shall be a resident of the district in which he is elected, and shall hold his office for a term of four years. The first election under the provisions of this act shall be at the general election in the year 1886; *Provided however,* that the present acting judges of the district courts whose terms of office shall not have expired on or before said first day of January, 1887, shall be by virtue of their said office judges
- When elected.
- Present district judges continue till end of term for which elected.

of the district court in and for the districts created by this act in which they may severally reside; and until the terms for which said judges were elected shall expire, only so many additional judges shall be chosen under the provisions of this act, as shall be required (if any,) to make the number of judges to which such district is entitled, under the provisions of this act.

SEC. 5. The judges shall hold the district courts in the several counties of their districts at all the places where district courts or circuit courts are held at the time this act takes effect; *provided*, that the grand jury shall only be required to attend at county seats, and the district court shall hold not less than two terms at other places than county seats where the circuit court is authorized to be held, at the time this act takes effect, and the district court shall hear and determine civil causes, including probate, only as heretofore exercised at such places by the circuit court, and jurors shall be drawn thereat, as heretofore provided therefor, and *provided further*, that transcripts of all judgments, decrees, and the levy of writs of attachment on real estate, mechanics' liens, *lis pendens*, sales of real estate, redemptions, satisfaction of judgments, mechanics' liens, dismissal or decrees in *lis pendens*, together with all other matters affecting titles to real estate, shall be certified by the deputy clerk at such places other than county seats, forthwith, to the clerk of the district court at the county seats, who shall enter the same upon the records in his office in all respects as if originating and originally filed, begun or entered at the county seat of such counties, and *provided further*, that the provisions of section 163 of the Code, shall be and remain in full force and effect under the provisions of this act, *provided*, that this section shall not affect places other than county seats where courts have been held for ten years. They shall hold their courts at such times, and in such order as shall best dispose of the business thereof, and as they may arrange among themselves; *provided*, however, there shall be held not less than four terms a year in each county. In case the judges of any district are unable to agree, as to the manner of holding their courts, or as to the counties in which they are severally to preside, they shall refer the matter to the chief justice of the supreme court, who shall assign said judges to such counties as he may determine; and the chief justice of the supreme court shall also have power to assign any district judge when not occupied in holding court in his own district, to hold court in any other district, in the State, where any judge may be incapacitated from holding court, or there may arise a necessity therefor. But this section shall not be held to affect the right of the judges to interchange holding their terms of court, as now provided by law.

SEC. 6. On or before the first day of October in each odd numbered year, the judges shall meet in their respective districts, and determine the times and places of holding their courts during the two succeeding calendar years. The plan or schedule thus agreed upon, or ordered by the chief justice of the supreme

Terms; where held.

Grand jury.

Terms at other than county seats.

Civil causes heard as by circuit court.

Decrees and papers; how certified at other than county seats.

Code, section 163 remains in force.

How terms may be held.

Where judges of a district disagree as to holding courts, chief justice shall decide and make assignments.

May assign any judge to any other district, etc.

Judges may interchange.

Judges shall in odd numbered year fix times and places of holding courts.

Terms; how arranged.	<p>court, when they cannot agree, shall before going into effect be published as now required by law for similar orders of the judges of the district and circuit courts. In preparing said plan or schedule they shall so arrange if practicable that each judge shall hold at least one term of court during the year in each of the several counties of his district. The terms of the circuit court which have been set down or assigned for the year 1887 in the several counties of the state shall be held as terms of the district court, and the judges may determine anew, the times and places for holding their courts during the year 1887.</p>
Jurisdiction original and exclusive.	<p>SEC. 7. The district court when organized and constituted as contemplated in this chapter shall have original and exclusive jurisdiction of all actions, proceedings and remedies both civil and criminal, except in cases where exclusive or concurrent jurisdiction is or may hereafter be conferred upon some other court or tribunal by the constitution and laws of the State, and shall have and exercise all the powers usually possessed and exercised by courts of record.</p>
Exceptions.	<p>SEC. 8. All the rights, duties, powers and jurisdiction now by law belonging to or vested in, or exercised by the circuit court shall upon and after the first day of January 1887, be transferred to, conferred upon and exercised by the district court; and all causes, proceedings, and remedies of every kind pending or undetermined in the circuit court at said date shall stand for trial or other disposition in the district court as if originally brought therein.</p>
Powers.	<p>SEC. 9. Upon the abolition of the circuit court, as in this act provided, the district court shall succeed to, and exercise full authority and jurisdiction over the records of the circuit court, and may enforce all judgments, decrees and orders thereof in the same manner and to the same extent as it may exercise like jurisdiction and authority over its own records, and for the purpose of the issuance of process, and of any and all other acts necessary to the due and efficient enforcement of the orders, judgments and decrees of the circuit court, the records thereof shall be deemed records of the district court. Transcripts and process from the judgments, decrees and records of the circuit court, shall be issued by the clerk of the district court, and under the seal of his office.</p>
Powers of circuit court transferred to district court.	<p>SEC. 10. When a change of venue is granted on the ground of objection made to the judge, such judge may in his discretion, if there be a judge or judges of the same district, against whom there is no objection, assign the cause to such judge. Or if more than one, to one of them for trial, and if there be no other judge of his district against whom there is no objection, then he may in his discretion, send the cause for trial to the nearest and most convenient county of another district for trial before a judge of such other district; or he may procure another judge of another district to interchange with him for the trial of such cause.</p>
District court shall succeed to records of circuit court and to its authority and jurisdiction.	<p>SEC. 11. The judges of the district court shall have power</p>
Transcripts.	
Change of venue.	

to prescribe uniform rules of practice for the government of the district courts of the state, and to prescribe rules for making up issues in vacation, and entering in vacation, judgment in default of appearance or pleading. For that purpose, said judges shall meet in convention in the supreme court room in the capitol at the state capital, on the first Wednesday in January, A. D. 1887, and at such time thereafter as may be designated by the chief justice on the request of a majority of the district judges of the state, and shall organize by selecting a president, vice-president and secretary from their number, and the secretary of state shall upon requisition of the presiding officer supply the convention with such stationery as shall be deemed necessary for the dispatch of the business of the convention. When a majority of the convention shall have agreed upon such rules, and the time when they shall go into effect, the same shall be signed by the president and countersigned by the secretary of the convention, and filed with the secretary of state, and the secretary of state shall cause such rules to be printed, and when so printed he shall forward a certified copy thereof to the clerk of the district court in each county of the state. And the clerk shall immediately upon the receipt of such copy of the rules so adopted, spread the same upon the records of said court, and such rules shall continue in force until altered or amended in convention as provided in this act.

Rules of practice.

Judges shall meet at capitol and prescribe rules, etc.

How printed and distributed.

SEC. 12. The salary of district judges elected or holding office under the provisions of the constitution of the state and this act, shall be \$2,500 per year, to be paid from the state treasury in manner now provided by law for the payment of judges of the district and circuit court.

Salary of judges.

How paid.

SEC. 13. On and after the first day of January 1887, the clerk of the district court shall have and exercise within his county all the powers and jurisdiction of the court and of the judge thereof in the following matters:

Powers of clerks of district court.

*First.* The appointment when not contested of resident administrators, executors and guardians of minors and the approval of any and all bonds given by administrators, executors, trustees, and guardians in the discharge of their several trusts.

Appointment of administrators, etc.

Approval of bonds.

*Second.* The examination and approval of all intermediate or interlocutory accounts or reports of administrators, executors and guardians, but such approval may be disaffirmed or set aside by the court within the time and manner as now provided by law.

Approval of reports, etc.

*Third.* The making of all necessary orders in relation to the personal effects of a deceased person as contemplated in section 2386 of the Code, where no objection is filed and to do and perform all other acts and duties which are now required by law of clerks of the circuit court and not inconsistent with the provisions of this act.

Making necessary orders.

SEC. 14. Any person deeming himself aggrieved by any order made or entered by the clerk under the powers herein conferred in the last preceding section may have the same re-

Party aggrieved may be heard by court.

viewed in court at the next term thereafter upon motion, and upon such notice as the court may prescribe. Upon the filing of such motion the clerk shall place the cause or proceeding on the docket without additional docket fee and the matter shall stand for hearing on trial *de novo* in open court.

Validity of records, etc.

SEC. 15. The records, orders and judgments made and entered by the clerk as hereinbefore provided and not reversed, set aside or modified by the court shall stand and be of the same force, validity and effect, and shall be entitled to the same faith and credit as if made by the court, or by the judge thereof.

Compensation of clerk of district court.

SEC. 16. From and after the first day of January, 1887, the clerk of the district court in each county, in addition to the compensation now provided by law shall be allowed to retain from fees collected by him in matters of probate and guardianship, such sum as may be fixed by the board of supervisors, not exceeding the sum of three hundred dollars per year; but such additional compensation shall in no case be allowed to be paid out of the county treasury.

Repealing clause.

SEC. 17. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved April 10, 1886.

## CHAPTER 135.

### APPROPRIATION FOR PRISONERS AID ASSOCIATION.

H. F. 549.

AN ACT Making Appropriations to the Iowa Prisoners Aid Association.

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

\$1,500 appropriated.

SECTION 1. That there is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of fifteen hundred dollars (\$1,500) one half of which is to be placed in the hands of each of the wardens of the penitentiaries of the state, and by them to be paid out to the Iowa Prisoners Aid Association on the order of its president and secretary. The wardens to keep vouchers for the payment of the same. *Provided*, however that not more than one half herein appropriated shall be drawn during the year 1886, and the remainder quarterly during the year 1887.

How drawn and paid out.

Approved April 10, 1886.

## CHAPTER 136.

## LEGALIZING COUNCIL OF TOWN OF SEYMOUR.

AN ACT to Legalize the Acts, Resolutions, Orders and Ordinances H. F. 88.  
of the Town Council of the Incorporated Town of Seymour, in  
Wayne County, Iowa.

WHEREAS, The town council of the incorporated town of Preamble.  
Seymour in Wayne county Iowa, by certain acts, orders, reso-  
lutions and ordinances authorized the issuance of certain  
*bonds* [bonds] of said incorporated town of Seymour, and,

WHEREAS, Said bonds have been issued and negotiated, and  
said incorporated town has received the proceeds of sale of  
such bonds, and,

WHEREAS, Doubts have arisen, as to the legality of such  
bonds by reason of alleged irregularities in the preliminary  
acts, orders, resolutions and ordinances by which said bonds  
were issued, and by reason of the forms, of said bonds, and of  
the rate of interest therein specified, therefore,

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

SECTION 1. That all orders, resolutions, acts, and ordinances Legalized.  
of the town council of the incorporated town of Seymour in  
Wayne county, Iowa, in relation to the ordering, issuing, and ex-  
ecution of the bonds of said incorporated town, and the bonds is-  
sued thereunder be and the same are hereby legalized and val-  
idated, and the same shall be deemed, and held to be legal and  
valid, to all *interests* [intents] and purposes, as though all acts,  
orders resolutions and ordinances in relation to the ordering, is-  
suing, and execution of such bonds, had been in each particular,  
in strict conformity, with the statutes in such cases made, and  
provided.

[SEC. 2.] This act being deemed of immediate importance, Publication-  
shall take effect and be in force from and after its publication  
in the Iowa State Register, a newspaper published at Des  
Moines Iowa, and in the Lone Tree Press, a newspaper printed  
and published at Seymour, in Wayne County, Iowa, such publi-  
cation being without expense to the State.

Approved April 10, 1886.

I hereby certify that the foregoing act was published in the *Iowa  
State Register* April 17, and *Lone Tree Press* April 23, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 137.

## LEGALIZING ORDINANCES OF IDA GROVE.

H. F. 602. AN ACT to Legalize the Revised Ordinances of the Town of Ida Grove, Ida County, Iowa, the Election of Officers and all Acts Done and Ordinances Passed by the Council of said Town.

Preamble. WHEREAS, The town council of Ida Grove, Ida county, Iowa, revised the ordinances of said town in the year 1882, and up to Jan. 2, 1883, defining the boundaries, establishing a town seal regulating town council: order of business, election and appointment of officers, compensation of officers; misdemeanors, and penalties; labor on streets; prohibiting stock from running at large; licenses; regarding dogs; removal of snow from sidewalks; board of health; temporary sidewalk; establishing city scales, water commissioners, and water works, water works department, water works bonds, prohibiting the pollution of Odebolt creek, relating to fire department, sinking fund, saloon licenses, providing for revision and publication of town ordinances, and,

WHEREAS, The revised ordinances of the town of Ida Grove, Ida county, Iowa, in 1882 and up to Jan. 2, 1883, were published in pamphlet form instead of being published in a newspaper four weeks in succession as provided by law; therefore,

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

Legalized. SECTION 1. That the revised ordinances of the town council of Ida Grove, Ida county, Iowa, in the year 1882 and up to Jan. 2, 1883, the election of officers, all acts done, and ordinances passed thereunder, by the said town council of Ida Grove, Iowa, are hereby legalized and made valid, to the same extent, and with effect, as though said ordinances had been published as provided by law.

Publication. SEC. 2. This act being deemed of immediate importance, shall take effect, and be in force from, and after its publication in the Iowa State Register, and Ida County Pioneer, newspapers published in Des Moines, Iowa, and Ida Grove, Iowa, without expense to the State.

Approved April 10, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register*, April 17, and the *Ida County Pioneer*, April 22, 1886.

FRANK D. JACKSON, *Secretary of State.*



CHAPTER 138.

APPROPRIATION FOR PENITENTIARY AT FORT MADISON.

AN ACT Making Appropriations for the Penitentiary at Fort Madison. S. F. 186.  
ison.

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

SECTION 1. That there is hereby appropriated for the penitentiary at Fort Madison out of any money not otherwise appropriated the following sums for the purposes named, to wit: \$10,700 appropriated.

For contingent fund and repairs.....	\$7,500	Contingent, \$7,500.
For transportation of convicts.....	2,200	Transporting convicts, \$2,200.
For solitary cell house.....	1,000	Cell house, \$1,000.

That the warden of said prison be and he is hereby authorized to take and use the sum of \$7,500, or so much thereof as may be necessary, arising from the labor contract with said institution, for the purpose of putting in an electric light plant in said prison, *provided*, there shall be a balance of such fund sufficient therefor, over and above the amount required for such support, to be determined by the warden. Electric light plant. Proviso.

Approved April 10, 1886.

CHAPTER 139.

RELATING TO DRAINS AND DITCHES—REPEALS SECTION 1214 OF CODE AND ENACTS SUBSTITUTE.

AN ACT to Repeal Section 1214, Chapter 2, Title 10 of the Code, in relation to Drains and Ditches and to Enact a Substitute therefor. S. F. 187.

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

SECTION 1. That section 1214 of chapter 2, title 10 of the Code, be and the same is hereby repealed and the following enacted in lieu thereof. Code, section 1214, repealed.

Section 1214. Whenever any such ditch, drain or change in the direction of any water course, shall have been located and established, as provided in the preceding section, or when it shall be necessary, to cause any such ditches, drains or water courses to be reopened Substitute. Change in water course established, etc.

Auditor of county shall appoint commission to classify lands affected thereby, and apportion costs among same.

Assessment, how collected.

Pay of commissioners.

What may be declared a nuisance.

Penalty.

Appeals.

What necessary to prove.

and repaired, the auditor shall commission and appoint six disinterested freeholders of the county, not interested in a like question, who shall within twenty days after such appointment, personally inspect and classify as "dry," "low," "wet" or "swamp," all the land benefitted by the location and construction of such ditch, drain or water course, or the repairing or reopening of the same and shall make an equitable apportionment of the cost, expenses, costs of construction, fees and compensation for property appropriated or damages sustained by the construction of any such ditch, drain, change of direction of such water course or of repairing and reopening the same and make report thereof in writing to the board of supervisors, which apportionment shall accrue and be assessed among the owners of the land benefitted by the location, construction or the reopening and repairing of such ditch, drain or water course, in proportion to the benefit to each of them through along the line or in the vicinity of whose lands the same may be located, constructed or reopened and repaired respectively and the same may be levied upon the lands of the owner so benefitted, in said proportions and collected in the same manner that other taxes are levied and collected for county purposes and the amounts so assessed and collected shall be paid out of the county treasury, from the funds collected for that purpose on the order of the county auditor and said commissioners shall receive for each day's service when so engaged, two dollars to be paid out of the funds so collected. Any such ditch, drain or water course, which is now or may hereafter be constructed, so as to prevent the surplus and overflow waters from the adjacent land from entering the same, is hereby declared a nuisance and the same may be abated as provided in title 20, chapter 5, of the Code of Iowa, and the diverting, obstructing, impeding or filling up of such drains, ditches, or water courses in any manner by any person, without legal authority is hereby declared a nuisance and any person convicted of such crime, shall be punished as provided in title 24, chapter 15, of the Code for the punishment of nuisances. Nothing in this chapter contained shall be construed so as to prohibit any land owner from appealing from the order of the board in assessing his land, for any of the purposes mentioned in this section, to the circuit court of the county, in the same manner that appeals are taken in the location of highways, nor shall the same be construed so as to prohibit the maintenance of an action for the recovery of any taxes erroneously or wrongfully assessed, for any of the purposes mentioned in this section and in order to show that such

assessment was erroneous or wrongful, it shall only be necessary to prove that such lands so assessed were not benefitted by the location, construction or maintenance, of such ditch, drain or water course.

SEC. 2. This act being deemed of immediate importance, shall be in force and after its publication, in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines Iowa.

Approved April 10, 1886.

I hereby certify the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 16, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 140.

PROVIDING FOR MINE INSPECTORS—THEIR APPOINTMENT, DUTIES AND COMPENSATION.

AN ACT to repeal sections 1, 2, 3, 4, 5 and 6 of chapter 21, Acts of S. F. 198. the Twentieth General Assembly, and enact substitutes therefor providing for mine inspectors, their manner of appointment, compensation and defining their duties and terms of office.

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

SECTION 1. That there shall be appointed by the Governor with the advice and consent of the Senate, three inspectors of mines who shall hold their offices for two years. The said inspectors subject however to be removed by the Governor for neglect of duty or malfeasance in office. Said term of office shall commence on the first day of April of each even numbered year. Said inspectors shall have a theoretical and practical knowledge of the different systems of working and ventilating coal mines, and of the nature and properties of the noxious and poisonous gases of mines and of mining engineering; and said inspectors before entering upon the discharge of their duties shall take an oath or affirmation to discharge the same faithfully and impartially, which oaths or affirmations shall be endorsed upon their commissions, and their commissions so endorsed shall be forthwith recorded in the office of the Secretary of State, and such inspectors shall each give bonds in the sum of two thousand (2,000) dollars, with sureties to the approval of the Governor, conditioned for the faithful discharge of their duties. The Governor shall divide the State into inspection districts and shall assign the inspectors to duty in such place or districts as he shall deem proper.

SEC. 2. Said inspectors shall give their whole time and attention to the duties of their offices respectively and shall ex-

Powers.	amine all the mines in this State as often as their duties will permit, to see that the provisions of this act are obeyed, and it shall be lawful for such inspectors to enter, inspect and examine any mine in this State, and the works and machinery belonging thereto, at all reasonable times by night or by day, but so as not to unnecessarily obstruct or impede the working of the mines, and to make inquiry and examination into the state and condition of the mine as to ventilation and general security as required by the provisions of this act. The inspectors shall make a record of all examinations of mines inspected by them, showing the date when made, the condition in which the mines are found, the extent to which the laws relating to mines and mining are observed or violated, the progress made in the improvement and security of life and health sought to be secured by the provisions of this chapter, number of accidents, injuries or deaths in or about the mines; the number of mines visited, the number of persons employed in or about the mines, together with all such facts and information of public interest concerning the condition of mines as they may think useful and proper, or so much thereof as may be of public interest to be included in their biennial report. The owner and agents of all coal mines are hereby required to furnish the means necessary for such inspection, and it shall be the duty of the person having charge of any mine, whenever any loss of life shall occur by accident connected with the workings of such mine to give notice forthwith by mail or otherwise to the inspector of mines of his district and to the coroner of the county in which such mine is situated, and the coroner shall hold an inquest on the body of the person or persons whose death has been caused, and inquire carefully into the cause thereof and shall return a copy of the verdict and all testimony to the said inspector. No person having a personal interest in or employed in the mine where a fatal accident occurs shall be qualified to serve on the jury empaneled on the inquest and the owner or agent of all coal mines shall report to the inspector all accidents to miners in and around the mines, giving cause of same, such report to be made in writing and within ten days from the time any accident occur.
Shall keep a complete record.	
Which shall be included in biennial report. Duty of mine owners. In case of a death.	
Jury on inquest.	
Report all accidents to inspector.	
Inspectors shall not be interested in any mine. Biennial report.	SEC. 3. Said inspectors while in office shall not act as agents or managers or mining engineers, or be interested in operating any mine, and the inspector shall bi-ennially, on or before the fifteenth day of August preceeding the regular session of the general assembly make a report to the governor, of their proceedings and the condition and operation of the mines in this state, enumerating all accidents in or about the same, and giving all such information as they may think useful and proper, and making such suggestions as they may deem important as to future legislation on the subject of mining.
What it shall contain.	
Compensation.	SEC. 4. The inspectors provided for in this act shall each receive a salary of twelve hundred dollars (\$1,200) per annum, payable monthly, and shall be furnished with necessary station-
How paid.	

ery, and actual traveling expenses not to exceed five hundred dollars (\$500) per annum; *Provided*, that each inspector shall file at the end of each quarter of his official year with the auditor of state a sworn statement of his actual traveling expenses incurred in the performance of his official duty for such quarter. The said salary and expenses to be paid by the state as the salaries and expenses of other state officers are provided for. They shall have and keep an office in the capitol at Des Moines, in which shall be kept all records, correspondence, papers, apparatus and property pertaining to their duties belonging to the state and which shall be handed over to their successors in office.

Expenses.

Statement of expenses.

Office.

SEC. 5. Any vacancy occurring in the office of inspector when the senate is not in session either by death or resignation, removal by the Governor or otherwise, shall be filled by appointment by the Governor, which appointment shall hold good until his successor is appointed and qualified.

Vacancies.

SEC. 6. There shall be provided for such inspectors all instruments necessary for the discharge of their duties under this act, which shall be paid for by the state on the certificate of the inspectors, and shall be the property of the state.

Instruments, etc.

SEC. 7. That sections 1, 2, 3, 4, 5 and 6 of chapter 21, acts of the Twentieth General Assembly be and the same are hereby repealed.

Secs. 1, 2, 3, 4, 5 and 6, chap. 21, acts of 20 G. A. repealed.

SEC. 8. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Des Moines Leader and the Iowa State Register, newspapers published at Des Moines, Iowa.

Publication.

Approved April 10, 1886.

I hereby certify that the foregoing act was published in the *Des Moines Leader* April 13, and the *Iowa State Register* April 15, 1886.

FRANK D. JACKSON, *Secretary of State*.

## CHAPTER 141.

### RELATING TO ELECTIONS OF CITY OFFICERS.

AN ACT to Prescribe the Times of the Elections of Mayors, Treasurers, Assessors and Solicitor of Cities of the Second Class, Amendatory to Sections 518, 532 and 390 of the Code of 1873.

S. F. 208.

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

SECTION 1. The mayor, treasurer, assessor solicitor, shall be elected biennially in cities of the second class, by the qualified electors of the city. They shall be qualified electors and shall reside within the limits of the city and they shall hold their re-

Certain officers in cities of 2d class elected bi-ennially.

spective offices for the term for which they have been elected and qualified.

Terms of office.

SEC. 2. The terms of office for the mayor, treasurer, assessor, and solicitor shall be two years and the first election under this act shall be held on the first Monday of March, 1887.

Approved April 10, 1886.

## CHAPTER 142.

### LEGALIZE ORDINANCE OF WEST SIDE.

H. F. 428.

AN ACT to Legalize the Ordinances of the Incorporated Town of West Side, in Crawford County, Iowa.

Preamble.

WHEREAS, In the adoption of certain ordinances of the said town of West Side in Crawford county, Iowa, certain irregularities are claimed to have been committed, and it does not appear by the records that upon the adoption of the same the rule was suspended by a vote of three-fourths of all the members elected to the council, and that the said ordinances were passed by a vote of a majority of all the trustees, and the ayes and nays do not appear to have been called, and recorded upon such passage, and that the same have not been certified to (by) the recorder, in the manner required by law, and,

WHEREAS, Said ordinances have been duly enforced by the officers of said town, and,

WHEREAS, On account of said irregularities in the adoption of said ordinances doubts have arisen as to the validity of the same, and the acts of the officers of said town in the enforcement thereof; therefore,

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

Legalized.

SECTION 1. That all ordinances of said town of West Side, except those conflicting with the laws of the State if any such there be, and all acts of any of the officers of said town in the enforcement thereof, are hereby declared to be legal, and valid in all respects, and to the same extent as though in the adoption thereof no such irregularities had occurred, and the said rule had been dispensed with by a proper vote, and the said ordinances had been passed by a proper vote, and the ayes and nays upon such passage had been duly called and recorded and the same had been properly certified to by the recorder, and as though all said facts duly appeared by the record of the proceedings of said council.

Publication.

SEC. 2. This act being deemed of immediate importance shall be in force, and take effect from and after its publication in the

Iowa State Register, and the West Side Dispatch, newspapers published at Des Moines and West Side, without expense to the State.

Approved April 9, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 20, and the *West Side Dispatch*, April 22, 1886

FRANK D. JACKSON, *Secretary of State*.

### CHAPTER 143.

TO LEGALIZE LINCOLN TOWNSHIP, O'BRIEN COUNTY.

AN ACT to legalize the organization of the civil township of Lincoln, in O'Brien county, State of Iowa, and the acts of its officers. H. F. 390.

WHEREAS, The board of supervisors of O'Brien county, Iowa, at their regular meeting in April, 1878, did order the congressional township 97, range 40, in said county set off to be formed into a separate township, to be known as Lincoln township, and said board of supervisors did, at their regular session in September, 1878, order that the first election in said township should be held at the residence of one Frank Teabout, in said township; and,

WHEREAS, The county auditor of said county did issue his warrant for said election directed to persons in said township, as by law directed, upon which order an election was held on October 8, 1878, at which time township officers were duly elected, but the warrant for said election was never returned as it appears to the clerk as provided by statute; therefore,

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

SECTION 1. That the civil township of Lincoln in O'Brien county, State of Iowa, and the election of its officers and the acts of said officers are hereby legalized and the same are hereby made valid and binding as though the said township had been strictly and legally organized as by law provided. Legalized.

SEC. 2. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the *Des Moines Leader* and *Iowa State Register*, newspapers published in Des Moines, Iowa, without cost to the State. Publication.

Approved April 9, 1886.

I hereby certify that the foregoing act was published in the *Des Moines Leader* April 20, and the *Iowa State Register* April 21, 1886.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 144.

RELATING TO PROBATE MATTERS.

H. F. 354. AN ACT to Amend Section 2313, of the Code of 1873, Relating to the Hearing of Probate Matters Requiring Notice.

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

Code, section 2313, amended. SECTION 1. That section 2313 of the Code of 1873 be, and the same is hereby amended by adding at the end of said section the following, to-wit: and in case there is no contest; such hearing may be had at any place within the judicial district to which belongs the county in which business is pending.

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

Approved April 9, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 20, 1886.

FRANK D. JACKSON, *Secretary of State.*

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CHAPTER 145.

RELATING TO FOREIGN INSURANCE COMPANIES.

H. F. 382. AN ACT to Amend Section 1144 of the Code of 1873, relating to Foreign Insurance Companies.

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

Code, Sec. 1144 amended. SECTION 1. That section 1144 of the Code of 1873 be and the same is hereby amended by inserting after the words "provided that the foregoing provisions of this section shall not apply to foreign mutual hail insurance companies issuing policies for a term of one year or less," the words provided further that foreign companies organized to insure plate glass exclusively shall not be required to have a greater capital than one hundred thousand dollars.

Approved April 9, 1886.



## CHAPTER 146.

## RELATING TO NOTICE OF EXECUTION SALES.

AN ACT to Amend Section 3125 of the Code of 1873, Relating to H. F. 431.  
Notice of Execution Sales.

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

SECTION 1. That section 3125 of the Code of 1873 be and Code sec. 3125  
the same is hereby amended by striking out of the third line amended.  
the word "twenty" and inserting instead the word sixty.

Approved April 9, 1886.

## CHAPTER 147.

## APPROPRIATION FOR SOLDIERS' ORPHANS' HOME.

AN ACT to appropriate Funds to Furnish Buildings, buy Lands S. F. 47.  
and Make Improvements for the Soldiers' Orphans' Home, and  
Home for Indigent Children, at Davenport, Iowa.

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

SECTION 1. That there is hereby appropriated, for the Sold- \$8,950 appro-  
iers' Orphans' Home and Home for Indigent Children at Dav- priated.  
enport, Iowa, the following sums for the purposes designated,  
to wit:

- |  |                           |
|--|---------------------------|
| 1. For building two cottages, \$6,000.               | Two cottages,<br>\$6,000. |
| 2. For general repairs and contingent fund, \$2,500. | Contingent,<br>\$2,500.   |
| 3. For library, \$250.                               | Library, \$250.           |
| 4. For organs, \$200.                                | Organs, \$200.            |

The money hereby appropriated shall be drawn and paid on  
the order of the trustees of said Home at such times as may be  
by them be deemed necessary, *provided*, no more than one half  
of this appropriation shall be drawn during the year 1886. How drawn  
and paid.  
Proviso.

SEC. 2. This act being deemed of immediate importance Publication.  
shall take effect and be in force from and after its publication  
in the Iowa State Register and Davenport Daily Gazette, news-  
papers in Des Moines, Iowa, and Davenport, Iowa.

Approved April 9, 1886.

I hereby certify that the foregoing act was published in the *Iowa  
State Register* April 21, and the *Davenport Daily Gazette* April 21, 1886.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 148.

## PROVIDING FOR CUSTODIAN OF PUBLIC BUILDINGS.

S. F. 374. AN ACT to Provide for the Appointment and Compensation of a Custodian of Public Buildings and Property, and Prescribing His Duties.

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

Governor shall appoint custodian. Care of Capitol. Qualify and give bonds. SECTION 1. The Governor with the advice of and consent of the senate shall appoint a custodian of public buildings and property, who shall have the care of the capitol, together with all the grounds and premises appurtenant thereto belonging to the state, and such custodian shall before entering upon the discharge of his duties, qualify as provided by law, and execute and file with the secretary of state a bond in the penal sum of one thousand dollars, conditioned for the faithful discharge of his duties, with sureties thereto, to be approved by the governor.

Term of office. Proviso. Vacancy. SEC. 2. His term of office shall be for two years, which shall expire on the 31st day of March in each even numbered year: *Provided*, that he may be removed at any time for cause by the governor; and *provided* further, that if a vacancy should occur in said office when the General Assembly is not in session it shall be filled by appointment by the governor, but the person so appointed shall hold his office only until the next General Assembly shall have been permanently organized, when the vacancy shall be filled by appointment of the governor by and with the advice and consent of the senate, which appointment shall be for the unexpired portion of the term for which the appointment had been made.

Salary. How paid. SEC. 3. He shall be paid a salary of fifteen hundred dollars a year, which shall be paid on proper vouchers as the salaries of other State officers are paid.

Duties. SEC. 4. It shall be [the] duty of the custodian to take charge of and protect the capitol building and all furniture and other property connected therewith; to preserve the same from injury; at all proper times to open and ventilate the several apartments and constantly to keep every part thereof cleansed and in proper order, and at all suitable hours, to personally or by proper escort, attend visitors who may wish to view the same, or any part thereof entrusted to his care free of expense; to control and take care of the capitol grounds, walks, fences, trees, shrubbery, statuary, and other property of the state on or about the capitol grounds, or premises, and to keep the same clean and in good order; to have charge of, control and care for all public buildings and grounds, belonging to the state, at the

seat of government, not by law placed in charge of some other person, and to protect and care for the same.

SEC. 5. The custodian is hereby empowered and it shall be his duty to purchase from time to time under the orders of the executive council such furniture and stores as may be required for his use in carrying out the provision of this act in the capitol or other buildings belonging to the state, at the seat of government, and under like orders to superintend and cause such repairs to be made to the capitol or other property in his care, as shall be deemed necessary to its protection.

Powers and duties as to stores and supplies—Furniture.

Repairs.

SEC. 6. He is hereby authorized and empowered to contract for and have supplied all fuel, lights, water, ice, telegraph and telephone service required in the convenient and efficient discharge of the duties of the legislative, executive and judicial and other officers of the state at the capitol, or of the state boards or other official boards or representatives of the state at the seat of government, but all contracts and expenditures made by him for any of the purposes enumerated, or for any other purpose must be approved by the executive council. And to employ such labor as shall be required in carrying out the duties imposed by this act, to have charge of the janitor and police force in and about the capitol at all times and employ and discharge the same or any part thereof as the public interest may demand, but nothing in this act shall deprive either house of the General Assembly from employing and controlling such officers and janitors as it shall deem necessary for the personal convenience and comfort of its members; also to assign with the advice and consent of the executive council, official apartments in the capitol and state buildings at the seat of government to such state officials, boards, or bodies, as shall be entitled thereto and have not already had apartments assigned to them; and to institute the proper civil or criminal proceedings in the name of the state, with the advice and consent of the Attorney-General, against any person for any injury which may be committed on or to the public property in his care or which shall be necessary to protect the same from any injury or threatened injury.

As to supplies and service.

Approval of executive council.

Janitor and police force.

Reservation to General Assembly.

Assignment of rooms

Injury to property.

SEC. 7. He shall keep in his office a complete record and lists of all lands and other property of the State in his care at the seat of government, together with accurate plans and surveys of the public grounds thereat; and make a report to the Governor on the last days of March, June and September, and an annual report on the last day of December, and the report for the two years preceding the meeting of the General Assembly shall be consolidated for the use of the General Assembly, and shall show in detail the manner in which all appropriations were applied and expenditures made upon the public grounds and buildings in his charge, the condition of the public buildings, grounds and property in his charge, and the measures necessary to be taken for the care and preservation of such public property, and likewise to report any casualties happening to

Shall keep list of State property.

Reports quarterly and annually.

What they shall contain.

or upon the property under his care, and the causes of the same, and render an itemized account of the expenditures made by him during such period, with recommendations as to the manner in which the service under his management could be made more efficient or economical to the State; and he shall perform such other duties as may be imposed upon him by law or by order of the Executive Council.

Control of offices.

SEC. 8. Nothing in this act shall deprive any officer, board, court or commission to whom official apartments are or may be assigned in the capitol from controlling the same.

Monthly payroll.

SEC. 9. At the end of each month he shall under oath make out a list of the expenses incurred under this act itemizing the same with the names of the persons entitled to payment thereunder and the amounts thereof, on which when approved by the Governor, the Auditor shall issue warrants in the amounts and to the persons entitled thereto.

Shall have no pecuniary interest in contracts for supplies or labor.

SEC. 10. It shall be unlawful for the custodian to have any pecuniary interest, directly or indirectly in any contract for supplies or labor provided for by this act or any business enterprise involving any expenditure by the State, and a violation of the provisions of this section shall be deemed a misdemeanor, and on conviction thereof he shall be fined in any sum not exceeding one thousand dollars and be removed from office.

Penalties.

Publication.

SEC. 11. This act being deemed of immediate importance shall be in force and take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 10, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 15, and the *Des Moines Leader* April 13, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 149.

### INSPECTION OF ILLUMINATING OILS.

S. F. 164.

AN ACT to Amend Chapter 185 of the Laws of the Twentieth General Assembly in Relation to the Inspection of Illuminating Oils.

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

Section 2, chapter 185, acts 20 G. A., amended.

SECTION 1. That section 2 of chapter 185 of the laws of the Twentieth General Assembly is hereby amended by inserting immediately after the word "hundred" in the twelfth line thereof, the words "and five," and striking out of the eighteenth and nineteenth lines thereof the following words "in the use of the oil tester adopted."

SEC. 2. Section four of said chapter is hereby repealed and the following enacted in lieu thereof:

Section 4. All inspections herein provided for shall be made within the state of Iowa, and the inspector and deputy inspectors shall be entitled to demand and receive from the owner or party calling on him or for whom he shall perform the inspection the sum of ten cents per barrel, and for the purposes of this act a barrel shall be deemed to be fifty-five gallons. All fees accruing for inspection shall be a lien upon the oil so inspected.

SEC. 3. Section seven of said chapter is hereby amended by inserting immediately after the word "shall" in the second line thereof the word "purchase."

SEC. 4. Section fourteen of said chapter is hereby repealed and the following enacted in lieu thereof:

Section 14. Within sixty days after the passage of this act, the state board of health shall make and provide the necessary rules and regulations for the inspection of illuminating oil and for the government of the inspector and deputy inspectors provided for in this act, and as contemplated by the provisions of this act, which shall be approved by the governor of the state and when so approved shall be furnished by said board to the inspector and his deputies. When written complaint shall be presented to the governor charging the inspector or any deputy with a failure or refusal to comply with or carry out said rules, and regulations, or any provisions of this act he shall investigate such charge, and if well founded and sustained, the person against whom said charges were made shall be removed from office by the governor without delay. Said rules and regulations may be changed or modified by said board subject to the approval of the governor not oftener than once a year.

SEC. 4[5]. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 10, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 20, 1886.

FRANK D. JACKSON, *Secretary of State.*

Section 4, chapter 185, acts 20 G. A., Repealed. Substitute. Inspection—where made.

Fees for inspection. Barrel defined. Lien for inspection.

Section 7, chap. 185, acts 20 G. A. amended.

Sec. 14, chap. 185, acts 20 G. A. repealed.

Board of Health shall make rules for inspection.

Approval by Governor.

Charges—how preferred.

Changes of rules.

Publication.

## CHAPTER 150.

## REPRESENTATIVE APPORTIONMENT.

H. F. 691.

AN ACT to Apportion the State into Representative Districts and Declaring the Ratio of Representation.

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

Ratio of ap-  
portionment.

SECTION 1. That one Representative for every twenty-four thousand inhabitants is hereby constituted the ratio of apportionment, and that each representative district shall be as hereinafter described.

1st Dist.,  
Lee county.

SEC. 2. Lee county shall be the first district and entitled to one representative, 34,024.

2d Dist.,  
Van Buren.

SEC. 3. Van Buren county shall be the second district and entitled to one representative, 16,170.

3d Dist.,  
Davis.

SEC. 4. Davis county shall be the third district and entitled to one representative, 15,170.

4th Dist.  
Appanoose.

SEC. 5. Appanoose county shall be the fourth district and entitled to one representative, 16,941.

5th Dist.,  
Wayne

SEC. 6. Wayne county shall be the fifth district and entitled to one representative, 15,494.

6th Dist.,  
Decatur.

SEC. 7. Decatur county shall be the sixth district and entitled to one representative, 15,083.

7th Dist.,  
Ringgold.

SEC. 8. Ringgold county shall be the seventh district and entitled to one representative, 12,730.

8th Dist.,  
Taylor.

SEC. 9. Taylor county shall be the eighth district and entitled to one representative, 15,973.

9th Dist.,  
Page.

SEC. 10. Page county shall be the ninth district and entitled to one representative, 20,938.

10th Dist.,  
Fremont.

SEC. 11. Fremont county shall be the tenth district and entitled to one representative, 15,921.

11th Dist.,  
Mills.

SEC. 12. Mills county shall be the eleventh district and entitled to one representative, 13,727.

12th Dist.,  
Montgomery.

SEC. 13. Montgomery county shall be the twelfth district and entitled to one representative, 15,901.

13th Dist.,  
Adams.

SEC. 14. Adams county shall be the thirteenth district and entitled to one representative, 12,146.

14th Dist.,  
Union.

SEC. 15. Union county shall be the fourteenth district and entitled to one representative, 16,502.

15th Dist.,  
Clarke.

SEC. 16. Clarke county shall be the fifteenth district and entitled to one representative, 11,369.

16th Dist.,  
Lucas.

SEC. 17. Lucas county shall be the sixteenth district and entitled to one representative, 14,791.

17th Dist.,  
Monroe.

SEC. 18. Monroe county shall be the seventeenth district and entitled to one representative, 12,324.

- SEC. 19. Wapello county shall be the eighteenth district and entitled to one representative, 25,803. 18th Dist., Wapello.
- SEC. 20. Jefferson county shall be the nineteenth district and entitled to one representative, 15,995. 19th Dist., Jefferson.
- SEC. 21. Henry county shall be the twentieth district and entitled to one representative, 17,862. 20th Dist., Henry.
- SEC. 22. Des Moines county shall be the twenty-first district and entitled to one representative, 35,733. 21st Dist., Des Moines.
- SEC. 23. Louisa county shall be the twenty-second district and entitled to one representative, 11,926. 22d Dist., Louisa.
- SEC. 24. Washington county shall be the twenty-third district and entitled to one representative, 18,504. 23d Dist., Washington.
- SEC. 25. Keokuk county shall be the twenty-fourth district and entitled to one representative, 23,318. 24th Dist., Keokuk.
- SEC. 26. Mahaska county shall be the twenty-fifth district and entitled to one representative, 27,131. 25th Dist., Mahaska.
- SEC. 27. Marion county shall be the twenty-sixth district and entitled to one representative, 23,419. 26th Dist., Marion.
- SEC. 28. Warren county shall be the twenty seventh district and entitled to one representative, 17,868. 27th Dist., Warren.
- SEC. 29. Madison county shall be the twenty-eighth district and entitled to one representative, 16,240. 28th Dist., Madison.
- SEC. 30. Adair county shall be the twenty ninth district and entitled to one representative, 14,102. 29th Dist., Adair.
- SEC. 31. Cass county shall be the thirtieth district and entitled to one representative, 19,019. 30th Dist., Cass.
- SEC. 32. Pottawattamie county shall be the thirty-first district and entitled to two representatives, 45,866. 31st Dist., Pottawattamie 2.
- SEC. 33. Harrison county shall be the thirty-second district and entitled to one representative, 20,560. 32d Dist., Harrison.
- SEC. 34. Shelby county shall be the thirty-third district and entitled to one representative, 16,306. 33d Dist., Shelby.
- SEC. 35. Audubon county shall be the thirty-fourth district and entitled to one representative, 10,825. 34th Dist., Audubon.
- SEC. 36. Guthrie county shall be the thirty-fifth district, and entitled to one representative, 16,439. 35th Dist., Guthrie.
- SEC. 37. Dallas county shall be the thirty-sixth district and entitled to one representative, 20,050. 36th Dist., Dallas.
- SEC. 38. Polk county shall be the thirty-seventh district and entitled to two representatives, 51,907. 37th Dist., Polk 2.
- SEC. 39. Jasper county shall be the thirty-eighth district and entitled to one representative, 25,247. 38th Dist., Jasper.
- SEC. 40. Poweshiek county shall be the thirty-ninth district and entitled to one representative, 18,203. 39th Dist., Poweshiek.
- SEC. 41. Iowa county shall be the fortieth district and entitled to one representative, 18,190. 40th Dist., Iowa.
- SEC. 42. Johnson county shall be the forty-first district and entitled to one representative, 23,046. 41st Dist., Johnson.
- SEC. 43. Muscatine county shall be the forty-second district and entitled to one representative, 24,320. 42d Dist., Muscatine.

- 43d Dist.,  
Scott 2.                   SEC. 44. Scott county shall be the forty-third district and entitled to two representatives, 41,958.
- 44th Dist.,  
Cedar.                    SEC. 45. Cedar county shall be the forty-fourth district and entitled to one representative, 17,832.
- 45th Dist.,  
Clinton 2.                SEC. 46. Clinton county shall be the forty-fifth district and entitled to two representatives, 38,661.
- 46th Dist.,  
Jackson.                 SEC. 47. Jackson county shall be the forty-sixth district and entitled to one representative, 22,839.
- 47th Dist.,  
Jones.                    SEC. 48. Jones county shall be the forty-seventh district and entitled to one representative, 19,654.
- 48th Dist.,  
Linn 2.                   SEC. 49. Linn county shall be the forty-eighth district and entitled to two representatives, 40,720.
- 49th Dist.,  
Benton.                  SEC. 50. Benton county shall be the forty-ninth district and entitled to one representative, 23,902.
- 50th Dist.,  
Tama.                    SEC. 51. Tama county shall be the fiftieth district and entitled to one representative, 21,622.
- 51st Dist.,  
Marshall.                SEC. 52. Marshall county shall be the fifty-first district and entitled to one representative, 25,036.
- 52d Dist.,  
Story.                    SEC. 53. Story county shall be the fifty-second district and entitled to one representative, 17,527.
- 53d Dist.,  
Boone.                   SEC. 54. Boone county shall be the fifty-third district and entitled to one representative, 24,972.
- 54th Dist.,  
Greene.                  SEC. 55. Greene county shall be the fifty-fourth district and entitled to one representative, 15,923.
- 55th Dist.,  
Carroll.                 SEC. 56. Carroll county shall be the fifty-fifth district and entitled to one representative, 16,329.
- 56th Dist.,  
Crawford.                SEC. 57. Crawford county shall be the fifty-sixth district and entitled to one representative, 16,131.
- 57th Dist.,  
Monona.                  SEC. 58. Monona county shall be the fifty-seventh district and entitled to one representative, 12,178.
- 58th Dist.,  
Woodbury.                SEC. 59. Woodbury county shall be the fifty-eighth district and entitled to one representative, 32,289.
- 59th Dist.,  
Ida.                       SEC. 60. Ida county shall be the fifty-ninth district and entitled to one representative, 9,012.
- 60th Dist.,  
Sac.                      SEC. 61. Sac county shall be the sixtieth district and entitled to one representative, 12,741.
- 61st Dist.,  
Calhoun.                 SEC. 62. Calhoun county shall be the sixty-first district and entitled to one representative, 9,836.
- 62d Dist.,  
Webster.                 SEC. 63. Webster county shall be the sixty-second district and entitled to one representative, 19,987.
- 63d Dist.,  
Hamilton.                SEC. 64. Hamilton county shall be the sixty-third district and entitled to one representative, 14,075.
- 64th Dist.,  
Hardin.                  SEC. 65. Hardin county shall be the sixty-fourth district and entitled to one representative, 18,526.
- 65th Dist.,  
Grundy.                 SEC. 66. Grundy county shall be the sixty-fifth district and entitled to one representative, 12,804.
- 66th Dist.,  
Blackhawk.              SEC. 67. Blackhawk county shall be the sixty-sixth district and entitled to one representative, 23,860.
- 67th Dist.,  
Buchanan.                SEC. 68. Buchanan county shall be the sixty-seventh district and entitled to one representative, 17,726.



- SEC. 69. Delaware county shall be the sixty-eighth district and entitled to one representative, 17,436. 68th Dist., Delaware.
- SEC. 70. Dubuque county shall be the sixty-ninth district and entitled to two representatives, 45,496. 69th Dist., Dubuque.
- SEC. 71. Clayton county shall be the seventieth district and entitled to one representative, 26,853. 70th Dist., Clayton.
- SEC. 72. Fayette county shall be the seventy-first district and entitled to one representative, 22,422. 71st Dist., Fayette.
- SEC. 73. Bremer county shall be the seventy-second district and entitled to one representative, 14,350. 72d Dist., Bremer.
- SEC. 74. Butler county shall be the seventy third district and entitled to one representative, 14,523. 73d Dist., Butler.
- SEC. 75. Franklin county shall be the seventy-fourth district and entitled to one representative, 11,324. 74th Dist., Franklin.
- SEC. 76. Wright county shall be the seventy-fifth district and entitled to one representative, 9,380. 75th Dist., Wright.
- SEC. 77. Humboldt county shall be the seventy-sixth district and entitled to one representative, 8,065. 76th Dist., Humboldt.
- SEC. 78. Pocahontas (6,152) and Clay (6,438) counties shall be the seventy-seventh district and entitled to one representative, 12,590. 77th Dist., Pocahontas and Clay.
- SEC. 79. Buena Vista county shall be the seventy-eighth district and entitled to one representative, 11,530. 78th Dist., Buena Vista.
- SEC. 80. Cherokee county shall be the seventy-ninth district and entitled to one representative, 12,584. 79th Dist., Cherokee.
- SEC. 81. Plymouth county shall be the eightieth district and entitled to one representative, 15,481. 80th Dist., Plymouth.
- SEC. 82. Sioux county shall be the eighty-first district and entitled to one representative, 11,584. 81st Dist., Sioux.
- SEC. 83. O'Brien county shall be the eighty-second district and entitled to one representative, 8,389. 82d Dist., O'Brien.
- SEC. 84. Palo Alto (6,389) Emmet (2,781) and Dickinson (3,213) counties shall be the eighty-third district and entitled to one representative, 12,383. 83d Dist., Palo Alto, Emmet and Dickinson.
- SEC. 85. Kossuth county shall be the eighty-fourth district and entitled to one representative, 9,337. 84th Dist., Kossuth.
- SEC. 86. Hancock (5,089) and Winnebago (5,579) counties shall be the eighty-fifth district and entitled to one representative, 10,668. 85th Dist., Hancock and Winnebago.
- SEC. 87. Cerro Gordo county shall be the eighty-sixth district and entitled to one representative, 12,688. 86th Dist., Cerro Gordo.
- SEC. 88. Floyd county shall be the eighty-seventh district and entitled to one representative, 15,362. 87th Dist., Floyd.
- SEC. 89. Chickasaw county shall be the eighty-eighth district and entitled to one representative, 13,899. 88th Dist., Chickasaw.
- SEC. 90. Allamakee county shall be the eighty-ninth district and be entitled to one representative, 18,335. 89th Dist., Allamakee.
- SEC. 91. Winneshiek county shall be the ninetieth district and be entitled to one representative, 22,680. 90th Dist., Winneshiek.
- SEC. 92. Howard county shall be the ninety-first district and entitled to one representative, 9,305. 91st Dist., Howard.

92d Dist.,  
Mitchell.

SEC. 93. Mitchell county shall be the ninety-second district and entitled to one representative, 12,825.

93d Dist.,  
Worth.

SEC. 94. Worth county shall be the ninety-third district and entitled to one representative, 8,257.

94th Dist.,  
Osceola and  
Lyon.

SEC. 95. Osceola (3,995) and Lyon (4,007) counties shall be the ninety-fourth district and entitled to one representative, 8,002.

Approved April 10, 1886.

## CHAPTER 151.

### RELATING TO IMPEACHMENT.

S. F. 415. AN ACT to Prescribe Certain Powers and Duties of the Governor and Senate Sitting as a Court in Cases of Impeachment.

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

Suspension  
shall be by the  
Governor.  
Shall appoint  
successor.  
Rights and  
duties of ap-  
pointee.

SECTION 1. That the suspension provided for by section 4554 of the Code shall be effected by the Governor, who shall forthwith appoint some suitable person to fill temporarily, the office, and such person having qualified as required by law, shall perform all the duties and enjoy all the rights to the said office belonging, until the removal of the suspension of his predecessor or the election of a successor.

Penalty for be-  
ing found  
guilty.

SEC. 2. When any person impeached is found guilty, judgment shall thereupon be rendered for his removal from office and his disqualification to hold any office of honor, trust or profit under this State and such judgment shall have the effect of removing from office the person so found guilty.

Senate as a  
court of im-  
peachment  
power.

SEC. 3. When sitting as a court of impeachment the Senate shall sit in the Senate Chamber in the capitol and shall have power to adjourn from time to time, to dissolve when its work is concluded and to compel obedience to its process and orders. Its process, including subpoenas shall run into any part of the State, and may be served by the same officers when no person is authorized by the president or Senate to serve the same, and shall have the same force and effect as subpoenas from district courts in criminal cases.

Its process—  
how served.

SEC. 4. The Senate while sitting as a court of impeachment shall have all the powers and privileges conferred upon each house of the General Assembly by sections 14, 15 and 16 of the Code, provided that imprisonment for contempt shall not extend beyond the dissolution of the court of impeachment.

Force of same.  
Further  
powers and  
privileges.

SEC. 5. The same fees shall be allowed to witnesses and to officers and other persons serving process or orders as are allowed for like services in criminal cases, but no fees can be demanded in advance. Such fees shall be certified and paid as

Fees of wit-  
nesses.

How paid.

provided by section 8 of chapter 91 of the acts of the 21st General Assembly for the payment of other expenses subject to the right of the court to disallow all fees and charges which it shall deem unreasonable or unnecessary.

SEC. 6. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa. Publication.

Approved April 10, 1886.

I hereby certify that the foregoing act was published in the Iowa State Register April 14, and the Des Moines Leader April 14, 1886.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 152.

SENATORIAL APPORTIONMENT.

AN ACT Fixing the Number of Senators in the General Assembly, Apportioning them among the Several Counties According to the Number of Inhabitants in Each, and Dividing the State into Senatorial Districts. Substitute for S. Fs. 306, 325 and 362.

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

SECTION 1. That the number of Senators in the General Assembly is hereby fixed at fifty, and they are hereby apportioned among the several counties according to the number of inhabitants in each, and under said apportionment the state is hereby divided into fifty senatorial districts, each district to have one senator, as follows: Number of senators.  
How apportioned.  
State divided into districts.

1. Lee county shall constitute the first district. Lee.
2. Jefferson county and Van Buren county shall constitute the second district. Jefferson and Van Buren.
3. Appanoose county and Davis county shall constitute the third district. Appanoose and Davis.
4. Wayne county and Lucas county shall constitute the fourth district. Wayne and Lucas.
5. Ringgold county, Decatur county and Union county shall constitute the fifth district. Ringgold, Decatur and Union.
6. Taylor county and Adams county shall constitute the sixth district. Taylor and Adams.
7. Page county and Fremont county shall constitute the seventh district. Page and Fremont.
8. Mills county and Montgomery county shall constitute the eighth district. Mills and Montgomery.
9. Des Moines county shall constitute the ninth district. Des Moines.
10. Henry county and Washington county shall constitute the tenth district. Henry and Washington.

- Warren and Clarke. 11. Warren county and Clarke county shall constitute the eleventh district.
- Poweshiek and Keokuk. 12. Poweshiek county and Keokuk county shall constitute the twelfth district.
- Wapello. 13. Wapello county shall constitute the thirteenth district.
- Mahaska. 14. Mahaska county shall constitute the fourteenth district.
- Marion and Monroe. 15. Marion county and Monroe county shall constitute the fifteenth district.
- Madison and Adair. 16. Madison county and Adair county shall constitute the sixteenth district.
- Audubon, Dallas and Guthrie. 17. Audubon county and Dallas county and Guthrie county shall constitute the seventeenth district.
- Cass and Shelby. 18. Cass county and Shelby county shall constitute the eighteenth district.
- Pottawattamie. 19. Pottawattamie county shall constitute the nineteenth district.
- Muscatine and Louisa. 20. Muscatine county and Louisa county shall constitute the twentieth district.
- Scott. 21. Scott county shall constitute the twenty-first district.
- Clinton. 22. Clinton county shall constitute the twenty-second district.
- Jackson. 23. Jackson county shall constitute the twenty-third district.
- Jones and Cedar. 24. Jones county and Cedar county shall constitute the twenty-fourth district.
- Johnson and Iowa. 25. Johnson county and Iowa county shall constitute the twenty-fifth district.
- Linn. 26. Linn county shall constitute the twenty-sixth district.
- Webster and Calhoun. 27. Webster county and Calhoun county shall constitute the twenty-seventh district.
- Marshall. 28. Marshall county shall constitute the twenty-eighth district.
- Jasper. 29. Jasper county shall constitute the twenty-ninth district.
- Polk. 30. Polk county shall constitute the thirtieth district.
- Story and Boone. 31. Story county and Boone county shall constitute the thirty-first district.
- Woodbury. 32. Woodbury county shall constitute the thirty-second district.
- Buchanan and Delaware. 33. Buchanan county and Delaware county shall constitute the thirty-third district.
- Harrison and Monona. 34. Harrison county, Monona county and Crawford county shall constitute the thirty-fourth district.
- Dubuque. 35. Dubuque county shall constitute the thirty-fifth district.
- Clayton. 36. Clayton county shall constitute the thirty-sixth district.
- Wright, Hamilton and Hardin. 37. Wright county, Hamilton county and Hardin county shall constitute the thirty-seventh district.
- Black Hawk and Grundy. 38. Black Hawk county and Grundy county shall constitute the thirty-eighth district.
- Butler and Bremer. 39. Butler county and Bremer county shall constitute the thirty-ninth district.
- Allamakee and Fayette. 40. Allamakee county and Fayette county shall constitute the fortieth district.

41. Mitchell county, and Worth county and Winnebago county shall constitute the forty-first district. Mitchell, Worth and Winnebago.
42. Winneshiek county and Howard county shall constitute the forty-second district. Winneshiek and Howard.
43. Cerro Gordo county, Franklin county and Hancock county shall constitute the the Forty-third district. Cerro Gordo, Franklin and Hancock.
44. Floyd county and Chickasaw county shall constitute the forty-fourth district. Floyd and Chickasaw.
45. Tama county and Benton county shall constitute the forty-fifth district. Tama and Benton.
46. Ida county, Cherokee county and Plymouth county shall constitute the forty sixth district. Ida, Cherokee and Plymouth.
47. Kossuth county, Emmet county, Dickinson county, Clay county and Palo Alto county shall constitute the forty-seventh district. Kossuth, Emmet, Dickinson, Clay and Palo Alto.
48. Carroll county, Sac county and Greene county shall constitute the forty-eighth district. Carroll, Sac and Greene.
49. O'Brien county, Osceola county, Lyon county and Sioux county shall constitute the forty-ninth district. O'Brien, Osceola, Lyon and Sioux.
50. Buena Vista county, Pocahontas county and Humboldt county shall constitute the fiftieth district. Buena Vista, Pocahontas and Humboldt.
- Approved April 10, 1886.

## CHAPTER 153.

### RELATING TO LABOR OF PRISONERS.

AN ACT to Amend Section 4738 of the Code, relating to the labor of prisoners under the supervision of Sheriffs and placing the same under the direction and regulation of County Boards of Supervisors. S. F. 277.

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

SECTION 1. That section 4738 of the Code be and the same is hereby amended by adding at the end thereof the following: Code, section 4738, amended.

Such labor shall be performed under the direction of the board of supervisors and in accordance with such regulations as said board shall make, not inconsistent with section 4737 of the Code and such labor shall not be leased.

Approved April 10, 1886.

## CHAPTER 154.

## CONGRESSIONAL APOORTIONMENT.

S. F. 329. **AN ACT** to Reorganize the Congressional Districts of the State.

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

**SECTION 1.** That the congressional districts be organized and constituted as follows:

- 1st district. First district shall consist of the counties of Washington, Louisa, Jefferson, Henry, Des Moines, Lee and Van Buren.
- 2d district. Second district shall consist of the counties of Muscatine, Scott, Clinton, Jackson, Johnson and Iowa.
- 3d district. Third district shall consist of the counties of Dubuque, Delaware, Buchanan, Black Hawk, Bremer, Butler, Franklin, Hardin and Wright.
- 4th district. Fourth district shall consist of the counties of Clayton, Allamakee, Fayette, Winneshiek, Howard, Chickasaw, Floyd, Mitchell, Worth and Cerro Gordo.
- 5th district. Fifth district shall consist of the counties of Jones, Linn, Benton, Tama, Marshall, Grundy and Cedar.
- 6th district. Sixth district shall consist of the counties of Davis, Wapello, Keokuk, Mahaska, Poweshiek, Monroe and Jasper.
- 7th district. Seventh district shall consist of the counties of Story, Dallas, Polk, Madison, Warren and Marion.
- 8th district. Eighth district shall consist of the counties of Adams, Union, Clarke, Lucas, Appanoose, Wayne, Decatur, Ringgold, Taylor, Page and Fremont.
- 9th district. Ninth district shall consist of the counties of Harrison, Shelby, Audubon, Guthrie, Pottawattamie, Cass, Adair, Mills and Montgomery.
- 10th district. Tenth district shall consist of the counties of Crawford, Carroll, Greene, Boone, Calhoun, Webster, Hamilton, Pocahontas, Humboldt, Palo Alto, Kossuth, Hancock, Emmet and Winnebago.
- 11th district. Eleventh district shall consist of the counties of Lyon, Osceola, Dickinson, Sioux, O'Brien, Clay, Plymouth, Cherokee, Buena Vista, Woodbury, Ida, Sac and Monona.

Approved April 10, 1886.

CHAPTER 155.

ESTABLISHING FISH HATCHERY AT SPIRIT LAKE.

AN ACT To Locate the State Fish Hatching House at Spirit Lake, and 8. F. 343.  
 Sell the Property Heretofore Used for a Fish Hatchery in Jones  
 County, to Abolish the Office of Assistant Fish Commissioner  
 and to Appropriate Money for the Purposes of this Act.

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

SECTION 1. The State Fish Hatchery now located in Jones Hatchery in  
 county Iowa, is hereby transferred and located at Spirit Lake Jones county  
 in Dickinson county Iowa, and the State shall hereafter keep transferred to  
 and maintain but the one Hatchery located in Dickinson county. Spirit Lake.

SEC. 2. The Fish Commissioner is hereby authorized to purchase on behalf of the State the necessary land at an expense to the State not to exceed one dollar, upon which the State Fish Hatchery  
 Hatching House shall be located and to take a deed of said land in the name of the State of Iowa and have the same recorded in the proper office for the record of such deed. Commissioner  
 authorized to  
 purchase land  
 for same.

SEC. 3. The Fish Commissioner shall as soon as practicable, and not later than the first day of September 1886 remove all fish and movable property belonging to the State now at said Hatchery  
 Hatching House in Jones county to Spirit Lake, and shall proceed as soon as possible to make the necessary improvements and preparations for said Fish Hatchery House at Spirit Lake. Time when  
 hatchery shall  
 be removed.

SEC. 4. The Fish Commissioner is hereby directed, with the approval of the Executive Council, to sell the real estate and such other property as cannot be profitably removed, now located in Jones county, as soon as the same can be sold for the best interest of the state. Said sale may be either public or private as shall be deemed best. The proceeds of said property, or so much thereof as may be necessary shall be expended in purchasing and improving the grounds for the Hatchery at Spirit Lake. There is hereby appropriated out of any money in the treasury not otherwise appropriated, for the purpose of this act the sum of two thousand dollars, one thousand dollars of which may be drawn prior to June 1887 and the balance prior to June, 1888. Property in  
 Jones county  
 to be sold.  
 Sale, how  
 made.  
 Proceeds, how  
 expended  
 \$2,000 appro-  
 priated.

SEC. 5. Wherever the law in regard to the propagation of fish now in force refers to the hatching house at Anamosa the same shall be deemed hereafter to refer so far as applicable to the hatching house at Spirit Lake.

SEC. 6. The office of assistant Fish Commissioner is hereby abolished. Office of assist-  
 ant fish com-  
 missioner  
 abolished.

SEC. 7. The Fish Commissioner shall hereafter have his office and head quarters at Spirit Lake, Dickinson county, Iowa. Office at Spirit  
 Lake.

Publication. SEC. 8. This act being deemed of immediate importance shall be in force from and after its publication in the Des Moines Leader and the Iowa State Register.  
Approved April 10, 1886.

I hereby certify that the foregoing act was published in the Iowa State Register April 16, and the Des Moines Leader April 17, 1886.  
FRANK D. JACKSON, Secretary of State.

CHAPTER 156.

RELATING TO CONTAGIOUS DISEASES IN DOMESTIC ANIMALS.

H. F. 38. AN ACT to amend Chapter 11, Title 24. of the Code, Relating to Contagious Diseases in Domestic Animals.

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

Code, sections 4058 and 4059 repealed. Section 1. That sections 4058, and 4059 in chapter 11 title 24 of the code be hereby repealed, and sections 2 and 3 of this act be substituted, therefor, and be known hereafter as sections 4058, and 4059 of the code.

Substitute section 4058. SEC. 2. Be it enacted, "section 4058. Any person or persons driving any cattle into this state, or any agent, servant, or employe of any railroad or other corporation who shall carry, transport, or ship any cattle into this state, or any railroad company, or other corporation or person who shall carry, ship or deliver any cattle into this state, or the owners, controllers, lessees, or agents or employes of any stock yards, receiving into such stock yards or in any other enclosures for the detention of cattle in transit, or shipment, or re-shipment or sale, any cattle brought or shipped in any manner into this state which at the time they were either driven, brought, shipped, or transported into this state, were in such condition as to infect with or to communicate to other cattle, pleuro-pneumonia, or splenic or Texas fever, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than three hundred dollars and not more than one thousand dollars, or by both fine and imprisonment in the county jail not exceeding six months, in the discretion of the court.

Persons bringing into the State cattle infected with certain diseases deemed guilty of a misdemeanor.

Penalty.

Substitute section 4059. SEC. 3. Be it enacted: Section 4059. Any person who shall be injured or damaged by any of the acts of the persons named in section 4058, and which are prohibited by such section, in addition to the remedy therein provided, may bring an action at law against any such persons, agents, employes or corporations mentioned therein, and recover the actual damages sustained by

Who may bring an action herein.



the person or persons so injured, and neither said criminal proceeding nor said civil action, in any stage of the same be a bar to a conviction or to a recovery in the other."

Approved April 10, 1886.

## CHAPTER 157.

### RELATING TO GIVING OF SURETY BONDS.

AN ACT to Facilitate the Giving of Bonds Required by Law, and Authorize the Acceptance of Fidelity Surety Companies as Sureties upon any such Bonds, and Prescribing the Rights and Liabilities of such Companies as such Sureties. H. F. 95.

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

SECTION 1. Whenever any person who now or hereafter may be required or permitted by law to make, execute, and give a bond or undertaking with security conditioned for the faithful performance of any duty, or of the doing or not doing of any thing in said bond or undertaking specified, any officer who is now or shall hereafter be required to approve the sufficiency of any such bond or undertaking may, in the discretion of such officer, in lieu of the securities now required by law, upon satisfactory evidence, accept such bond or undertaking and approve the same whenever the conditions of such bond or undertaking are guaranteed by a company or corporation duly organized or incorporated within this state, under the laws thereof, or authorized by law to do business in this state, and authorized to guarantee the fidelity of persons holding positions of public or private trusts; and which company shall have an unimpaired paid up capital of not less than one hundred and fifty thousand dollars; *provided*, that nothing herein contained shall apply to bonds in criminal cases.

SEC. 2. Such company may be released from its liability as such surety on any bond on the same terms and conditions, and in the same manner, as is by law prescribed for the release of individual persons as such sureties, it being the true intent and meaning of this act to enable companies created, incorporated or chartered for the purpose of insuring the fidelity of persons holding places of public or private trust, to become surety on bonds required by law, subject to all the rights and liabilities of private persons.

SEC. 3. Whenever suit is required to be brought on any bond given by such Company service shall be had upon any agent of such company in this State, and if there is no agent in the State, then service may be had by serving the Auditor of State; thirty days before the term of court in which the suit is sought

Persons re-  
quired to give  
bonds may  
give same with  
fidelity com-  
pany as surety.

Conditions.

Exceptions.

R-lease of  
surety.

When suit is  
brought notice  
how served.

to be brought and it shall be the duty of the Auditor of State to immediately, upon service being made upon him, to mail a copy of such notice to such company at their principal place of business, and any notice so served shall be deemed to be good and sufficient service on any such company.

Estoppel by company.

SEC. 4. Any company which shall execute any bonds as surety under the provisions of this act shall be estopped, in any proceeding to enforce the liability which it shall have assumed to incur, to deny its corporate power to execute such instrument or assume such liability; and provided, that private property of stockholders shall be liable for debts of the corporation to the full amount of capital stock held by such stockholders.

Code section 679 shall not apply herein.

SEC. 5. Section 679, of the Code, shall not apply to bonds executed by fidelity surety companies, in accordance with the provisions of this act.

Repealing clause.

SEC. 6. All Acts or parts of Acts inconsistent with this Act are, and the same are hereby repealed.

Approved April 10, 1886.

## CHAPTER 158.

### RELATING TO STATE LIBRARY.

S. F. 288.

AN ACT providing for the Employment and Payment of Assistant Librarian and Messengers.

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

Librarian may have one first assistant and one second assistant; one messenger. Salaries.

SECTION 1. That the State Librarian be and is authorized to employ to aid in the library one first assistant at a salary of six hundred dollars a year. One second assistant at a salary of five hundred dollars a year, and one messenger at a salary of three hundred dollars a year.

Date salaries begin; how paid.

SEC. 2. The salaries herein provided to commence on the 14th day of April A. D. 1886 and to be paid monthly on warrants to be drawn by the Auditor on the State treasury.

Repealing clause.

SEC. 3. That all acts inconsistent with this act are hereby repealed.

Publication.

SEC. 4. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader published at the city of Des Moines Iowa.

Approved April 12, 1886.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader April 16, 1886.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 159.

## LEGALIZE ACTS OF BOARD OF SUPERVISORS OF MARION COUNTY.

AN ACT to Legalize the Contracts and Acts of the Board of Supervisors of Marion county, Iowa, in relation to the Preservation of Government Corners. S. F. 318.

WHEREAS, The board of supervisors of Marion county, Iowa, have heretofore by contract with N. J. Watkins, county surveyor of said county, and civil engineer provided for the preservation of the government corners in said county, and, Preamble.

WHEREAS, Said N. J. Watkins has proceeded under and by virtue of said contract to perform the services therein contemplated, and,

WHEREAS, Doubts have arisen as to the power of said board of supervisors to make said contract, therefore

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

SECTION 1. That the action of said board of supervisors in employing said N. J. Watkins to perform the aforesaid work, and in paying him therefor, is hereby legalized and made of the same force and validity as though such action had theretofore been fully authorized by statute. Legalized.

[SEC. 2.] This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Des Moines Leader and the Marion County Reporter, newspapers published at Des Moines Iowa, and Knoxville Iowa, said publication to be without expense to the State. Publication.

Approved April 12, 1886.

I hereby certify that the foregoing act was published in the *Des Moines Leader* April 17, and the *Marion County Reporter* April 23, 1886.  
FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 160.

## RELATING TO IMPROVEMENTS IN CITIES.

S. F. 406.

AN ACT granting powers to Cities of the First Class organized as such since January 1, 1886, in relation to sewers and the improvement of streets and alleys and providing for payment therefor, by issuing bonds and the levy of a tax, in addition to, and amendment of Chapter 162, Laws of the Seventeenth General Assembly of Iowa, and Chapter 20, Laws of the Twentieth General Assembly of Iowa.

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

Provisions of Chap. 162, acts of 17 G. A. and amendments thereto shall apply to cities of first class, organized as such since Jan. 1, 1886.

SECTION 1. That all the provisions of chapter 162 of the laws of the Seventeenth General Assembly of the state of Iowa and amendments and acts supplementary thereto shall be applicable to and hereby conferred upon cities of the first class, organized as such since January 1, A. D. 1886, notwithstanding the fact that any such city may have, prior to the time of becoming such city of the first class, commenced a general system of sewerage by the levy and expenditure of any tax therefor, under the provision of chapter 107 of the acts of the Sixteenth General Assembly of Iowa.

May provide by ordinance that any part of special assessment for certain improvements may be paid by city.

SEC. 2. That any city of the first class organized as such since January 1, A. D. 1886 in addition to the requirements of chapter 20 of the laws of the Twentieth General Assembly of Iowa may provide by ordinance that any part of the expense of opening, widening, extending and grading only of any street, highway, avenue or alley in front of or alongside of abutting property that is, under said act, subject to special assessment therefor shall be paid by the city instead of assessing the whole cost to such abutting property as therein required and in such case the same may be paid for in the same manner as street intersections and spaces in front of city property under section 5 of said chapter 20 and this section shall be deemed a part of said chapter 20.

Deemed amendatory to Chap. 20, Acts 20 G. A.

Required to levy special tax to meet bonds for city improvements herein provided for.

SEC. 3. That such cities of the first class organized as such since January 1, 1886, for the purpose of paying the city improvement bonds, authorized under Section 5 of said Chapter 20 of the Laws of the Twentieth General Assembly or of paying for such improvements themselves and those authorized by Section 2 hereof, are hereby authorized and required to levy annually until the same is paid for, a special city improvement tax upon all the property within the city not exceeding three mills on the dollar to be collected the same as other taxes and the money so arising therefrom shall constitute a special fund for the payment of said bonds and interest and improvements to be used and appropriated to no other purpose. In issuing such city improvement bonds in such city under said Section 5 and Section 2 hereof such city may make any of the same become due at periods as soon as such levy will provide sufficient.

When they may become due.

funds for the payment of the same and such bonds shall be deemed issued in anticipation of the revenue herein provided for their payment.

SEC. 4. That any officer of such city or member of the City Council who shall participate in or assist in any diversion of said tax or the moneys collected thereunder to any other purpose than those provided in this Act shall be guilty of the crime of embezzlement and be punished accordingly. Penalty for diversion of tax.

SEC. 5. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the *Des Moines Leader* and the *Iowa State Register*, newspapers published at Des Moines, Iowa. Publication.

Approved April 12, 1886.

I hereby certify that the foregoing act was published in the *Des Moines Leader* April 17, and the *Iowa State Register* April 16, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 161.

### REGISTRATION OF VOTERS IN CITIES.

AN ACT to provide for ascertaining the Citizens who shall be Entitled to Vote in all Incorporated Cities, to repeal section 618 of the Code and to repeal Chapter two (2), Title five (5) of the Code. S. F. 129.

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

SECTION 1. Chapter 2, title 5 of the Code, is hereby repealed and the following sections of this act enacted in lieu thereof. Chap. 2, title 5, Code, repealed.

SEC. 2. For all purposes of elections known to the laws of the State of Iowa after July 4, 1886, no city of the State shall have attached to its jurisdiction for the purpose of voting at such elections any part of a township or territory outside of the corporate boundaries of such city and the voting precincts in such city for all elections now provided by law whether township, city, county, state, national or special elections, shall be the wards of such city or if a ward or wards are divided into voting precincts in any city, then for such city or cities such divisions shall be the voting precincts and all territory of a township or townships in which such city may be situated and outside of the corporate limits of such city shall be divided into Cities shall have exclusive jurisdiction in all elections after July 4, 1886.

one or more voting precincts for all election purposes, as may be determined by the board of supervisors as now provided by law. All acts or parts of acts that might seem to be in conflict with this section of this act are hereby changed to the extent of being made to conform herewith. Present voting precincts shall be the same under this act.

Territory outside cities shall be divided into precincts.

All conflicting laws made to conform herewith.

Council shall appoint two registers for each election precinct; how selected.

Qualifications of registers.

Term of office.

Vacancies, how filled.

Failure of mayor to appoint.

Penalty.

Place of registration.

Registers shall be in attendance, when.

Shall supervise registration.

Requisites to entitle electors to vote.

Shall appear and register with the board.

SEC. 3. In all incorporated cities of this state, the city council shall on or before the sixth Monday next preceding the general election in November of each year, appoint one suitable person from each of the two opposing political parties which cast the greatest number of votes at the then next general preceding election, from three names handed in by the chairman of the city central political committee of each of such parties, to be registers for such election precinct, in such cities, for the registration of votes therein; said registers shall be electors of the election precincts in which they shall act; shall be temperate, of good habits, and of good reputation and character, and of generally recognized clerical ability, and able to speak the English language understandingly; shall hold their offices for one year and shall take an oath or affirmation, to discharge their duties according to law. If for any cause, such registers, or any of them, shall not be appointed at or before the time above mentioned, or, if appointed, shall be unable for any cause to discharge the duties of such office, the mayor of such city shall forthwith, on similar recommendation as above provided, make such appointments, and shall also fill all vacancies, and persons so appointed by the mayor shall have the same qualifications, shall hold their offices for the same time, and shall be subject to the same duties as if appointed by the city council, except that all appointments, in cases of vacancies, shall be for the unexpired terms of office.

Should the mayor, upon the request of five freehold electors, fail for a period of three days to perform the duties aforesaid, he shall forfeit and pay, at the suit of any such electors, to be prosecuted in any court of competent jurisdiction, the sum of one hundred dollars per day, for the equal benefit of the city and suitor.

SEC. 4. The place for the registration of votes, in and for every election precinct, in the cities mentioned in the last preceding section, shall be the usual place of holding elections therein. The registers shall be in attendance at their respective places of registration on the third Tuesday next preceding every general election for city, township, county, state or national officers, or special elections, from 8 o'clock A. M. till 9 o'clock P. M., for the purpose of registering voters, and if necessary to give all making application an opportunity to register, they shall continue in attendance, thereat, between the hours aforesaid, for five days, and shall personally supervise all registration. Said registers shall be in constant attendance during the hours allotted for the discharge of their duties.

SEC. 5. Any person to be entitled to vote, at any of the elections mentioned in the preceding sections, shall appear before the registers of the election precinct where he is entitled to vote, at the time and place designated for registration of voters, and make and subscribe a statement, under oath, in a suitable registration book to be provided for the purpose by the city clerk and furnished to the registers at the equal expense of the



Statements dated and numbered. Electors shall register at but one place. Each day's registration kept complete. When completed return to city clerk.

SEC. 6. Such statements shall be dated and numbered consecutively, beginning with number one each time for registration aforesaid. No person shall register at any other place than as above designated, or at any other time, except as hereinafter provided. At the close of each day's registration, the registry shall be ruled off to prevent fraudulent entries, and after the completion of the final registration and the certified copy provided for in section 8 hereof, the registers shall forthwith return the registration to the city clerk, who shall keep the same at all times open to public inspection.

Registers shall prepare alphabetical list for their precincts of all voters registered. What list shall contain.

SEC. 7. The registers shall within three days after the registration aforesaid has been made, prepare an alphabetical list for their respective voting precincts of the names of all persons so registered; their residences; their last preceding places of residence, and the dates of removal when removals occur within one year; their nativity; their color; their term of residence in precinct, county and state; whether naturalized, date of papers, the naturalizing court, or place of naturalization if court is not known; whether naturalized by act of congress; and date of application for registration; which list they shall forthwith post or cause to be posted up conspicuously at the usual place of holding elections at such precinct for inspection of the public.

List posted up for inspection.

Registers shall attend the week preceding election for revising the list.

Time of meeting.

SEC. 8. The registers shall be in attendance again at their respective places for the registration of voters on the Wednesday of the week preceding the day of each election, in the State, provided by law for township, city, county, State, National or special elections, for the purpose of revising or correcting the lists aforesaid, and for this purpose they shall meet at 9 o'clock A. M. and remain in session until 8 o'clock P. M., of that day; and they shall there revise, correct, add to, and strike from, and complete the said lists, and shall on that day receive and add to the said lists the names of any persons who would on said election days, be entitled, under the provisions of the Constitution and the laws of this State to exercise the right of suffrage in their election precincts. Upon the revision and completion of each of said lists, the Registers shall make a copy thereof, which duly certified by the Registers, with the proper number and date of registry in each case added, the Registers shall deliver or cause to be delivered to the Judges of Election of the proper precinct on every such election day, before the opening of the polls. The Judges of Election shall carefully preserve the said lists for their use on election day; no vote shall be received at any election aforesaid unless the name of the person offering the vote be on such registry made and completed as before provided, preceding the election; a person whose name is on the registry may be challenged, and the same oath shall be put, and the same proceedings had as are prescribed by law for all such cases. This section shall be taken and held by every judicial and other tribunal as mandatory and not as directory. The Judges of Election shall designate one of their number, or one of the clerks, at the opening of the polls, to check the name of

Shall make copy of complete list. Deliver it to election judges.

No vote shall be received unless on the registry list.

Mandatory. Judges shall check off names.



every voter voting in such precinct whose name is on the registry. Any vote which shall be received by the Judges of Election in contravention of any provisions of this act shall be void, and shall be rejected from the count in any legislative or judicial proceeding wherein any result of the election is involved. The Judges of Election shall deliver the lists aforesaid to the official as by law provided to whom they shall deliver the returns of the elections. The Registers under their duties aforesaid shall register every male applicant who would be twenty-one years of age on the day of the next election, if otherwise qualified, and every applicant who has commenced to reside in such precinct, at least the legal time before such election, now required by law, down to the date of the election, in order to be a legal voter in such precinct, according to the character of the election about to take place, shall be entered in such registry, but unless, on the day of election, he shall have resided for the legal time in such election precinct, he cannot vote therein, although otherwise qualified.

Votes polled in violation of this act void.

Lists returned with election returns. Applicants under age how registered.

SEC. 9. The proceedings of said registers shall be open, and all persons entitled to vote in said precinct shall have the right to be heard by said registers in reference to corrections or additions to said lists. No name shall be placed upon any such lists of the name of persons, nor shall any name be added thereto, except of one who shall have appeared in person before said registers, and shall have furnished, upon demand, and to the satisfaction of the registers, the same proofs of his right to register as may by law be required by judges of election of any person desiring to vote. *Provided:* that if an elector is, on account of sickness, which confines him to his residence in his precinct, unable to go to the registers on any day they shall be in session, it shall be the duty of the registers, on the affidavit made before them, of a registered elector to visit such sick elector at his place of residence in the precinct and place the name of such sick person on the registration list if he be found entitled to be registered, such visits by the registers for the registration of such invalids shall be at no time during any registration day except between the hours of 7 A. M. and 8 A. M. or between 9 P. M. and 10 P. M. Any one of the registers, on the points hereinbefore provided, may at any time administer an oath or affirmation to any applicant, that he shall true answers make to all questions put to him touching his qualifications as an elector.

Proceedings open. Right to be heard.

Application to register must be personal.

Proviso. In sickness.

Registers may visit elector for registration.

SEC. 10. That if any register shall fail to perform any duty in any of the preceding sections of this act prescribed, he shall be liable to a penalty of one hundred dollars, to be recovered on the complaint of any person, before any court of competent jurisdiction; and if any register or judge of election shall willfully neglect or disregard any duty imposed in any of said sections, or make or permit to be made any registration, statement or list, except at the time and place and in the manner in said sections prescribed, or shall knowingly make or permit to be made any false statement, as aforesaid, or if any person shall

Failure of register in his duty.

Penalty.

For willful neglect.

False statements.	wilfully make, or authorize to to be made any statement in said section required, false in any particular, or shall violate any provisions thereof, every such register or judge of election, and every such person or persons, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in a sum not less than fifty nor more than two hundred dollars, or be imprisoned in the county jail not less than twenty days nor more than six months or both at the discretion of the court.
Misdemeanor. Penalty.	
Compensation of registers.	SEC. 11. Registers shall be allowed for the services rendered under the preceding sections such compensation per diem as is allowed by law to judges of election, one-half at the expense of the county and the other half at the expense of the city.
Place and time of registration published.	SEC. 12. The times and places of making registrations of voters shall be published by the mayor in the two leading political party daily newspapers published in every such city for a period of three days prior to the opening of the registry book, or if there are no daily papers of the two leading political parties published in such city, then the notice shall be published one week before the date for the opening of the registry book, in the weekly paper of each of such political parties, inviting the voters to present themselves for registration at their respective precincts within the proper time, under the risk of being debarred the privilege of voting at such election.
How published.	
During receiving and counting votes. Provisions for.	SEC. 13. That during the receiving and counting of the ballots in any voting precincts of such cities, it shall be unlawful for persons to congregate or loiter within one hundred feet of the voting place, or to hinder or delay in any manner any elector in reaching or leaving the place fixed for casting his ballot. It shall be unlawful for any person within said distance of one hundred feet, to give or offer to give any ticket or ballot to any one not a judge of election, or to fold or unfold, or display any ballot which he intends to cast so as to reveal its contents or to solicit the vote of any elector, or attempt in any way to influence him in the matter of casting his vote. The judges of election shall so far as practicable, prevent any violation of this section, by having printed copies of this section conspicuously posted within one hundred feet of the voting place and in other ways, and they and each of them shall order the arrest of any person guilty of violating any of its provisions, or guilty of any breach of the peace, or disorderly conduct, and all special policemen and all other persons are authorized and required to obey the lawful orders and commands of said judges of elections, given to prevent violations of this section. But orders for the arrest of such persons shall not prevent them from properly casting their votes. The city council is authorized and required to detail and employ on the nomination of the principal political committee of each political party recognized as the two leading parties from citizens or the police force of the city, from two to four special policemen for each precinct, and duly empower them for the special occasion of each election, who shall be men of good character and reputation, in equal
Judges of election shall enforce this section.	
Arrest of violators.	
Policeman.	
Special police. Chosen from each party.	

numbers from each of the leading political parties, to prevent the violation of any of the terms, provisions or requirements of this section, or of any order or command made in pursuance of any provision hereof, and any person violating or attempting to violate any of such terms, provisions, requirements, orders or commands shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished as provided in the last penal clause of section 10 of this act, and no other peace officer for preserving order, shall exercise his authority at or near such voting places than those above named unless called in by an unexpected, dire emergency. *Provided:* that nothing in this section shall be construed to prohibit the presence at the polls, of any persons who are authorized by law to perform or charged likewise, with the performance of official duties at the election, or of any persons not exceeding three from each political party having candidates to be voted for, at such elections, to act as challenging committees who are duly appointed and accredited by the principal committee of such political parties, or organizations, respectively or of persons not exceeding three from each such political parties, appointed and accredited in the same manner, as before prescribed, for challenging committees to witness the counting of ballots.

Misdemeanor.

Who shall exercise authority.

Proviso.

Challenging committees.

Three from each party.

SEC. 14. Voting precincts made up of the townships outside of the city limits of the city which is situated in such township or townships may, if preferred for the convenience of the voters therein, have their polling places for all election purposes, at some room or rooms in the court house, or other buildings within the corporate limits of such city as the board of supervisors may provide. Section 618, chapter 3, title 5 of the Code is hereby repealed.

Precincts in townships outside of city limits.

May have polling place in court-house or other room in city.

Code, section 618 repealed.

Approved April 12, 1886.

CHAPTER 162.

APPROPRIATION FOR INSTITUTION FOR FEEBLE MINDED.

AN ACT making an Appropriation for the Institution for Feeble-Minded Children at Glenwood. S. F. 260.

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

SECTION 1. That there is hereby appropriated for the Institution for Feeble-Minded Children, the following sums for the purposes herein mentioned:

\$31,200 appropriated.

- 1. For purchasing bed and bedding, \$1,000.
- 2. For improving new building and finishing and furnishing the two stories of same, \$25,000.

Beds, etc., \$1,000.  
Finishing and furnishing new building, \$25,000.

Contingent, \$4,000.	3. For repairs and contingent fund annually two years (each year two thousand dollars), \$4,000.
Piano, 400.	4. For new piano, \$400.
Steam pump, \$600.	5. For steam pump and changing old one, \$600.
Library, etc., \$200.	6. For library and surgical instruments, \$200.
How drawn.	SEC. 2. The money herein appropriated shall be drawn as provided in this act, and paid upon the order of the trustees of said institution at such times as may be deemed necessary by said trustees, <i>provided</i> , that not more than one half of the said appropriations shall be drawn during the year 1886.
Publication.	SEC. 3. This act being deemed of immediate importance shall be of force after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa. Approved April 12, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 16, and the *Des Moines Leader* April 17, 1886.

FRANK D. JACKSON, *Secretary of State*.

## CHAPTER 163.

### ACKNOWLEDGMENTS OF COUNTY AUDITORS AND THEIR DEPUTIES, LEGALIZED.

H. F. 657. AN ACT to Legalize Acknowledgments by County Auditors and Deputy County Auditors in the State of Iowa.

Preamble. WHEREAS, Certain county auditors and deputy county auditors have heretofore taken and certified acknowledgments of school fund mortgages and contracts, believing that they were acting in pursuance of law; therefore,

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

Legalized. SECTION 1. That all acknowledgments of school fund mortgages and contracts heretofore taken and certified by any county auditor or deputy county auditor in any county in this state be and the same are hereby legalized and declared to be as legal, valid and binding, as though such officer had been authorized to take such acknowledgment when taken.

Publication. SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines Iowa.  
Approved April 12, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 16, and *Des Moines Leader* April 17, 1886.

FRANK D. JACKSON, *Secretary of State*.

## CHAPTER 164.

## APPROPRIATION FOR E. W. STIER.

AN ACT Appropriating Two Hundred and Fifty Dollars (\$250), for the payment of E. W. Stier, of his Claim for Subsistence Furnished the Militia of Iowa Under the Border Defense Act of 1862. H. F. 56.

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

SECTION 1. That the sum of two hundred and fifty dollars (\$250) be, and the same is hereby appropriated, out of any funds in the state treasury not otherwise appropriated, for the payment to E. W. Stier, of his claim for subsistence furnished the militia of Iowa, under the Border Defense Act of 1862: *Provided*, that the said E. W. Stier give his receipt to the treasurer of state for the full payment of all claims upon the State for such subsistence, and all other services in connection therewith. \$250 appropriated.  
For subsistence furnished State militia in 1862.

Approved April 12, 1886.

## CHAPTER 165.

## RELATING TO SALE AND TRANSFER OF GRAIN.

AN ACT regulating the Sale and Transfer of Grain in Elevators and other places of storage. H. F. 19.

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

SECTION 1. That all persons owning and dealing in corn, wheat, oats, rye, barley, and other grain, who may desire to sell, transfer, assign, pledge or hypothecate the same, or any part thereof, by issuing elevator or warehouse receipts, or certificates, are hereby required to file with the recorder of deeds, in the county where any such grain is stored, a written declaration, setting forth the name and residence of such person; that such person designs to own, keep or control a warehouse, elevator, crib, or other place for the storage and keeping of grain, an accurate description of the place and locality where the same is to be kept, owned or controlled, and of the elevator, warehouse, crib, or other place, the dimensions and quality thereof, and the names of any other persons than the one making the declaration, having any interest in the land or structure; such declaration shall be duly acknowledged and filed for record in the same manner as instruments for the conveyance of personal property. Persons dealing in grain required to file with recorder of deeds his declaration.  
What it shall contain.

SEC. 2 Any person owning, keeping or controlling any such elevator, warehouse, crib, or other place for the storage of grain, and who has filed the declaration as provided in section I hereof, may execute and issue bills, certificates, or warehouse receipts, How acknowledged and filed.  
By compliance with section 1 hereof license is given to deal in grain as herein provided.

for any grain that may actually be in said elevator, warehouse, crib, or other place described in his said declaration, or for any part or quantity thereof, and may hereby sell, convey, assign, transfer, pledge, or encumber said grain, or any part or quantity thereof. But such bill, certificate, or warehouse receipt, shall have written or printed on it a statement that the one issuing it has complied with section 1 hereof, with the book and page in the recorder's office where the same is recorded, the name and address of the party issuing it, and to whom issued, the location and description of the premises and elevator, warehouse, crib, or other place where the grain is stored, the date of issuance, and the quantity of grain and its kind, and shall be signed by the person issuing it; and bills, certificates and receipts issued in the manner and form aforesaid, shall operate and have the effect to transfer the title to the grain described in them, and vest the same in the holder thereof, and the holders thereof may sell, assign, transfer or otherwise dispose of the same in like manner, without the purchaser, assignee, or holder being required to have the same recorded, or give notice to protect himself against existing creditors or subsequent purchasers, as required in other cases where property is left to the possession of the vendor.

Method of transfer of grain.

Persons complying here-with shall keep record of sales and transfers, etc.

Subject to inspection.

For changing or destroying such record.

Penalty.

For issuing receipt on grain fraudulently.

Liable for damages.

Penalty.

SEC. 3. Every person making the declaration and issuing receipts and certificates for grain as herein contemplated, shall keep a regular well bound book, wherein shall be kept and entered, at the date of issuance thereof, a full account of each and every receipt or certificate, with the date of issuance, number, name of person to whom issued, the quantity and kind of grain covered by such; and such book shall be subject to the inspection and examination of each and every person holding any such receipt or certificate, his agent or attorney. Any person wrongfully altering, changing, or wilfully destroying any such book, shall, upon conviction, be fined not exceeding one thousand dollars, or imprisonment in the county jail not exceeding one year; and any person issuing any receipt or certificate, without entering and preserving in such book the required memorandum, shall be fined, upon conviction, not to exceed one hundred dollars for each certificate so issued, and be liable for all damages sustained in consequence of such omission.

SEC. 4. Any person who shall knowingly issue any such receipt or certificate for grain, when the grain described is not actually in the elevator, warehouse, crib, or other place mentioned therein, or shall knowingly, with intent to defraud, issue a second receipt or certificate for grain, for which, or part of which, any former receipt or receipts, certificate or certificates, are outstanding, uncanceled and valid and subsisting, shall, besides being liable for all damages caused by such second issue be guilty of felony, and for each offense be fined not to exceed one thousand dollars, and imprisonment in the penitentiary not exceeding five years.

SEC. 5. Any person owning, possessing, or controlling any elevator, warehouse, crib, or other place for storing grain, as provided in this act, who shall sell or remove, or knowingly permit to be removed therefrom, any grain, for which any receipt or certificate has been issued and is outstanding, held by any other person than the person issuing the same, and any person knowingly receiving, or helping to remove the same, shall be guilty of grand larceny, and punished as provided by statute, and such grain so removed shall be deemed and regarded as stolen property, and may be pursued and recovered, or its value recovered by the owner and holder of said receipt or certificate.

Removal of grain on which receipt is outstanding.

Larceny.

This Bill having remained with the Governor three days (Sunday excepted) the General Assembly being in session has become a law this 13th day of April, 1886.

FRANK D. JACKSON, *Secretary of State*

## CHAPTER 166.

### RELATING TO CONSTRUCTION OF SEWERS.

AN ACT Supplementary to Chapter 162 of the Acts of the Seventeenth General Assembly, Entitled "An Act to Authorize Cities of the First Class, Containing, According to any Legally Authorized Census or Enumeration, a Population of Over Thirty Thousand, to Provide for the Construction of Sewers. Additional to Code, Chapter 10, Title 4, Concerning Cities and Towns." S. F. 379.

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

SECTION 1. That all cities of the first class containing, according to any legally authorized census or enumeration, a population of over thirty thousand, authorized by Section 1 of Chapter 162, of the Acts of the Seventeenth General Assembly, to provide by ordinance for the construction of sewers shall have the power and be subject to the conditions and requirements hereinafter provided.

Cities of over 30,000 population shall have certain powers.

SEC. 2. In all cases wherein it shall be determined to assess the whole or any part of the cost of any such sewer on the lots adjacent thereto, such determination shall be by resolution of the Council and if part only of the cost is to be assessed the resolution shall fix the proportion thereof to the whole cost and in either case shall also fix the location of the sewer, designating the terminal points and the Council shall, from the freeholders of the corporation appoint three assessors, whose duty it shall be to make, with the assistance of the City Engineer, a careful estimate of the aggregate cost so to be assessed and to

Assessment of cost of sewers, how determined.

Location of sewer.

Council shall appoint three assessors.

Shall estimate cost with assessment on lots in proportion to benefits.

report the same to the Council together with an estimated assessment thereof on the various lots to be charged therewith in proportion as nearly as may be to the benefits which in their opinion will result from such sewer to such lots respectively, a copy of which apportionment shall be filed in the office of the City Clerk for public inspection.

Copy filed with city clerk.

Notice published: what it shall contain.

SEC. 3. Before adopting the assessment so made the Council shall publish notice for three consecutive weeks in some newspaper of general circulation in the corporation, that such assessment has been made and that the same is on file in the office of said Clerk for the inspection and examination of persons interested therein.

Objections to assessments. Filed in two weeks in writing. Equalizing board.

SEC. 4. If any person shall object to the assessment he shall file his objections in writing with said Clerk within two weeks after the expiration of said notice and thereupon the Council shall appoint three disinterested freeholders of the corporation to act as an equalizing board.

Board shall qualify and hear and determine all objections, and equalize assessments and report to council.

Power of council.

SEC. 5. On the day appointed by the Council for that purpose, the board shall, after taking a proper oath before a proper officer, honestly and impartially to discharge their duties shall hear and determine all objections to the assessment and equalize the same as they may think proper; which equalized assessment shall be reported to the Council which shall have power to confirm the same or set it aside and cause a new assessment to be made and appoint a new equalizing board, possessing the same qualifications, which shall proceed in the same manner as above provided.

Assessment confirmed is final.

SEC. 6. When the assessment is confirmed by the Council it shall be complete and final.

Two thirds vote necessary to confirm.

SEC. 7. The concurrence of two-thirds of the members of the Council shall be necessary in appointing the equalizing board and in confirming its assessment.

Assessments under this act shall not exceed 15 per cent of value of property in 5 years.

SEC. 8. Special assessments as herein, and by the act to which this act is supplementary, authorized shall be so restricted as that the same territory shall not be assessed within any period of five years in such amounts as shall in the aggregate exceed fifteen per centum of the value thereof exclusive of improvements, but the aggregate of all such assessments shall be presumed to be within that limit unless and until questioned in writing by the owner or owners of any lot or lots, filed with the said Clerk, in which case such value shall be conclusively determined by the sworn appraisement of said assessors or of any two of them, which shall be in writing and filed with said clerk and if by such appraisement it shall appear that such limit has not been exceeded, the owner or owners causing such appraisement shall pay the cost thereof, and if not otherwise paid the same shall be included and collected with the assessment of such owner or owners.

Presumption that they are correct until questioned.

How determined.

Costs, how paid.

Estimate of benefits.

SEC. 9. In estimating the benefits to result from any such sewer no account shall be taken of improvements but each lot shall be considered as if wholly unimproved.



SEC. 10. The cost of any improvement contemplated in this chapter shall include the cost and expense of the proceedings for assessment, of drawings, of printing and public notices, including notice of assessment and any other necessary expenditure, and the cost of the construction.

Cost of improvement; what it shall include.

SEC. 11. When it shall appear to the council that a special assessment is invalid by reason of informality or irregularity in the proceedings, or when any assessment shall be adjudged to be illegal by a court of competent jurisdiction, the council may order a re-assessment whether the sewer has been made or not.

When invalid, council may order a re-assessment.

SEC. 12. Proceedings upon a re-assessment and for the collection thereof shall be conducted in the same manner as if provided for with respect to the original assessment.

Proceedings, how conducted.

SEC. 13. If an assessment prove insufficient to pay for the sewer and expenses incident thereto, the council may, under the limits prescribed for such assessment make an additional pro rata assessment to supply such deficiency, and in case a larger amount is collected than is necessary the same shall be returned to the persons from whom it was collected in proportion to the amounts collected from such persons respectively, but this section shall be subject to the limitations contained in other sections of this act.

When assessment insufficient an additional pro rata assessment may be made.

SEC. 14. When it is deemed necessary to make any such sewer the council shall declare by resolution the necessity therefor and shall give twenty days written notice of its passage to the owners of the property abutting upon the street or streets on which the same is constructed or to the persons in whose name it may be assessed for taxation on the tax list, who may be residents of the county and publish the resolution not less than two or more than four consecutive weeks in some newspaper of general circulation, in the corporation, *provided*, that all plans and profiles relating to any such sewer shall be kept on file in the office of the city engineer or clerk and open to all parties interested and the council may appoint a person to serve the notice provided for by this section, who shall make the return of the time and manner of such service and verify the same by affidavit, which shall be filed with the city clerk, and the same or a certified copy thereof shall be *prima facie* evidence of the service of the notice as therein stated.

Council shall give notice of sewer resolution to owners of property affected thereby.

Notice published.

Plans of sewer kept in engineer's office.

Approved April 13, 1886.

## CHAPTER 167.

## GENERAL APPROPRIATION ACT.

S. F. 418. AN ACT making Appropriations for the Payment of State and Judicial Officers, and other matters.

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

SECTION 1. There is hereby appropriated out of any money in the state treasury not otherwise appropriated an amount sufficient to pay the salaries of the various officers whose salaries are now fixed by law, and payable from the state treasury, and the auditor of state shall draw warrants therefor in favor of the officers entitled thereto in monthly installments when not otherwise provided by law.

Appropriation for officers whose salaries are fixed by law.

Payable monthly.

Further appropriations.

Proviso.

Unexpended balance covered into the treasury.

SEC. 2. There is further appropriated from the state treasury for the term of two years, ending March 31, 1888, the following amounts, or so much thereof as shall be necessary, to wit: *provided* that on the first day of April succeeding the meeting of each regular session of the General Assembly, all moneys appropriated hereby and remaining unexpended, belonging to the several funds hereinafter mentioned, shall be covered into the state treasury.

For clerical help.

Auditor, \$9,000.

Treasurer, \$2,000.

Secretary, \$5,000.

Superintendent, \$3,000.

Attorney-general, \$1,000.

Proviso.

That vouchers for same be furnished.

Executive, \$8,000.

Governor's room rent, \$1,200.

Additional council, \$2,000.

How drawn.

SEC. 3. The amounts hereinafter named or so much thereof as may be necessary for the use of the several state officers herein designated, to enable them to procure sufficient clerical help.

For the use of the auditor of state the sum of nine thousand dollars (\$9,000).

For the use of the treasurer of state the sum of two thousand dollars (\$2,000).

For the use of the secretary of state the sum of five thousand dollars (\$5,000).

For the use of the superintendent of public instruction the sum of three thousand dollars (\$3,000).

For the use of the attorney general, the sum of one thousand dollars (\$1,000).

*Provided*, That each of said state officers shall furnish vouchers therefor, containing the items of such expenditures to the auditor of state before any warrants shall issue therefor and items thereof, and to whom paid, shall be reported to the next general Assembly.

SEC. 4. For the contingent expenses of the executive office the sum of eight thousand dollars (\$8,000).

For the payment of room rent for the governor, the sum of twelve hundred dollars, (\$1200), and for the expenses of employing additional counsel when necessary under the provisions of sections fifty-nine (59) and sixty (60) of the code, the sum of two thousand dollars (\$2,000), to be drawn and accounted for in the manner provided for the contingent fund.

SEC. 5. For the payment of janitors, night guard and mail carrier of the Capitol the sum of twelve thousand dollars (\$12,000) or so much thereof as may be necessary, to be expended under the direction of the Executive Council.

Janitors, night guard, etc., \$12,000.

How expended.

SEC. 6. For providential contingencies, the sum of fifteen thousand dollars (\$15,000). Said amount to be under the control of the Executive Council, and all payments from said fund shall first receive its unanimous approval. Any expenditure under this section, shall be reported in detail by the Auditor of State in his biennial report.

Providential contingencies, \$15,000.

SEC. 7. For the incidental expenses of the Supreme Court, and clerks' actual expenses in attending court outside the city of Des Moines, the sum of three thousand dollars, or so much thereof as shall be necessary. All bills for such expenses shall contain all the items thereof, which shall be certified to be correct by the Chief Justice of said court, before any warrant shall issue therefor. For the purpose of paying for extra clerical help in the office of the clerk of the Supreme Court, the sum of two thousand dollars (\$2,000) or so much thereof as may be necessary.

Supreme court incidental fund, \$3,000.

Clerk of supreme court, \$2,000.

SEC. 8. For the payment of interest becoming due on the indebtedness of the State to the permanent school fund the sum of forty thousand dollars (\$40,000) or so much thereof as may be necessary. The Auditor of State shall draw warrants for the above appropriation as said items of interest shall become due.

Permanent school fund interest \$40,000.

How drawn.

SEC. 9. To G. Hinrichs for rent of rooms for four years, ending January 1st, 1886, for the Iowa Weather Service, the sum of six hundred dollars (\$600).

G. Hinrichs, room rent, \$600.

SEC. 10. To Henry Plumb, for two badges, one each for the door-keeper, and sergeant-at-arms of the senate, with insignia of office, the sum of fifty dollars (\$50).

Henry Plumb, badges, \$50.

SEC. 11. To Field and Smith for shoe laces for file bills, the sum of thirteen and 87-100 dollars (\$13.87).

Field & Smith, shoe-laces, \$13.87.

SEC. 12. To Ed Wright for twenty German silver badges for the pages, the sum of nine and 90-100 dollars (\$9.90).

Ed Wright, badges, \$9.90.

SEC. 13. To J. M. Ross for lithographs of the state capitol, the sum of fifteen dollars (\$15).

J. M. Ross, lithographs, \$15.00.

SEC. 14. To Hon. J. H. Sweney, as president of the senate during temporary organization, the sum of sixteen and 50-100 dollars (\$16.50).

J. H. Sweney, Pres. Senate, \$16.50.

SEC. 15. To pay for Miller's and McClain's annotated Codes furnished members of the general assembly, and to the president and secretary of the senate and chief clerk of the house, the sum of ten hundred and seventy-one dollars (\$1,071) for 153 copies, said money to be drawn from the treasury, by the secretary of state, on warrants drawn by the Auditor of State, upon vouchers duly presented to, and approved by the secretary of state.

For annotated codes, \$1,071.

How drawn.

SEC. 16. To S. Addington for paste furnished for the use of the general assembly, the sum of fifty dollars (50.)

S. Addington for paste, \$50.

- Redhead, Norton, Lathrop & Co., stationery, etc., \$925.77. SEC. 17. To Redhead, Norton, Lathrop & Co. for stationery, waste baskets, mucilage, etc., ordered by the general assembly, the sum of nine hundred twenty-five and 77-100 dollars (\$925.77).
- Smith, Crosswait & Clark, stationery, \$310.40. SEC. 18. To Smith, Crosswait & Clark for stationery ordered by the general assembly, the sum of five hundred ten and 40-100 dollars (510.40).
- Mosier and Dahlberg, stenographers, \$198.75. SEC. 19. To Mosier and Dahlberg, for services as stenographers, making transcripts, expenses, etc., in the investigation of the official conduct of the Hon. Walter I. Hayes, the sum of one hundred ninety-eight and 75-100 dollars (\$198.75).
- Expense of Hayes investigation committee. SEC. 20. To pay the expenses of representatives, members of the Hayes investigating committee as follows:  
 To Geo. W. Ball, the sum of \$28.00.  
 To L. A. Riley, \$28.00.  
 To J. M. Hammond, \$15.95.  
 To F. P. Greenley[e], \$15.95.  
 To E. C. Roach, \$15.95.  
 To G. L. Finn, \$15.95.
- Lura Flickenger, reporting, etc., \$223.50. SEC. 21. To Laura Flickenger, for reporting and extending testimony, expenses, etc., in the investigation of the Deaf and Dumb Institute at Council Bluffs, the sum of two hundred twenty-three and 50-100 dollars (\$223.50).
- Expenses, C. S. Ranck, \$25. To C. S. Ranck, expenses on above investigation, \$25.  
 O. M. Barrett, \$25. To O. M. Barrett, expenses on above investigation, \$25.  
 Thomas Teale, \$25. To Thomas Teale, expenses on above investigation, \$25.
- Expenses of investigation state veterinary surgeon, \$122.05. SEC. 22. To defray the expenses incurred in the investigation of the State Veterinary Surgeon the sum of one hundred twenty-two and 5-100 (\$122.05) as follows:  
 To J. S. Bartow, stenographer, \$55.00.  
 To C. C. Stryker, witness, \$2.50.  
 To S. R. Willard, witness, \$2.50.  
 To John Morrison, witness, \$9.25.  
 To G. A. Maxwell, witness, \$4.95.  
 To N. Be Niles, witness, \$4.95.  
 To J. E. Raym, witness, \$4.95.  
 To D. McCarthy, witness, \$4.95.  
 To H. G. Gratton, witness, \$2.50.  
 To Justus Clark, witness, \$15.25.  
 To J. A. Hyscham, witness, \$15.25.
- J. A. T. Hull, Lieut. Governor, \$1,100. SEC. 23. To J. A. T. Hull, Lieutenant Governor, as President of the Senate, the sum of eleven hundred dollars (\$1,100).
- Albert Head, speaker, \$550. SEC. 24. To Albert Head, as Speaker of the House, the sum of five hundred and fifty dollars (\$550), which shall be in addition to his salary as member of the House.
- A. M. Whaley, Prest. Senate, \$16.50. SEC. 25. To Hon. Alvin M. Whaley, as President of the Senate during its temporary organization, the sum of sixteen and 50-100 dollars (\$16.50).
- H. B. Mitchell, speaker, \$20. SEC. 26. To H. B. Mitchell, as Speaker of the House during its temporary organization, the sum of twenty dollars (\$20.00).

SEC. 27. To the Chaplains of the Senate and House the sum of eight hundred dollars, warrants therefor to be drawn on the certificate of the President of the Senate and Speaker of the House, and the amount or so much thereof as may be necessary, to be divided among themselves; warrant for the above to be drawn in favor of the Des Moines Ministerial Association.

Chaplains,  
\$800.  
How drawn.

SEC. 28. To the Members of the Executive Council, for extra official services for the years 1886 and 1887 the sum of one thousand dollars (\$1,000) each, and warrants therefor shall be issued monthly at the end of each month.

Executive  
council, \$1,000  
each.

SEC. 29. To pay the expenses incurred in investigating the official conduct of J. L. Brown, Auditor of State, as follows :

Expenses of  
J. L. Brown in-  
vestigation.  
Witnesses.

To J. L. Brown, witness, \$7.60.  
 To S. F. Stewart, witness, \$2.60.  
 To J. A. Sanford, witness, \$2.60.  
 To V. P. Twombly, witness, \$2.60.  
 To Mrs. Laura Berry, witness, \$1.35.  
 To Chas. D. Morgan, witness, \$1.35.  
 To T. L. Palmer, witness, \$1.35.  
 To Geo. W. Bristow, witness, \$1.35.  
 To D. W. Smith, witness, \$1.35.  
 To Ed Wright, witness, \$1.35.  
 To J. H. Windsor, witness, \$1.35.  
 To L. E. Ayers, witness, \$1.35.  
 To Walter McHenry, witness, \$1.35.  
 To Wm. P. Wolf, witness, \$2.60.  
 To J. H. Smith, witness, \$15.65.  
 To Geo. G. Wright, witness, \$1.35.  
 To J. W. Cattell, witness, \$2.60.  
 To Buren R. Sherman, witness, \$3.85.  
 To W. L. Alexander, witness, \$1.35.  
 To John Whitten, witness, \$1.35.  
 To J. H. Gillespie, witness, \$17.05.  
 To B. F. Rehkopf, witness, \$1.35.  
 To B. F. McCaulley, witness, \$1.35.  
 To Stewart Goodrell, witness, \$1.35.  
 To I. E. Pearson, witness, \$1.35.  
 To Robert McNulty, witness, \$1.35.  
 To J. W. Redlingshafer, witness, \$1.35.  
 To W. T. Hammond, witness, \$1.35.  
 To Henry Payne, witness, \$1.35.  
 To I. T. Martin, witness, \$1.35.  
 To R. L. Chase, witness, \$1.35.  
 To H. S. Vail, witness, \$39.55.  
 To W. H. Fleming, witness, \$1.35.  
 To Smith McPherson, witness, \$17.25.  
 To Adam Hafner, serving subpoenas, \$3.30.  
 To H. H. Palmer, sheriff, serving subpoenas, \$0.50.  
 To Ben E. Eberhart, serving process and expenses, \$57.55.  
 To Mosier & Dahlberg, stenographers and copying testi-  
 mony, etc., \$345.00.

Subpoenas.

Process.  
Stenograph-  
ers, \$345.

Jos. S. Bartow,  
report, \$3.

SEC. 30. To Joseph S. Bartow, for making reports for the Soldiers' Home Committee the sum of three dollars (\$3).

Fritz Anderson, temporary  
P. M., \$18.

SEC. 31. To Fritz Anderson, for services as temporary postmaster, during the organization of the General Assembly, the sum of eighteen dollars, (\$18).

Commissioner  
of labor, \$1,000.

SEC. 32. For the use of the Commissioner of Labor, the sum of one thousand dollars (\$1,000) being \$500 per year.

Don. D. Don-  
non and J. K.  
Powers, trans-  
cribing jour-  
nals and dis-  
tributing same  
\$600 each.  
How paid.

SEC. 33. To Don. D. Donnan, Secretary of the Senate and J. K. Powers, Chief Clerk of the House for transcribing and indexing the journals of their respective Houses, superintending the printing and distributing the same, the sum of six hundred dollars (\$600) each. One-half to be paid when a certified copy of the journal is filed in the office of the Secretary of State, and the balance when the distribution is made as provided for in chapter 159, laws of the Sixteenth General Assembly. Warrants therefore shall be issued under the direction of the Executive Council; *provided*, that no warrants for said services be drawn under section 8 of the above named chapter.

Witnesses on  
Hayes investi-  
gation.

SEC. 34. To pay witnesses examined before the committee on the investigation against the Hon. Walter I. Hayes, as follows:

H. J. Lander,	\$19.00.
Ira Nichols,	34.00.
J. A. Evans,	31.00.
P. R. Evans,	16.00.
M. Kelley,	16.00.
L. W. Johns,	16.00.
D. C. Cloud,	1.35.
J. J. Russell,	1.35.
D. M. Lambert,	1.35.
S. N. Hughes,	1.35.
H. E. Wing	21.50.
M. M. Kennady,	1.35.
J. C. Bills,	19.00.
M. V. Gannon,	19.00.
Irene V. Hughes,	1.85.
Joseph Seeds,	1.85.
Sarah H. Seeds,	1.85.
Freman Beckwith,	1.85.
H. C. Sedgwick,	1.85.
J. H. Tierney,	1.45.
R. F. Huntoon,	1.45.
Daniel Sackrider,	4.85.
A. R. McCoy,	1.45.
N. Simmons,	1.45.
Thos. Dolan,	4.25.
James Leader,	1.45.
Joseph Adler,	1.45.
John McDevitt,	2.85.
L. A. Ellis,	1.45.
A. L. Schuyler,	1.45.

Loren Prest,	\$ 1.45.
John Mahin,	34.00.
L. T. Hudson, Sheriff,	9.20.
H. J. Fitzgerald Clerk Court,	30.00.
W. Huffman, witness,	1.35.
J. D. Vore; witness,	1.35.
F. Gilmore, witness,	1.35.
W. A. Druny, witness,	1.35.
R. S. Wallace, witness,	1.35.
Isaac C. Nichols, witness,	15.75.

Total, \$259.45.

SEC. 35. To pay additional expenses in the Brown investigation : Additional expense of Brown investigation.

Chas. W. Cochrane, clerk to committee and managers of impeachment, \$24.00.

Jas. B. French, clerk to committee and managers of impeachment, \$24.00.

Jas. B. French, rent of type writer, \$15.

Jos. S. Bartow, stenographer, \$12.50.

Total amount appropriated by this amendment, \$1,635.45.

SEC. 36. For the payment of witness fees of 51 witnesses of the investigation of the Institution of the Deaf and Dumb at Council Bluffs, \$1.25 each. Total, \$63.75 Witnesses of deaf and dumb investigation.

SEC. 37. This act being deemed of immediate importance shall be in force and effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa. Publication.

Approved April 13, 1886.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader April 15, 1886.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 168.

## RELATING TO IMPROVEMENTS IN CERTAIN CITIES AND PROVISION FOR PAYMENT THEREOF.

S. F. 387.

AN ACT making further Provision with respect to Contracts by Cities of the First Class containing a Population of Over Thirty Thousand, for Paving and Curbing Streets, and Construction of Sewers, and the Making and Collection of Assessments and Issuance of Bonds or Certificates to Pay for Same.

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

Certain cities of over thirty thousand population subject to provisions of this act.

Council shall contract for material and for curbing, paving or sewer-  
ing.

Copy of contract filed with city clerk.

Contracts how made and terms.

Lowest bidder. Sealed proposals.

Notice. Contain description of work to be done and materials, etc.

Contractor shall give bond.

Duty of city engineer to furnish grades and lines.

Provisions for payment.

Bonds may be issued as the work progresses.

SECTION 1. That all cities of the first class in this state, containing according to any legally authorized census or enumeration a population of over thirty thousand shall have the powers and be subject to all of the provisions of this act.

SEC. 2. When the council of any such city shall direct the paving and curbing or sewerage of any street or streets, they shall make and enter into contracts for furnishing materials, and for the curbing and paving or sewerage as the case may be, of such street or streets, either for the entire work in one contract or parts thereof, in separate and specified sections, as to them may seem best, *provided*, that no work shall be done under any such contract until a certified copy shall have been filed in the office of the city clerk.

SEC. 3. All such contracts shall be made by the council in the name of the city upon such terms of payment as shall be fixed by the council, and shall be made with the lowest bidder or bidders upon sealed proposals, after public notice for not less than three weeks, in at least two newspapers of said city, which notice shall contain a description of the kind and amount of work to be done and material to be furnished as nearly accurate as practicable.

SEC. 4. Each contractor shall be required to give a bond to the city with sureties to be approved by the council for the faithful performance of the contract, and the council shall have power to institute suit in the name of the city to enforce all such contracts.

SEC. 5. It shall be the duty of the city engineer to furnish the council with proper grades and lines and see that the work is done in accordance with the ordinances and regulations of the city with respect to said grades and lines.

SEC. 6. For the purpose of providing for the payment of the cost and expense of any such improvement or improvements, the council shall be authorized from time to time, as the work progresses, to make requisitions upon the mayor of the city for the issue of bonds of the city in such sums as shall be deemed best, and it shall be the duty of the Mayor to make and execute bonds accordingly in the name of the city, to an amount not exceeding the amount of the contract price of any such improve-



- ment, and the incidentals attending the same. Said bonds to bear the name of the street or streets improved, to be signed by the mayor, and counter-signed by the city clerk, and sealed with the corporate seal of the city, and shall all bear the same date, and be payable seven years after date, and redeemable at any time at the option of the city, and shall bear interest at the rate of not exceeding six per cent per annum, payable semi-annually.
- SEC. 7. When said bonds shall have been issued by the Mayor, and sealed with the corporate seal of the city, they shall be delivered to the clerk, who shall register them in a book to be kept for that purpose, and counter-signed and deliver them to the committee or person authorized to negotiate the same, taking receipts therefor.
- SEC. 8. Said committee or person authorized to negotiate said bonds, shall negotiate the same in such manner as they or he may think best, and for such prices as may be obtainable for the same, not less than par, and shall pay all moneys received therefrom to the treasurer of the city, and report to the city clerk, the number of bonds sold, and the amount received therefor, and before delivering the same to the purchaser they shall be countersigned by the said committee or other person so authorized to negotiate the same.
- SEC. 9. All *monies* [moneys] received by the city treasurer from the sale of said bonds, shall be kept by him in a separate fund and paid out on requisition of the council, accompanied by affidavit of the city engineer, that work has been done or material furnished to the amount of said requisition and that it is required for payment of the same, and all *monies* [moneys] received by said treasurer shall be kept in the same manner, and subject to all the regulations regarding other money of the city, except that he shall keep a separate account of the same and all interest received upon the same shall be credited to such fund.
- SEC. 10. When any such improvement shall have been completed it shall be the duty of the council to ascertain the entire amount of the bonds sold, and the interest thereon, to the date of completion, which shall be taken to be the cost of such improvement, and such cost shall then be assessed as shall be provided by law or by ordinance of such city, upon the property fronting or abutting upon said improvement, *provided* nothing in this act shall be construed as authorizing the assessment of any such cost on property belonging to the State.
- SEC. 11. The council shall cause a plat of the street or streets on which any such improvement shall be made, showing the separate lots of ground, and the names of the several owners, and shall make or cause to be made a list or schedule of the names of all such owners, and the amount assessed against each lot or piece of ground, and shall give two weeks public notice in two newspapers in the city, and by handbills posted in conspicuous places, on the line of such street or streets of the time and place where, for the period of twenty days thereafter, the
- What the bonds shall contain.
- Dated.
- When due redeemable; interest.
- Bonds delivered to clerk.
- Registered and countersigned.
- How negotiated.
- Proceeds paid to city treasurer.
- Number and amount reported to clerk.
- Proceeds of bonds kept in separate fund.
- How paid out.
- Account of how kept.
- When improvement completed.
- Duty of council.
- Cost shall be assessed.
- Proviso.
- Exception to the state.
- Plat of street improved.
- List of owners and amount assessed each.
- Notice published where and when errors may be corrected.

When corrected shall file it in office of city clerk and copy to county auditor.

Assessment placed on tax duplicate and payable to county treasurer in seven installments.

Interest at six per cent.

Assessments a lien upon the property.

Precedence over other liens, except taxes.  
Proviso.

Assessments may be paid in full any time after made, with interest.

Receipts from assessments shall be applied on bonds or certificates for said improvements.

Council may borrow money to pay interest.

same may be seen for the correction of errors, and after having corrected such errors as may be made known to them, they shall file the same in the office of the city clerk, and shall deliver a copy of said plat, and schedule to the auditor of the county in which said city is situated.

SEC. 12. Said assessment shall be placed on the tax duplicate or list of the county and shall be payable at the office of the county treasurer in seven equal installments, with interest at six per centum from the date of the assessment upon the unpaid portion thereof, the first of which, with interest on the whole amount at six per cent, shall be payable at the first semi-annual payment of taxes, next succeeding the time said assessment is placed on said duplicate, and the others annually thereafter, and said assessment shall be collected like other taxes.

SEC. 13. Said assessments with interest accruing thereon shall be a lien upon the property abutting upon the street or streets on which any such improvement is made from the commencement of the work, and shall remain a lien until fully paid and shall have precedence over all other liens excepting ordinary taxes and shall not be divested by any judicial sale, *provided* that such lien shall be limited to the lots bounding or abutting on such street or streets, and not exceeding in depth there from one hundred and fifty feet.

SEC. 14. The owner of any property against which an assessment shall have been made for the cost of any such improvement, shall have the right to pay the same in full with interest thereon at six per cent from the time said assessment was made, or after having paid one or more of said seven installments and interest, he may at any time pay in full the balance of his assessments remaining unpaid with interest thereon at six per cent from the time when the preceding payment became due, and such payment in full shall satisfy and discharge the lien upon said property, and any owner of such property who shall divide the same so that the feet front on any such improvement are divided into separate lots or parcels may discharge the lien in like manner upon any one or more of such lots or parcels, by payment of the amount unpaid thereon calculated by the ratio of feet front of such lot or lots or parcel or parcels to the feet front of the whole lot.

SEC. 15. All *monies* [moneys] received from assessments shall be appropriated to the payment of the interest and redemption or payment of the bonds, or of the certificates herein after provided for as the case may be that shall be issued for said improvements, and if any interest shall become due on any of said bonds, when there is no fund from which to pay the same, the council shall be authorized to make a temporary loan for the payment thereof.

SEC. 16. If by reason of the prohibition contained in section 8, article 11 of the constitution of this State it shall at any time be unlawful for any such city to issue bonds as by this act provided, it shall be lawful for such city to provide by ordinance for the issuance of certificates to contractors, who under contract with the city shall have constructed any such improvement, in payment therefor, each of which certificates shall state the amount or amounts of one or more of the assessments made against an owner or owners and lot or lots on account and for payment of the cost of any such improvement, and shall transfer to the contractor, and his assigns, all of the right and interest of such city to, in and with respect to every such assessment, and shall authorize such contractor and his assigns to receive, sue for and collect, or have collected every such assessment embraced in any such certificate, by or through any of the methods provided by law for the collection of assessments for local improvements, including the provisions of this act.

When council is prohibited by constitution from issuing bonds they may issue certificates to contractors for work done.

SEC. 17. Whenever the owner or owners of any lot or lots, the assessment or assessments against which is or are embraced in any such certificate shall severally promise and agree in writing endorsed on such certificate that, in consideration of having the right to pay his or their assessment or respective assessments in installments, they will not make any objection of illegality or irregularity as to their respective assessments, and will pay the same with interest thereon at such rate not exceeding six per cent, as shall by ordinance or resolution of the city council of such city be prescribed and required, he or they shall have the benefit and be subject to all of the provisions of this act authorizing the payment of assessments in annual installments relating to the lien and collection and payment of assessments so far as applicable.

Lot owners may avail themselves of the privilege of payment of certificates in installments, by promise in writing, etc.

SEC. 18. Any owner of any lot or lots assessed for payment of the cost of any such improvement who will not promise and agree in writing as provided by section seventeen hereof, shall be required to pay his assessment in full, when made, and the same shall be collectible by or through any of the methods provided by law for the collection of assessments for local improvements, including the provisions of this act.

Owners not complying with preceding section shall pay assessment in full.

SEC. 19. Any mistake in the description of the property or in the name of the owner shall not vitiate the lien.

Mistake does not vitiate lien.

SEC. 20. The council of any such city shall not have the right to authorize any improvement under this act unless the owners of two-thirds of the feet front of the property abutting upon the street or streets to be improved shall petition therefor, or unless the same shall be voted for by three fourths of the members of the council.

Two thirds of frontage must petition for improvement. And by vote of three fourths of council.

SEC. 21. Any part or section of any street may be improved under this act as well as an entire street.

Part of any street may be improved.

SEC. 22. All acts and parts of acts in conflict with this act are hereby repealed.

Repealing clause.

Publication. **SEC. 23.** This act being deemed of immediate importance shall be in full force and effect from an after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 13, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 20, and *Des Moines Leader* April 19, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 169.

### RELATING TO LIFE INSURANCE COMPANIES.

H. F. 307. **AN ACT** to Amend sections eleven hundred and sixty-nine and eleven hundred and seventy-nine (1169 and 1179) of the Code. [Relating to Life Insurance Companies.]

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

Code, sections 1169 and 1179, amended.

[SECTION 1.] That sections 1169 and 1179 of the Code of 1873, be amended so as to read as follows:

Auditor of state shall ascertain value of each policy.

Section 1169. As soon as practicable after the filing of said statement of any company organized and doing business under the laws of this State in the office of the Auditor of State, he shall proceed to ascertain the net cash value of each policy in force upon the basis of the American experience table of mortality and four and one half per cent interest; or actuaries combined experience table of mortality and four per cent interest. For the purpose of making such valuations, the Auditor may employ a competent actuary to do the same, who shall be paid by the company for which the service was rendered; but nothing herein shall prevent any company from making said valuation herein contemplated, which shall be received by the Auditor upon such proof as he may determine. Upon ascertaining the net cash value of all policies in force in any company organized under the laws of this State, the Auditor shall notify said company of the amount, and within thirty days after the date of such notification, the officers of such company shall deposit with the Auditor the amount of such ascertained valuation of all policies in force in the securities described in section 1179 of this chapter. But no joint stock company organized under the laws of this State shall be required to make such deposit until the cash value of the policies in force as ascertained by the Auditor exceed the

May employ an actuary.

Auditor may notify company of amount.

amount deposited by said company under section 1162 hereof.

Section 1179. No company organized under the provisions of this chapter shall invest its funds in any other manner than as follows: In bonds of the United States. In bonds of this State or of any other State if at or above par. In bonds and mortgages on unincumbered real estate within this State, or in any other State in which such company is transacting an insurance business, worth at least twice the amount loaned thereon, exclusive of improvements. In bonds of any county, incorporated city, town or independent school district within this State, or any other State in which such company is transacting an insurance business, where such bonds are issued by authority of law, and are approved by the Executive Council. In loans upon its own policies, provided that the amount so loaned shall not exceed one half of the reserve against said policy as provided in this chapter, at the time such loan is made, and that all policies upon which loans are made shall have been issued and in force at least five years.

Investment of funds.

Approved April 13, 1886.

## CHAPTER 170.

### APPROPRIATION IN AID OF EXHIBIT AT EXPOSITION AT NEW ORLEANS, LOUISIANA.

AN ACT to appropriate money to re-imburse certain citizens for S. F. 404. Money Advanced to aid in making an Exhibit of the Resources of Iowa at the World's Exposition at New Orleans, Louisiana, 1884-5.

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

SECTION 1. That there is hereby appropriated out of any money in the Treasury of the State of Iowa, not otherwise appropriated, \$4,187 [4,137] to repay to certain citizens hereafter named, sums of money advanced by said citizens to aid in making an exhibit of the resources of Iowa, at the World's Exposition at New Orleans, Louisiana, 1884-5, the said sums to be distributed as follows:

To Herbert S. Fairall, Commissioner for Iowa, at said exposition, the sum of twenty-six hundred and fifty-one dollars and sixty seven cents. H. S. Fairall, \$2,651.67.

To F. N. Chase, Superintendent of Agricultural Department, six hundred and eighty-five dollars and thirty-three cents. F. N. Chase, \$685.33.

To W. C. Huntington, Superintendent of the Manufacturing Department, five hundred dollars. W. C. Huntington, \$500.

C. A. Huston, \$100. To C. A. Huston, Superintendent of the Dairy Department, one hundred dollars.

L. G. Clute, \$50. To L. G. Clute, assistant in Agricultural Department, fifty dollars.

S. E. Wilson, \$25. To S. E. Wilson, Assistant Commissioner, twenty-five dollars.

C. W. Snyder, \$25. To C. W. Snyder, Assistant Commissioner, twenty-five dollars.

J. K. P. Thompson, \$25. To J. K. P. Thompson, Assistant Commissioner, twenty-five dollars.

James Dunne, \$25. To James Dunne, Assistant Commissioner, twenty-five dollars.

E. A. Howland, \$25. To E. A. Howland, Assistant Commissioner, twenty-five dollars.

C. M. Murray, \$25. To C. M. Murray, Assistant Commissioner, twenty-five dollars.

How drawn. The total amount of money hereby appropriated being \$4,137.

SEC. 2. That the Auditor of State, is hereby authorized to draw warrants upon the Treasurer of State for said above named sume, in favor of the persons herein before named.

SEC. 3. *Pub. Clause.*  
Approved April 13, 1886.

## CHAPTER 171.

### PAID FIRE DEPARTMENTS IN CITIES UNDER SPECIAL CHARTERS.

S. F. 384. AN ACT Authorizing Cities Under Special Charter to Levy a Special Tax for the Maintenance of a Paid Fire Department.

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

Cities under special charters are authorized to levy tax to maintain a fire department.

SECTION 1. All cities acting under special charter, are hereby authorized in addition to the taxes now authorized by law, to levy and cause to be collected a special tax on the taxable property of such cities, sufficient to pay the expense of organizing, keeping and maintaining a paid fire department, including the expenses of constructing, purchasing, leasing and maintaining the proper and necessary buildings, grounds and apparatus therefor, *provided*, however, that said tax shall not exceed the sum of two (2) mills on the dollar in any one year.

Proviso.

Publication.

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

Approved April 13, 1886.

I hereby certify that the foregoing act was published in the [Des Moines] *Leader* April 20, and the *Iowa State Register* April 21, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 172.

## COMPENSATION OF ATTORNEY GENERAL.

AN ACT to amend Section 3770 of the Code of Iowa, [relating to Com- s. F. 308. pensation of Attorney General.]

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

SECTION 1. That Section 3770 of the Code of Iowa, be and Code sec. 3770 the same is hereby amended so as to read as follows: amended.

Section 3770. The salary of the Attorney General shall be fifteen hundred dollars, per annum, and whenever he is required by the duties of his office, or by directions of the governor or general assembly, to attend any of the courts of this state, or any federal courts of this or any other state, he shall receive in addition to his salary, five dollars for each day he attends such courts, and the same mileage in going to and from such courts, as is allowed members of the general assembly, for attending sessions thereof to be computed by the nearest practicable route.

Attorney-general's salary,  
\$1,500.

Per diem and  
mileage.

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

Publication.

Approved April 13, 1886.

I hereby certify that the foregoing act was published in the Iowa State Register April 15, and Des Moines Leader April 15, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 173.

## RELATING TO POWERS OF CITIES AND TOWNS.

AN ACT to Repeal Section one, Chapter five, of the Acts of the Fifteenth General Assembly Empowering Cities and Towns to make Contracts with Railroad and Bridge Companies for the use of Wagon Bridges across the Rivers, and to enact a substitute therefor.

S. F. 284.

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

SECTION. 1. That section one of chapter five of the acts of the Fifteenth General Assembly be, and the same is hereby repealed and the following enacted in lieu thereof.

Section 1, ch. 5,  
acts 15 G. A.,  
repealed.

Cities located on any river shall have power to contract with bridge companies for use of bridge. [ ]

Liability.

Tax may be levied to carry out the provisions of such contract.

Regulation of bridges.

Publication.

SEC. 2. That all cities situated on any river in the State of Iowa or any river forming the boundary line of the said State, whether organized and existing under special charter or general law, and from which to the opposite shore of any of said rivers a bridge has been or may be constructed by any railroad or other private company, corporation or person, shall have power to contract with the company, co[r]poration or person owning such bridge for the use of the same as a public highway; which use may be jointly with any company, corporation or person having or desiring the right to use the same for the passage of cars propelled by steam or otherwise, or may be for the sole use of such portion of such bridge as may be devoted and adapted to highway travel, and in such contract may have the right to assume the sole or any portion of the liability for damage to persons or property by reason of their being on any portion of said bridge or on any approach to either end thereof caused by the running of cars or locomotives by any corporation, company or person entitled to use the said bridge, whether the damage results from the negligence of the persons engaged in running said cars or locomotives or otherwise, and to indemnify and save harmless the owners of said bridge, and any or all corporations, companies or persons entitled to use the same from all liability or damage so caused to the extent or proportion thereof assumed in the said contract. And the said city may cause to be assessed and levied, each year, upon the taxable property of said city a tax not exceeding ten (10) mills on the dollar, each year, to raise a special fund to carry out the terms of the said contract. And the said city may thereafter and during the continuance of said contract manage and control the said bridge so far as necessary to regulate the highway travel thereon, and may regulate the same as a free or toll bridge, and prescribe such rates of toll as to it, from time to time, shall seem proper, and make all necessary police regulations for the government of the highway travel on said bridge.

SEC. 3. This act being deemed of immediate importance shall be in force from and after its publication in Iowa State Register, a newspaper published in the city of Des Moines, and Des Moines Leader, a newspaper published in the city of Des Moines.

Approved April 13, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 21, and the *Des Moines Leader* April 20, 1886.

FRANK D. JACKSON, *Secretary of State.*



CHAPTER 174.

TO PREVENT FRAUD IN CANNED FOOD.

AN ACT in Relation to Canned or Preserved Food.

S. F. 283.

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

SECTION 1. It shall hereafter be unlawful in this State for any packer of or dealer in hermetically sealed, canned or preserved fruits, vegetables, or other articles of food to knowingly offer such canned or preserved articles for sale for consumption in this State after October 1st, 1886, unless the cans or jars which contain the same shall bear the name, address and place of business of the person, firm or corporation that canned or packed the articles so offered, or the name of the wholesale dealer in this State who sells or offers the same for sale; together in all cases with the name of the State, city, town or village, where the same were packed, plainly printed thereon, preceded by the words "Packed at," such name, address and place of business shall be plainly printed on the label, together with a mark or term indicating clearly the grade or quality of the articles contained therein.

Canned fruits and vegetables shall have the name and address of the packer or dealer of same on the cans, etc.

Also name of place where packed.

SEC. 2. All packers of and dealers in soaked goods or goods put up from products dried or cured before canning shall, in addition to complying with provisions of section one of this act, cause to be plainly branded on the face of the label in good legible type, one half of an inch in height and three-eighths of an inch in width the word "soaked."

Soaked goods shall be so marked.

SEC. 3. All goods packed prior to the passage of this act are exempted from the provisions of this act.

Exemptions.

SEC. 4. Any packer or dealer who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor and punished by a fine of not more than fifty dollars for each offense in the case of retail dealers, and in case of wholesale dealers and packers by a fine of not less than five hundred dollars nor more than one thousand dollars for each offense. The term "Packer" and "Dealer," as used in this act, shall be deemed to include any firm or corporation doing business as a dealer in or packer of the articles mentioned in this act. It shall be the duty of any Board of Health in this State, cognizant of any violation of this act, to inform the District Attorney whose duty it shall be to institute proceedings against any person who is charged with a violation of the provisions of this act, and in case of conviction shall receive twenty five per cent. of the fines actually collected which shall be in addition to any salary he may now receive under the law.

Violation of this act a misdemeanor. Penalty.

Duty of board of health.

Exceptions. SEC. 5. The provisions of this act shall not apply to canned or condensed milk or cream.

Takes effect Oct. 1, 1886. SEC. 6. This act shall take effect October first, eighteen hundred and eighty-six.

Approved April 13, 1886.

CHAPTER 175.

APPROPRIATION FOR INDUSTRIAL SCHOOL AT ELDORA.

S. F. 188. AN ACT making appropriations for the Iowa Industrial School, Boys' Department at Eldora Iowa.

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

Appropriates \$9,000. SECTION 1. That there is hereby appropriated out of any money in the treasury not otherwise appropriated for the boys' department of the Iowa Industrial School the following sums for the purposes herein mentioned.

- |   |   |
|---|---|
| Furnishing and finishing 4th story, \$3,000.<br>Steam heat, \$500.<br>Laundry, \$500.<br>Range, \$300.<br>Kettles, \$200.<br>Ovens, \$500.<br>Library, \$250.<br>Furniture, \$500.<br>Contingent, \$3,000.<br>Chaplains, \$250.<br>How drawn. | 1. For furnishing and finishing 4th. story to increase dining room capacity and dormitory, \$ 3,000.<br>2. For extending steam heating to 4th story \$500.<br>3. For laundry machinery \$500.<br>4. For cooking range \$300.<br>5. For two steam kettles \$200.<br>6. For rotary bake ovens \$500.<br>7. For library \$250.<br>8. For furniture for hospital building that same may be used as a dormitory \$500.<br>9. For contingent fund \$3,000.<br>10. For payment of chaplains \$250. |
|---|---|

Sec. 2. The money herein appropriated shall be drawn and paid on the order of the board of trustees of said Industrial School at such times as may be deemed necessary by said board, *provided*, that not more than one-half of this appropriation shall be drawn during the year 1886.

Publitation. Sec. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the daily *Iowa State Register* and daily *Des Moines Leader* newspapers published in Des Moines, Iowa.

Approved April 13, 1886.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 21, and the *Des Moines Leader* April 18, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 176.

## RELATING TO SEPARATE APARTMENTS IN JAILS AND PRISONS FOR FEMALES.

AN ACT providing for a separate apartment in Jails and Prisons for the detention of Females, and making their detention otherwise, unlawful. S. F. 88.

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

SECTION 1. All jails and prisons now erected or which may be hereafter erected in the several counties and cities in this State, shall be provided with a separate apartment for the detention of females in such jail or prison. Separate apartments shall be provided in jails and prisons for females.

SEC. 2. All females detained in such jail or prison shall be so detained only in the female apartment thereof, and it shall be unlawful for any sheriff or keeper of any jail to detain at the same time both males and females in the same apartment. Females shall be detained in separate apartments.

Approved April 13, 1886.

## CHAPTER 177.

## RELATING TO OBSCENE LITERATURE.

AN ACT to Suppress the circulation, advertising, and vending of Obscene and Immoral Literature and articles of Indecent and Immoral use, and to confiscate such property. S. F. 64

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

SECTION 1. Whoever sells, or offers for sale, or gives away, or has in his possession with intent to sell, loan, or give away, any obscene, lewd, indecent, or lascivious book, pamphlet, paper, drawing, lithograph, engraving, picture, photograph, model, cast, or any instrument, or article of indecent or immoral use, or any medicine, article, or thing designed or intended for procuring abortion, or preventing conception, or advertises the same for sale, or writes or prints any letter, circular, hand bill, card, book, pamphlet, advertisement, or notice of any kind, giving information, directly, or indirectly, when, where, how, or by what means any of the articles or things herein before mentioned can be purchased or otherwise obtained or made, shall, on conviction thereof, shall be punished by a fine of not more than one thousand dollars, nor less than fifty dollars, or by im- Obscene literature. Articles of immoral use. Prohibited. Penalty.

prisonment in the county jail not more than one year, or both such fine and imprisonment at the discretion of the court.

Circulating through the mail. Prohibited.

SEC. 2. Whoever deposits in any post-office within this State, or places in charge of any person to be carried or conveyed, any of the articles or things named in section 1, of this act, or any circular, handbill, card, advertisement, book, pamphlet or notice of any kind, giving information, directly or indirectly, when, how, where, or by what means any of the articles or things mentioned in section 1, of this act, can be purchased or obtained, or knowingly or willfully receives the same to carry or convey, or knowingly carries or conveys the same in any manner, except in the United States mail, shall, upon conviction, be punished by a fine of not more than one thousand dollars, nor less than fifty dollars, or be imprisoned in the county jail not more than one year, or both fined and imprisoned at the discretion of the court.

Penalty.

Printing or publishing, same prohibited.

SEC. 3. Whoever prints or publishes or causes to be printed or published in any newspaper published or circulated in this State any advertisement of medicine, drug, nostrum, or apparatus for the cure of private or venereal diseases, or shall circulate or distribute any newspaper containing such an advertisement or notice mentioned in this section, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than one thousand dollars, nor less than fifty dollars, or be imprisoned in the county jail not more than one year, or by both fine and imprisonment at the discretion of the court.

Penalty.

Giving or showing to minors, obscene or immoral literature, etc., prohibited.

SEC. 4. Whoever sells, lends, gives away, or shows, or has in his possession with or without intent to sell, give away, or show to any minor child, any book, pamphlet, magazine, newspaper, story paper, or other paper devoted to the publication, or principally made up of criminal news, police reports, or accounts of criminal deeds, or pictures and stories of immoral deeds, lust, or crime, or exhibits upon any street or highway, or any place within the view, or which may be within the view of any minor child, any of the above described books, papers, or pictures, or uses or employs any minor child to give away, sell, or distribute, or who, having the care, custody, or control of any minor child, permits such child to sell, give away, or distribute any such books, papers, or pictures above described, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine of not more than five hundred dollars nor less than fifty dollars, or be imprisoned not more than six months in the county jail, or both fined and imprisoned at the discretion of the court.

Penalty.

Magistrates have power to issue warrants for search for or seizure of articles prohibited by this chapter.

SEC. 5. All magistrates and police judges in this State are authorized, on due complaint, supported by oath or affirmation, of one or more persons, to issue a warrant directed to the sheriff of the county within which such complaint shall be made, or to any constable or police officer within said county, directing him or them, or any of them, to search for, seize, and take pos-

session of such books, papers, pictures, circulars, articles, and things named in sections 1, of this act, and said magistrate or police judge shall deliver personally or shall transmit, enclosed and under seal, specimens thereof to the prosecuting attorney of his county, and shall deposit within the county jail of his county or other secure place as to him shall seem meet, enclosed and under seal, the remainder thereof, and shall, upon the conviction of the person or persons offending under the provisions of this act, forthwith, in the presence of the person or persons upon whose complaint the said seizure or arrest was made, if he or they shall elect to be present, destroy, or cause to be destroyed, the remainder thereof so seized as aforesaid, and shall cause to be entered upon the record of his court the fact of such destruction.

Specimens of articles seized to be kept.

Record of the Court.

SEC. 6. Nothing in this act shall be construed to affect teaching in regularly chartered medical colleges; or the publication or use of standard medical books, or the practice of regular practitioners of medicine, or druggists in their regular business; or the possession by artists of models in the necessary line of their art.

Exceptions.

SEC. 7. All acts inconsistent with this (act) are hereby repealed.

Repealing clause.

Approved April 13, 1886.

## CHAPTER 178.

### RELATING TO STATE UNIVERSITY LANDS.

AN ACT to Authorize the Secretary of State to Issue Patents to State University Lands in Certain Cases. H. F. 629.

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

SECTION 1. The Secretary of State is hereby authorized to issue patents for lands, the legal title to which is vested in the State University of Iowa, in cases wherein it is shown to the satisfaction of the Governor, and Attorney General that such lands have been in fact sold by the authority of the state and paid for and that the certificates of purchase have been lost or destroyed.

Patents to university lands may be issued, where certificate of purchase has been lost.

SEC. 2. The patents thus issued shall enure to the benefit of the original purchaser and his granters [grantees] only and a clause to this effect shall be inserted in the patent.

Patent inures to benefit of original purchaser.

Approved April 13, 1886.

## CHAPTER 179.

## LEGALIZE TOWN COUNCIL OF DEXTER.

H. F. 655. AN ACT to legalize the official acts of the town council and ordinances of the incorporated town of Dexter, Dallas County, Iowa.

Preamble.

WHEREAS, Doubts have arisen as to the legality of the official acts and ordinances passed by the town council of said incorporated town of Dexter, Dallas County, Iowa, by reason of the failure of the recorder of said town to record the yeas and nays on suspension of the rules, or show that rules were suspended or ordinances read at three several meetings, or show that the yeas and nays were called on final passage of said ordinances, and the failure of the mayor to sign the record of proceedings of the council or sign ordinances passed.

WHEREAS, Said ordinances have been revised and repassed by said town council of said town of Dexter, therefore ;

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

Legalized.

SECTION. 1. That all official acts done under said ordinances and the revised ordinances passed by the town council of said town of Dexter not in contravention with the laws of the State of Iowa are hereby legalized and the same are hereby declared to be valid and binding the same as though the laws in all respects had been strictly complied with, in regard to suspending the rules, reading the ordinances on separate days, recording the yeas and nays on votes taken and signing records and ordinances passed.

Publication.

SEC. 2. This act being deemed of immediate importance shall be in force and effect from and after its publication in the Iowa State Register and the Dexter Sentinel, newspapers published at Des Moines and Dexter, Iowa, without expense to the State.

Approved April 13, 1886.

I hereby certify that the foregoing act was published in the Iowa State Register April 21, and Dexter Sentinel April 23, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 180.

## LEGALIZE TOWN OF STORY CITY.

**AN ACT** Legalizing the Acts of the Council of the Incorporated H. F. 680.  
Town of Story City in the County of Story and State of Iowa, and  
Legalizing the Ordinances Passed and Adopted by said Council,  
and for the Government of said Town.

**WHEREAS**, The town of Story City, in Story county, Iowa, Preamble.  
was duly incorporated on the 25th day of March, 1882, and has  
since that date duly elected the proper officers of such town, and

**WHEREAS**, In the record of the proceedings of the council of  
said town it does not appear that the yeas and nays were called  
and recorded on the passage of certain ordinances, and the stat-  
utory formalities of suspending the rules, or of reading and  
voting on certain ordinances, as provided by law, have not been  
complied with, and the publication of said ordinances have not  
been certified to; and

**WHEREAS**, Doubts have arisen as to the validity of such or-  
dinances, on account of apparent irregularity of such proceed-  
ings, therefore

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

**SECTION 1.** That all acts and } roceedings of the said council Legalized.  
in the passage of such ordinances are hereby declared to be legal  
and valid, and the said ordinances are declared to be of full  
legal force and validity in the same manner and to the same  
extent as though upon the passage thereof the yeas and nays had  
been called and recorded, and the publication thereof certified  
to, and all taxes levied and assessed, and all the official acts of  
said council and officers, not in contravention of the laws of the  
State, and within the legal limits of the powers of incorporated  
towns be and the same are hereby legalized and declared to be  
valid and binding to the same extent as though the law had been  
fully complied with in calling and recording the yeas and nays  
upon the passage of the ordinances and in certifying to the  
publication of the same.

**SEC. 2.** This act being deemed of immediate importance shall Publication.  
take effect and be in force from and after its publication in the  
Iowa State Register and the Story City Review, newspapers  
published at Des Moines, and Story City, Iowa, without expense  
to the State.

Approved April 13, 1883.

I hereby certify that the foregoing act was published in the *Iowa  
State Register* April 21, and *Story City Review*, April 24, 1886.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 181.

## RELATING TO THE STATE UNIVERSITY.

S. F. 216. AN ACT to Amend Section 15878 of the Code of 1873 Relating to State University.

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

Code, section  
1587, amended.

SECTION 1. That section 1587 of the Code of 1873 is hereby amended by striking out of said section the following words, to-wit: "And the President of the University who shall also be a member by virtue of his office."

This Bill having remained with the Governor three days (Sundays excepted), the General Assembly being in session, has become a law this 14th day of April A. D. 1886.

FRANK D. JACKSON, *Secretary of State.*



## JOINT RESOLUTIONS

PASSED BY THE TWENTY-FIRST GENERAL ASSEMBLY.

## NUMBER 1.

JOINT RESOLUTION AND MEMORIAL of the General Assembly of Iowa.  
Relating to a Northwestern Branch of the National Home for Disabled and  
Indigent Soldiers and Sailors.

WHEREAS, The policy of the general government is to make suitable provision for the care of disabled and indigent soldiers and sailors of the civil war through the maintenance of National Soldiers' Homes, and

WHEREAS, A very large number of the old soldiers and sailors at the close of the war, sought residence in the northwest in order that they might avail themselves of the free lands of the government, and in hope of being better able here than elsewhere to provide for the future support of themselves and families; and

WHEREAS, The government as yet has made no provision for the establishment of a branch of said home in the northwest; and in view of the further fact that the homes already created are inadequate for the care of old soldiers and sailors eligible to admission; therefore

*Be it Resolved by the General Assembly of the State of Iowa,*

That our Senators and Representatives in Congress be earnestly requested to exert themselves to present the needs of the soldiers and sailors of the northwest in this regard, and to labor as their wisdom and sense of justice may dictate, to the end that provision be made by Congress for a northwestern branch of the Soldiers' Home; and that our Senators and Representatives furthermore make all proper effort to secure the location of such northwestern branch within the State of Iowa, as in the judgment of this General Assembly such location would best accommodate the largest number of old soldiers and sailors to whom such home would be available in time of misfortune as a just recognition of a faithful government of their services and sacrifices in time of great national emergency.

Approved February 18, 1886.

## NUMBER 2.

## JOINT RESOLUTION AND MEMORIAL, for the protection of Iowa Manufacturers.

WHEREAS, there has been introduced into the Congress of the United States, two certain bills, being Nos. H. R. 3291 and H. R. 3973, said bills being in substance and effect to compel all vinegar manufacturers, who distill low wines, either to pay the regular distiller's tax, or buy their high wines from the distillers, or cease the manufacture of vinegar.

In either event, the increase in price to the consumer, and the flooding of the market with cheap acid vinegar, as was the state of affairs previous to the present law; therefore,

*Be it Resolved by the General Assembly,*

That the passage of such a law as is proposed in said bills would work great hardships to the consumer and manufacturer of vinegars in the State of Iowa, and destroy, to a large extent, the present home market for corn, now furnished by the numerous manufacturers of vinegars in the State of Iowa.

*Resolved,* That our Senators be instructed and our Representatives requested to work and vote against said bills.

*Resolved,* That the Secretary of State is hereby instructed to promptly forward to each of our Senators and Representatives in Congress a properly attested copy of this resolution.

Approved March 13, 1886.

## NUMBER 3.

## MEMORIAL AND JOINT [CONCURRENT] RESOLUTION, by the House, the Senate concurring.

*Resolved,* That our Senators, and Representatives in Congress are requested to use all their influence, and votes, at the earliest time possible for the passage of an act for the pensioning of soldiers of the Union army of the late war, who were during that time while in the discharge of duty, captured, and confined in Confederate prisons; and

That the Secretary of State, is requested to furnish each of our members in Congress, a copy of this resolution.

Approved March 13, 1886.

## CERTIFICATE.

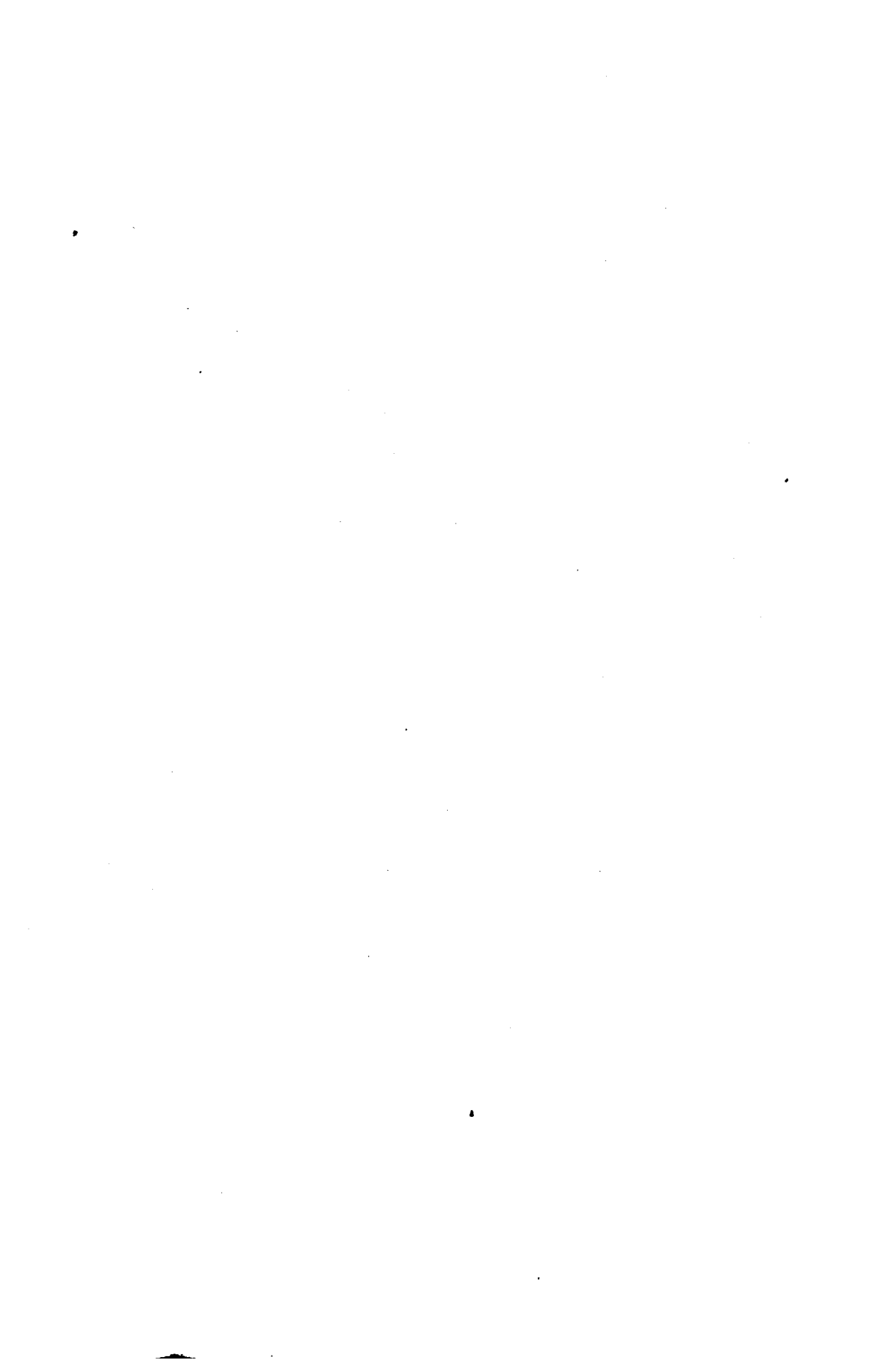
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STATE OF IOWA, }  
OFFICE OF SECRETARY OF STATE. }

I, FRANK D. JACKSON, Secretary of State of the State of Iowa, hereby certify that the acts and resolutions herein contained, are copied from the original rolls on file in this office, and that the same are true and correct copies thereof, except that the words inclosed by brackets [thus] have been inserted where it was evident that an omission had occurred. Words in *italics* (excepting the enacting clause, and the word *provided*, etc.) indicate that such words are either superfluous or erroneous, in the latter case the word or words supposed to be correct follow in brackets.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the great seal of the State, at Des Moines, this first day of May, A. D. 1886.

FRANK D. JACKSON, *Secretary of State.*



## FINANCIAL STATEMENT.

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STATE OF IOWA,  
OFFICE OF AUDITOR OF STATE,  
DES MOINES, May 10, 1886. }

HON. FRANK D. JACKSON, *Secretary of State.*

SIR:—In pursuance of the requirements of section 18, article III, of the Constitution of Iowa, I have the honor to submit for publication with the laws of the Twenty-first General Assembly, the following statement of the receipts and expenditures of the public money, for the biennial fiscal term commencing July 1, 1883, and ending June 30, 1885.

CHARLES BEARDSLEY, *Auditor of State.*



## AUDITOR'S STATEMENT.

### CONDITION OF THE TREASURY.

*The amount of funds in the Treasury at the close of the last fiscal term, June 30, 1885, was \$171,504.90, and was distributed among the several funds as follows:*

General revenue.....	\$ 71,559.52
Permanent school fund.....	3,788.66
Temporary school fund.....	120 01
Coupon fund.....	151.95
Agricultural college endowment fund.....	95,884.36

Total.....\$ 171,504.90

The amount received from all sources, during the fiscal term just closed, was \$2,627,725.98, which was distributed to the several funds as follows:

Agricultural college endowment fund.....	\$ 93,369.56
General revenue.....	2,495,165.72
Swamp land indemnity fund.....	2,088.86
Permanent school fund.....	4,052.08
Temporary school fund.....	33,049.76

Total receipts.....\$ 2,627,725.98

The receipts being added to the above balance on hand, makes the amount to be accounted for \$2,799,230.88.

The disbursements during the past fiscal term were as follows:

Agricultural college endowment fund under the provisions of chapter 193, acts of 1884.....	\$ 125,558.31
General revenue.....	2,419,573.30
Swamp land indemnity fund.....	2,088.86
Permanent school fund—apportioned to counties.....	7,441 74
Temporary school fund—apportioned to counties.....	33,169.77

Total disbursements.....\$2,587,831.98

Leaving a balance on hand June 30, 1885, of \$211,398.90 belonging to the several funds as follows:

Agricultural college endowment fund.....	\$ 63,695.61
Coupon fund.....	151.95
General revenue.....	147,151.94
Permanent school fund.....	400.00

Total.....\$ 211,398.90

STATEMENT No. I.  
OF RECEIPTS AND DISBURSEMENTS.

RECEIPTS.

General revenue—	
From State tax, 2½ mills levy.....	\$1,904,881.93
From interest on delinquent taxes.....	44,263.63
From insane dues from counties.....	249,227.07
From orphans' home dues from counties.....	25,441.96
From deaf and dumb dues from counties.....	1,707.47
From asylum for feeble minded children dues from counties.....	7,764.25
From college for the blind dues from counties.....	1,597.65
From penitentiary at Ft. Madison by warden.....	18,479.14
From peddler's licenses, from counties.....	813.91
From sales of laws, codes and revisions, from counties.....	763.15
From insurance companies, for taxes.....	125,471.71
From insurance companies, for fees, by auditor of state.....	50,832.74
From secretary of state, for fees.....	5,070.70
From clerk of supreme court, for fees.....	5,123.08
From superintendent of public instruction, for fees.....	42.00
From superintendent of insane hospital at Mt. Pleasant.....	1,660.57
From Western Union Telegraph Company, for taxes.....	16,811.06
From Geo. W. Bemis, case of Bemis, State Treasurer, vs. F. R. West & Sons.....	297.77
From J. L. Brown, auditor of state, for sale of blanks.....	7.40
From E. J. Ennis, for support of insane patients.....	33.70
From S. H. Watson, superintendent college for the blind, account unexpended appropriation for iron fence.....	411.00
From sale of laws, codes, and revisions, by secretary of state.....	39.50
From sale of old furniture, ashes, stoves, papers and carpets.....	64.15
From sale of stationery, by secretary of state.....	66.46
From W. H. Shaw, part-payment sale of "Dyer property".....	500.00
From attorney-general, account of Orwig defalcation.....	4,500.00
From attorney-general, case of state vs. Watson.....	125.00
From S. F. Stewart, for stamps used.....	70.00
From railroad commissioner's tax.....	29,098.77
Total.....	\$2,495,165.72
Other sources—	
From agricultural college endowment fund, from sale of lands.. etc.....	\$ 93,869.56
From swamp land indemnity fund from United States.....	2,088.86
From permanent school fund, on contracts, etc.....	4,052.08
From temporary school fund, from interest on state bonds and Eads loans.....	33,040.76
	\$2,627,725.98
Add balance on hand June 30, 1883.....	171,504.90
Total.....	\$2,799,230.88

DISBURSEMENTS.

General revenue.	
Redemption of auditor's warrants.....	\$2,390,789.76
Interest allowed on same.....	28,883.54
	\$2,419,573.30



Other purposes—	
Agricultural college endowment fund.....	\$ 125,558.31
Swamp land indemnity fund—paid to Humboldt county.....	2,088.86
Permanent school fund—apportioned to counties.....	7,441.74
Temporary school fund—apportioned to counties.....	33,169.77
	\$2,587,831.98
Balance in treasury June 30, 1885.....	211,398.90
<b>Total.....</b>	<b>\$2,799,230.88</b>

## STATEMENT No. II.

*Of the amount of warrants issued, and to what account charged, during the fiscal term ended June 30, 1885.*

NAME OF ACCOUNT.	AMOUNT.
Adjutant General's Salary.....	\$ 3,125.00
Adjutant General's Ordinance Sergeant's salary.....	874.86
Attorney General's salary and per diem.....	5,479.40
Auditor of State's salary.....	4,584.31
Auditor of State's deputy's salary.....	2,435.00
Auditor of State's clerks' fund.....	8,236.58
Clerk of the Supreme Court's salary.....	4,399.94
Clerk of the Supreme Court's deputy's salary.....	2,400.00
Clerk of the Supreme Court's clerks' fund.....	869.35
Circuit Judge, 1st Circuit, 1st District, salary.....	4,583.25
Circuit Judge, 2d Circuit, 1st District, salary.....	4,583.53
Circuit Judge, 2d District, salary.....	4,399.92
Additional Circuit Judge, 2d District, salary.....	916.66
Circuit Judge, 3d District, salary.....	4,399.92
Circuit Judge, 4th District, salary.....	3,483.27
Circuit Judge, 1st Circuit, 4th District, salary.....	549.99
Circuit Judge, 1st Circuit, 5th District, salary.....	4,399.93
Circuit Judge, 2d Circuit, 5th District, salary.....	4,899.92
Additional Circuit Judge, 5th District, salary.....	4,216.59
Circuit Judge, 6th District, salary.....	2,016.63
Circuit Judge, 1st Circuit, 6th District, salary.....	2,016.63
Circuit Judge, 2d Circuit, 6th District, salary.....	2,199.96
Circuit Judge, 1st Circuit, 7th District, salary.....	4,216.63
Circuit Judge, 2d Circuit, 7th District, salary.....	4,216.66
Circuit Judge, 8th District, salary.....	5,499.94
Circuit Judge, 9th District, salary.....	4,216.59
Circuit Judge, 10th District, salary.....	3,666.60
Circuit Judge, 11th District, salary.....	4,399.92
Circuit Judge, 12th District, salary.....	4,399.92
Circuit Judge, 13th District, salary.....	4,216.87
Circuit Judge, 14th District, salary.....	3,666.61
District Judge, 1st District, salary.....	4,216.60
District Judge, 2d District, salary.....	4,399.99
District Judge, 3d District, salary.....	4,216.61
District Judge, 4th District, salary.....	4,216.61
District Judge, 5th District, salary.....	4,216.66
District Judge, 6th District, salary.....	4,399.92
District Judge, 7th District, salary.....	4,399.92
District Judge, 8th District, salary.....	4,583.26
District Judge, 9th District, salary.....	4,033.26
District Judge, 10th District, salary.....	4,216.59
District Judge, 11th District, salary.....	4,399.93
District Judge, 12th District, salary.....	4,216.59
District Judge, 13th District, salary.....	3,849.93
District Judge, 14th District, salary.....	4,766.58

NAME OF ACCOUNT.	AMOUNT.
District Attorney, 1st District, salary.....	1,250.00
District Attorney, 2d District, salary.....	1,100.00
District Attorney, 3d District, salary.....	1,300.00
District Attorney, 4th District, salary.....	950.00
District Attorney, 5th District, salary.....	1,200.00
District Attorney, 6th District, salary.....	1,250.00
District Attorney, 7th District, salary.....	1,100.00
District Attorney, 8th District, salary.....	1,060.00
District Attorney, 9th District, salary.....	1,150.00
District Attorney, 10th District, salary.....	1,200.00
District Attorney, 11th District, salary.....	1,200.00
District Attorney, 12th District, salary.....	1,200.00
District Attorney, 13th District, salary.....	1,200.00
District Attorney, 14th District, salary.....	1,150.00
Executive Council's allowance.....	3,416.67
Governor's salary and room rent.....	6,900.00
Governor's contingent fund to pay certain counsel.....	2,315.00
Governor's contingent fund.....	6,301.95
Governor's private secretary's salary.....	2,143.33
Janitors' and night-watches' salary.....	11,715.50
Presidential Electors' mileage and per diem.....	447.60
Railroad Commissioners' salaries and expenses.....	33,068.13
Secretary of State's salary.....	4,216.61
Secretary of State's deputy's salary.....	2,400.00
Secretary of State's clerks' fund.....	6,422.91
State Inspector of Coal Mines, salary and expenses.....	3,880.53
State Librarian and assistants' salaries.....	4,932.66
State Treasurer's salary.....	4,583.19
State Treasurer's deputy's salary.....	2,400.00
State Treasurer's clerks' fund.....	1,999.98
State Superintendent of Public Weights and Measures, salary.....	100.00
State Veterinary Surgeon's per diem and expenses.....	4,555.41
Superintendent of Public Instruction's salary.....	4,399.93
State Superintendent of Public Instruction's deputy's salary.....	2,400.00
State Superintendent of Public Instruction's clerks' fund.....	3,064.30
Supreme Judges' salaries.....	39,332.95
Supreme Court contingent fund.....	1,602.40
Supreme court reporter's salary.....	4,000.00
Agricultural college, for improvements and repairs.....	40,350.22
Agricultural college, for trustees' mileage and per diem.....	8,432.75
Agricultural societies—State aid.....	37,912.75
Agricultural college, financial agent's salary and expenses.....	2,185.50
Arrest of fugitives.....	14,385.70
Asylum for feeble-minded children, for clothing.....	10,079.54
Asylum for feeble-minded children, support.....	60,466.30
Asylum for feeble-minded children, trustees' mileage and per diem.....	1,213.10
Asylum for feeble-minded children, improvements, repairs and salaries.....	91,300.00
Blind institution, for clothing.....	1,807.24
Blind institution, for improvements.....	7,500.00
Blind institution, for support and current expenses.....	57,720.00
Bureau of labor statistics, commissioner's salary.....	1,845.83
Benedict home, enlargement and support.....	3,000.00
Deaf and dumb institution, for clothing.....	2,398.84
Deaf and dumb institution, building and improvements.....	60,100.00
Deaf and dumb institution, support and current expenses.....	124,735.00
Des Moines river lands.....	506.85
Distributing house and senate journals, 20th G. A.....	1,200.00
Fair grounds (State) purchase of land for.....	46,239.25
Hospital for insane at Independence, building and improvements.....	98,700.00
Hospital for insane at Independence, trustees' mileage.....	2,135.40
Hospital for insane at Independence, county dues.....	205,070.00
Hospital for insane at Mt. Pleasant, county dues.....	181,467.00

AUDITOR'S STATEMENT.

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NAME OF ACCOUNT.	AMOUNT.
Hospital for insane at Mt. Pleasant, improvements and repairs.....	140,000.00
Hospital for insane at Mt. Pleasant, trustees' mileage.....	1,420.95
Insane commission—special—as per section 1442, Code of 1873.....	20.00
Interest on school fund loans.....	32,892.96
Iowa soldiers' orphans' home, improvements.....	57,250.00
Iowa soldiers' orphans' home, support.....	14,710.00
Iowa orphans' home, county dues.....	37,085.34
Iowa soldiers' orphans' home, trustees' mileage.....	518.40
Iowa weather service.....	2,070.68
Madison educational exposition.....	936.06
Miscellaneous expense account.....	56,431.74
New insane hospital at Clarinda, building and land.....	81,876.08
New capitol building.....	414,950.78
New capitol building, care and management of.....	9,074.59
Penitentiary at Anamosa, building and improvements.....	64,259.11
Penitentiary at Anamosa, support.....	53,589.60
Penitentiary at Anamosa, officers' and guards' pay.....	47,826.35
Penitentiaries, visitors' expenses.....	99.60
Penitentiary at Ft. Madison, improvements and repairs.....	11,419.14
Penitentiary at Ft. Madison, officers' and guards' pay.....	60,766.75
Propagation of fish, salaries and expenses.....	8,864.71
Providential contingencies.....	1,681.09
Relief of Joseph Metz.....	480.00
Rewards for arrest of murderers.....	500.00
School Journal, subscriptions.....	297.00
State binding.....	42,728.44
State board of educational examiners, mileage and expenses.....	72.55
State board of health, per diem and mileage, and secretary and assistant secretary's salaries.....	10,225.50
State historical society.....	2,000.00
State horticultural society.....	4,250.00
State library.....	13,230.00
State militia.....	52,954.84
State printing.....	58,234.32
State normal school, salaries, improvements and repairs.....	23,175.00
State normal school, directors' expenses.....	1,514.70
State reform school, girls' department, improvements and repairs....	20,275.27
State reform school, boys' department, improvements and repairs....	21,940.00
State reform school, support.....	71,761.00
State reform school, trustees' expenses.....	1,272.03
State university, board of regents' expenses.....	2,291.00
State university, building and improvements.....	64,500.00
State university, support.....	8,000.00
State university, endowment fund.....	40,000.00
Stationery, contracts.....	18,853.28
Teachers' institutes, State aid.....	9,700.00
Nineteenth general assembly, special appropriations, account of Kate Shelley.....	350.00
Twentieth general assembly, members and employes, salaries and pay	107,066.50
Twentieth general assembly, members mileage.....	2,230.40
Twentieth general assembly, visiting committees' expenses.....	866.70
Twentieth general assembly, special appropriation.....	54,825.07
Jefferson county, refund of insane fund.....	5,764.89
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TIMES OF HOLDING THE  
DISTRICT AND CIRCUIT COURTS

Of Iowa for the years 1886-7.

JUDICIAL DISTRICT.	DISTRICT COURT.		CIRCUIT COURT.	
	1886.	1887.	1886.	1887.
Adair, Greenfield .....	Feb. 22, Sept. 20	Feb. 21, Sept. 19	Jan. 5, Aug. 10	Jan. 4, Aug. 9
Adams, Corning .....	Mar. 22, Oct. 4	Mar. 21, Oct. 10	Jan. 4, May 31	Jan. 3, May 30
Allamakee, Waukon .....	May 3, Nov. 22	May 2, Nov. 21	Feb. 25, Sept. 30	Feb. 24, Sept. 29
Appanoose, Centerville .....	Mar. 1, Oct. 18	.....	Jan. 4, Aug. 23	.....
Audubon, Audubon .....	Jan. 25, Aug. 16	Jan. 24, Aug. 15	April 5, Nov. 1	April 4, Nov. 7
Benton, Vinton .....	Mar. 8, Oct. 4	Mar. 7, Oct. 3	April 26, Dec. 6	April 25, Dec. 5
Black Hawk, Waterloo .....	Mar. 22, June 7	Mar. 21, June 6	Jan. 25, May 3	Jan. 24, May 2
Waterloo .....	Nov. 15	Nov. 14	Sept. 27	Sept. 26
Boone, Boonesboro .....	May 31, Dec. 20	May 30, Dec. 19	Mar. 15, Oct. 4	Mar. 14, Oct. 3
Bremer, Waverly .....	April 5, Dec. 6	April 4, Dec. 5	Feb. 15, Sept. 27	Feb. 21, Sept. 26
Buchanan, Independence .....	Mar. 1, May 31	Feb. 23, May 30	Jan. 4, April 19	Jan. 3, April 18
Independence .....	Nov. 1	Oct. 31	Sept. 6	Sept. 12
Buena Vista, Storm Lake .....	Jan. 4, Aug. 23	Jan. 10, Aug. 22	April 6, Oct. 26	April 5, Oct. 25
Butler, Allison .....	May 3, Nov. 15	May 2, Nov. 21	Mar. 22, Oct. 11	Mar. 28, Oct. 10
Calhoun, Rockwell City .....	Feb. 1, Sept. 18	Feb. 7, Sept. 12	April 27, Nov. 16	April 26, Nov. 15
Carroll, Carroll .....	April 20, Nov. 9	April 19, Nov. 8	Jan. 18, Sept. 20	Jan. 17, Sept. 19
Cass, Atlantic .....	Feb. 8, Aug. 30	Feb. 7, Aug. 29	April 20, Nov. 16	April 19, Nov. 15
Cedar, Tipton .....	April 26, Nov. 22	April 25, Nov. 21	Feb. 1, Aug. 30	Jan. 31, Aug. 29
Cerro Gordo, Mason City .....	Mar. 15, Oct. 18	Mar. 21, Oct. 17	Jan. 4, May 17	Jan. 3, May 16
Cherokee, Cherokee .....	Feb. 2, Sept. 27	Feb. 7, Sept. 26	April 26, Dec. 6	April 25, Dec. 5
Chickasaw, New Hampton .....	May 31, Dec. 13	May 30, Dec. 12	Mar. 18, Nov. 4	Mar. 17, Nov. 3
Clarke, Osceola .....	April 26, Nov. 8	April 25, Nov. 14	Feb. 8, Aug. 30	Feb. 7, Sept. 5
Clay, Spencer .....	May 4, Nov. 16	May 3, Nov. 22	Feb. 23, Sept. 21	Feb. 22, Sept. 20
Clayton, Elkader .....	Jan. 18, Sept. 6	Jan. 17, Sept. 5	May 13, Nov. 18	May 12, Nov. 17
Clinton, Clinton .....	Mar. 2, June 8	Mar. 1, June 7	Jan. 5, April 6	Jan. 4, April 5
Clinton .....	Nov. 16	Nov. 15	Sept. 14	Sept. 13
Crawford, Denison .....	April 6, Oct. 26	April 5, Oct. 25	Jan. 4, Aug. 2	Jan. 3, Aug. 1
Dallas, Adel .....	Mar. 22, Oct. 18	Mar. 21, Oct. 17	Jan. 25, Aug. 30	Jan. 24, Aug. 29
Davis, Bloomfield .....	Feb. 15, Oct. 4	.....	April 26, Dec. 13	.....
Decatur, Leon .....	Jan. 4, May 24	Jan. 3, May 23	Mar. 22, Oct. 11	Mar. 21, Oct. 10
Delaware, Manchester .....	Feb. 15, May 24	Feb. 14, May 23	April 5, June 28	April 4, June 27
Manchester .....	Oct. 11	Oct. 10	Dec. 6	Dec. 5
Des Moines, Burlington .....	Jan. 4, May 24	Jan. 3, May 23	Mar. 1, Sept. 27	Mar. 7, Sept. 26
Burlington .....	Oct. 25	Oct. 24	Dec. 6	Dec. 5
Dickinson, Spirit Lake .....	Mar. 29, Oct. 25	April 4, Oct. 31	Jan. 12, Aug. 31	Jan. 11, Aug. 30
Dubuque, Dubuque .....	Jan. 4, April 26	Jan. 3, April 25	Mar. 1, May 31	Feb. 23, May 30
Dubuque .....	Sept. 6	Sept. 5	Nov. 1	Oct. 31
Emmet, Estherville .....	Mar. 23, Oct. 19	Mar. 29, Oct. 25	Jan. 5, Aug. 24	Jan. 4, Aug. 23
Fayette, West Union .....	Feb. 15, Sept. 20	Feb. 14, Sept. 19	April 22, Dec. 2	April 21, Dec. 1
Floyd, Charles City .....	Jan. 1, Nov. 1	Mar. 7, Nov. 7	Jan. 25, Sept. 13	Jan. 24, Sept. 12
Franklin, Hampton .....	Mar. 8, Oct. 7	Mar. 7, Oct. 6	May 24, Nov. 29	May 23, Nov. 28
Frederick, Sidney .....	Mar. 16, Oct. 12	Mar. 15, Oct. 11	June 1, Dec. 21	May 31, Dec. 20
Greene, Jefferson .....	May 4, Nov. 23	May 3, Nov. 22	Feb. 1, Oct. 4	Jan. 31, Oct. 3
Grundy, Grundy Center .....	April 12, Dec. 6	April 11, Dec. 5	Feb. 15, May 17	Feb. 14, May 16
Grundy Center .....	.....	.....	Oct. 18	Oct. 17
Guthrie, Guthrie Center .....	Mar. 8, Oct. 4	Mar. 7, Oct. 3	May 11, Dec. 7	May 3, Dec. 6

TIMES OF HOLDING COURT—CONTINUED.

JUDICIAL DISTRICT.	DISTRICT COURT.		CIRCUIT COURT.	
	1886.	1887.	1886.	1887.
	Hamilton, Webster City.....	Feb. 8, Sept. 13	Feb. 7, Sept. 12	April 19, Nov. 8
Hancock, Concord.....	May 17, Sept. 13	May 16, Sept. 12	April 12, Oct. 25	April 11, Oct. 24
Hardin, Eldora.....	Mar. 23, Oct. 18	Mar. 21, Oct. 17	June 7, Dec. 13	June 6, Dec. 12
Harrison, Logan.....	Jan. 4, Aug. 23	Jan. 3, Aug. 22	Mar. 1, Oct. 26	Feb. 28, Oct. 24
Henry, Mt. Pleasant.....	Mar. 8, Oct. 4	Mar. 7, Oct. 3	Feb. 1, May 3	Feb. 1, May 2
Mt. Pleasant.....			Sept. 6	Sept. 5
Howard, Cresco.....	April 12, Nov. 1	April 11, Oct. 31	Feb. 4, Sept. 16	Feb. 3, Sept. 15
Humboldt, Dakota.....	May 17, Nov. 29	May 16, Nov. 28	Mar. 9, Oct. 5	Mar. 8, Oct. 4
Ida, Ida Grove.....	Mar. 9, Oct. 5	Mar. 15, Oct. 11	June 1, Dec. 13	June 1, Dec. 13
Iowa, Marengo.....	Feb. 1, Aug. 30	Jan. 31, Aug. 29	Mar. 29, Nov. 1	Mar. 28, Oct. 24
Jackson, Maquoketa.....	Mar. 30, June 22	Mar. 29, June 21	Feb. 9, May 11	Feb. 8, May 10
Maquoketa.....	Dec. 7	Dec. 6	Oct. 19	Oct. 18
Jasper, Newton.....	April 27, Nov. 23	April 26, Nov. 22	Feb. 15, May 24	Feb. 14, May 23
Newton.....			Oct. 4	Oct. 3
Jefferson, Fairfield.....	Jan. 12, Sept. 7	Jan. 11, Sept. 6	Mar. 23, Nov. 2	Mar. 22, Nov. 1
Johnson, Iowa City.....	Jan. 4, May 24	Jan. 3, May 23	Mar. 1, Oct. 4	Feb. 28, Oct. 3
Jones, Anamosa.....	May 10, Dec. 6	May 9, Dec. 5	Feb. 15, Sept. 13	Feb. 14, Sept. 12
Keokuk, Sigourney.....	April 6, Nov. 9	April 5, Nov. 8	Jan. 12, Sept. 7	Jan. 11, Sept. 6
Kossuth, Algona.....	June 1, Dec. 8	May 31, Dec. 7	Mar. 23, Oct. 12	Mar. 22, Oct. 11
Lee, Ft. Madison.....	May 3, Dec. 13	May 2, Dec. 12	Jan. 4, April 5	Jan. 3, April 4
Ft. Madison.....			Oct. 4	Oct. 3
Keokuk.....	Feb. 8, Sept. 6	Feb. 7, Sept. 5	Mar. 8, June 1	Mar. 7, June 1
Keokuk.....			Nov. 1	Nov. 1
Linn, Marion.....	Mar. 29, Oct. 25	Mar. 28, Oct. 24	Jan. 4, May 10	Jan. 3, May 9
Louisa, Wapello.....	April 5, Nov. 22	April 4, Nov. 21	Jan. 25, May 17	Jan. 24, May 16
Wapello.....			Sept. 13	Sept. 12
Lucas, Chariton.....	Mar. 29, Nov. 15		Feb. 8, Sept. 27	
Lyon, Rock Rapids.....	April 20, Dec. 7	April 19, Dec. 6	Jan. 5, Aug. 24	Jan. 4, Aug. 23
Madison, Winterset.....	Jan. 25, Aug. 23	Jan. 24, Aug. 22	Mar. 30, Oct. 26	Mar. 29, Oct. 25
Mahaska, Oskaloosa.....	Mar. 9, Oct. 19	Mar. 8, Oct. 18	Jan. 18, April 19	Jan. 17, April 18
Oskaloosa.....			Sept. 6	Sept. 5
Marion, Knoxville.....	Feb. 2, Sept. 21	Feb. 1, Sept. 20	Mar. 15, Aug. 16	Mar. 14, Aug. 15
Knoxville.....			Nov. 22	Nov. 21
Marshall, Marshalltown.....	April 12, Nov. 8	April 11, Nov. 7	Jan. 25, Aug. 23	Jan. 24, Aug. 22
Mills, Glenwood.....	Mar. 2, Sept. 21	Mar. 1, Sept. 20	May 11, Dec. 7	May 10, Dec. 6
Mitchell, Osage.....	Jan. 25, Oct. 4	Jan. 24, Oct. 3	Mar. 1, Nov. 22	Mar. 7, Nov. 28
Monona, Onawa.....	Jan. 25, Sept. 13	Jan. 24, Sept. 12	April 5, Nov. 22	April 4, Nov. 21
Monroe, Albia.....	April 12, Nov. 29		Feb. 22, Oct. 11	
Montgomery, Red Oak.....	April 5, Oct. 18	April 4, Oct. 24	Jan. 18, June 14	Jan. 17, June 13
Muscatine, Muscatine.....	Jan. 5, May 11	Jan. 4, May 10	Feb. 15, June 7	Feb. 14, June 6
Muscatine.....	Oct. 5	Oct. 4	Nov. 8	Nov. 7
O'Brien, Primghar.....	April 8, Nov. 25	April 7, Nov. 24	Jan. 19, Sept. 7	Jan. 18, Sept. 6
Osceola, Sibley.....	April 26, Dec. 13	April 25, Dec. 12	Jan. 11, Aug. 31	Jan. 10, Aug. 30
Page, Clarinda.....	Mar. 1, Sept. 13	Feb. 28, Sept. 19	May 10, Nov. 29	May 9, Dec. 5
Palo Alto, Emmetsburg.....	April 5, Nov. 1	April 11, Nov. 7	Jan. 19, Sept. 7	Jan. 18, Sept. 6
Plymouth, Le Mars.....	Feb. 23, Oct. 12	Feb. 22, Oct. 11	June 1, Nov. 30	May 31, Nov. 29
Pocahontas, Pocahontas Cent'r	Jan. 18, Sept. 6	Jan. 24, Sept. 5	April 20, Nov. 10	April 19, Nov. 8
Polk, Des Moines.....	April 19, Nov. 8	April 18, Nov. 7	Jan. 4, May 3	Jan. 3, May 2
Des Moines.....			Sept. 6	Sept. 5
Pottawattamie, Council Bluffs.	May 18, Dec. 7	May 17, Dec. 6	Feb. 16, Aug. 17	Feb. 15, Aug. 16
Avoca.....			Mar. 16, Sept. 14	Mar. 15, Sept. 13
Poweshiek, Montezuma.....	Feb. 23, Oct. 5	Feb. 22, Oct. 4	April 20, Dec. 7	April 19, Dec. 6
Ringgold, Mt. Ayr.....	Jan. 25, June 7	Jan. 24, June 6	April 12, Oct. 25	April 11, Oct. 24
Sac, Sac City.....	Feb. 15, Sept. 20	Feb. 21, Sept. 26	May 10, Nov. 29	May 10, Nov. 29
Scott, Davenport.....	Feb. 2, May 23	Feb. 1, May 24	Mar. 15, Sept. 13	Mar. 14, Sept. 12
Davenport.....	Oct. 28	Oct. 25	Dec. 6	Dec. 5
Shelby, Harlan.....	Jan. 11, Aug. 2	Jan. 10, Aug. 1	Mar. 23, Oct. 19	Mar. 22, Oct. 18
Sioux, Orange City.....	Mar. 30, Nov. 16	Mar. 29, Nov. 15	Feb. 2, Sept. 21	Feb. 1, Sept. 20
Story, Nevada.....	May 10, Dec. 6	May 9, Dec. 5	Feb. 22, Sept. 20	Feb. 21, Sept. 19

## TIMES OF HOLDING COURT—CONTINUED.

JUDICIAL DISTRICT.	DISTRICT COURT.		CIRCUIT COURT.	
	1886.	1887.	1886.	1887.
Tama, Toledo .....	Feb. 15, Sept. 13	Feb. 14, Sept. 12	April 12, Nov. 15	April 11, Nov. 14
Taylor, Bedford.....	Feb. 8, Aug. 30	Feb. 7, Sept. 5	April 26, Nov. 8	April 25, Nov. 14
Union, Afton .....	May 10, Nov. 29	May 9, Dec. 5	Mar. 1, Sept. 20	Feb. 28, Sept. 19
Van Buren, Keosauqua.....	Feb. 1, Sept. 20	.....	April 5, Nov. 22	.....
Wapello, Ottumwa.....	Jan. 4, Aug. 23	.....	Mar. 8, Oct. 25	.....
Warren, Indianola .....	Jan. 4, Aug. 2	Jan. 3, Aug. 1	Mar. 29, June 14	Mar. 28, June 13
Indianola .....	.....	.....	Nov. 1	Nov. 7
Washington, Washington.....	May 11, Dec. 14	May 10, Dec. 13	Feb. 16, Oct. 5	Feb. 15, Oct. 4
Wayne, Corydon .....	Mar. 15, Nov. 1	.....	Jan. 25, Sept. 13	.....
Webster, Ft. Dodge.....	Jan. 25, Aug. 23	Jan. 24, Aug. 22	April 5, Oct. 25	April 4, Oct. 24
Winnebago, Forest City .....	April 26, Sept. 20	April 25, Sept. 19	June 7, Nov. 1	June 6, Nov. 7
Winneshiek, Decorah.....	Mar. 8, Oct. 11	Mar. 7, Oct. 10	Jan. 4, Aug. 30	Jan. 3, Aug. 29
Woodbury, Sioux City .....	Mar. 9, Oct. 26	Mar. 8, Oct. 25	Jan. 4, June 21	Jan. 3, June 20
Sioux City .....	.....	.....	Aug. 30	Aug. 29
Worth, Northwood.....	Feb. 8, Sept. 27	Feb. 14, Sept. 26	Mar. 15, Nov. 8	Mar. 21, Nov. 14
Wright, Clarion .....	Mar. 1, Sept. 27	Feb. 28, Sept. 26	May 10, Nov. 22	May 9, Nov. 21

## STATE OF IOWA—ss.

I HEREBY CERTIFY that the foregoing table is a full, true and complete list of the times of holding District and Circuit Courts in the State of Iowa for the years 1886 and 1887, as shown by the orders of the Judges of said Courts, now on file in my office, as required by Section 165, Code of 1873, and Chapter 18 and 198, Acts 20 G. A.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State, at Des Moines, this 7th day of December, A. D. 1886.

FRANK D. JACKSON, *Secretary of State.*