

752

ACTS AND RESOLUTIONS

PASSED AT THE

REGULAR SESSION

OF THE

Twenty-ninth General Assembly

OF THE

STATE OF IOWA.

BEGUN JANUARY 13 AND ENDED APRIL 11, 1902.

PUBLISHED UNDER AUTHORITY OF THE STATE.

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STATE GOVERNMENT.

List of state officers, judges of the supreme, district and superior courts, and members and officers of the general assembly, at the time of passage of laws contained in this book.

NAME.	POSITION.	COUNTY FROM WHICH ORIGINALLY CHOSEN.
Albert B. Cummins.....	Governor.....	Polk.
John Briar.....	Private Secretary to the Governor.....	Polk.
John Herriott.....	Lieutenant-Governor.....	Guthrie.
W. B. Martin.....	Secretary of State.....	Adair.
D. A. Hites.....	Deputy Secretary of State.....	Polk.
Frank F. Merriam.....	Auditor of State.....	Delaware.
Amos W. Brandt.....	Deputy Auditor of State.....	Polk.
G. S. Gilbertson.....	Treasurer of State.....	Winnebago.
J. S. McQuiston.....	Deputy Treasurer of State.....	Polk.
Charles W. Mullan.....	Attorney-General.....	Black Hawk.
Charles A. Van Vleck.....	Assistant Attorney-General.....	Polk.
Christopher C. Jones.....	Clerk of Supreme Court.....	Washington.
Howard M. Jones.....	Deputy Clerk of Supreme Court.....	Polk.
B. I. Salinger.....	Supreme Court Reporter.....	Carroll.
Richard C. Barrett.....	Superintendent of Public Instruction.....	Mitchell.
A. C. Ross.....	Deputy Superintendent of Public Instruction.....	Mitchell.
A. H. Davison.....	Secretary of Executive Council.....	Lyon.
John C. Simpson.....	Secretary of Board of Agriculture.....	Marion.
Edward A. Dawson.....	} Railroad Commissioners.....	Bremer.
David J. Palmer.....		Washington.
Ed. C. Brown.....		O'Brien.
Dwight N. Lewis.....	Secretary Board of Railroad Commissioners.....	Polk.
L. G. Kinne.....	} Board of Control.....	Polk.
John Cownie.....		Iowa.
G. S. Robinson.....		Woodbury.
F. S. Treat.....	Secretary Board of Control.....	Polk.
M. H. Byers.....	Adjutant-General.....	Mills.
James W. Miller.....	} Mine Inspectors.....	Polk.
James A. Campbell.....		Wapello.
John Verner.....		Mahaska.
C. F. Wennerstrum.....	Commissioner of Labor Statistics.....	Webster.
Johnson Brigham.....	State Librarian.....	Polk.
Bernard Murphy.....	State Printer.....	Benton.
Howard Tedford.....	State Binder.....	Ringgold.
Charles Aldrich.....	Curator Historical Department.....	Boone.
L. G. Weld.....	Superintendent of Weights and Measures.....	Johnson.
James I. Gibson.....	State Veterinary Surgeon.....	Crawford.
Byron P. Norton.....	Dairy Commissioner.....	Howard.
George A. Lincoln.....	Fish and Game Commissioner.....	Linn.
W. L. Leland.....	} Commissioners of Pharmacy.....	Sioux.
N. T. Hendrix.....		Louisa.
Fletcher Howard.....		Polk.
Charles W. Phillips.....	Secretary of Pharmacy Commission.....	Jackson.
A. M. Linn.....	President State Board of Health.....	Polk.
J. F. Kennedy.....	Secretary State Board of Health.....	Polk.
Charles B. Adams.....	President State Board of Medical Examiners.....	Sac.
J. F. Kennedy.....	Secretary State Board of Medical Examiners.....	Polk.
J. D. McGarragh.....	Custodian Public Buildings and Property.....	Polk.
Prof. S. Calvin.....	State Geologist.....	Johnson.
A. D. Leonard.....	Assistant State Geologist.....	Polk.

JUDICIAL DEPARTMENT.

SUPREME COURT.

NAME.	POSITION.	COUNTY FROM WHICH CHOSEN.	POSTOFFICE ADDRESS.
Scott M. Ladd	Chief Justice.....	O'Brien	Sheldon.
Charles M. Waterman.....	Judge	Scott	Davenport.
Horace E. Deemer	Judge	Montgomery	Red Oak.
John C. Sherwin	Judge	Cerro Gordo.....	Mason City.
Emlin McClain.....	Judge	Johnson	Iowa City.
Silas M. Weaver.....	Judge	Hardin	Iowa Falls.
Charles W. Mullan.....	Attorney-General..	Black Hawk.....	Waterloo.
Charles A. Van Vleck.....	Asst. Att'y-General.	Polk	Des Moines.
C. T. Jones.....	Clerk	Washington	Des Moines.
Howard M. Jones.....	Deputy Clerk	Polk.....	Des Moines.
Benj. I. Salinger.....	Reporter.....	Carroll	Carroll.

DISTRICT COURTS.

Dist.	NAME.	POSTOFFICE ADDRESS.	COUNTIES IN DISTRICT.
1	Henry Banks, Jr.	Keokuk	Lee.
2	Robert Sloan.....	Keosauqua	Appanoose, Davis, Jefferson, Lucas, Monroe, Van Buren and Wapello.
	M. A. Roberts	Ottumwa	
	C. W. Vermillion	Centerville	
	F. W. Eichelberger.....	Bloomfield	Adams, Clarke, Decatur, Ringgold, Taylor, Union and Wayne.
3	H. M. Townner	Corning	
	Robert L. Parrish	Leon	Cherokee, Lyon, Monona, O'Brien, Osceola, Plymouth, Sioux, and Woodbury.
4	Geo. W. Wakefield	Sioux City.....	
	F. R. Gaynor.....	LeMars	
	John F. Oliver.....	Onawa	Adair, Dallas, Guthrie, Madison, Marion and Warren.
	Wm. Hutchinson	Orange City.....	
5	A. W. Wilkinson	Winterset	Jasper, Keokuk, Mahaska, Poweshiek and Washington.
	J. H. Applegate	Guthrie Center.	
	James D. Gamble.....	Knoxville	
6	W. G. Clements	Newton	Clinton, Jackson, Muscatine and Scott.
	Almon R. Dewey	Washington	
	Jno. T. Scott	Brooklyn	
7	William F. Brannan	Muscatine	Johnson and Iowa.
	P. B. Wolfe	Clinton	
	A. J. House	Maquoketa	
	Jas. W. Bollinger	Davenport	Polk.
8	Martin J. Wade	Iowa City	
	A. H. McVey	Des Moines	
9	Calvin P. Holmes	Des Moines.....	Black Hawk, Buchanan, Delaware and Grundy.
	S. F. Prouty	Des Moines.....	
	Wm. H. McHenry	Des Moines.....	
10	A. S. Blair	Manchester	Boone, Franklin, Hamilton, Hardin, Story, Webster and Wright.
	Frank C. Platt.....	Waterloo	
	J. R. Whitaker	Boone	
	Wm. S. Kenyon	Ft. Dodge	Butler, Bremer, Cerro Gordo, Floyd, Hancock, Mitchell, Winnebago and Worth.
	J. H. Richard	Webster City	
12	Clifford P. Smith	Mason City.....	
	J. F. Clyde	Osage	Allamakee, Clayton, Chickasaw, Fayette, Howard and Winneshiek.
	C. H. Kelley	Forest City.....	
13	Liberty E. Fellows.....	Lansing	
	A. N. Hobson	West Union	Buena Vista, Clay, Dickinson, Emmet, Humboldt, Kossuth, Palo Alto and Pocahontas.
14	A. D. Bailie	Storm Lake.....	
	William B. Quarton.....	Algona.....	
15	A. B. Thornell.....	Sidney	Audubon, Cass, Fremont, Harrison, Mills, Montgomery, Page, Pottawattamie and Shelby.
	Orville D. Wheeler	Council Bluffs.	
	N. W. Macy	Harlan	
	W. R. Green	Audubon.....	

DISTRICT COURTS—CONTINUED.

Dist.	NAME.	POSTOFFICE ADDRESS.	COUNTIES IN DISTRICT.
16	S. M. Elwood.....	Sac City.....	} Calhoun, Carroll, Crawford, Greene, Ida and Sac.
	Z. A. Church.....	Jefferson.....	
17	Geo. W. Burnham.....	Vinton.....	} Benton, Marshall and Tama.
	Obed Caswell.....	Marshalltown.....	
18	Wm. G. Thompson.....	Marion.....	} Cedar, Jones and Linn.
	H. M. Remley.....	Anamosa.....	
	W. N. Treichler.....	Tipton.....	
19	Fred O'Donnell.....	Dubuque.....	} Dubuque.
	Matthew C. Mathews.....	Dubuque.....	
20	James D. Smyth.....	Burlington.....	} Des Moines, Henry and Louisa.
	W. S. Withrow.....	Mt. Pleasant.....	

SUPERIOR COURTS.

NAME.	POSTOFFICE ADDRESS.	NAME.	POSTOFFICE ADDRESS.
James H. Rothrock.....	Cedar Rapids.	E. E. Aylesworth.....	Council Bluffs.
Felix T. Hughes.....	Keokuk.		

TWENTY-NINTH GENERAL ASSEMBLY.

OFFICERS OF THE SENATE.

Lieutenant-Governor—John Herriott, of Stuart, Guthrie county.
President pro tempore—W. F. Harriman, of Hampton, Franklin county.
Secretary—Dr. George A. Newman, of Cedar Falls, Black Hawk county.
First Assistant Secretary—S. D. Alexander, of Winterset, Madison county.
Second Assistant Secretary—H. C. Lounsberry, of Marshalltown, Marshall county.
Engrossing Clerk—Miss Lois M. Rigby, of Davenport, Scott county.
Enrolling Clerk—Miss Ella G. Christie, of Oskaloosa, Mahaska county.
Journal Clerks—Cecil Dixon, of Rockwell City, Calhoun county, and John Connolly, of Des Moines, Polk county.
Sergeant-at-Arms—Capt. E. C. Collins, of Garner, Hancock county.
File Clerk—W. E. Griswold, of Winthrop, Buchanan county.
Bill Clerk—Miss Kate Shelly, of Moingona, Boone county.
Assistant Bill Clerk—Earl Raney, of Marengo, Iowa county.
Postmistress—Miss Edith Leffingwell, of Glidden, Carroll county.
Lieutenant-Governor's Clerk—Frank Herriott, of Des Moines, Polk county.
Chief Doorkeeper—John H. Serene, of Lansing, Allamakee county.

SENATORS.

Dist.	NAME.	P. O. ADDRESS.	COUNTIES IN DISTRICT.
26	Alexander, J. S.	Marion	Linn.
5	Allyn, Geo. S.	Mt. Ayr	Decatur, Ringgold, Union.
6	Arthaud, F. L.	Bedford	Adams, Taylor.
47	Bachman, E. W.	Estherville	Clay, Dickinson, Emmet, Kossuth, Palo Alto.
25	Ball, Geo. W.	Iowa City	Iowa, Johnson.
36	Bishop, H. C.	Elkader	Clayton.
14	Blanchard, L. C.	Oskaloosa	Mahaska.
2	Brighton, H. H.	Fairfield	Jefferson, Van Buren.
12	Brooks, John T.	Hedrick	Keokuk, Poweshiek.
18	Bruce, James E.	Anita	Cass, Shelby.
28	Classen, J. B.	Green Mountain ..	Marshall.
38	Courtright, O. B.	Waterloo	Black Hawk, Grundy.
39	Craig, Geo. M.	Allison	Bremer, Butler.
35	Crawford, P. W.	Dubuque	Dubuque.
16	Crossley, James J.	Winterset	Adair, Madison.
30	Dowell, Cassius C.	Des Moines	Polk.
31	Fitchpatick, J. A.	Nevada	Boone, Story.
48	Garst, Warren	Coon Rapids	Carroll, Greene, Sac.
33	Griswold, H. J.	Winthrop	Buchanan, Delaware.
13	Harper, S. H.	Ottumwa	Wapello.
43	Harriman, W. F.	Hampton	Cerro Gordo, Franklin, Hancock.
37	Hartshorn, F. C.	Clarion	Hamilton, Hardin, Wright.
21	Hayward, W. C.	Davenport	Scott.
19	Hazelton, A. S.	Council Bluffs	Pottawattamie.
27	Healy, Thos. D.	Ft. Dodge	Calhoun, Webster.
46	Hobart, Alva C.	Cherokee	Cherokee, Ida, Plymouth.
34	Hogue, E. L.	Blencoe	Crawford, Harrison, Monona.
17	Hopkins, F. M.	Guthrie Center	Audubon, Dallas, Guthrie.
32	Hubbard, E. H.	Sioux City	Woodbury.
8	Junkin, Joseph M.	Red Oak	Mills, Montgomery.
23	Lambert, Thomas	Sabula	Jackson.
7	Lewis, Lester W.	Clarinda	Fremont, Page.
49	Lister, George W.	Sibley	Lyons, O'Brien, Osceola, Sioux.
42	Lyons, D. A.	Cresco	Howard, Winneshiek.
4	Mardis, Alex.	Corydon	Lucas, Wayne.
29	Maytag, Fred L.	Newton	Jasper.
24	Moffit, John T.	Tipton	Cedar, Jones.
20	Molsberry, F. M.	Columbus Junction ..	Louisa, Muscatine.
3	Porter, Claude R.	Centerville	Appanoose, Davis.
9	Smith, Fred N.	Burlington	Des Moines.
41	Smith, James A.	Osage	Mitchell, Winnebago, Worth.
44	Spaulding, E. C.	Marble Rock	Chickasaw, Floyd.
11	Tallman, W. B.	Osceola	Clarke, Warren.
15	Townsend, Fred.	Albia	Marion, Monroe.
40	Trewin, James H.	Lansing	Allamakee, Fayette.
45	Whipple, Wm. P.	Vinton	Benton, Tama.
22	Wilson, John L.	Almont	Clinton.
50	Winne, E. K.	Humboldt	Buena Vista, Humboldt, Pocahontas.
1	Young, David A.	Argyle	Lee.
10	Young, John A.	Washington	Henry, Washington.

OFFICERS OF THE HOUSE.

Speaker—Willard L. Eaton, of Osage, Mitchell county.
Speaker pro tempore—N. E. Kendall, of Albia, Monroe county.
Chief Clerk—C. R. Benedict, of Shelby, Shelby county.
First Assistant Clerk—John C. Crockett, of Eldora, Hardin county.
Second Assistant Clerk—John Cook, of Hampton, Franklin county.
Engrossing Clerk—Mrs. Mollie Heist, of Eldon, Wapello county.
Enrolling Clerk—Emma Wheeler, of Mason City, Cerro Gordo county.
Journal Clerk—Harry E. Griffin, of Maquoketa, Jackson county.
Assistant Journal Clerk—Ford Howell, of Des Moines, Polk county.
Assistant Postmistress—Hester Runyan, of Odebolt, Sac county.
Bill Clerk—Bessie Conger, of Washington, Washington county.
Assistant Bill Clerk—J. P. Spaulding, of Perry, Dallas county.
File Clerk—C. F. Schell, of Garner, Hancock county.
Sergeant-at-Arms—C. W. Reynolds, of Grundy Center, Grundy county.
Speaker's Clerk—H. A. Abernethy, of Osage, Mitchell county.
Chief Doorkeeper—J. B. Lewis, of Spencer, Clay county.

REPRESENTATIVES.

Dist.	NAME.	P. O. ADDRESS.	COUNTIES IN DISTRICT.
27	Anderson, J. M.....	Indianola.....	Warren.
7	Bailey, M. Z.....	Diagonal.....	Ringgold.
89	Barker, W. K.....	Cresco.....	Howard.
53	Barkley, Alonzo J.....	Boone.....	Boone.
48	Bealer, E. J. C.....	Cedar Rapids.....	Linn.
11	Black, Charles W.....	Malvern.....	Mills.
8	Blakemore, W. D.....	Bedford.....	Taylor.
34	Boysen, Asmus.....	Gray.....	Audubon.
18	Buchanan, A. W.....	Ottumwa.....	Wapello.
43	Calderwood, M. H.....	Elbridge.....	Scott.
10	Campbell, R. C.....	Hamburg.....	Fremont.
20	Carden, William.....	Winfield.....	Henry.
79	Carter, Charles W.....	Rock Valley.....	Sioux.
19	Cassel, Andrew F.....	Four Corners.....	Jefferson.
82	Cheney, A. H.....	Spencer.....	Clay, Palo Alto.
63	Christianson, Geo. P.....	Randall.....	Hamilton.
36	Clark, Geo. W.....	Adel.....	Dallas.
59	Coburn, George F.....	Fielding.....	Cherokee.
55	Colclo, C. C.....	Carroll.....	Carroll.
83	Cowles, Gardner.....	Algona.....	Kossuth.
13	Crouse, Clinton S.....	Prescott.....	Adams.
1	Cruikshank, J. P.....	Fort Madison.....	Lee.
51	Cummings, B. F.....	Marshalltown.....	Marshall.
14	Davenport, D.....	Creston.....	Union.
21	Dodds, William D.....	Danville.....	Des Moines.
80	Donohue, Timothy.....	Sheldon.....	Lyon, O'Brien.
68	Dunham, Geo. W.....	Manchester.....	Delaware.
90	Eaton, Willard Lee.....	Osage.....	Mitchell.
73	Edwards, M. F.....	Parkersburg.....	Butler.
6	Eiker, B. L.....	Decatur.....	Decatur.
37	English, Emory H.....	Valley Junction.....	Polk.
78	Fields, E. A.....	Akron.....	Plymouth.
70	Flenniken, J. C.....	Strawberry Point.....	Clayton.
31	Freeman, W. H.....	Oakland.....	Pottawattamie.
69	Frudden, A. F.....	Dubuque.....	Dubuque.
64	Furry, Mark J.....	Alden.....	Hardin.
76	Gilchrist, F. C.....	Laurens.....	Humboldt, Pocahontas.
9	Graf, Valentine.....	Clarinda.....	Page.
52	Greeley, W. M.....	Ames.....	Story.
28	Greene, Robert A.....	East Peru.....	Madison.
43	Hamann, Albert W.....	Davenport.....	Scott.
16	Hasselquist, R. A.....	Chariton.....	Lucas.
38	Hawk, Wm. W.....	Colfax.....	Jasper.
54	Head, Mahlon.....	Jefferson.....	Greene.
33	Hertert, E. M.....	Harlan.....	Shelby.
46	Hilsinger, Geo. E.....	Sabula.....	Jackson.
87	Hufschmidt, Robert.....	Lansing.....	Allamakee.
40	Hughes, Jr., John.....	Williamsburg.....	Iowa.
84	Hurn, David W.....	Clear Lake.....	Cerro Gordo.

REPRESENTATIVES—CONTINUED.

Dist.	NAME.	P. O. ADDRESS.	COUNTIES IN DISTRICT.
21	Jaeger, Lewis M.....	Burlington.....	Des Moines.
31	Jenks, John H.....	Avoca.....	Pottawattamie.
25	Jones, Wm. G.....	Oskaloosa.....	Mahaska.
69	Keagy, H. R.....	Epworth.....	Dubuque.
17	Kendall, N. E.....	Albia.....	Monroe.
65	Kerr, Wm. G.....	Grundy Center.....	Grundy.
32	Kling, H. B.....	Woodbine.....	Harrison.
86	Koithoff, John H.....	Dresden.....	Chickasaw.
41	Koontz, Geo. W.....	Iowa City.....	Johnson.
56	Langan, Hugh.....	West Side.....	Crawford.
45	Langan, Raymond C.....	Clinton.....	Clinton.
71	Larrabee, Jr., Wm.....	Clermont.....	Fayette.
44	Leech, Louis J.....	West Branch.....	Cedar.
39	Lyman, J. P.....	Grinnell.....	Poweshiek.
29	McClure, W. H.....	Fontanelle.....	Adair.
22	McClurkin, E. L.....	Morning Sun.....	Louisa.
49	McNie, Malcolm.....	Vinton.....	Benton.
1	Marshall, Sabret T.....	Keokuk.....	Lee.
60	Mattes, Joseph.....	Odebolt.....	Sac.
62	Meservey, S. T.....	Fort Dodge.....	Webster.
3	Moore, Samuel A.....	Bloomfield.....	Davis.
45	Mordhorst, Chas.....	Wheatland.....	Clinton.
2	Nagle, Lee.....	Milton.....	Van Buren.
42	Nichols, J. I.....	West Liberty.....	Muscatine.
74	Patton, D. J.....	Hampton.....	Franklin.
4	Payne, Frank S.....	Centerville.....	Appanoose.
30	Pipher, John.....	Griswold.....	Cass.
85	Powers, P. H.....	Powersville.....	Floyd.
75	Pritchard, J. S.....	Belmond.....	Hancock, Wright.
81	Robinson, B. F.....	Armstrong.....	Osceola, Emmet, Dickinson.
88	Rome, John S.....	Calmar.....	Winneshiek.
91	Secor, Eugene.....	Forest City.....	Worth, Winnebago.
47	Sokol, F. J.....	Onslow.....	Jones.
67	Springer, L. F.....	Independence.....	Buchanan.
12	Stratton, Cyrus L.....	Red Oak.....	Montgomery.
48	Stuckslager, W. C.....	Lisbon.....	Linn.
58	Sweetley, Marlin J.....	Sioux City.....	Woodbury.
72	Sweet, Burton E.....	Waverly.....	Bremer.
37	Teachout, H. E.....	Des Moines.....	Polk.
15	Temple, M. L.....	Osceola.....	Clarke.
61	Townsend, D. J.....	Lohrville.....	Calhoun.
24	Utterback, A. M.....	Hedrick.....	Keokuk.
5	Walden, T. P.....	Allerton.....	Wayne.
50	Walters, Chas. E.....	Toledo.....	Tama.
26	Warren, J. L.....	Pella.....	Marion.
57	Whiting, Will C.....	Whiting.....	Ida, Monona.
58	Willetts, John T.....	Oto.....	Woodbury.
77	Wilson, A. J.....	Marathon.....	Buena Vista.
23	Wilson, Charles J.....	Washington.....	Washington.
66	Wise, Charles A.....	Cedar Falls.....	Black Hawk.
35	Wright, Nate.....	Stuart.....	Guthrie.

COMMISSIONERS FOR IOWA IN OTHER STATES.

List of commissioners for Iowa in other states, qualified to act as such this 1st day of May, 1902, whose terms of office will not expire prior to July 5, 1902, published as required in section 390 of the code of 1897, showing their name, postoffice, date of commission, qualification and expiration of commission.

NAME.	POSTOFFICE.	DATE OF EXPIRATION OF COMMISSION.	DATE ON AND AFTER WHICH QUALIFIED TO ACT.
CALIFORNIA.			
King, James L.....	San Francisco..	June 30, 1904	July 1, 1901
Knox, George T.....	San Francisco..	May 23, 1904	May 24, 1901
CONNECTICUT.			
McGovern, Patrick....	Hartford.....	Nov. 20, 1903	Nov. 21, 1900
DISTRICT OF COLUMBIA.			
Bundy, Charles S.....	Washington....	July 12, 1902	July 13, 1899
ILLINOIS.			
Crandon, Frank P.....	Chicago.....	Nov. 4, 1903	Nov. 5, 1900
Humphrey, Wirt E.....	Chicago.....	June 18, 1904	June 19, 1901
King, Simeon W.....	Chicago.....	Dec. 8, 1904	Dec. 9, 1901
Peterson, Albin R.....	Chicago.....	Nov. 11, 1903	Nov. 12, 1900
Willard, Silas S.....	Chicago.....	Nov. 15, 1903	Nov. 16, 1903
MARYLAND.			
Embert, T. Howard.....	Baltimore.....	Jan. 19, 1904	Jan. 20, 1901
Fisher, Abraham H.....	Baltimore.....	Jan. 2, 1904	Jan. 3, 1901
Mathies, Harry C.....	Baltimore.....	Oct. 21, 1904	Oct. 22, 1901
MASSACHUSETTS.			
Adams, Charles Mail.....	Boston.....	Jan. 2, 1904	Jan. 3, 1901
Hall, Wheeler H.....	Springfield.....	Apr. 5, 1904	Apr. 6, 1901
Jones, Edward J.....	Boston.....	Apr. 29, 1903	Apr. 30, 1900
Torrey, Arthur R.....	Boston.....	July 26, 1903	July 27, 1900
MISSOURI.			
Parker, W. Eugene.....	Kansas City...	July 14, 1902	July 15, 1899
NEBRASKA.			
Frank, Samson.....	South Omaha..	Nov. 4, 1903	Nov. 5, 1900
McKee, Joseph.....	South Omaha..	Nov. 4, 1903	Nov. 5, 1900
NEW YORK.			
Armstrong, Hatley K.....	Penn Yan.....	Oct. 28, 1903	Oct. 29, 1900
Balentyne, Henry.....	New York City.	June 10, 1903	June 11, 1900
Braman, Ella F.....	New York City.	Dec. 20, 1902	Dec. 21, 1899
Braman, Joseph B.....	New York City.	May 25, 1904	May 27, 1901
Carter, Leslie T.....	Brooklyn.....	Sept. 27, 1904	Sept. 28, 1901
Coady, John J.....	New York City.	Feb. 9, 1903	Feb. 10, 1900
Cory, Edwin F.....	New York City.	May 24, 1902	May 25, 1901
Cory, George H.....	New York City.	Dec. 19, 1902	Dec. 20, 1899
Mackay, Alfred.....	New York City.	July 11, 1903	July 12, 1900
Mills, Charles Edgar.....	New York City.	Jan. 8, 1904	Jan. 9, 1901
Roseman, Vincent.....	New York City.	Jan. 23, 1903	Jan. 24, 1900
Jackson, Eleazer.....	New York City.	Jan. 21, 1903	Jan. 22, 1900
OHIO.			
Harrison, Joseph T.....	Cincinnati.....	Dec. 13, 1904	Dec. 14, 1901

COMMISSIONERS FOR IOWA IN OTHER STATES.

OREGON.

White, Eugene D.....	Portland.....	May	21, 1904	May	22, 1901
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PENNSYLVANIA.

Hunt, George W.....	Philadelphia..	Nov.	19, 1902	Nov.	20, 1899
Hunt, Thomas J.....	Philadelphia..	May	6, 1905	May	7, 1902
Robb, William F.....	Pittsburg.....	Nov.	20, 1903	Nov.	21, 1900
Taylor, Samuel L.....	Philadelphia..	Nov.	20, 1903	Nov.	21, 1900
Tenor, Kinley J.....	Philadelphia..	June	5, 1904	June	6, 1901
Wagner, William Jr....	Philadelphia..	Dec.	16, 1903	Dec.	17, 1900

RHODE ISLAND.

Jopp, Gilman E.....	Providence.....	Jan.	19, 1904	Jan.	20, 1901
Pendleton, Eugene B....	Westerly.....	May	21, 1904	May	22, 1901

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WITH DATE OF APPROVAL OF EACH ACT.

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6	An act to amend sections one hundred twenty-five (125) and one hundred twenty-six (126) of the code, relating to the printing, binding and distribution of public reports and documents. Approved April 10, 1902.....	H. F. 334	4
7	An act to amend section one hundred thirty-six (136) of the code, in relation to the publication of the reports of the Iowa Academy of Sciences. Approved March 25, 1902.....	S. F. 87	4
8	An act, providing for the purchase of engravings, plates, or cuts for state publications, and fixing the manner of paying the cost of the same. [Additional to chapter five (5) title two (II) of the code, relating to public printing and binding.] Approved March 12, 1902.....	S. F. 159	5
9	An act repealing section one hundred sixty-one [161] of the code and enacting a substitute therefor, providing for the appointment of an expert accountant and an assistant and appropriating money to pay the same, and granting to the executive council power to determine systems of records and accounts to be kept by state officers under certain conditions. Approved April 8, 1902.....	S. F. 254	5
10	An act to amend section one hundred and sixty-four (164) and section one hundred and sixty-five (165) of the code, relating to powers and duties of the executive council. Approved April 2, 1902.....	S. F. 274	6
11	An act to amend section one hundred sixty-five (165) of the code, providing for the sale of furniture and stores that are of no further use to the state. Approved April 1, 1902.....	H. F. 437	6
12	An act to amend chapter [one] 1, title [three] 3, of the code, relating to the organization of the supreme court. Approved April 7, 1902.....	H. F. 128	6
13	An act to amend section two hundred fifty-three (253) of the code, relating to the salaries of district judges. Approved April 11, 1902.....	H. F. 129	7

GENERAL LAWS—CONTINUED.

Chap.	TITLE.	ENGROSSED BILL.	Page.
14	An act to repeal section two hundred and fifty-four (254) of the code, relating to compensation of shorthand reporters, and enacting a substitute therefor. Approved April 5, 1902.....	H. F. 35	7
15	An act authorizing the district court to appoint trustees to manage, control and invest funds donated for and on account of cemetery purposes. [Additional to chapter five (5), of title three (III), relating to the district court.] Approved March 31, 1902.....	S. F. 141	8
16	An act to amend section number two hundred fifty-five (255) of the code, relating to superior courts. Approved March 25, 1902.....	H. F. 111	9
17	An act to amend section two hundred and ninety-six (296) of the code, relating to fees in probate matters. Approved March 10, 1902.	S. F. 96	9
18	An act to amend section three hundred and eight (308) and to repeal section three hundred and three (303) of the code, and enact a substitute therefor, relating to the compensation of county attorneys. Approved April 11, 1902.....	H. F. 225	10
19	An act to amend section three hundred and twenty-five (325) of the code, relating to the removal or suspension of attorneys, and the payment of costs and fees therefor. Approved April 10, 1902.....	S. F. 347	10
20	An act to amend section three hundred and thirty-seven (337) of the code, relating to grand and petit jury lists. Approved April 4, 1902.	S. F. 190	11
21	An act to amend section four hundred and twenty-three (423) of the code, relating to the powers of boards of supervisors. Approved March 25, 1902.....	H. F. 148	11
22	An act to amend section four hundred and forty-one (441) of the code, relating to compensation of official papers. Approved April 11, 1902.....	H. F. 62	11
23	An act requiring the county auditor to compile and prepare a financial report, and providing for the printing and distribution thereof. [Additional to chapter three (3), of title four (IV) of the code, relating to the county auditor.] Approved April 12, 1902.....	H. F. 230	12
24	An act to amend section four hundred and eighty-three (483) of the code, relating to the payment of interest on county warrants. Approved February 26, 1902.....	S. F. 28	13
25	An act to amend section four hundred and ninety-six (496) of the code, relating to the employment of additional help by county recorders. Approved April 9, 1902.....	H. F. 287	13
26	An act to amend section five hundred and eight (508) of the code, relating to sheriffs' fees. Approved March 17, 1902.....	S. F. 83	14
27	An act to repeal section five hundred and nine (509) and section five hundred and ten (510) of the code, in reference to the compensation of sheriffs and deputy sheriffs, and to fix the salaries of such officers. Approved March 27, 1902.....	H. F. 141	14
28	An act to amend section five hundred and eighty-six (586) of the code, relating to the care and maintenance of cemeteries by boards of township trustees. Approved March 31, 1902.....	S. F. 268	15
29	An act to amend section six hundred and forty-five (645) and section six hundred and fifty-eight (658) of the code of Iowa, relating to the powers and duties of mayors of cities. Approved April 2, 1902	S. F. 201	15
30	An act to amend section six hundred sixty-one (661) and section six hundred seventy-four (674) of the code, relating to assessors in cities and towns. Approved April 5, 1902.....	H. F. 273	16
31	An act creating a board of police and fire commissioners in cities of the first class having a population of more than sixty thousand, and defining the powers and duties of such board. [Additional to chapter two (2), of title five (V) of the code, relating to organization and officers of cities and towns.] Approved March 26, 1902..	S. F. 250	16
32	An act amending section seven hundred twenty-one (721) of the code, relating to the publication of notice of question submitted to the voters of cities and incorporated towns. Approved April 10, 1902.....	S. F. 11	19
33	An act to amend section seven hundred and twenty-four (724) of the code of Iowa, as amended [by chapter nineteen (19) of the acts of the Twenty-eighth General Assembly], relating to certain powers of cities and towns. Approved April 4, 1902.....	S. F. 202	19
34	An act to amend section seven hundred and twenty-seven (727) of the code, relating to gifts and bequests for library purposes. Approved April 7, 1902.....	S. F. 25	20

GENERAL LAWS—CONTINUED.

Chap.	TITLE.	ENGGROSSED BILL.	Page.
35	An act to authorize library boards to condemn grounds for location of libraries and for additional library grounds. [Amendatory of chapter four (4), of title five (V) of the code, relating to the general powers of cities and towns.] Approved March 17, 1902.....	S. F. 26	20
36	An act to amend section seven hundred and thirty-two (732) of the code, as amended by chapters twenty-one (21) and twenty-two (22) of the acts of the Twenty-eighth (28th) General Assembly, relating to the levying of taxes for library purposes. Approved April 11, 1902.....	H. F. 332	21
37	An act requiring the keeping of accounts in cities and towns and requiring that publicity be given thereto. [Additional to chapter four (4), of title five (V) of the code, relating to the general powers of cities and towns.] Approved March 31, 1902.....	H. F. 396	21
38	An act to authorize the loaning of funds accumulated under chapter one (1) of the acts of the [Twenty-sixth] 26th General Assembly or under section seven hundred and forty-two (742) of the code, and to legalize a contract between the city of Des Moines and the Des Moines Water Works company for a loan of such funds. Approved February 17, 1902.....	H. F. 19	22
39	An act to amend chapter five (5) section[s] seven hundred and forty-five (745), seven hundred and forty-six (746), seven hundred and forty-seven (747), and seven hundred and forty-eight (748) of the code, relating to letting contracts for the purchase or erection of waterworks in cities of first class. Approved March 27, 1902.....	H. F. 98	23
40	An act to amend section seven hundred and forty-five (745) of the code of Iowa, as amended by [chapter twenty-three (23) of] the acts of the [Twenty-seventh] 27th General Assembly, relating to the purchase and construction of waterworks. Approved March 27, 1902	S. F. 199	23
41	An act to repeal section seven hundred forty-seven (747) of the code as amended, [by chapter twenty-three (23) of the acts of the Twenty-seventh General Assembly, and chapter twenty-five (25) of the acts of the Twenty-eighth General Assembly], relating to the appointment of water works trustees in cities of the first class, and to enact a substitute in lieu thereof. Approved March 14, 1902...	S. F. 281	24
42	An act to authorize cities, which have voted taxes to aid any corporation organized under the laws of this state for the construction of a highway or combination bridge across any navigable boundary river, to vote additional taxes for the purchase of such bridge. [Amendatory of chapter six (6) of title five (V) of the code, relating to powers of cities and towns as to streets and public grounds.] Approved March 27, 1902.....	H. F. 400	24
43	An act to amend sections seven hundred and seventy-one (771), seven hundred and seventy-three (773) and seven hundred and seventy-four (774) of the code, relating to the construction of viaducts over or under railroads on public streets and highways and to the compensation of owners of property abutting on such streets and highways. Approved April 5, 1902.....	H. F. 416	25
44	An act to amend section eight hundred and twenty-three (823) of the code of Iowa, relating to notice of the levy of special assessments. Approved April 2, 1902.....	S. F. 206	26
45	An act to amend sections eight hundred fifty (850) and eight hundred fifty-nine (859) of the code, as amended by [Chapter twenty-five (25) of] the acts of the Twenty-seventh General Assembly, and as amended by [Chapter thirty (30) of] the acts of the Twenty-eighth General Assembly, in relation to park commissioners in certain cities. Approved April 12, 1902.....	S. F. 223	26
46	An act to amend sections eight hundred and sixty (860), eight hundred and sixty one (861) and eight hundred and sixty-two (862) of the code, relating to voting taxes for the purchase of real estate for parks and constructing dams and improvements of parks and rivers, condemning real estate for parks and jurisdiction of cities having a population under twenty thousand (20,000) and towns, over parks without their corporate limits. Approved April 4, 1902.....	S. F. 243	27

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Chap.	TITLE.	ENGROSSED BILL.	Page.
47	An act authorizing the council in towns and cities having a population of five thousand inhabitants or less, to appropriate money from their general fund, for the improvement and maintenance of public parks, and providing for the expenditure thereof. [Additional to chapter nine (9) of title five (V) of the code, relating to park commissioners in cities and towns.] Approved April 10, 1902.	H. F. 309	28
48	An act to amend section eight hundred and ninety-four (894) of the code of Iowa, as amended by [chapter thirty-two (32) of the acts of] the [Twenty-eighth] 28th General Assembly, relating to the levy of special taxes by cities. Approved April 2, 1902.	S. F. 200	28
49	An act to amend section nine hundred and fifteen (915) of the code, relating to the recording and certification of plats. Approved April 12, 1902.	H. F. 342	29
50	An act to repeal section nine hundred and fifty-three (953) of the code and section two (2) of chapter twenty-eight (28) of the acts of the Twenty-seventh General Assembly and amend sub-division six (6) of section one thousand and five (1005) of the code, relating to the subject of assessment of taxes for library purposes in cities acting under special charters. Approved March 26, 1902.	S. F. 70	29
51	An act to fix the compensation of water works trustees in special charter cities. [Amendatory of chapter fourteen (14) of title five (V) of the code, relating to cities acting under special charters] Approved April 12, 1902.	S. F. 362	29
52	An act to amend section one thousand and four (1004) of the code, in reference to levying taxes in special charter cities. Approved April 7, 1902.	S. F. 72	30
53	An act to amend section [s] one thousand and seventy-five (1075), one thousand one hundred and thirty (1130), one thousand five hundred and twenty-eight (1528), one thousand five hundred and thirty-three (1533), one thousand five hundred and forty-two (1542), one thousand five hundred and forty-five (1545), one thousand five hundred and fifty-one (1551) and one thousand five hundred and fifty-four (1554), [and] forty-eight hundred and eight (4808) of the code, and to repeal sections one thousand five hundred and thirty-two (1532), one thousand five hundred and forty (1540) and one thousand five hundred and fifty (1550) of the code and enact substitutes therefor, and to repeal sections one thousand five hundred and forty-one (1541), one thousand five hundred and forty-six (1546), one thousand five hundred and fifty-three (1553) and one thousand five hundred and sixty-seven (1567) of the code, relative to the duties of township trustees; the duties of township clerks; the election, qualification, duties, compensation and payment of road supervisors; the consolidation of road districts and the levy and collection of road tax. Approved April 4, 1902.	H. F. 286	30
54	An act providing for condition of bonds to be given by public officers and others. [Amendatory of chapter six (6), of title six (VI) of the code, relating to qualification for office, and of chapter eleven (11), of title six (VI) of the code, relating to additional security and the discharge of sureties.] Approved April 9, 1902.	S. F. 125	33
55	An act to fix the compensation of the appraisers of property. [Amendatory of chapter twelve (12), of title six (VI) of the code, relating to the general provisions as to compensation.] Approved April 4, 1902.	H. F. 48	33
56	An act to amend section thirteen hundred and four (1304) of the code, relating to the exemption of property from assessment and taxation. Approved April 7, 1902.	H. F. 77	34
57	An act to amend section one thousand three hundred and thirty-three (1333) of the code, relating to the assessment of taxes upon foreign insurance companies. Approved April 8, 1902.	S. F. 115	34
58	An act to amend section thirteen hundred and thirty-four (1334) and section thirteen hundred and thirty-seven (1337) of the code, relating to the assessment of railway property for taxation. Approved February 28, 1902.	S. F. 93	34
59	An act to amend section fourteen hundred (1400) of the code, making taxes levied on buildings as personal property a lien thereon. Approved March 17, 1902.	S. F. 21	35

GENERAL LAWS—CONTINUED.

Chap.	TITLE.	ENGGROSSED BILL.	Page.
60	An act requiring railroad companies to file plats of all lines of railroad owned or operated in the several counties of the state of Iowa with county auditors. (Amendatory of the provisions of chapter one (1), title seven (VII), of the code, relating to the assessment of taxes.) Approved April 5, 1902.....	H. F. 331	35
61	An act relating to reports to be made by railway companies to the executive council to aid in the assessment of railway property for taxation, and providing for a uniform system in making the said reports. [Additional to chapter one (1), of title seven (VII) of the code, relating to assessment of taxes.] Approved April 12, 1902..	H. F. 172	36
62	An act defining and providing for the taxation of freight line and equipment companies. [Additional to chapter one (1), of title seven (VII) of the code, relating to assessment of taxes.] Approved April 12, 1902.....	S. F. 189	37
63	An act to refund to administrators and executors any surplus they have paid to the treasurer of state as collateral inheritance tax in excess of that legally due. [Amendatory of chapter four (4), of title seven (VII) of the code, chapter thirty-seven (37) of the acts of the Twenty-seventh General Assembly, and chapter fifty-seven (57) of the acts of the Twenty-eighth General Assembly, relating to assessment and collection of collateral inheritance tax.] Approved April 10, 1902.....	H. F. 245	39
64	An act to amend sections fifteen hundred and twenty-eight (1528), fifteen hundred and thirty-three (1533), fifteen hundred and fifty-four (1554) of the code, and for the repeal of section fifteen hundred and forty-two (1542) and enacting a substitute therefor, relative to the levying, certifying and collection of road tax. Approved March 25, 1902.....	H. F. 266	40
65	An act to amend section fifteen hundred and thirty (1530) of the code in relation to the working of highways. Approved April 9, 1902.	H. F. 40	41
66	An act to amend section sixteen hundred ten (1610) and section sixteen hundred eighteen (1618), of the code as amended by chapter forty (40) of the acts of the Twenty-seventh General Assembly and chapter fifty-six (56) of the acts of the Twenty-eighth General Assembly, relating to incorporations for pecuniary profit. Approved March 4, 1902.....	H. F. 121	41
67	An act to amend section one thousand six hundred thirteen (1613) of the code, relative to the publication of notice of incorporation. Approved March 17, 1902.....	S. F. 41	42
68	An act to amend sections sixteen hundred seventy-two (1672) and sixteen hundred seventy-three (1673) of the code, relating to the reports and making appropriation for the horticulture society. Approved April 7, 1902.....	H. F. 71	42
69	An act to amend section one thousand six hundred seventy-five (1675) of the code, in relation to farmers' county institutes. Approved April 10, 1902.....	S. F. 166	42
70	An act amending paragraph five (5) of section seventeen hundred and nine (1709) of the code, relating to insurance. Approved April 12, 1902.....	H. F. 354	43
71	An act to amend section one thousand seven hundred and nine (1709) of the code, relating to insurance. Approved April 9, 1902.....	H. F. 374	43
72	An act to amend section seventeen hundred and ten (1710) of the code [as amended by chapter sixty-one (61) of the acts of the Twenty-eight General Assembly], relating to limitation of insurance risks. Approved May 2, 1902.....	S. F. 295	43
73	An act relating to notice and proofs of personal property insured. [Amendatory of chapter four (4), of title nine (IX) of the code, relating to insurance other than life.] Approved April 11, 1902..	S. F. 129	44
74	An act to amend section seventeen hundred and fifty-nine (1759) of the code and to provide for the insurance of plate glass. Approved April 9, 1902.....	H. F. 241	44
75	An act to amend section seventeen hundred and seventy-one (1771) of the code, in relation to stock or premium notes. Approved April 9, 1902.....	S. F. 236	45
76	An act to amend section eighteen hundred and seventy (1870) of the code, in relation to limit of liabilities of banks. Approved April 10, 1902.....	S. F. 187	45

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Chap.	TITLE.	ENGROSSED BILL.	Page.
77	An act amending chapter thirteen (13) [of title nine (IX)] of the code and chapter sixty-nine (69) of the acts of the Twenty-eighth General Assembly, relating to building and loan associations and defining and regulating the same. Approved May 2, 1902.....	S. F. 348	45
78	An act to amend sections one thousand nine hundred and forty-six (1946), one thousand nine hundred and forty-eight (1948) and one thousand nine hundred and fifty-one (1951) of the code relating to levees, drains and water courses. Approved April 7, 1902.....	S. F. 253	48
79	An act to amend section nineteen hundred and ninety-eight (1998) of the code, relating to depot grounds of railway corporations. Approved April 10, 1902.....	S. F. 349	49
80	An act amendatory of chapter four (4) title ten (X) of the code of Iowa, to enable the United States of America to take private property for public improvements. Approved April 2, 1902.....	S. F. 299	49
81	An act relating to, defining, regulating and conferring rights and powers upon interurban street railways, and amending section two thousand and twenty-six (2026) of the code, relating to such railways. Approved April 7, 1902.....	H. F. 248	49
82	An act to amend section two thousand and twenty-eight (2028) of the code, relating to the taking of private property for works of internal improvement. Approved March 31, 1902.....	H. F. 182	51
83	An act providing for the condemnation of real estate by the state, for the use and benefit of institutions of the United States, and the payment of damages therefor. [Additional to chapter four (4) of title ten (X) of the code, relating to the taking of private property.] Approved April 4, 1902.....	H. F. 167	51
84	An act to authorize and empower railroad corporations of this state, to transact business, lease or purchase railroads, or to purchase the stock, bonds, or securities of railroads in other states. [Amendatory of chapter five (5), of title ten (X) of the code, relating to the construction and operation of railways.] Approved April 11, 1902.....	S. F. 117	52
85	An act to amend sections two thousand and eighty-four (2084), two thousand and eighty-five (2085), two thousand and eighty-six (2086), two thousand and eighty-seven (2087), two thousand and eighty-eight (2088), two thousand and eighty-nine (2089), two thousand and ninety (2090), and two thousand and ninety-one (2091) of the code, relating to taxes in aid of railroads, and extending the provisions thereof to trolley and electric railways. Approved March 11, 1902.....	S. F. 46	53
86	An act to amend section two thousand and eighty-six (2086) of the code, relating to the voting of taxes in aid of railways. Approved April 8, 1902.....	S. F. 285	54
87	An act to require railway companies to keep posted in their passenger stations bulletins giving the time of arrival and departure of trains. [Additional to chapter five (5) of title ten (X) of the code, relating to the construction and operation of railways.] Approved April 10, 1902.....	S. F. 140	54
88	An act to repeal sections twenty-one hundred sixty-eight (2168), twenty-one hundred and sixty-nine (2169), twenty-one hundred and seventy-three (2173) of the code, and twenty-one hundred and seventy-nine [2179] of the code, and the amendments thereto as shown by chapter [seventy-two] 72 of the acts of the Twenty-eighth General Assembly, and to enact substitutes therefor, and to amend sections twenty-one hundred and seventy-four (2174), twenty-one hundred and seventy-five (2175), twenty-one hundred and eighty-one (2181) of the code and the amendment thereto as shown by chapter [seventy-two] 72, acts of the Twenty-eighth General Assembly, and twenty-one hundred and ninety-nine (2199) of the code, relating to the militia. Approved April 11, 1902.....	H. F. 220	54
89	An act to amend sections twenty-two hundred and four (2204) and twenty-two hundred and fourteen (2214) of the code, [relating to the militia]. Approved April 11, 1902.....	H. F. 221	56
90	An act authorizing the commander-in-chief to organize naval militia of Iowa, and prescribing regulations therefor. [Additional to chapter one (1) of title eleven (XI) of the code, relating to the militia.] Approved April 10, 1902.....	H. F. 436	57

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Chap.	TITLE.	ENGROSSED BILL.	Page.
91	An act to repeal section two thousand two hundred fifty-three (2253) of the code and enact a substitute in lieu thereof, in relation to hospitals for the insane. Approved April 4, 1902.....	H. F. 376	57
92	An act to amend section two thousand, two hundred and sixty-seven (2,267) of the code, relating to appeals from the findings of commissioners of insanity. Approved March 17, 1902.....	S. F. 196	58
93	An act to provide a department in one of the hospitals for the insane, for the detention and treatment of dipsomaniacs, inebriates and those addicted to the excessive use of narcotics. [Additional to chapter two (2) of title twelve (XII) of the code, relating to the care of the insane and to chapter one hundred and eighteen (118) of the acts of the Twenty-seventh General Assembly, as amended by chapter one hundred and forty-three (143) of the acts of the Twenty-eighth General Assembly, relating to the state board of control.] Approved April 12, 1902.....	H. F. 176	58
94	An act to amend section two thousand four hundred and ten (2410) of the code, relating to the sale of intoxicating liquors and abatement of nuisance. Approved April 11, 1902.....	S. F. 342	59
95	An act to amend sections twenty-four hundred thirty-three (2433) and twenty-four hundred thirty-five (2435) of the code, relating to the listing of places where intoxicating liquors are kept for sale or sold, and the assessment of the mulct tax against the property and its owner or owners and the occupant or tenant of such property. Approved April 7, 1902.....	H. F. 386	60
96	An act to amend subdivision three (3), of section twenty-four hundred forty-eight (2448) of the code, relating to surety on bonds. Approved April 9, 1902.....	H. F. 321	61
97	An act relating to the duties of the commissioner of labor statistics, and amending section [s] twenty-four hundred and seventy (2470), twenty-four hundred and seventy-one (2471) and twenty-four hundred and seventy-two (2472) of the code. Approved April 11, 1902.....	S. F. 211	61
98	An act to amend [section twenty-four hundred and seventy-nine of] chapter nine (9) title twelve (XII) of the code, in relation to mines and mining. Approved March 25, 1902.....	H. F. 12	62
99	An act to amend section twenty-four hundred and eighty-two (2482) of the code, relating to mines and mining. Approved March 25, 1902.....	H. F. 13	62
100	An act in relation to the examination of shot examiners in coal mines and defining their duties. [Additional to chapter nine (9), of title twelve (XII) of the code, relating to mines and mining.] Approved April 11, 1902.....	S. F. 360	63
101	An act to amend section two thousand five hundred and eight (2508) of the code, in relation to the inspection and use of the products of petroleum. Approved April 7, 1902.....	S. F. 221	63
102	An act to amend section twenty-five hundred and twenty-two (2522) of the code, relating to reports to the dairy commissioner by milk dealers and operators of creameries and cheese and condensed milk factories and providing a penalty for violations of the section as amended. Approved April 10, 1902.....	H. F. 298	63
103	An act to amend sections two thousand five hundred forty (2540), two thousand five hundred fifty-one (2551), two thousand five hundred fifty-six (2556) and two thousand five hundred sixty-one (2561), of the code; and section two thousand five hundred thirty-nine (2539) of the code as amended by chapter sixty-four (64) of the laws of the Twenty-seventh (27th) General Assembly; repealing section five (5) of chapter sixty-four (64) of the laws of the Twenty-seventh (27th) General Assembly and making further provisions additional to said chapter fifteen (15), title twelve (12) of the code, relating to the care and propagation of fish and the protection of birds and game. Approved April 9, 1902.....	S. F. 297	64
104	An act to amend section two thousand five hundred and forty-seven (2547) of the code and to prohibit the taking of fish from certain waters of the state, except with hook and line. Approved March 22, 1902.....	H. F. 130	66
105	An act to repeal section two thousand five hundred and seventy (2570) of the code and enact a substitute therefor, in relation to quarantine and the expenses thereof. Approved April 11, 1902..	H. F. 83	66

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Chap.	TITLE.	ENGROSSED BILL.	Page.
106	An act to amend section twenty-five hundred and seventy-one (2571) of the code, relating to time of meetings for local boards of health. Approved April 5, 1902.	H. F. 162	68
107	An act amending section two thousand five hundred and seventy-two (2572) of the code, relating to the enforcement of the rules and regulations of the state board of health. Approved March 17, 1902.	S. F. 192	68
108	An act relating to the powers of boards of health and health officers and the erection and maintenance of pesthouses and hospitals in certain cases. [Additional to chapter sixteen (16), of title twelve (XII) of the code, relating to the state board of health.] Approved April 5, 1902.	S. F. 197	68
109	An act to amend section twenty-five hundred and eighty-one (2581) of the code, in relation to itinerant physicians. Approved April 9, 1902.	S. F. 232	69
110	An act relating to the sale of cocaine and providing punishment for the illegal sale thereof. [Amendatory of chapter eighteen (18) of title twelve (XII) of the code, relating to the practice of pharmacy.] Approved March 22, 1902.	H. F. 31	69
111	An act to amend section twenty-six hundred and four (2604) of the code, relating to the appointment of officers for the soldiers' home. Approved March 31, 1902.	S. F. 267	70
112	An act to amend section twenty-six hundred and four (2604) of the code, relating to the compensation to be allowed to the adjutant, quartermaster and surgeon of the Iowa soldiers' home. Approved April 12, 1902.	S. F. 269	70
113	An act to amend section twenty-six hundred and eight (2608) of the code as amended by chapter seventy-two (72) of the Acts of the Twenty-seventh General Assembly and providing additional support for the soldiers' home at Marshalltown. Approved April 11, 1902.		
114	An act to amend section twenty-six hundred twenty-nine (2629) of the code, relating to examinations of applicants for state certificates and diplomas. Approved April 9, 1902.	H. F. 107	70
115	An act to provide for the inspection, recognition and supervision of schools for the instruction and training of teachers for the common schools, and providing for the licensing of the graduates of the same. [Additional to chapter two (2), of title thirteen (XIII) of the code, relating to the board of educational examiners.] Approved April 9, 1902.	H. F. 432	71
116	An act establishing the rank of commandant and instructor of military science and tactics in state educational institutions. [Amendatory of chapters three (3), four (4), and five (5), of title thirteen (XIII) of the code, relating to the state university, the state college of agriculture and mechanic arts and the state normal school.] Approved March 22, 1902.	S. F. 328	71
117	An act providing for the levy of a special tax of one-tenth of a mill on the dollar upon the assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for state normal school at Cedar Falls, Iowa. [Additional to chapter five (5), of title thirteen (XIII) of the code, relating to the normal school.] Approved April 9, 1902.	S. F. 261	72
118	An act providing for the admission of feeble-minded women to the institution for feeble-minded children at Glenwood, and the maintenance thereof. [Amendatory of chapter seven (7) of title thirteen (XIII) of the code, relating to the institution for feeble-minded children.] Approved April 7, 1902.	H. F. 359	72
119	An act to amend sections two thousand seven hundred and eight (2708), two thousand seven hundred and nine (2709), and two thousand seven hundred and eleven (2711), title thirteen (13), chapter eight (8), of the code, to repeal sections twelve (12), thirteen (13), and fourteen (14), chapter one hundred (100), laws of the Twenty-eighth General Assembly in relation to discharge of boys and girls from industrial schools. Approved March 22, 1902.	H. F. 228	73
120	An act to amend section twenty-seven hundred eleven (2711) of the code, in regard to the discharge or parole of inmates of the industrial schools. Approved April 10, 1902.	H. F. 55	73
		H. F. 345	74

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Chap.	TITLE.	ENGGROSSED BILL.	Page.
121	An act to repeal section twenty-seven hundred and eighteen (2718) of the code, and chapter eighty-two (82) laws of the Twenty-seventh General Assembly amendatory thereto, and to enact a substitute therefor, relating to the support of the college for the blind at Vinton, Iowa. Approved March 17, 1902.....	H. F. 86	74
122	An act to repeal section twenty-seven hundred and twenty-seven (2727) of the code and chapter eighty-three (83) of the acts of the Twenty seventh General Assembly amendatory thereto, and to enact a substitute therefor, relating to the support of the Iowa school for the deaf at Council Bluffs, Iowa. Approved March 17, 1902.....	H. F. 188	75
123	An act to amend section twenty-seven hundred and thirty-eight (2738) of the code, in relation to the duties of county superintendents. Approved April 10, 1902.....	S. F. 175	76
124	An act to amend section twenty-seven hundred and forty-two (2742) of the code, relating to county superintendents. Approved April 10, 1902.....	S. F. 13	76
125	An act to amend section twenty-seven hundred fifty-five (2755) of the code, relating to the registration of voters for school elections. Approved April 12, 1902.....	H. F. 428	76
126	An act to amend section twenty-seven hundred ninety-four (2794) of the code of Iowa, relating to the organization of independent districts. Approved April 7, 1902.....	S. F. 167	77
127	An act to repeal section twenty-eight hundred and twelve (2812) of the code; section one (1) of chapter ninety-five (95) of the acts of the Twenty-seventh General Assembly, and chapter one hundred and forty-two (142) of the acts of the Twenty-eighth General Assembly and to enact a substitute therefor, providing for the issuance of school bonds. Approved April 12, 1902.....	H. F. 373	77
128	An act for compulsory education. [Additional to title thirteen (XIII) of the code, relating to education.] Approved April 1, 1902.....	H. F. 170	78
129	An act to amend section three thousand and sixteen (3016) of the code, relating to bushel weight. Approved March 22, 1902.....	H. F. 214	80
130	An act relating to negotiable instruments, being an act to establish a law uniform with the laws of other states on that subject, and to repeal sections three thousand and forty three (3043), three thousand and forty-five (3045), three thousand and forty-nine (3049), three thousand and fifty (3050), three thousand and fifty-one (3051), three thousand and fifty-two (3052), three thousand and fifty-four (3054), and three thousand and fifty-five (3055), of title fifteen (15), chapter three (3) of the code, additional to code title fifteen (15), chapter three (3). Approved April 12, 1902.....	H. F. 351	81
131	An act to amend section three thousand two hundred and twenty-five (3,225) of the code, relating to the support of families of persons adjudged to be insane. Approved March 31, 1902.....	S. F. 195	89
132	An act to amend section three thousand two hundred and fifty-three [3253] of the code relating to the rights, duties and relations between parent and child by adoption. Approved April 8, 1902.....	S. F. 156	100
133	An act to repeal chapter eight (8) of title sixteen (16) of the code, and enact a substitute therefor relating to the care of friendless children, and the establishment, regulation and visitation of homes for friendless children. Approved April 10, 1902.....	H. F. 145	100
134	An act to amend section thirty-two hundred and eighty-seven (3287) of the code, relating to the recording of wills. Approved April 8, 1902.....	S. F. 95	102
135	An act to amend section three thousand three hundred and eighty-six (3386) of the code, relating to the property rights of persons who feloniously take the life of another. Approved March 19, 1902.....	S. F. 178	102
136	An act relating to the rules of descent of estates of children by adoption. [Additional to chapter four (4) of title seventeen (XVII) of the code, relating to the descent and distribution of the intestate's property.] Approved April 9, 1902.....	S. F. 155	103

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137	An act to amend section three thousand four hundred and thirty-nine (3439) of the code, relating to the limitation of actions on judgments. Approved March 27, 1902.....	H. F. 47	103
138	An act to amend section thirty-four hundred and ninety-seven (3497) of the code, relating to place of bringing action. Approved March 5, 1902.....	H. F. 67	104
139	An act to amend section thirty-five hundred and twenty-nine (3529) of the code, relating to manner of commencing actions. Approved March 5, 1902.....	H. F. 68	104
140	An act to amend section thirty-eight hundred and twenty-five (3825) of the code, making taxes on property in the hands of receivers a preferred claim. Approved March 19, 1902.....	S. F. 9	104
141	An act to amend section four thousand five hundred and forty-four (4544) of the code, relative to garnishment proceedings. Approved February 26, 1902.....	H. F. 105	105
142	An act concerning and defining kidnaping for the purpose of ransom, and prescribing the punishment therefor. [Amendatory of chapter two (2), title twenty-four (XXIV) of the code, relating to offenses against the lives and persons of individuals.] Approved March 22, 1902.....	H. F. 156	105
143	An act making it a crime to advise, counsel, encourage, advocate or incite the unlawful killing of any human being and fixing the punishment therefor. [Additional to chapter two (2) of title twenty-four (XXIV) of the code, relating to offenses against the lives and persons of individuals.] Approved April 7, 1902.....	H. F. 52	105
144	An act to amend section forty-seven hundred and ninety (4790) of the code, in relation to the possession of burglar's tools. Approved March 10, 1902.....	S. F. 18	106
145	An act to amend section four thousand eight hundred and seven (4807) of the code, relating to malicious mischief and trespass. Approved March 4, 1902.....	H. F. 117	106
146	An act making it a crime to sell property upon which there is a landlord's lien for the rent, without the written consent of the landlord and fixing the penalty therefor. [Additional to chapter five (5) of title twenty-four (XXIV) of the code, relating to larceny and receiving stolen goods.] Approved April 9, 1902.....	H. F. 125	106
147	An act to repeal section forty-eight hundred and ninety-seven (4897) of the code, and to enact a substitute therefor, relating to the escape of persons confined in a penitentiary for any less period than for life. Approved April 11, 1902.....	H. F. 395	107
148	An act defining the crime of sodomy. [Amendatory of chapter nine (9), title twenty-four (XXIV) of the code, relating to offenses against chastity, morality and decency.] Approved March 31, 1902.....	S. F. 337	107
149	An act to provide for the safety and comfort of laborers and other persons assembled in factories and buildings. [Additional to chapter ten (10), of title twenty-four (XXIV) of the code, relating to offenses against the public health.] Approved April 11, 1902.....	S. F. 212	107
150	An act for the preservation of life and protection of property to require the construction of fire escapes to certain buildings and enclosures now constructed or hereafter to be erected, providing the manner of constructing same, and imposing penalties for violation thereof. [Additional to chapter ten (10), of title twenty-four (XXIV) of the code, relating to offenses against the public health.] Approved April 8, 1902.....	S. F. 230	108
151	An act amending section five thousand and fifty-two (5052) of the code, relating to the use or sale of bottles, boxes, casks, kegs and barrels of another. Approved February 21, 1902.....	S. F. 12	110
152	An act relating to the indictment and punishment of persons who have been convicted of felony two or more times in this state, or in this and other states, and making certain evidence competent proof thereof. [Amendatory of title twenty-four (XXIV) of the code, relating to crimes and punishments.] Approved April 9, 1902.....	H. F. 92	110
153	An act to amend section five thousand and ninety-six (5096) of the code, relating to bail after conviction of certain crimes. Approved April 11, 1902.....	H. F. 401	111

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Chap.	TITLE.	ENGROSSED BILL.	Page.
154	An act to protect sheriffs and other peace officers in procuring evidence for the identification of criminals, or persons accused of crime. [Additional to chapter thirty-four (34), of title twenty-five (XXV) of the code, relating to evidence and witnesses.] Approved April 11, 1902.....	H. F. 276	111
155	An act to amend section fifty-seven hundred and seven (5707) of the code, relative to the employment of persons sentenced to imprisonment in the penitentiary, in places or buildings owned or leased by the state outside of the penitentiary enclosures. Approved April 11, 1902.....	H. F. 394	112
156	An act to amend section five thousand seven hundred and sixteen (5716) of the code, in relation to the compensation of officers and employes of the penitentiaries of the state. Approved March 10, 1902.....	S. F. 108	112
157	An act to provide for the support of the hospitals for the insane and for the transfer of patients on account of the opening of the hospital at Cherokee. [Repealing chapter fifty-four (54) of the acts of the Twenty-seventh General Assembly and chapter one hundred forty (140) of the acts of the Twenty-eighth General Assembly and enacting substitutes therefor, relating to the compensation for keeping patients in the insane hospitals.] Approved April 9, 1902.....	S. F. 161	112
158	An act to repeal chapter sixty-nine (69), of the laws of the Twenty-seventh General Assembly, regulating the practice of osteopathy in the state of Iowa, and enacting a substitute therefor. Approved April 8, 1902.....	S. F. 273	114
159	An act making provision for the support of the department of the industrial school for boys at Eldora, Iowa. (Amendatory to chapter eighty-one (81), of the acts of the Twenty-seventh General Assembly, relating to support of the industrial school.) Approved April 11, 1902.....	H. F. 265	115
160	An act to amend section twenty-three [23] of chapter one hundred eighteen [118] of the acts of the Twenty-seventh General Assembly, providing for the payment of expenses of the state architect. Approved April 12, 1902.....	S. F. 345	116
161	An act to amend section two (2), of chapter twenty-five (25), of the acts of the Twenty-eighth General Assembly, relating to disbursement of tax money levied and collected for and on account of water works. Approved April 10, 1902.....	S. F. 340	116
162	An act providing that chapter twenty-five (25) of the acts of the Twenty-eighth (28) General Assembly, relating to water works, be made applicable to cities under special charters. Approved March 19, 1902.....	S. F. 204	117
163	An act to amend section three (3), of chapter thirty (30), of the acts of the Twenty-eighth General Assembly, relating to the levy of taxes for park purposes in certain cities. Approved March 22, 1902.....	H. F. 41	117
164	An act to repeal sections two (2), three (3), six (6) and seven (7), of chapter forty-five (45), acts of the Twenty-eighth General Assembly, and to enact a substitute therefor; and to amend section one (1) chapter forty-five (45), acts of the Twenty-eighth General Assembly, relating to taxation of express companies. Approved February 28, 1902.....	S. F. 259	117
165	An act to amend section three (3), of chapter fifty-eight (58), of the acts of the Twenty-eighth General Assembly, relating to membership in the annual convention of the department of agriculture. Approved April 4, 1902.....	H. F. 311	119
166	An act to amend section eight (8), of chapter fifty-eight (58), of the acts of the Twenty-eighth General Assembly, relating to the construction of street railways upon the state fair grounds. Approved April 2, 1902.....	S. F. 217	119
167	An act to amend section two (2), of chapter sixty-seven (67), of the laws of the Twenty-eighth General Assembly, relating to savings banks. Approved March 14, 1902.....	S. F. 122	120
168	An act to amend chapter eighty-three (83), of the acts of the Twenty-eighth General Assembly in relation to the inspection and use of the products of petroleum. Approved April 7, 1902.....	S. F. 220	120

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Chap.	TITLE.	ENGROSSED BILL.	Page.
169	An act to amend chapter ninety-two (92) of the acts of the Twenty-eighth General Assembly in relation to pension money of members of the Iowa soldiers home at Marshalltown, Iowa. Approved April 10, 1902.....	S. F. 303	121
170	An act to amend chapter ninety-three (93) of the acts of the Twenty-eighth General Assembly, relating to the practice of veterinary medicine, surgery and dentistry. Approved April 4, 1902.....	S. F. 291	121
171	An act to repeal chapter ninety-seven (97) of the acts of the Twenty-eighth (28) General Assembly and to enact a substitute therefor providing for the levy of a special tax of one-fifth (1-5) of a mill on the dollar upon the assessed valuation of the taxable property of the state for the erection, repair, [and] improvement of buildings for the state university of Iowa. Approved April 7, 1902....	S. F. 10	122
172	An act to repeal chapter ninety-nine (99) of the acts of the Twenty-eighth (28) General Assembly and to enact a substitute therefor providing for the levy of a special tax of one-fifth of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the Iowa state college of agriculture and mechanic arts. Approved April 7, 1902.....	S. F. 153	123
173	An act to repeal sections two (2), three (3), four (4) and five (5), chapter one hundred sixteen (116), acts of the Twenty-eighth General Assembly; also defining the duties of the Iowa library commission, transferring the associate and traveling libraries from the state library board to the Iowa library commission, and providing for an appropriation for the extension of the work of the Iowa library commission; also amending section one hundred sixty-eight (168) of the code and repealing sections two thousand eight hundred sixty-eight (2868), two thousand eight hundred sixty-nine (2869), two thousand eight hundred seventy-one (2871), two thousand eight hundred seventy-two (2872), two thousand eight hundred seventy-three (2873) and two thousand eight hundred seventy-four (2874) of said code, also repealing chapter one hundred forty-eight (148) acts of the Twenty-seventh General Assembly. Approved April 11, 1902.....	H. F. 263	123
174	An act to amend chapter one hundred and sixty-seven (167), laws of the Twenty-eighth (28th) General Assembly of Iowa, entitled: "An act to provide for the erection of monuments to mark the positions occupied by the Iowa volunteers at the battle of Shiloh, Tennessee, and to make an appropriation to pay the expenses of the commissioners." Approved April 1, 1902.....	H. F. 275	125
175	An act to amend chapter forty-four (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, Iowa, conferring upon said association all of the rights, powers and privileges now possessed, or hereafter conferred by the statutes of Iowa upon corporations not for pecuniary profit. Approved February 21, 1902.....	H. F. 42	126

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176	An act to provide for the general levy for state purposes for the year nineteen hundred two (1902) and subsequent years. Approved April 12, 1902.....	H. F. 455	127
177	An act fixing a uniform time at which all annual appropriations shall begin. Approved April 12, 1902.....	H. F. 257	127
178	An act to make appropriations for the payment of state and judicial officers, state and other expenses. Approved April 12, 1902.....	S. F. 366	128
179	An act creating a commission to superintend the completion of the capitol building and certain repairs thereto, and appropriating money therefor. Approved April 12, 1902.....	S. F. 176	134

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180	An act making appropriations for the construction, repair, support and contingent funds of the hospitals for the insane at Mt. Pleasant, Independence and Clarinda, the penitentiaries, the industrial schools for boys and girls, the institution for feeble-minded children, the school for the deaf, the college for the blind, the soldiers' orphans' home and the soldiers' home, and relating to the industrial home for the blind. Also authorizing the use of a portion of the balance in the support fund at the hospital for the insane at Clarinda in the enlargement and equipment of the shop building, and of a portion of the balance of certain funds of the penitentiary at Ft. Madison in the erection of the hospital and library building. Approved April 12, 1902.....	H. F. 391	135
181	An act to appropriate money for the construction and equipment of a laundry building for the hospital for the insane at Mt. Pleasant, Iowa, and to provide it with heat, water, lights and sewer connections. Approved April 12, 1902.....	H. F. 447	139
182	An act appropriating money to aid in completing and furnishing the hospital for the insane at Cherokee, for the purchase of land and for a contingent and repair fund. Approved February 17, 1902..	S. F. 49	140
183	An act making appropriations to the Iowa state college of agriculture and mechanic arts, the state university, and the state normal school. Approved April 12, 1902.....	S. F. 365	140
184	An act making an appropriation for the department of agriculture for the purpose of erecting a permanent fire proof building for live stock exhibits. Approved April 11, 1902.....	H. F. 185	142
185	An act making appropriations to the Iowa state historical society. Approved April 11, 1902.....	H. F. 234	143
186	An act making an appropriation for the Benedict home at Des Moines, Iowa. Approved April 11, 1902.....	H. F. 58	144
187	An act making an appropriation for the woman's and baby's home of Sioux City, Iowa. Approved April 11, 1902.....	H. F. 116	144
188	An act making an appropriation for the Dubuque rescue home of Dubuque, Iowa. Approved April 11, 1902.....	H. F. 219	144
189	An act to appropriate forty-five hundred dollars, or so much thereof as may be necessary, to pay the additional employes of the General Assembly. Approved February 6, 1902.....	S. F. 100	145
190	An act appropriating money to defray the expenses of the inauguration ceremonies. Approved March 6, 1902.....	S. F. 147	145
191	An act making an appropriation for the purchase of thirty thousand (30,000) railroad commissioners' official maps to be distributed by the members of the general assembly and railroad commissioners. Approved February 17, 1902.....	S. F. 111	145
192	An act to appropriate money to pay the custodian's employes for the month of March, A. D. 1902. Approved April 2, 1902.....	S. F. 298	146
193	An act appropriating money to pay express, freight and cartage. Approved March 6, 1902.....	S. F. 134	146
194	An act to provide for the compilation of the laws of the Twenty-seventh, Twenty-eighth and Twenty-ninth General Assemblies, to annotate the same and the code and rules of the supreme court to and including the May term, 1902, of the supreme court, and to publish said compilation and annotations as a supplement to the code, and to provide for the appointment of a supervising committee, and making an appropriation therefor. Approved February 24, 1902.....	S. F. 1	147
195	An act to provide for an exhibit of the arts, industries and resources of the state of Iowa, at the Louisiana purchase exposition to be held in the city of St. Louis, in the state of Missouri, and making appropriation therefor. Approved April 12, 1902.....	H. F. 300	149
196	An act to provide for the erection of monuments and tablets on the Vicksburg National Military Park to mark the positions occupied by Iowa brigades, regiments and batteries; to commemorate the valor and services of Iowa soldiers in the campaign and siege of Vicksburg; and to make an appropriation therefor. Approved April 1, 1902.....	H. F. 155	150
197	An act making an appropriation, and providing for the erection of monuments in memory of the Iowa troops, on Lookout Mountain and Missionary Ridge, (the battles of Chattanooga). Approved April 9, 1902.....	S. F. 152	151

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198	An act making an appropriation for the erection of a monument in Forrest Home cemetery, Mount Pleasant, Iowa, in remembrance of one Charles Shepherd, and providing the method of such erection. Approved April 10, 1902.....	S. F. 278	153
199	An act to appropriate money to pay for paving the state's portion of East Walnut street between Fourteenth and Fifteenth streets adjoining the state's property. Approved April 11, 1902....	H. F. 322	154
200	An act to appropriate seven thousand dollars, or so much thereof as may be necessary, to supply the Indians on the reservation in Tama county with substitutes for things to be destroyed on account of being infected with disease. Approved March 5, 1902.....	S. F. 276	154
201	An act to provide for the condemnation of a fishway and for the erection of a fishway in the Bonaparte dam. Also making an appropriation for the expenses thereof and prescribing penalties for injuring or destroying such fishway. Approved April 2, 1902....	S. F. 218	155
202	An act making an appropriation for the purchase of a portrait of the late James Harlan for the gallery of portraits in the art gallery of the historical department at Des Moines, Iowa. Approved April 12, 1902.....	H. F. 454	156
203	An act to reimburse F. M. Powell for money paid by him to secure the vacation of a public road for the benefit of the institution for feeble-minded children at Glenwood. Approved April 11, 1902....	H. F. 142	156
204	An act to reimburse Greene county for money expended for care of a nonresident insane person. Approved April 11, 1902.....	S. F. 31	157
205	An act to indemnify Mathew R. Sadler for damages caused by sewage from the industrial school for girls at Mitchellville. Approved April 11, 1902.....	H. F. 304	157
206	An act making an appropriation to Charles Gray for publishing original notice in the case of Bettannier v. Caille. Approved April 11, 1902.....	H. F. 352	157

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207	An act to provide a water supply for military reservations of the United States in this state. Approved February 17, 1902.....	H. F. 18	159
208	An act for the relief of the grantees of John Carsner, and for the purpose of having a patent issued in his name for a certain tract of land. Approved March 7, 1902.....	H. F. 194	159
209	An act for the relief of the grantees of John Noble and W. A. Noble, and for the purpose of having a patent issued in their names for a certain tract of land. Approved March 7, 1902.....	H. F. 179	160
210	An act to authorize the improvement of the channels of meandered streams dividing the territory within the corporate limits of certain cities and to authorize the reclaiming of lands between the meandered lines of said streams within said corporate limits and to create a commission therefor and defining its powers and prescribing its duties. Approved March 14, 1902.....	S. F. 234	161
211	An act to provide for the publication of an edition of seven thousand and five hundred (7500) copies of the code. Approved March 22, 1902.....	S. F. 296	164
212	An act to authorize the granting to the Chicago, Burlington and Quincy Railroad company, its successors or assigns, a right of way through lands owned by the state, and used by the institution for feeble minded children at Glenwood, Iowa. Approved March 22, 1902.....	S. F. 304	165
213	An act ceding to the United States exclusive jurisdiction over certain lands or lots acquired by the United States for public purposes within this state, and authorizing the acquisition thereof. Approved March 27, 1902.....	H. F. 409	165
214	An act authorizing the executive council to sell and convey two islands newly formed by accretion in the Mississippi river, and located in sections three and four; in township seventy-seven, north of range three, east of the fifth P. M., in Scott county, Iowa, the same being west of the main channel of said Mississippi river and adjacent to the Iowa shore. Approved April 9, 1902.....	H. F. 425	166

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Chap.	TITLE.	ENGROSSED BILL.	Page.
215	An act to authorize the improvement and to regulate the use of the Governor's Square in the city of Des Moines for park purposes. Approved April 10, 1902	S. F. 251	167
216	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 12, 1902.....	S. F. 264	168
217	An act to apportion the state into representative districts and declare the ratio of representation. Approved April 12, 1902... ..	H. F. 419	170

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218	An act to legalize the acts of the board of supervisors of Jefferson county, Iowa, relating to the levying of a tax for the support of the poor, and legalizing the tax so levied. Approved February 17, 1902	H. F. 23	174
219	An act to legalize and confirm the official acts of George C. McMurtry and Herbert J. McMurtrie, notaries public of the state of Iowa. Approved February 21, 1902.	H. F. 26	175
220	An act to legalize the ordinances of the town of Conway, Taylor county, Iowa. Approved February 21, 1902.....	H. F. 34	175
221	An act to legalize the official acts of W. E. Haskins, a notary public of Howard county, Iowa. Approved February 21, 1902.....	H. F. 74	176
222	An act to legalize the election held in the county of Dallas and state of Iowa, on the sixth day of November, 1900, and the proposition submitted at said election for the purpose of building a court house at Adel, in said county, and borrowing money and issuing bonds therefor; and the manner of submitting said propositions, and the manner of the payment of bonds issued for said purpose, and all of the proceedings of the board of supervisors of said county with reference to said matters, and to authorize said county to issue bonds voted at said election, and to levy taxes to pay the same. Approved February 21, 1902.	H. F. 103	176
223	An act to legalize the acts of the independent school district of Allerton, Wayne county, Iowa, in voting bonds at an election held March 12th, 1900, for the rebuilding of a schoolhouse in said independent district and to enable such district to issue such bonds. Approved February 21, 1902.....	H. F. 119	178
224	An act to legalize certain proceedings, ordinances and resolutions passed by the councils of cities and towns by less than the required number of votes. Approved February 27, 1902.	H. F. 187	179
225	An act to legalize the official acts of the town council of the incorporated town of Sumner, in Bremer county, Iowa. Approved March 4, 1902	H. F. 198	179
226	An act to legalize the incorporation of certain corporations incorporated under the laws of the state of Iowa. Approved March 10, 1902.....	S. F. 40	180
227	An act legalizing the organization of the independent school district of Ralston, located in Greene and Carroll counties, Iowa. Approved March 14, 1902.....	H. F. 9	180
228	An act to legalize the action of the town council of the incorporated town of Orleans, in Dickinson county, Iowa. Approved March 17, 1902.....	S. F. 215	181
229	An act to legalize the incorporation of the town of Minden, Pottawattamie county, Iowa, the election of its officers, the passage and record of its ordinances and resolutions, and all acts done by the council of said town. Approved March 19, 1902.....	S. F. 294	181
230	An act to legalize the ordinances and the official acts of the town of Schaller, Sac county, Iowa. Approved March 22, 1902.....	H. F. 227	182
231	An act to legalize the ordinances and resolutions passed by the incorporated town of Cresco, Howard county, Iowa, and also of the city of Cresco, in said county and state. Approved March 22, 1902.....	H. F. 368	183

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232	An act to legalize the election held in the county of Osceola and state of Iowa on the 5th day of November 1901, and the proposition submitted at said election for the purpose of building a court house and jail at Sibley in said county, and borrowing money and issuing bonds therefor and the manner of payment of said bonds issued for said purpose, and all of the proceedings of the board of supervisors of said county with reference to said matter. Approved March 25, 1902.....	S. F. 272	183
233	An act legalizing acts of the county auditor and of the board of supervisors of Lyon county. Approved March 25, 1902.....	H. F. 378	184
234	An act to legalize the acts of boards of water works trustees in cities of the first class and cities acting under special charters under appointment made by the district courts of Iowa. Approved March 27, 1902.....	S. F. 286	186
235	An act to legalize the incorporation of the town of Rudd, Floyd county, Iowa, and the ordinances thereof. Approved March 27, 1902.....	H. F. 349	186
236	An act to legalize the acts of the independent school district of Stanwood, Cedar county, Iowa, in voting bonds at a special election held September 16, 1901, for the rebuilding of a schoolhouse in said independent school district and to enable such district to issue such bonds and to validate all the official acts and proceedings of the board of directors of said school district relative thereto. Approved March 27, 1902.....	H. F. 326	187
237	An act to validate certain conveyances of real estate in which the husband or wife conveyed the inchoate right of dower of the other spouse. Approved March 31, 1902.....	S. F. 157	188
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LAWS

OF THE

Twenty-Ninth General Assembly,

OF THE

STATE OF IOWA.

PASSED AT THE REGULAR SESSION THEREOF, AT DES MOINES, THE CAPITAL OF THE STATE,
BEGUN ON THE THIRTEENTH DAY OF JANUARY. AND ENDED ON THE ELEVENTH
DAY OF APRIL, A. D. 1902, IN THE FIFTY-SIXTH YEAR OF THE STATE.

GENERAL LAWS.

CHAPTER 1.

SALARY OF THE GOVERNOR.

H. F. 350.

AN ACT to amend section sixty-five (65), chapter one (1) [of title two (II)] of the code, in relation to the salary of the governor.

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

SECTION 1. Salary. That section sixty-five (65), chapter 1 of the code shall be amended by striking out the words "three thousand" in the first and second lines, and inserting in lieu thereof the words "five thousand".

SEC. 2. In Effect. This act shall take effect and be in force from and after the termination of the present gubernatorial term.

Approved April 7, 1902.

CHAPTER 2.

TIME OF SETTLEMENT OF THE AUDITOR OF STATE WITH THE TREASURER OF STATE.

H. F. 195.

AN ACT to amend section one hundred and six (106) of the code, relative to the time of settlement of the auditor of state with the treasurer of state.

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

SECTION 1. Quarterly settlements. That section one hundred and six (106) of the code is hereby amended by striking out after the word "January" in the fourth line thereof, [the words,] "April and July, and the first day of" and inserting in lieu thereof [the words,] "and the first day of April, July, and".

Approved March 4, 1902.

CHAPTER 3.

RELATING TO THE DEFENSE OF THE TREASURER OF STATE AND THE PAYMENT OF JUDGMENTS RENDERED AGAINST HIM.

S. F. 163.

AN ACT relating to the defense of the treasurer of state in certain cases in suits brought to recover taxes or fees unlawfully collected, and providing for the payment and satisfaction of judgments rendered against him in such cases. [Additional to chapter four (4), of title two (II) of the code, relating to the treasurer of state.]

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

SECTION 1. Defense—appeal. Whenever any taxes or fees have been collected by the treasurer of state of this state, acting under the authority of the code, or any act of the General Assembly, and covered into the state treasury, and any suit or action is brought against said treasurer, either as such, or as an individual, to recover back such taxes or fees so collected and covered into the treasury of the state, whether the term of office of such treasurer has expired or not, it shall be the duty of the attorney-general, upon the request of the defendant, to appear and make defense to such action. If, upon final hearing of such suit or action, it shall be determined that such taxes or fees were wrongfully collected and covered into the state treasury, it shall be the duty of the attorney-general to appeal said suit or action to the supreme court, unless in his opinion such appeal would be useless, in which case he shall render his opinion, with a copy of the proceedings had in court, to the executive council, who may either order the appeal to be taken, and that the attorney-general shall proceed therewith, or accept the decision, and their order shall be final. If appeal be taken by the defendant it shall supersede execution, without bond.

SEC. 2. Satisfaction of judgment. In case the executive council shall decide that no appeal shall be taken, or in case an appeal shall be taken and result in an affirmance, then the attorney-general shall prepare and present before the executive council a transcript of the judgment with costs, under the seal of the court in which the same is rendered, and the said council shall cause the same to be entered of record, and shall, by order duly entered of record, direct the auditor of state to draw his warrant on the treasurer of state for a sum sufficient to satisfy the said judgment, which said warrant shall, by the treasurer of state, be paid to the attorney-general, who shall therewith satisfy said judgment, taking duplicate receipts from the clerk of the court in which the final judgment is had, and he shall file one of said receipts with the executive council and one with the treasurer of state.

SEC. 3. Rights of plaintiff. Nothing herein contained shall be construed to give the plaintiff in such action any other or greater rights than he might have if this act were not in existence.

SEC. 4. Suits against ex-treasurers. This act is hereby made to apply to suits brought or that may be brought, as defined in section one hereof, against any treasurer of state whose term of office has expired prior to the enactment hereof.

SEC. 5. Appropriation. There is hereby appropriated out of any funds not otherwise appropriated sufficient to pay all such judgments as may come within the provisions of this act.

SEC. 6. In effect. 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 Capital, newspapers published in the City of Des Moines, Iowa.

Approved April 2, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Daily Capital, April 3, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 4.

DUTIES OF STATE PRINTER AND STATE BINDER.

S. F. 44.

AN ACT to amend section [s] one hundred eighteen (118), and one hundred nineteen (119) of the code, defining the duties of state printer and state binder.

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

SECTION 1. Printing and binding—how delivered. That section one hundred and eighteen (118) of the code be, and the same is hereby amended to read as follows, viz:

"The state printer shall promptly deliver to the state binder the printed sheets of laws, journals, and other publications, as the work progresses, as well as all other work requiring stitching, or binding, and the state binder shall, upon the completion of the work as required, deliver to the secretary of the state, at the document room, all documents, journals, reports, official registers, laws, and all other publications which the secretary of state is, or may hereafter be required, by law, to distribute, taking his duplicate receipt for the same, one copy of which shall be delivered to the secretary of the executive council, who shall give the printer credit for the paper necessarily used in the manufacture of said publication; and it is the duty of the secretary of state to see that the proper number of copies is so delivered. All other printing shall be promptly delivered to the secretary of the executive council, at the supply department, by the state printer and state binder. The state printer shall make certificate to the secretary of the executive council, of the paper necessarily used in the printing of each and every job or publication upon the presentation of the same, and after delivery of the work, the secretary of the executive council shall credit the state printer with the paper necessarily so used."

SEC. 2. Printing—how ordered and delivered. That section one hundred and nineteen (119) of the code be amended by striking out the words "secretary of state" in the third, fifth and ending of the sixth, and beginning of seventh lines of said section, inserting in lieu thereof the words "secretary of the executive council".

Approved April 9, 1902.

CHAPTER 5.

RELATING TO PRINTING AND BINDING.

S. F. 194.

AN ACT to amend section one hundred and twenty (120) of the code, relating to printing and binding.

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

SECTION 1. Secretary of state to certify work and cost to various departments. That section one hundred and twenty (120) of the code be amended by adding thereto the following words:

"The secretary of state shall certify quarterly to each state department, board or commission the character of the printing and binding ordered and completed during that quarter for such department, board or commission, giving the amounts paid therefor to the state printer for composition, press work and stock, and to the state binder for binding and extras; which certificate shall be official notice to such department, board or commission of its expenditures for printing and binding, and shall be used by such department, board or commission in preparing the biennial report of expenditures to the executive council in accordance with the provisions of chapter six (6) of the

acts of the Twenty-eighth General Assembly. The secretary of state shall make a certified report to each department of the cost of printing and binding done from and after July 1, 1901, to the date this enactment becomes operative."

Approved April 10, 1902.

CHAPTER 6.

PRINTING, BINDING AND DISTRIBUTION OF PUBLIC REPORTS AND DOCUMENTS.

H. F. 334.

AN ACT to amend sections one hundred twenty-five (125) and one hundred twenty-six (126) of the code, relating to the printing, binding and distribution of public reports and documents.

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

SECTION 1. Number of copies to be printed and bound. That section one hundred twenty-five (125) of the code be amended by striking from the thirteenth line thereof the words "fifteen hundred" and insert in lieu the words "two thousand", and be further amended by inserting after the comma following the word "statistics" and before the word "shall" in the twenty-seventh line of said section the words, "the report of the adjutant general".

SEC. 2. Documents—number and distribution. That section one hundred twenty-six (126) of the code be amended by striking from the ninth and from the fifteenth lines the words "one thousand" and insert in lieu [thereof] the words "fifteen hundred", that said section be further amended by inserting after the last word of the fifteenth line and before the first word of the sixteenth line the words, "five hundred copies to the state library for the use of the state library commission, to be used for library purposes, only after the remaining copies have been distributed by the secretary of state".

Approved April 10, 1902.

CHAPTER 7.

RELATING TO THE PRINTING OF THE REPORT OF THE ACADEMY OF SCIENCE.

S. F. 87.

AN ACT to amend section one hundred thirty-six (136) of the code, in relation to the publication of the reports of the Iowa Academy of Sciences.

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

SECTION 1. Report—number of pages. That section one hundred and thirty-six (136), of the code be, and hereby is amended by striking out from the fifth line the words "two hundred and fifty" and inserting in lieu thereof the following: "Three hundred".

SEC. 2. In effect. 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 March 25, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 27, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 8.

PURCHASE OF ENGRAVINGS, PLATES OR CUTS FOR REPORTS.

S. F. 159.

AN ACT, providing for the purchase of engravings, plates, or cuts for state publications, and fixing the manner of paying the cost of the same. [Additional to chapter five (5) title two (II) of the code, relating to public printing and binding.]

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

SECTION 1. Authority to purchase—how paid. That the executive council of Iowa is authorized to procure, purchase or authorize the purchase, when in its judgment the use of the same is expedient, the necessary engravings, plates, or cuts required to illustrate any publication authorized to be printed under the general printing statutes of the state and the cost of the said engravings, plates or cuts shall be audited and paid in the same manner as claims for state printing.

Approved March 12, 1902.

CHAPTER 9.

ANNUAL SETTLEMENTS WITH STATE DEPARTMENTS.

S. F. 254.

AN ACT repealing section one hundred sixty-one [161] of the code and enacting a substitute therefor, providing for the appointment of an expert accountant and an assistant and appropriating money to pay the same, and granting to the executive council power to determine systems of records and accounts to be kept by state officers under certain conditions.

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

SECTION 1. Annual settlements—expert accountant and assistant—powers of executive council—appropriation. That section one hundred sixty one of the code be repealed and the following enacted in lieu thereof:

"Section 161. The executive council shall annually, and oftener in its discretion, make a full settlement between the state of Iowa and all state officers, commissioners, boards, departments and all persons receiving, handling or expending state funds except institutions under the control of the board of control. For that purpose, an expert accountant at a salary not exceeding six dollars per day, and an assistant at a salary not exceeding four dollars per day, may be employed to examine the records and accounts of all of said state officers, commissioners, boards, persons and departments. The expert accountant so appointed shall report in writing to the executive council the facts found, with suggestions as to improvements in methods of book-keeping and shall also report the facts as to any practices in administration, not authorized by statute or contrary to good business methods. The executive council shall have authority to direct the manner in which the records and accounts of state departments shall be kept, when the statute does not prescribe the same; to require a compliance with the provisions of law when the statute prescribes duties as to methods and accounts and to require the keeping of the necessary records and accounts to enable said officers to make all reports required of them by law. There is hereby appropriated out of any money not otherwise appropriated, sufficient to pay the per diem of the expert accountant and assistant herein provided for, on their statements of the actual time necessarily consumed, verified by oath and approved by the executive council, and warrants to be drawn by the auditor of state."

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

Approved April 8, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 9, 1902

W. B. MARTIN,
Secretary of State.

CHAPTER 10.

POWERS AND DUTIES OF THE EXECUTIVE COUNCIL.

S. F. 274.

AN ACT to amend section one hundred and sixty-four (164) and section one hundred and sixty-five (165) of the code, relating to powers and duties of the executive council.

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

SECTION 1. Contracts for lighting, repairing, etc. That section one hundred and sixty-four (164) of the code be, and the same is hereby amended by inserting after the word "building" in the sixth line thereof, the words "and other buildings belonging to the state situate in the city of Des Moines," and by inserting after the word "grounds" in the sixth line of the same section, the words "connected therewith".

SEC. 2. Purchase of supplies. That section one hundred and sixty-five (165) of the code be, and the same is hereby amended by inserting after the word "building" in the third line thereof, the words "and other buildings belonging to the state situate in the city of Des Moines," and by inserting after the word "grounds" in the third line of the same section, the words "connected therewith".

Approved April 2, 1902.

CHAPTER 11.

SALE OF STATE FURNITURE AND STORES.

H. F. 437.

AN ACT to amend section one hundred sixty-five (165) of the code, providing for the sale of furniture and stores that are of no further use to the state.

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

SECTION 1. Executive council to sell. That section one hundred sixty-five of the code be amended by adding at the end thereof the following, to-wit:

"The executive council shall have authority to sell, exchange or otherwise dispose of any article of furniture, stores or supplies when the same have become, for any reason, unfit for further use by the state."

Approved April 1, 1902.

CHAPTER 12.

ORGANIZATION OF THE SUPREME COURT.

H. F. 228.

AN ACT to amend chapter [one] 1, title [three] 3, of the code, relating to the organization of the supreme court

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

SECTION 1. Terms of court There shall be three regular terms of the supreme court in each year to be held as follows, to-wit: The first term beginning with the second Tuesday in January, and ending with the first Monday of May; the second beginning with the first Tuesday after the first Monday of May, and ending with the third Monday of September; and the third begin-

ning with the first Tuesday after the third Monday of September and ending with the third Saturday of December.

SEC. 2. **Recess or adjournment.** The court shall not be required to continue in actual public session during an entire term, but may adjourn from time to time as by order or rule it shall direct. Provided, however, that no such recess or adjournment shall be taken for more than thirty days at one time, except during the period from the first Monday in July to the third Monday in September in each year.

SEC. 3. **Causes assigned and submitted.** At each regular or adjourned session of a term of court, causes pending therein may be assigned and submitted, but no more submissions shall be taken or allowed at any one session, than, in the judgment of the court can be properly considered and determined before the next succeeding session.

SEC. 4. **Rules.** The court shall by appropriate rules provide for the assignment of causes for hearing at the regular and adjourned sessions thereof, and for reasonable notice to counsel of the time or times at which their cases will be called.

SEC. 5. **Salaries.** Each judge of the supreme court hereafter elected shall receive a salary of six thousand dollars per year.

SEC. 6. **Acts in conflict.** All acts and parts of acts in conflict with or inconsistent with the provisions of this act are hereby repealed.

SEC. 7. **In effect.** This act shall take effect and be in force on and after January 1st, 1904.

SEC. 8. **No other compensation.** That no member of the supreme court shall be paid any compensation for services other than the salary herein provided.

Approved April 7, 1902

CHAPTER 13.

SALARIES OF DISTRICT JUDGES.

H. F. 129.

AN ACT to amend section two hundred fifty-three (253) of the code, relating to the salaries of district judges.

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

SECTION I. **Salaries.** That section two hundred fifty-three (253) of the code be amended by striking out the words "two thousand five hundred", in the second line thereof, and inserting in lieu thereof the words "three thousand five hundred".

Approved April 11, 1902.

CHAPTER 14.

COMPENSATION OF SHORTHAND REPORTERS.

H. F. 35.

AN ACT to repeal section two hundred and fifty-four (254) of the code, relating to compensation of shorthand reporters, and enacting a substitute therefor.

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

SECTION I. **Repealed.** That section two hundred fifty-four (254) of the code be and the same is hereby repealed and the following enacted in lieu thereof:

SEC. 2. **Compensation of shorthand reporters.** Shorthand reporters of the district courts shall be paid six (\$6.00) dollars per day for each day's attendance upon said court, under the direction of the judge, out of the county treasury where such court is held, upon the certificate of the judge holding the

court; and in case the total per diem of each reporter shall not amount to the sum of one thousand two hundred dollars (\$1,200.00) per year, the judge appointing him shall at the end of the year apportion the deficiency so remaining unpaid among the several counties of the district, if there be more than one county in such district, in proportion to the number of days of court actually held by said judge in such counties, which apportionment shall be by him certified to the several county auditors, who shall issue warrants therefor to said reporter, which warrants shall be paid by the county treasurers out of any funds in the treasury not otherwise appropriated. Shorthand reporters shall also receive six cents per hundred words for transcribing their official notes, to be paid for in all cases, by the party ordering the same. If a defendant in a criminal cause has perfected an appeal from a judgment against him and shall satisfy a judge of the district court from which the appeal is taken that he is unable to pay for a transcript of the evidence, such judge may order the same made at the expense of the county where said defendant was tried.

SEC. 3. Taxed as part of costs. A charge of six dollars (\$6.00) per day for reporting in all cases, except where the defendant in a criminal case is acquitted, shall be taxed as part of the costs in the case by the clerk of the court and paid into the county treasury when collected.

Approved April 5, 1902.

CHAPTER 15.

TRUSTEES FOR MANAGEMENT, CONTROL AND INVESTMENT OF DONATED CEMETERY FUNDS.

S. F. 141.

AN ACT authorizing the district court to appoint trustees to manage, control and invest funds donated for and on account of cemetery purposes. [Additional to chapter five (5), of title three (III), relating to the district court.]

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

SECTION 1. Trustee—appointment. Any owner or owners of any cemetery, or any party or parties interested therein, may by petition presented to the district court of the county where the cemetery is situate, have appointed a trustee with authority to receive any and all moneys that may be donated for and on account of said cemetery or any part thereof and to invest, manage and control same under the direction of the court; but he shall not be authorized to receive any gift, except with the understanding that the principal sum is to remain and be a permanent fund, and only the net proceeds therefrom to be used in carrying out the purpose of the trust created, and all such funds shall be exempt from taxation so far as consistent with the regulations governing the association owning or controlling the ground where the lot is located.

Sec. 2. Receipt—attested by clerk—"Cemetery Record." Every such trustee shall execute and deliver to the donor a receipt showing the amount of money received, and the use to be made of the net proceeds from same. Such receipt shall be duly attested by the clerk of the court granting letters of trusteeship and a copy thereof signed by the trustee and so attested shall be filed with and recorded by the clerk in a book to be known as the "Cemetery Record," and in which shall be recorded all reports and others papers, including orders made by the court or judge relative to cemetery matters.

Sec. 3. Loans—security. It shall be the duty of such trustee to loan all moneys received by him, under the direction and with the approval of the court, but only as same may be secured by first mortgage upon Iowa real estate, and no loan shall be made or approved, unless it be made to appear upon oath of three disinterested citizens that such real estate is worth at least double the amount of the loan applied for, and that the title to same is good of record and in fact in the party making application therefor.

SEC. 4. Bond—approval—oath. Every such trustee, before entering on the discharge of his duties or at any time thereafter when required by the court or judge must give bond in such penalty as may be required by the court to be approved by the clerk, conditioned for the faithful discharge of the duties imposed on him by law and take and subscribe an oath the same in substance as the condition of the bond, which oath and bond must be filed with the clerk.

SEC. 5. Additional bond. It shall be the duty of the clerk at the time of filing each and every receipt mentioned in section two of this act, to at once advise the court or judge as to the amount of the principal fund in the hands of such trustee, the amount of bond filed, and whether or not it is good and sufficient for the amount given, to the end that the court or judge may, if to him it seems best, require a new or additional bond.

SEC. 6. To serve without compensation—expenses. Trustees appointed under this act shall not be entitled to receive any compensation for services rendered, but may out of the income received pay all proper items of expense incurred in the performance of their duties, including cost of bond, if any.

SEC. 7. Annual report. It shall be the duty of every such trustee to make full report of his doings in the matter of his trusteeship in the month of January following his appointment and in January of each successive year. In each of said reports he shall apportion the net proceeds received from the sum total of the permanent fund and make proper credit to each of the separate funds assigned to him in trust.

SEC. 8. Removal. Any such trustee may be removed by the court or judge thereof at any time for cause and in the event of removal or death, the court or judge must appoint a new trustee and require his predecessor or his personal representative to make full accounting with him for all the property belonging to such trusteeship.

Approved March 31, 1902.

CHAPTER 16.

RELATING TO SUPERIOR COURTS.

H. F. III.

AN ACT to amend section number two hundred fifty-five (255) of the code, relating to superior courts.

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

SECTION 1. Establishment—in what cities. That section number two hundred fifty-five (255) of the code be and is hereby amended by striking out the word "seven" in the second line of said section and inserting in lieu thereof the word "five".

Approved March 25, 1902.

CHAPTER 17.

FEEES IN PROBATE MATTERS.

S. F. 96.

AN ACT to amend section two hundred and ninety-six (293) of the code, relating to fees in probate matters.

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

SECTION 1. Fees to be collected. That subdivision twenty-nine (29) of section two hundred and ninety-six (296) of the code be amended by striking out the word "eight" in the last line of said subdivision twenty-nine (29), and inserting in lieu thereof the word "seven".

Approved March 10, 1902.

CHAPTER 18.

COMPENSATION OF COUNTY ATTORNEYS.

H. F. 225.

AN ACT to amend section three hundred and eight (308) and to repeal section three hundred and three (303) of the code, and enact a substitute therefor, relating to the compensation of county attorneys.

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

SECTION 1. Assistant—deputies—compensation. That section three hundred and three (303) of the code be and the same is hereby repealed and the following enacted in lieu thereof :

“In counties having a population of thirty-six thousand (36,000) or more, the county attorney thereof, with the approval of the board of supervisors, may appoint a practicing attorney who is a resident of his county, as his assistant, whose salary shall be fixed at a reasonable figure by the board of supervisors at the time of his appointment and approval, but not to exceed ten hundred dollars (\$1000.00) per annum. In counties of less than thirty six thousand (36,000) he may appoint deputies who shall act without any compensation from the county, to assist him in the discharge of his duties. In any county with the approval of the district court, he may procure such assistance in the trial of a person charged with a 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 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”.

SEC. 2. Compensation of county attorneys. That section three hundred and eight (308) of the code be amended by striking out the word “Three” in the fifteenth (15th) line of said section and inserting in lieu thereof the word “Five”.

Approved April 11, 1902,

CHAPTER 19.

REMOVAL OR SUSPENSION OF ATTORNEYS.

S. F. 347.

AN ACT to amend section three hundred and twenty-five (325) of the code, relating to the removal or suspension of attorneys, and the payment of costs and fees therefor.

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

SECTION 1. Costs—how paid. That section three hundred and twenty-five (325) of the code be, and the same is hereby amended by adding thereto the following:

“If an action is commenced by direction of the court, the costs shall be taxed and disposed of as in criminal cases; provided, however, that no allowance shall be made in such case for the payment of attorney fees”.

SEC. 2. In effect. 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 the city of Des Moines, Iowa.

Approved April 10, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 11, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 20.

GRAND AND PETIT JURY LISTS.

S. F. 150.

AN ACT to amend section three hundred and thirty-seven (337) of the code, relating to grand and petit jury lists.

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

SECTION 1. Board of supervisors to prepare lists—when. That section three hundred and thirty-seven of the code be amended as follows; by inserting after the word "book" in the thirteenth (13) line thereof the following:

"Should no general election be held in the year one thousand nine hundred and five, the board of supervisors shall meet on the first Monday in December of said year and prepare the grand and petit jury lists from the poll books returned from the various voting precincts of the county in the year one thousand nine hundred and four."

Approved April 4, 1902.

CHAPTER 21.

POWERS OF BOARDS OF SUPERVISORS.

H. F. 143.

AN ACT to amend section four hundred and twenty-three (423) of the code, relating to the powers of boards of supervisors.

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

SECTION 1. Expenditures for improvements. That section four hundred and twenty-three (423) of the code be and the same is hereby amended by adding after the word "bridge" appearing in the second line of said section, and before the comma preceding the word "when" the following: "except as provided in section four hundred and twenty-four (424) of the code".

SEC. 2. In effect. 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 25, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 27, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 22.

COMPENSATION OF OFFICIAL NEWSPAPERS.

H. F. 62.

AN ACT to amend section four hundred and forty-one (441) of the code, relating to compensation of official papers.

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

SECTION 1. Rate of compensation. That section four hundred and forty-one (441) of the code be amended as follows: Strike out the words "not exceed" in line eighteen and insert the word "be" in lieu thereof.

Approved April 11, 1902.

CHAPTER 23.

RELATING TO FINANCIAL REPORT TO BE PREPARED BY COUNTY AUDITOR.

H. F. 230.

AN ACT requiring the county auditor to compile and prepare a financial report, and providing for the printing and distribution thereof. [Additonal to chapter three (3), of title four (IV) of the code, relating to the county auditor.]

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

SECTION 1. Financial report—what to contain. The county auditor shall during the month of January of each year, compile and prepare a financial report, which report shall contain a schedule showing the amount of the various classes of warrants drawn on the county fund, except for court expenses during the preceding year, including therein, among other items, the total amount paid each county officer also their deputies and extra help, also other employes of the county and amounts paid for rent and various other expenses, including printing and stationery, furniture and fixtures, publishing proceedings of the board of supervisors[,] postage allowed each county official, complete election expenses, including printing of ballots, expenses of registration and items of like nature; a schedule showing the amount of warrants drawn on the county fund for various court expenses, which shall include among other items the salary paid the county attorney and the amounts received by him as commission on fines and from other sources, and the amount paid to assistant counsel; also amount paid jurors in the district court, amount paid witnesses in the district court, amount paid bailiffs in district court[,] amount paid for shorthand reporting, amount paid for printing and stationery, amount paid for attorney fees for defending criminals[,] amount paid for meals for jurors and items of like nature; a schedule showing the expenses of the grand jury, stating amounts paid grand jurors, bailiffs, witnesses and items of like nature; a schedule showing the expenses of the coroner's court, stating amount paid coroner, coroner's clerk, constable fees[,] witness fees and items of items of like nature [and items of like nature]; a schedule showing the expenses of justice courts, stating amounts paid various justices, constables, total amount paid witnesses, jurors, attorney fees, for printing and items of like nature; a schedule showing the amount drawn by each member of the board of supervisors from the several funds of the county for services during the preceding year; a schedule, being a recapitulation of the total amount of warrants drawn on the county fund with a comparison with the amount of warrants drawn on the county fund each year for the last five years; a schedule showing the various classes of warrants drawn on the pauper fund for the preceding year, with a comparison with the total amount of warrants drawn on the pauper fund each year for the last five years; a schedule showing the amount of warrants drawn on the insane fund for the preceding year, including the amount received by each commissioner as fees and expenses, fees of witnesses, sheriff's fees and expenses, the cost of transportation and items of like nature; also total cost of maintenance of insane at county asylum, with number confined therein, and total paid the various state hospitals for the insane, with the number of patients from the county confined in such hospitals; a schedule showing the amount paid the various state institutions during the preceding year; a schedule showing the amounts paid the sheriff for boarding prisoners during the preceding year, together with the amount paid the sheriff as jail expenses, with a comparison with the amounts paid for boarding prisoners and for jail expenses each year during the last five years; a schedule showing the amounts paid for the condemning of intoxicating liquors during the preceding year, also costs of convictions, both in justice courts and in the district court, for the violation of the laws relating to the sale of intoxicating liquors, together with the amount of fines collected for such violation and the amounts received

as mulct tax, if any; a schedule showing the amount of warrants drawn on the county road fund and each of the various other funds of the county. Said financial report shall also contain the report of the county auditor as required by section four hundred and seventy-five (475) of the code, also the various reports of magistrates and other officers as required by section one thousand three hundred and two (1302) of the code, also the various reports made during the preceding year, by the county treasurer, county auditor, county recorder, sheriff, clerk of the district court and the soldiers relief commission, as required by law. It shall also contain the reports of the various committees that may be appointed by the board of supervisors to examine the affairs and accounts of the various county officials and employes. It shall also contain such other and further matters and information as the board of supervisors may direct or the county auditor may deem advisable. The comparison herein provided for shall not be required in the first report published; the second report need only contain a comparison with the preceding year, the third report with the last two years, the fourth report with the last three years and the fifth report with the last four years.

SEC. 2. Printing and distribution. Said financial report shall be ordered printed by the board of supervisors in pamphlet form, in such numbers as the board may direct, for distribution among the tax payers of the county.

Approved April 12, 1902.

CHAPTER 24.

PAYMENT OF INTEREST ON COUNTY WARRANTS.

S. F. 28.

AN ACT to amend section four hundred and eighty-three [483] of the code, relating to the payment of interest on county warrants.

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

SECTION 1. Rate of interest. That section four hundred and eighty-three of the code be amended as follows: Strike out the word "six" in the fifth line of said section and insert in lieu thereof the word "five".

Approved February 26, 1902.

CHAPTER 25.

EMPLOYMENT OF ADDITIONAL HELP BY COUNTY RECORDERS.

H. F. 287.

AN ACT to amend section four hundred and ninety-six (496) of the code, relating to the employment of additional help by county recorders.

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

SECTION 1. Assistants—compensation. That section four hundred and ninety-six (496) of the code be and the same is hereby amended by striking out of said section all after the word "supervisors," in the eleventh (11th) line, down to and including the first word "for", in line sixteen (16) thereof, and inserting in place thereof the words:

"In counties where no deputy is appointed, or in counties having a population of thirty five thousand (35,000) or over, the recorder may, with the approval of the board of supervisors, temporarily employ one or more assistants, when the pressure of business in his office renders it necessary, and he shall file a bill for such service at the next regular meeting of the board of supervisors, who shall make a reasonable allowance therefor."

Approved April 9, 1902.

CHAPTER 26.

RELATING TO SHERIFFS' FEES.

S. F. 83.

AN ACT to amend section five hundred and eight (508) of the code, relating to sheriffs' fees.

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

SECTION 1. **Fees for lodging prisoners excepted.** That section five hundred and eight (508) of the code be and the same is hereby amended as follows: By inserting the words "and lodging", after the word "dieting" in the fifth line of said section.

Approved March 17, 1902.

CHAPTER 27.

COMPENSATION OF SHERIFFS AND DEPUTY SHERIFFS.

H. F. 141.

AN ACT to repeal section five hundred and nine (509) and section five hundred and ten (510) of the code, in reference to the compensation of sheriffs and deputy sheriffs, and to fix the salaries of such officers.

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

SECTION 1. **Sheriffs—rate of compensation.** That section five hundred and nine (509) and section five hundred and ten (510) of the code be repealed and the following substituted therefor:

"In counties having a population of over forty-five thousand the sheriff shall receive in full compensation for his services, except the expenses hereinafter provided for, thirty five hundred dollars per annum, to be paid out of the receipts of the office. In counties having a population of over twenty-eight thousand and less than forty-five thousand the sheriff shall receive in full compensation for his services, except the expenses hereinafter provided for, three thousand dollars per annum, the same to be paid out of the receipts of the office. In counties having a population of over eleven thousand and less than twenty-eight thousand the sheriff shall receive in full compensation for his services, including the salary provided by section five hundred and eleven (511) of the code, the sum of two thousand dollars per annum, the same to be paid out of the receipts of the office. And any excess over the sums provided in all counties shall be paid into the county treasury annually. In all counties, the expenses necessarily incurred and actually paid while engaged in the performance of official duties in serving criminal process, or commitments to the penitentiaries, industrial schools or asylums, shall be allowed by the board of supervisors and paid as other claims against the county, and he shall be allowed to retain all mileage collected by him in the service of civil process. Provided, that in counties having a population of less than eleven thousand in which the receipts of the office, together with the salary allowed under section five hundred eleven (511) of the code, do not amount to the sum of fifteen hundred dollars in any year, the board of supervisors shall, at the January session thereof, allow the sheriff a sum which added to the receipts of the office for the previous year will amount to the sum of fifteen hundred dollars and that in counties having a less population than twenty-eight thousand, in which the receipts of the office and salary allowed under section five hundred and eleven (511) of the code, do not amount to the sum of eighteen hundred dollars per annum, the board of supervisors shall, at the January session thereof following, make an allowance to the sheriff of a sum equal to the difference between the receipts of the office in the previous year, and eighteen hundred dollars. And in counties having a population of more than

twenty-eight thousand and less than forty-five thousand, in which the receipts of the office and salary allowed by the board, do not in any year amount to the sum of two thousand dollars, the board of supervisors shall, at the January session thereof following, make an allowance to the sheriff of a sum equal to the difference between the receipts of the office for the previous year, and two thousand dollars. And in counties having a population of more than 45,000 in which the receipts of the office do not in any one year amount to the sum of thirty-five hundred dollars, the board of supervisors shall at the January session following make an allowance to the sheriff of a sum sufficient to make his salary equal to the sum of thirty-five hundred dollars. And provided further, that all fees earned and uncollected at the end of each year shall belong to the county, and when paid shall be by the clerk of the district court be reported to the board of supervisors and paid into the county treasury."

"**SEC. 2. Deputies—qualification—compensation.** In all counties the sheriff shall in writing appoint one or more persons, not holding a county office, as deputy or deputies, for whose acts he shall be responsible and from whom he shall require a bond, which appointment and bond shall be approved by the officer having the approval of the principal's bond; and such appointment may be revoked in writing, which appointment and revocation shall be filed and kept in the auditor's office. In all cases the board of supervisors shall fix the number of deputies and shall fix the salary of such deputies at not exceeding one thousand dollars per annum each in counties having a population of over twenty-eight thousand, and at not exceeding six hundred dollars per annum each in counties having a population of less than twenty-eight thousand; and in all counties the chief deputy shall be paid by the sheriff out of the compensation allowed him under the provisions of the preceding section, and all other deputies shall be paid by the county.'

Approved March 27, 1902.

CHAPTER 28.

CARE AND MAINTENANCE OF CEMETERIES BY BOARDS OF TOWNSHIP TRUSTEES.

S. F. 268.

AN ACT to amend section five hundred and eighty-six (586) of the code, relating to the care and maintenance of cemeteries by boards of township trustees.

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

SECTION 1. Tax for cemeteries in adjoining townships. That section five hundred and eighty-six (586) of the code be and it is hereby amended by changing the period immediately following the word "established" at the close of the first sentence of said section to a comma, and adding to said sentence the following: "or for the maintenance and improvement of cemeteries so established in adjoining townships in case they deem such action advisable."

Approved March 31, 1902.

CHAPTER 29.

POWERS AND DUTIES OF MAYORS OF CITIES.

S. F. 201.

AN ACT to amend section six hundred and forty-five (645) and section six hundred and fifty-eight (658) of the code of Iowa, relating to the powers and duties of mayors of cities.

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

SECTION 1. Presiding officer but not a member. That sub-division five (5) of section six hundred and fifty-eight (658) be, and hereby is, amended by striking out of the third line thereof the words "a member and".

SEC. 2. **Council--how composed.** That section six hundred and forty-five (645) of the code be and is hereby amended by striking out the words "a mayor" in the second line thereof, and also by striking out the words "a mayor and" at the beginning of the fourth line thereof.

SEC. 3. **In effect.** 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 printed and published at Des Moines, Iowa.

Approved April 2, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 3, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 30.

ASSESSORS IN CITIES AND TOWNS.

H. F. 273.

AN ACT to amend section six hundred sixty-one (661) and section six hundred seventy-four (674) of the code, relating to assessors in cities and towns.

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

SECTION 1. **Supplies--office--deputies.** That section six hundred sixty-one (661) of the code relating to assessors in cities and towns be and the same is hereby amended by inserting after the period in the fourth line the following:

"Except that in cities of the first class having a population of sixty thousand or over the board of supervisors of the county shall furnish the assessor with supplies and an office. And said assessor shall appoint such number of deputies as the board of supervisors may authorize, such appointments to be approved by the said board."

SEC. 2. **Compensation of assessors and deputies.** That section six hundred seventy-four (674) of the code relating to assessors in cities and towns be and the same is hereby amended by adding thereto the following:

"Except, that in cities of the first class having a population of sixty thousand or over the compensation of the assessor shall not be more than fifteen hundred dollars per annum to be fixed by the board of supervisors, and that of the deputies at not more than two dollars and fifty cents (\$2.50) per calendar day, Sundays excepted to be fixed by the board of supervisors."

Approved April 5, 1902.

CHAPTER 31.

BOARD OF POLICE AND FIRE COMMISSIONERS.

S. F. 250.

AN ACT creating a board of police and fire commissioners in cities of the first class having a population of more than sixty thousand, and defining the powers and duties of such board. [Additional to chapter two (2), of title five (V) of the code, relating to organization and officers of cities and towns.]

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

SECTION 1. **Board created.** That there is hereby created and established a board of police and fire commissioners in cities of the first class which, according to any state or national census heretofore or hereafter taken, are shown to have a population of more than sixty thousand.

SEC. 2. **Commissioners--terms--vacancies.** Said board of police and fire commissioners shall consist of three members, who shall be citizens of the state of Iowa and who shall have been residents of the city in which they are

appointed for more than five years next preceding their appointment; they shall, except as hereinafter specified, hold their office for six years and until their respective successors have been appointed and qualified. All vacancies in such board by death, resignation, removal, or for any other cause, shall be filled as soon as practicable in the same manner as provided for appointment. Said commissioners shall receive no compensation for their services.

SEC. 3. Commissioners must qualify. Before entering upon the duties of their office each of said commissioners shall take and subscribe an oath, which shall be filed and kept in the office of the city clerk, to support the constitution of the United States and of the state of Iowa, to obey the laws, and in all of his official acts and judgments to aim only to secure and maintain an honest and efficient police and fire force, free from partisan distinction or control, and to perform the duties of his office to the best of his ability, and shall execute a bond payable to the city in which he is appointed, in the penal sum of five thousand dollars, with sureties to be approved by the city council of said city. The expense for said bond shall be paid by said city.

SEC. 4. Mayor to appoint—terms—how selected—quorum—removal. Immediately upon the taking effect of this act the mayor of such city shall appoint said board of police and fire commissioners, who shall be confirmed by the city council, and the said commissioners so appointed shall hold their office, one of them until the first Monday in April, 1904, one of them until the first Monday in April, 1906, and one of them until the first Monday in April, 1908; and on the last Monday in March, 1904, and on the same day in each even numbered year thereafter, the mayor shall appoint one commissioner in such city to take the place of the commissioner whose term of office expires the first Monday in April following such appointment, and the members so appointed shall serve for the term of six years following the said first Monday in April. The chairman of the board for each biennial period shall be the member whose term first expires. The said commissioners shall be selected from the two leading political parties, so that, as far as practicable, two members of the board shall be members of the dominant political party and one member of the board shall be a member of the political party next in numerical strength, as shown by the votes cast at the last state or national election. And any commissioner who during his term of office becomes a candidate for or accepts any other place of public trust or emolument, or who during the same period knowingly consents to his nomination for any office elective by the people, or fails to publicly decline the same within twenty days succeeding such nomination, shall be deemed to have thereby vacated his office, and a successor shall be appointed as provided in this act. The majority of said board shall constitute a quorum for the transaction of business. Any of said commissioners may be removed for misconduct or malfeasance in office, by the mayor of said city, with the consent and approval of a majority of the city council.

SEC. 5. Examinations—results certified—preference given. Said board shall, on the first Monday of April and October of each year, or oftener if they shall deem it necessary, under such rules and regulations as it may prescribe, hold examinations for the purpose of determining the qualifications of applicants for positions on the police and fire force of said city, which examinations shall be practical in their character and shall relate to those matters which will fairly test the fitness of the persons examined to discharge the duties of the position to which they seek to be appointed; such examinations shall cover the physical, as well as other qualifications of the applicants. Said board shall, as soon as possible after such examinations, certify to the chief of police and the chief of the fire department the names of the ten persons who, according to its records, have the highest standing as a result of said examination, and all vacancies which occur in the police and fire force prior to the date of the next regular examination shall be filled from said list so certified; provided, however, that should said list for any cause become reduced to less

than three, then the chief of police or the chief of the fire department, as the case may be, may temporarily fill a vacancy until the next examination of the board. In all examinations and appointments under the provisions of this act honorably discharged soldiers, sailors or marines of the regular or volunteer army or navy of the United States shall be given a preference, if otherwise qualified.

Sec. 6. Police and fire departments—officers—salaries—clerk of board—record. The officers of the police force in said city shall be a marshal who shall be ex-officio chief of police, and shall be appointed by the mayor of said city, and such other officers as the city council may designate; and the officers of the fire department shall be chief of the fire department, who shall be elected by the city council, and such other officers as the city council may designate. The city council of said city shall fix the salary of the marshal and of the chief of the fire department, and shall fix the number of policemen and firemen for the police and fire force, and shall fix the salaries to be paid to each. The city council shall also provide a suitable room in which the said board of police and fire commissioners may hold its meetings, and the board may appoint a clerk, whose salary shall be fixed by the city council. Said board shall keep a record of all its meetings and proceedings.

Sec. 7. Appointments—how and by whom made. As soon as practicable after the passage of this act the chief of police shall appoint the police force for said city and the chief of the fire department shall appoint the fire force for said city. In the first instance the chief of police and the chief of the fire department may appoint on the police and fire force, without examination, the persons who have been in the employ of the city in these capacities for more than three consecutive years next preceding the creation of said board, and as soon as said appointments are made the chief of police and chief of the fire department shall notify the board of the number of policemen or firemen necessary to fill his department, and the board shall proceed to hold an examination of applicants for said positions, and at this examination the board may consider the experience and service in the case of persons who are on the police and fire force of said city at the time of the passage of this act, and if said persons are found to have been efficient, and are otherwise qualified, they shall be given a preference for continuance in such employment or place. The board shall certify to the chief of police and the chief of the fire department a list of persons double the number necessary to fill said force, who have passed a satisfactory examination, and who by its records have the highest standing as the result of said examination, from which list the chief of police and chief of the fire department shall appoint the number necessary to fill his respective force, and thereafter additions to said police and fire force, and removals therefrom, shall be made only in accordance with other sections of this act.

SEC. 8. Removals and discharges—appeal. All police officers and policemen, except the chief of police, and all firemen, except the chief of the fire department, shall be subject to removal by the board of police and fire commissioners for misconduct or failure to perform their duty, under such rules and regulations as may be adopted by said board whenever said board shall consider and declare said removal necessary for the proper management or discipline of said department; but the chief of police or the chief of the fire department may peremptorily suspend or discharge any member of his force for misconduct or neglect of duty or disobedience of orders; provided, that any person so suspended or discharged, within five days thereafter may appeal to said board and said board shall investigate the causes of his removal or discharge, and if the same are found insufficient, he shall be reinstated. The board shall have the power to enforce the attendance of witnesses and the production of books and papers and to administer oaths in the same manner and with like effect and under the same penalties as in the case of magistrates exercising civil or criminal jurisdiction under the statutes of Iowa.

SEC. 9. Qualifications of appointees—political contributions. No person shall be appointed or employed on the police or fire force of said city who is not a citizen of the United States and who has not been a resident of said city for more than one year next preceding said appointment, and who is not able to read and write the English language, and who is not of good moral character, or who is addicted to the use of intoxicating liquor as a beverage. No member of said police or fire force shall directly or indirectly contribute any money to any person for nomination or election purposes, and no person shall be appointed to or removed from said police or fire force on account of his political beliefs.

SEC. 10. Penalty. Any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall pay a fine not to exceed one hundred dollars (\$100), or be imprisoned in the county jail not to exceed thirty days.

Approved March 26, 1902.

CHAPTER 32.

PUBLICATION OF NOTICE OF QUESTIONS SUBMITTED TO THE VOTERS OF CITIES AND TOWNS.

S. F. 11.

AN ACT amending section seven hundred twenty-one (721) of the code, relating to the publication of notice of questions submitted to the voters of cities and incorporated towns.

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

SECTION 1. Notices to be posted—when. That section seven hundred twenty-one (721) of the code be, and the same is hereby amended by inserting after the word "weeks" in the eighth line of said section the following:

"But if no such newspaper is published within the limits of the corporation, then such notice may be given by posting copies thereof in three public places within the limits of said corporation, two of which places shall be the postoffice and the mayor's office of such city or town."

Approved April 10, 1902.

CHAPTER 33.

POWERS OF CITIES AND TOWNS.

S. F. 202.

AN ACT to amend section seven hundred and twenty-four (724) of the code of Iowa, as amended [by chapter nineteen (19) of the acts of the Twenty-eighth General Assembly], relating to certain powers of cities and towns.

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

SECTION 1. Taxes. That section seven hundred and twenty-four (724) of the code of Iowa, as amended by chapter nineteen (19) of the acts of the Twenty-eighth General Assembly, be, and is hereby, amended by inserting in the sixth (6th) line thereof, after the word "operating" the words "renewing, extending".

SEC. 2. In effect. 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 printed and published at Des Moines, Iowa.

Approved April 4, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 5, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 34.

GIFTS AND BEQUESTS FOR LIBRARY PURPOSES.

S. F. 25.

AN ACT to amend section seven hundred and twenty-seven (727) of the code, relating to gifts and bequests for library purposes.

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

SECTION 1. Conditions of gifts and bequests enforced—how. That section seven hundred and twenty-seven (727) of the code be and is hereby amended by inserting after the word "library" in the eighth line thereof the words :

"And when the conditions of such gifts, donations, devises, and bequests have once been accepted by the council, the performance of such conditions may be enforced at the instance of the library board by mandamus and by other due process of law".

SEC. 2. Special charter cities. This act shall apply to cities acting under special charter.

SEC. 3. In effect. 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 the city of Des Moines, Iowa.

Approved April 7, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 8, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 35.

CONDEMNATION OF GROUNDS FOR LIBRARIES.

S. F. 26.

AN ACT to authorize library boards to condemn grounds for location of libraries and for additional library grounds. [Amendatory of chapter four (4), of title five (V) of the code, relating to the general powers of cities and towns.]

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

SECTION 1. Library trustees empowered to condemn real estate. In any city or town in which a free library has been or may hereafter be established, the board of library trustees shall have the power to condemn real estate in the name of the city or town for the location and construction of library buildings and for branch libraries, and for the purpose of enlarging the grounds for such library buildings and branch libraries.

SEC. 2. Condemnation proceedings. Proceedings for condemnation of land as contemplated in this act, shall be in accordance with the provisions of the code relating to taking private property for works of internal improvement, except that no attorney's fee shall be taxed or allowed for the owner of the real estate.

SEC. 3. Special charter cities. This act shall apply to cities acting under special charter.

SEC. 4. In effect. 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 the city of Des Moines, Iowa.

Approved March 17, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 18, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 36.

THE LEVYING OF TAXES FOR LIBRARY PURPOSES.

H. F. 33a.

AN ACT to amend section seven hundred and thirty-two (732) of the code, as amended by chapters twenty-one (21) and twenty-two (22) of the acts of the Twenty-eighth (28th) General Assembly, relating to the levying of taxes for library purposes.

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

SECTION 1. Library tax. That section seven hundred and thirty-two (732) of the code as amended by the acts of the Twenty-eighth (28th) General Assembly, be and the same is hereby amended by striking out all after the word "exceeding" in the second and third lines, to and including the word, "exceeding" in the fourth line, and by striking out the word "other" in the fifth line of said section.

Approved April 11, 1902.

CHAPTER 37.

THE KEEPING OF ACCOUNTS IN CITIES AND TOWNS.

H. F. 396.

AN ACT requiring the keeping of accounts in cities and towns and requiring that publicity be given thereto. [Additional to chapter four (4), of title five (V) of the code, relating to the general powers of cities and towns.]

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

SECTION 1. Accounts—how kept—receipts and vouchers. That all cities and towns, including cities acting under special charter, shall establish and keep their accounts so the same shall exhibit a true and detailed statement of all public funds collected, received and expended on account of such municipality for any purpose, whatever, by any and all public officers, employes or other persons. Such accounts shall show the receipt, use and disposition of all public property, and the income, if any, derived therefrom, and of all sources of public income and the amount due and received from each source. All receipts, vouchers and other documents kept, or that may be required to be kept, necessary to prove the validity of every transaction and the identity of every person having any beneficial relation thereto, shall be filed and preserved in the office of the clerk or recorder as the case may be.

SEC. 2. Separate accounts. Separate accounts shall be kept for every appropriation, showing date and manner of each payment made out of the funds provided by such appropriation, the name and address of each person or corporation to whom paid, and for what purpose paid. Separate accounts shall be kept for each department, public improvement, or undertaking and for each public utility owned or operated by the said municipality. Said separate accounts for each public utility shall show the true and entire cost of the said utility and operation thereof, the amount collected annually by general or special taxation for the services rendered to the public, and the amount and character of the service rendered therefor, and the amount collected annually from private users, if any, for the services rendered to them, and the amount and character of the services rendered therefor.

SEC. 3. Annual report—publication. Each municipality shall make an annual public report, which shall contain an accurate statement, in summarized form, of all collections made or receipts of such municipality from all sources, all accounts due the public, but not collected, and all expenditures for every purpose; and a statement in detail of the cost and operation and all income of each public utility operated or owned by the municipality. Said report shall further show in detail the entire public debt of such municipality, and the

amount of debt, which the municipality may under the law contract for the year for which the report is made. Said report shall be published annually at the close of the fiscal year in at least two newspapers of general circulation in said city or town as the case may be, but if only one paper is so published, then in one, and if none be published, then by posting a copy in three public places in said city or town.

Approved March 31, 1902.

CHAPTER 38.

THE LOANING OF WATERWORKS SINKING FUND.

H. F. 19.

AN ACT to authorize the loaning of funds accumulated under chapter one (1) of the acts of the [Twenty-sixth] 26th General Assembly or under section seven hundred and forty-two (742) of the code, and to legalize a contract between the city of Des Moines and the Des Moines Water Works company for a loan of such funds.

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

SECTION 1. Authority to loan—conditions. That wherever any corporation engaged in maintaining and operating a waterworks plant within any city of this state where the United States has or may hereafter establish a military reservation within a distance of five miles from either of the boundaries of said city and such city has either under the provisions of chapter one (1) of the acts of the Twenty-sixth (26th) General Assembly or of section seven hundred and forty-two (742) of the code levied taxes for the purpose of creating a sinking fund to be used for the purchase or erection of waterworks therein, such city shall be authorized to loan a portion not however to exceed fifty thousand dollars of the proceeds of the taxes so levied to such corporation so maintaining and operating such waterworks plant, with interest at a rate not less than two per cent per annum, for a period of not more than ten years from the date of the passage of this act upon such terms as the city council of such city may approve. Provided, however, that such corporation shall apply the proceeds of every such loan to the laying of a main with the necessary attachments and usual branches to hydrants from its pumping station or other connection with its mains to the said military reservation and to make the changes in its plant which may be required to furnish the service demanded by the United States at such reservation.

SEC. 2. Agreement legalized. That the agreement made heretofore, and on or about the thirty-first day of December, A. D. 1901, between the City of Des Moines and the Des Moines Water Works company contemplating a loan by said city to said company for the purposes mentioned in section one of this act be and the same is hereby legalized and confirmed.

SEC. 3. Reversion of funds loaned. That when the funds that have been loaned as provided in section one (1) of this act, and the interest thereon, are repaid to the city to which they belong, said funds together with all interest derived therefrom shall immediately revert to the fund for which the said taxes were levied and thereafter be used for no other purpose than as authorized by chapter one (1) of the acts of the 26th General Assembly or section seven hundred and forty-two (742) of the code.

SEC. 4. In effect. 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. And that publication be without expense to the State.

Approved February 17, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, February 18, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 39.

THE LETTING OF CONTRACTS FOR THE PURCHASE OR ERECTION OF WATERWORKS
IN CITIES AND TOWNS.

H. F. 95.

AN ACT to amend chapter five (5) section[s] seven hundred and forty-five (745), seven hundred and forty-six (746), seven hundred and forty-seven (747), and seven hundred and forty-eight (748) of the code, relating to letting contracts for the purchase or erection of waterworks in cities of first class.

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

SECTION 1. Contracts. That section seven hundred and forty-five (745) be amended by inserting the words "let a" after the word "to" in the second line, and inserting the words "or contracts" after the word "contract" in the second line, also amend by inserting the words "or contracts" after the word "contract" in the third line, and also amend by inserting a comma after the word "contract" in the thirteenth line and insert the word "contracts" after the word "contract" in said thirteenth line.

That section seven hundred and forty-six (746) be amended by inserting the words "or contracts" after the word "contract" in the first line, and also after the word "contract" in the seventh line.

That section seven hundred and forty-seven (747) be amended by inserting the words "or contracts" in the fifth line after the word "contract".

That section seven hundred and forty-eight (748) be amended by inserting the word[s] "or contracts" after the word "contract" in the second line.

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

Approved March 27, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 28, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 40.

PURCHASE AND CONSTRUCTION OF WATERWORKS.

S. F. 199.

AN ACT to amend section seven hundred and forty-five (745) of the code of Iowa, as amended by [chapter twenty-three (23) of] the acts of the [Twenty-seventh] 27th General Assembly, relating to the purchase and construction of waterworks.

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

SECTION 1. Additional mortgages or bonds. Section seven hundred and forty-five (745) of the code of Iowa, as amended by chapter twenty-three (23) of the acts of the Twenty-seventh General Assembly, is hereby amended by inserting after the word "works" in the ninth line of said section the following:

"Or the cost of making necessary extensions and improvements of such waterworks, and such cities shall have the right to execute additional mortgage or mortgages or bonds upon such works for the purposes above set forth". Provided that said additional mortgage or mortgages or bonds shall bear not more than six per cent interest per annum.

SEC. 2. Special charter cities. This act shall apply to cities acting under special charter.

SEC. 3. In effect. 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 printed and published at Des Moines, Iowa.

Approved March 27, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 28, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 41.

WATER WORKS TRUSTEES.

S. F. 281.

AN ACT to repeal section seven hundred forty-seven (747) of the code as amended, [by chapter twenty-three (23) of the acts of the Twenty-seventh General Assembly, and chapter twenty-five (25) of the acts of the Twenty-eighth General Assembly], relating to the appointment of water works trustees in cities of the first class, and to enact a substitute in lieu thereof.

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

SECTION 1. Trustees—appointment—term—vacancies—compensation—bond—removal. That section seven hundred forty-seven (747) of the code as amended, be and the same is hereby repealed, and the following enacted in lieu thereof:

"The water works now owned or hereafter purchased or erected by such cities shall be managed and operated by a board of water works trustees, which shall be composed of three resident electors, appointed for the term of six years by the mayor of said city. Upon the taking effect of this act, in cities now owning such water works, or upon the approval of the contract for the purchase or erection of water works by cities as herein provided, the mayor thereof shall, within ten days thereafter, appoint such board of water works trustees, the first appointees thereto to hold office for the following designated terms, namely: One for two years, one for four years, and one for six years. All vacancies occurring on said board, occasioned by expiration of term, by death, resignation or removal, shall be filled by appointment of the mayor of such city. The compensation of said trustees shall be three hundred dollars per year to each member of said board. Each of the said trustees shall execute and furnish to the city an official bond in the sum of five thousand dollars, to be approved by the mayor and filed with the city clerk. Such trustees may be removed from office for proper cause under the provisions of chapter eight (8), of title six (VI) of the code."

SEC. 2. Titles affected. All the provisions of this act shall be held and construed as applying to cities of the first class and to cities acting under special charters.

SEC. 3. In effect. 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.

Approved March 14, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 15, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 42.

TAXES FOR PURCHASE OF BRIDGES.

H. F. 400.

AN ACT to authorize cities, which have voted taxes to aid any corporation organized under the laws of this state for the construction of a highway or combination bridge across any navigable boundary river, to vote additional taxes for the purchase of such bridge. [Amendatory of chapter six (6) of title five (V) of the code, relating to powers of cities and towns as to streets and public grounds.]

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

SECTION 1. Additional tax. That any city in this state which has voted aid to any company for the construction of a highway or combination bridge across any navigable boundary river of this state; a condition of which vote, or the granting or acceptance of such aid, was that the city should have the right to purchase such bridge from the company so aided, its successors or assigns; may, at any time after such taxes voted in aid are collected, vote an additional tax of not exceeding five per centum of the assessed value of the taxable property of such city for the purpose of securing the funds necessary to enable it to make such purchase. (Such taxes shall be payable in such annual installments not less than ten as the electors may determine.)

SEC. 2. Question submitted. The question of whether or not such additional taxes shall be voted shall be submitted to the electors of such city before the city elects to make such purchase and the submission thereof shall be governed in all respects by sections seven hundred sixty (760), seven hundred sixty-one (761), seven hundred sixty-two (762), seven hundred sixty-three (763) and seven hundred sixty-four (764) of the code so far as the same are applicable.

SEC. 3. Bonds or warrants—tolls. After such taxes are voted the city may issue its bonds, warrants or other certificates drawing such interest not exceeding six per cent per annum as the city council may determine, payable from such taxes as they are collected, and from no other source, and pledging them for their payment. Such taxes shall be used for no other purpose and such bonds, warrants or certificates shall not be sold for less than their par or face value with accrued interest. The city council shall fix the rate of tolls or charges for passing over the bridge, and such tolls shall be large enough to pay the interest upon the bonds, warrants or certificates issued for its purchase together with the expense of maintaining and operating it.

SEC. 4. Vote of tax in cities after annexation. In any case where aid has been extended and bridges erected in two separate cities and subsequent thereto, one of such cities has been annexed to the other, the electors residing in the territory which comprise either of the separate cities before annexation, may vote taxes upon the property in such territory for the purchase of such bridge, and the proceedings in such case shall be the same as in the preceding sections of this act provided, except that the petition to the city council shall be signed by a majority of the resident freehold tax payers of the territory in which the vote is to be had, and the taxes when voted and properly certified, shall be levied only upon the property in such territory.

Approved March 27, 1902.

CHAPTER 43.

RELATING TO THE CONSTRUCTION OF VIADUCTS AND COMPENSATION OF ABUTTING PROPERTY OWNERS.

H. F. 416.

AN ACT to amend sections seven hundred and seventy-one (771), seven hundred and seventy-three (773) and seven hundred and seventy-four (774) of the code, relating to the construction of viaducts over or under railroads on public streets and highways and to the compensation of owners of property abutting on such streets and highways.

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

SECTION 1. Assessment of damages. That section seven hundred and seventy-one (771) of the code be and the same is hereby amended by adding after the word "fund" in the last line of said section, the following, to-wit: "Or in cities having a population of fifty thousand or over from any other fund or funds legally available therefor."

SEC. 2. Apportionment of cost—use of viaduct. That section seven hundred and seventy-three (773) of the code be and the same is hereby amended by inserting after the word "council" and before the word "after" in the fifth line of said section, the following, to-wit:

"The council shall fix a time and place where it will consider such matters and any objections that may be made to the construction of such viaduct and the approaches thereto. Not less than twenty days written notice of such hearing shall be given to the company or companies owning or operating the track or tracks over or under which it is proposed to construct such viaduct. Said notice may be served in the same manner and upon the same persons or officers as in the case of an original notice. Such cities shall have power to regulate the use of such viaducts and to authorize or forbid the use thereof by street railway companies and to require the payment of compensation for such use."

SEC. 3. Refusal to comply—penalty. That section seven hundred and seventy-four (774) of the code be and the same is hereby amended by inserting after the word "may" and before the word "construct" in the fourth line thereof, the following, to-wit:

"Enforce the construction, maintenance or repair of such viaduct and approaches by proceedings in mandamus and the court shall require the issues to be made up at the first term to which such action is brought and shall give the same precedence over other civil business. Refusals to comply with, or violations of, the orders of the court in such proceedings may be punished as contempts, by fine and imprisonment as provided in section two thousand one hundred and nineteen (2119) of the code; or the city may".

Approved April 5, 1902.

CHAPTER 44.

NOTICE OF THE LEVY OF SPECIAL ASSESSMENTS.

S. F. 203.

AN ACT to amend section eight hundred and twenty-three (823) of the code of Iowa, relating to notice of the levy of special assessments.

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

SECTION 1. Notice of assessment—how given. That section eight hundred and twenty-three (823) of the code of Iowa, be and is hereby, amended by striking out of line two (2) thereof the words "at least ten days".

SEC. 2. In effect. 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 printed and published at Des Moines, Iowa.

Approved April 2, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 4, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 45.

RELATING TO PARK COMMISSIONERS IN CERTAIN CITIES.

S. F. 213.

AN ACT to amend sections eight hundred fifty (850) and eight hundred fifty-nine (859) of the code, as amended by [Chapter twenty-five (25) of] the acts of the Twenty-seventh General Assembly, and as amended by [Chapter thirty (30) of] the acts of the Twenty-eighth General Assembly, in relation to park commissioners in certain cities.

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

SECTION 1. Election of park commissioners in certain cities. That section eight hundred fifty (850) of the code be and the same hereby is amended by striking out the last three words of the first line and the first word of the second line thereof, being the following: "Of the first class".

SEC. 2. Same. That section eight hundred fifty (850) of the code, as amended by section one (1), chapter twenty-five (25) of the acts of the Twenty-seventh General Assembly, and as amended by section one (1), chapter thirty (30) of the acts of the Twenty-eighth General Assembly, be and the same hereby is amended by striking out the word "twenty" in the last line of section one (1), chapter thirty (30) of the acts of the Twenty-eighth General Assembly, and inserting in lieu thereof the following words: "Twelve thousand five hundred".

SEC. 3. Park commissioners in other cities and towns. That section eight hundred fifty-nine (859) of the code, as amended by section two (2), chapter twenty five (25) of the acts of the Twenty-seventh General Assembly, and as amended by section four (4), chapter thirty (30) of the acts of the Twenty-eighth General Assembly, be, and the same is hereby amended by striking out the word "twenty" in the last line of section four (4), chapter thirty (30), of the acts of the Twenty-eighth General Assembly, and inserting in lieu thereof the following words: "Twelve thousand five hundred".

Approved April 12, 1902.

CHAPTER 46.

RELATING TO PARKS IN CITIES AND TOWNS.

S. F. 243.

AN ACT to amend sections eight hundred and sixty (860), eight hundred and sixty-one (861) and eight hundred and sixty-two (862) of the code, relating to voting taxes for the purchase of real estate for parks and constructing dams and improvements of parks and rivers, condemning real estate for parks and jurisdiction of cities having a population under twenty thousand (20,000) and towns, over parks without their corporate limits.

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

SECTION 1. Taxes for river improvements. That section eight hundred and sixty (860) of the code is hereby amended by inserting after the word "parks" in the sixth line thereof the following words "and rivers and constructing dams for the purpose of beautifying and improving parks and rivers"; also by striking out the word "both" in the sixth line of said section and inserting the word "all" in lieu thereof.

SEC. 2. Powers of park commissioners. That section eight hundred and sixty-one (861) of the code is hereby amended by inserting after the word "parks" in the sixth line thereof the following words, "and rivers constructing dams for the purpose of beautifying and improving parks and rivers"; also by inserting after the word "grounds" in the sixth line thereof the following words "within or without the corporate limits"; also by adding to said section the following:

"If the park commissioners and the owners of any property desired by them for park purposes or for constructing dams for the purpose herein provided situated within or without the corporate limits cannot agree as to the price to be paid therefor said park commissioners may cause the same to be condemned in the manner provided for taking land for city purposes."

SEC. 3. Jurisdiction—penalty. That section eight hundred and sixty-two (862) of the code is hereby amended by inserting before the word "any" in the first line thereof the following words: "The jurisdiction of such cities and towns shall extend over all lands used for parks without the corporate limits and all ordinances of such cities and towns shall be in full force and

effect in and over the territory occupied by such parks"; also strike out the period after the last word in said section and add to said section the following words: "and upon conviction thereof shall be punished by imprisonment in the county jail not exceeding thirty days or by fine not exceeding one hundred dollars."

SEC. 4. In effect. 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 4, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 5, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 47.

POWER OF CERTAIN CITIES AND TOWNS TO APPROPRIATE MONEY FOR PARK PURPOSES.

H. F. 309.

AN ACT authorizing the council in towns and cities having a population of five thousand inhabitants or less, to appropriate money from their general fund, for the improvement and maintenance of public parks, and providing for the expenditure thereof. [Additional to chapter nine (9) of title five (V) of the code, relating to park commissioners in cities and towns.]

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

SECTION 1. City council to appropriate. In towns and cities of five thousand population, or less, the council may appropriate each year not exceeding five per cent of the general fund for the improvement and maintenance of public parks.

SEC. 2. How expended. Said fund so appropriated shall be expended under the direction of a committee of three persons, consisting of the mayor, one member of the council appointed by the council, and one resident property owner of such city or town appointed by the council, which committee shall receive no compensation for their services.

Approved April 10, 1902.

CHAPTER 48.

LEVY OF SPECIAL TAXES BY CITIES.

S. F. 300.

AN ACT to amend section eight hundred and ninety-four (894) of the code of Iowa, as amended by [chapter thirty-two (32) of the acts of] the [Twenty-eighth] 28th General Assembly, relating to the levy of special taxes by cities.

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

SECTION 1. Waterworks tax. That subdivision five (5) of section eight hundred and ninety-four (894) of the code of Iowa, as amended by chapter thirty-two (32) of the acts of the 28th General Assembly, be, and is hereby, amended by inserting after the word "construction" in line five (5) the words "renewal, repair or extension".

SEC. 2. In effect. 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 2, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 3, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 49.

THE RECORDING AND CERTIFICATION OF PLATS.

H. F. 342.

AN ACT to amend section nine hundred and fifteen (915) of the code, relating to the recording and certification of plats.

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

SECTION 1. Abstract of title attached—certified statement. That section nine hundred and fifteen (915) of the code be and the same is hereby amended by inserting after the word "plat" in the first line thereof the following words: "shall have a complete abstract of title attached thereto, and"; and by inserting in the ninth line of said section after the word "taxes" the following words: "and a certified statement of the clerk of the district court that said land is free from all judgment, attachment, mechanics, or other liens, as appears by the records of his office".

Approved April 12, 1902.

CHAPTER 50.

ASSESSMENT OF TAXES FOR LIBRARY PURPOSES IN SPECIAL CHARTER CITIES.

S. F. 70.

AN ACT to repeal section nine hundred and fifty-three (953) of the code and section two (2) of chapter twenty-eight (28) of the Acts of the Twenty-seventh General Assembly and amend sub-division six (6) of section one thousand and five (1005) of the code, relating to the subject of assessment of taxes for library purposes in cities acting under special charters.

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

SECTION 1. Repealed. That section nine hundred and fifty-three (953) of the code and section two (2) of chapter twenty-eight (28) of the Acts of the Twenty-seventh General Assembly be and the same is hereby repealed.

SEC. 2. Library Tax. That sub-division six (6) of section one thousand and five (1005) of the code be and the same is hereby amended by striking out all after the word "tax" in the second line of said sub-division and adding the following, "as provided in section seven hundred and thirty-two (732) and amendments thereto".

Approved March 26, 1902.

CHAPTER 51.

COMPENSATION OF WATER WORKS TRUSTEES IN SPECIAL CHARTER CITIES.

S. F. 362.

AN ACT to fix the compensation of water works trustees in special charter cities. [Amendatory of chapter fourteen (14) of title five (V) of the code, relating to cities acting under special charters.]

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

SECTION 1. Compensation. That in cities having a population of thirty thousand or more acting under special charter the compensation of each member of the board of trustees of water works shall be five hundred dollars (\$500) per annum.

SEC. 2. In effect. 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.

Approved April 12, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register, April 18, 1902, and in the Des Moines Leader, April 16, 1902.

W. B. MARTIN,
Secretary of State

CHAPTER 52.

LEVYING OF TAXES IN SPECIAL CHARTER CITIES.

S. F. 72.

AN ACT to amend section one thousand and four (1004) of the code, in reference to levying taxes in special charter cities.

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

SECTION 1. Provisions as to levying taxes. That section one thousand and four (1004) of the code be and the same is hereby amended by inserting a comma after the word "title" in the fourth line and the following words:

"Section thirteen hundred and seventy (1370), section thirteen hundred and seventy-one (1371) as amended by chapter thirty-three of the acts of the 27th General Assembly, section thirteen hundred and seventy-two (1372) as amended by chapter thirty of the acts of the 27th General Assembly, and section thirteen hundred and seventy-three (1373), of chapter one of title seven".

SEC. 2. In effect. 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 7, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 8, 1902.

W. B. MARTIN,
Secretary of State

CHAPTER 53.

ROAD DISTRICTS, ROAD SUPERINTENDENT AND ROAD TAXES.

H. F. 286.

AN ACT to amend section[s] one thousand and seventy-five (1075), one thousand one hundred and thirty (1130), one thousand five hundred and twenty-eight (1528), one thousand five hundred and thirty-three (1533), one thousand five hundred and forty-two (1542), one thousand five hundred and forty-five (1545), one thousand five hundred and fifty-one (1551) and one thousand five hundred and fifty-four (1554), and] forty-eight hundred and eight (4808) of the code, and to repeal sections one thousand five hundred and thirty-two (1532), one thousand five hundred and forty (1540) and one thousand five hundred and fifty (1550) of the code and enact substitutes therefor, and to repeal sections one thousand five hundred and forty-one (1541), one thousand five hundred and forty-six (1546), one thousand five hundred and fifty-three (1553) and one thousand five hundred and sixty-seven (1567) of the code, relative to the duties of township trustees; the duties of township clerks; the election, qualification, duties, compensation and payment of road supervisors; the consolidation of road districts and the levy and collection of road tax.

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

SECTION 1. Election of road supervisor discontinued. That section one thousand and seventy-five (1075) of the code be, and the same is, hereby

amended by striking out the words "and one road supervisor in each road district", in the fourth (4th) line thereof.

SEC. 2. Provisions as to separate ballots repealed. That all that portion of section one thousand and one hundred and thirty (1130) of the code, beginning with the word "The" in the third (3rd) line and ending with the period "." immediately following the word "resides" in the tenth (10th) line is hereby repealed. And that the words "road supervisor and" in the eighteenth (18th) line be, and the same are, hereby stricken out and repealed.

SEC. 3. Road tax—road districts abolished. That section one thousand five hundred and twenty-eight (1528) of the code be, and the same is, hereby amended by inserting the words "for the succeeding year" after the word "levied" in the first line of division, or sub-section one (1), and by striking out and repealing all of division, or sub-section two (2) thereof. And said section is hereby further amended by striking out the following, beginning in the fifth (5th) line and ending in the sixth (6th) line of division, or sub-section three (3): "may divide their respective townships into such number of road districts as may be necessary for the public good, and". That said sub-section three (3) be amended by renumbering the same and that the same be numbered two (2).

SEC. 4. Consolidation of township into one road district. That section one thousand five hundred and thirty-two (1532) of the code be, and the same is, hereby repealed, and the following enacted as a substitute therefor:

"The board of township trustees of each civil township in this state, at its regular meeting in April, 1903, shall consolidate said township into one road district, and all road funds belonging to the road districts of said township shall at once become a general township road fund, out of which all claims for work done or material furnished for road purposes prior to the change, and unsettled, shall be paid."

SEC. 5. Duties of township trustees. That section one thousand five hundred and thirty-three (1533) of the code be, and the same is hereby amended, by striking out the words "with one or more assistants" in the sixth (6th) line. Also, by striking out the word "may" in the ninth (9th) line and inserting the word "shall" in lieu thereof. And by striking out and repealing the following, beginning in the eighteenth (18th) line and ending in the nineteenth (19th) line of said section: "and credit him therefor on his road tax for that year". And said section is hereby further amended, by striking out the words "and an assistant are" beginning in the nineteenth (19th) line and ending in the twentieth (20th) line, and inserting the word "is" in lieu thereof.

SEC. 6. Tax list. That section one thousand five hundred and forty (1540) of the code, is hereby repealed, and the following enacted as a substitute therefor:

"He shall within four weeks after the trustees have levied the property road tax for the succeeding year, certify said levy to the county auditor, who shall enter it upon the tax books for collection by the county treasurer as other taxes. And he shall, not later than the fifteenth day of April, make out and deliver to the superintendent of roads a list of all persons required to pay road poll tax under the provisions of this act. To enable him to make out such list, the assessor shall furnish the clerk of said township, before the first day of April of each year, a complete copy of the assessment lists of said township for that year, which shall be the basis of such poll tax list. Provided, that the property road tax for the year 1903, shall be levied as heretofore, that it shall be paid in cash and shall be collected by the superintendent of roads appointed by the trustees or the township clerk, as the board of trustees shall determine and direct. Provided, further, that all delinquent road tax for the year 1903, shall be certified to the county auditor by the clerk of each township, for collection as provided by section one thousand five hundred and forty-two (1542) of the code, as amended by this act."

SEC. 7. Repealed. That section one thousand five hundred and forty-one (1541) of the code be, and the same is hereby repealed.

SEC. 8. Delinquent tax certified. That section one thousand five hundred and forty-two (1542) of the code is hereby amended, by striking out the words "lands, town lots and personal property on which the" beginning in the second (2nd) line and ending in the third (3rd) line thereof. Also, by striking out the following, beginning in the fourth (4th) line and ending in the fifth (5th) line: "and the amount of tax charged on each parcel of land, town lot or personal property, designating the road district in which the same is situated". And said section is hereby further amended, by inserting the word "that" after the word "tax" in the third (3rd) line.

SEC. 9. Road superintendent or contractor. That section one thousand five hundred and forty-five (1545) of the code be, and the same is, hereby amended, by striking out and repealing all of said section after the word "law" in the sixth (6th) line thereof. And by striking out the word "supervisor" in the first (1st) line of said section, and inserting the words "superintendent or contractor" in lieu thereof.

SEC. 10. Repealed. That section one thousand five hundred and forty-six (1546) of the code, is hereby repealed.

SEC. 11. Repealed. That all that portion of section one thousand five hundred and fifty one (1551) of the code, after the word "year" in the tenth (10th) line, is hereby repealed.

SEC. 12. Repealed. That section one thousand five hundred and fifty-three (1553) of the code be, and the same is, hereby repealed.

SEC. 13. Report. That divisions, or sub-sections four (4), five (5) and six (6), of section one thousand five hundred and fifty-four (1554) of the code be, and the same are, hereby repealed. And that the sub-section [s] seven (7) eight (8) nine (9) and ten (10) of said section fifteen hundred and fifty-four (1554) be numbered respectively four (4) five (5) six (6) and seven (7) and amend section 1554 of the code by striking out the words "The supervisors of the several districts of each", and insert in lieu thereof the following words to-wit: "The superintendent of the".

SEC. 14. Repealed. That section one thousand five hundred and sixty-seven (1567) of the code be, and the same is, hereby repealed.

SEC. 15. Itemized account That the trustees of each township shall take and file with the board of supervisors on or before the first Monday in each year a full and itemized account verified by the township clerk showing each item of expenditures and receipt of all moneys received and disbursed during the preceding year for road purposes in said township, which report shall remain on file with the county auditor, and a copy thereof shall be published in the published report of the proceedings of the January session of the board of supervisors.

SEC. 16. Obstructing or defacing roads. That section four thousand eight hundred and eight (4808) be amended by striking out the words "proper road supervisor" and inserting in lieu thereof the words "board of trustees".

SEC. 17. Superintendent or contractor. That wherever the term "road supervisors" appears in the code and amendments thereto it shall be held so far as applicable to mean the superintendent or contractor.

SEC. 18. Acts in conflict. That all acts and parts of acts in conflict with the provisions of this act, are hereby repealed.

Approved April 4, 1902.

CHAPTER 54.

CONDITIONS OF BONDS TO BE GIVEN BY PUBLIC OFFICERS.

S. F. 125

AN ACT providing for condition of bonds to be given by public officers and others. [Amendatory of chapter six (6), of title six (VI) of the code, relating to qualification for office, and of chapter eleven (11), of title six (VI) of the code, relating to additional security and the discharge of sureties.]

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

SECTION 1. Bond. When a bond is required by law to be given by or for any public officer, deputy or employe of such public officer, or by any person holding a fiduciary office or trust, administrator, executor, guardian, trustee, officer or employe of any public or private corporation or association, when not otherwise specifically provided, shall be conditioned as provided in section eleven hundred eighty-three (1183) of the code.

SEC. 2. Sureties relieved. If any surety on said bond shall so elect his liability thereon may be cancelled at any time by giving thirty days' notice in writing to the person or persons authorized to approve said bond, and to the officer or person with whom the same is required to be filed or deposited by law, and refunding the premium paid, if any, less a pro rata part thereof for the time said bond shall have been in force. The liability and indemnity created by said bond shall extend to the date of cancellation as provided by chapter eleven (11), title six (VI) of the code.

SEC. 3. Contract or stipulation. No contract, stipulation, or condition limiting the liability created by said bond shall be of any force or validity.

SEC. 4. Other bonds. All other bonds, public or private, required to be given by law, when not otherwise specifically provided, shall be substantially conditioned as required in this act and subject to the limitations thereof.

SEC. 5. In effect. 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 Des Moines, Iowa.

Approved April 9, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 11, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 55.

COMPENSATION OF APPRAISERS.

H. F. 48.

AN ACT to fix the compensation of appraisers of property. [Amendatory of chapter twelve (12), of title six (VI) of the code, relating to the general provisions as to compensation.]

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

SECTION 1. Compensation — how paid. That the compensation of appraisers appointed to appraise property belonging to any estate as a basis for the assessment of the collateral inheritance tax and in all other cases where the compensation of appraisers is not now fixed by statute, shall be two dollars (\$2.00) per day for each appraiser and five cents a mile for the distance traveled in going to and returning from the place of appraisement, to be paid out of the property appraised or by the owner or owners thereof.

SEC. 2. In effect. 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 4, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 5, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 56.

EXEMPTION OF PROPERTY FROM ASSESSMENT AND TAXATION.

H. F. 77.

AN ACT to amend section thirteen hundred and four (1304) of the code, relating to the exemption of property from assessment and taxation.

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

SECTION 1. Exemptions. That section thirteen hundred and four (1304) of the code be and the same is hereby amended by striking out of said section subdivision seven (7) and inserting the following in lieu thereof:

"7. The property not to exceed eight hundred dollars in actual value, of any honorably discharged Union soldier or sailor of the Mexican War or of the War of the Rebellion or of the widow remaining unmarried of such soldier or sailor. It shall be the duty of every assessor annually to make a list of all such soldiers, sailors and widows, and to return such list to the county auditor, upon forms to be furnished by such auditor for that purpose; but the failure on the part of any assessor so to do shall not affect the validity of any exemption. All soldiers, sailors or widows thereof referred to herein shall receive a reduction of eight hundred dollars at the time said assessment is made by the assessor unless waiver thereof is voluntarily made of said exemption at said time; but this exemption shall not apply in the case of any soldier or sailor or the widow of such soldier or sailor, owning property of the actual value of five thousand dollars (\$5,000.00) or where the wife of such soldier or sailor owns property to the actual value of five thousand dollars (\$5,000.00)."

Approved April 7, 1902.

CHAPTER 57.

ASSESSMENT OF TAXES UPON FOREIGN INSURANCE COMPANIES.

S. F. 115.

AN ACT to amend section one thousand three hundred and thirty-three (1333) of the code, relating to the assessment of taxes upon foreign insurance companies.

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

SECTION 1. Tax lowered. That section one thousand three hundred thirty-three (1333) of the code be, and the same is hereby, amended by striking out the word "three" in the ninth line thereof, and inserting in lieu thereof the word "two".

Approved April 8, 1902.

CHAPTER 58.

ASSESSMENT OF RAILWAY PROPERTY.

S. F. 93

AN ACT to amend section thirteen hundred and thirty-four (1334) and section thirteen hundred and thirty-seven (1337) of the code, relating to the assessment of railway property for taxation.

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

SECTION 1. Assessment—when made—verified statement—when filed. That section thirteen hundred and thirty-four (1334) of the code be, and the

same is hereby amended by striking out in the first line thereof the words, "first Monday in March", and inserting in lieu thereof the words, "second Monday in July"; and by striking out of the eighth (8) and ninth (9) lines of said section the words, "fifteenth day of February", and inserting in lieu thereof the words, "first day of April".

SEC. 2. Time of transmitting statement to county auditor. That section thirteen hundred and thirty-seven (1337) of the code be, and the same is hereby amended by striking out of the first and second lines thereof the words, "twenty-fifth day of March", and inserting in lieu thereof the words, "first Monday in August".

SEC. 3. In effect. 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, two newspapers published in Des Moines, Iowa.

Approved February 28, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 1, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 59.

TAXES LEVIED ON BUILDINGS AS PERSONAL PROPERTY.

S. F. 21.

AN ACT to amend section fourteen hundred (1400) of the code, making taxes levied on buildings as personal property a lien thereon.

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

SECTION 1. Lien of Taxes. That section fourteen hundred (1400) of the code be and the same is hereby amended by adding thereto the following:

"In all cases where buildings are assessed as personal property, the taxes shall be and remain a lien on said buildings from the date of levy until paid."

Approved March 17, 1902.

CHAPTER 60.

PLATS OF RAILROAD LINES FILED WITH COUNTY AUDITOR.

H. F. 331.

AN ACT requiring railroad companies to file plats of all lines of railroad owned or operated in the several counties of the state of Iowa with county auditors. (Amendatory of the provisions of chapter one (1), title seven (VII), of the code, relating to the assessment of taxes.)

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

SECTION 1. Plats—when filed. That every railroad company owning or operating a line of railroad within this state, shall on or before the first day of August A. D. 1902, place on file in the office of the county auditor of each county in the state, into which any part of the lines of any said company lies, a plat of the lines of said companies within said county, showing the length of their said lines and the area of the land owned or occupied, by said companies in each government sub-division of land, not included within the platted portion of any town or city, within each of said counties, and the length of the said lines within the platted portion of cities and towns. Companies having on file such plats of part or all of their lines, in any of said counties, shall be required to file plats only of that part of their lines not fully shown as above required on the plats now on file. On the first day of

January of each year hereafter, like plats shall be filed of all new lines or extensions of existing lines built or completed within the calendar year preceding.

SEC. 2. Refusal to file. In the event of the failure or refusal of any railroad company to file the plats required under the provisions of section one of this act, at the time or according to the conditions named, then the county auditor may cause the same to be prepared by the county surveyor and the cost thereof shall, in the first place, be audited and paid by the board of supervisors out of the county fund, and the amount thereof shall be by said board levied as a special tax against said company and the property of said company which shall be collected as county taxes and when collected be paid into the county fund.

Approved April 5, 1902.

CHAPTER 61.

REPORTS OF RAILROAD COMPANIES FOR ASSESSMENT PURPOSES.

H. F. 17a.

AN ACT relating to reports to be made by railway companies to the executive council to aid in the assessment of railway property for taxation, and providing for a uniform system in making the said reports. [Additional to chapter one (1), of title seven (VII) of the code, relating to assessment of taxes.]

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

SECTION 1. Gross earnings. That for the purpose of making reports to the executive council, the gross earnings of railway companies, owning or operating a line or lines of railway partly within this state, and partly within another state, or other states, or territory, or territories, upon their line or lines within this state, shall be ascertained and reported by said railway companies as follows, to-wit: The aggregate of the earnings upon business originating and terminating within this state, upon business originating in this state and terminating elsewhere, upon business originating elsewhere and terminating in this state, and upon business neither originating or terminating in this state but carried on or done over the line or lines in this state or over some part thereof, shall be reported; and with respect to all such interstate business the earnings in this state for the purpose of report shall be actually computed upon the basis of the length of haul or carriage in this state as compared with the length of haul or carriage elsewhere. It being hereby declared that for the purpose of making reports looking to the assessment of railway property for taxation the gross earnings or business done or carried partly within this state and partly in another state, or other states, or territory, or territories, shall be that proportion of the entire earnings of such business that the haul or carriage in this state bears to the entire haul or carriage.

SEC. 2. Rules and regulations. The executive council shall have the power to prescribe such rules and regulations with respect to the keeping of accounts by the railway companies doing business in this state as will insure the accurate division of earnings as aforesaid, and uniformity in reporting the same to the executive council.

SEC. 3. Net earnings. The executive council shall have the power to prescribe a method for all railway companies doing business in this state, together with rules and regulations for the ascertainment of the net earnings of the railway lines in this state, to the end that all such railway companies, in ascertaining and making report of net earnings, shall proceed upon the same basis and in a uniform manner.

SEC. 4. Reports—when made. The reports herein provided for are not in

lieu of, but in addition to, the reports provided for by law, and they shall be made at the time and as a part of the reports already required.

SEC. 5. Additional rules and regulations. The rules, regulations, method, and requirements herein provided to be made by the executive council shall be made and communicated in writing or print to the said several railway companies within thirty days from and after the passage and taking effect of this act, and shall be and become binding upon said railway companies from the time they are so communicated; provided, however, that the said executive council shall have the power to prescribe supplemental or additional rules, regulations, and requirements at any time, and communicate them to the several railway companies in the manner aforesaid, and with respect to such additional or supplemental rules, regulations, and requirements, they shall be and become binding upon the said railway companies within thirty days after they are so communicated.

SEC. 6. Refusal to conform to rules—penalty. If any railway company shall fail or refuse to obey or conform to the rules, regulations, method, and requirements so made or prescribed by the executive council under the provisions of this act, or to make the reports as herein provided for, the executive council shall proceed and assess the property of such railway company so failing or refusing, according to the best information obtainable, and shall then add to the taxable valuation of such railway company twenty-five per centum thereof, which valuation and penalty shall be separately shown, and together shall constitute the assessment for that year.

SEC. 7. In effect. This act, being deemed of immediate importance, shall take effect from and after its passage and publication in the Iowa State Register and the Des Moines Leader, newspapers published in the city of Des Moines, Polk county, Iowa.

Approved April 12, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 15, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 62.

TAXATION OF FREIGHT LINE AND EQUIPMENT COMPANIES.

S. F. 189.

AN ACT defining and providing for the taxation of freight line and equipment companies. [Additional to chapter one (1), of title seven (VII) of the code, relating to assessment of taxes.]

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

SECTION 1. Freight line and equipment companies. Every company engaged in the business of operating cars, not otherwise listed for taxation or taxed in Iowa, for the transportation of freight, whether such freight be owned by such company, or any other person or company, over any railway line or lines, in whole or in part within this state, such line or lines, not being owned, leased or operated by such company, whether such cars be termed box, flat, coal, ore, tank, stock, gondola, furniture or refrigerator cars, or by some other name, shall be deemed to be a freight line company. Every company engaged in the business of furnishing or leasing cars of whatsoever kind or description, to be used in the operation of any railway line or lines, wholly or partially within this state, such line or lines not being owned, leased or operated by such company, and such cars not being otherwise listed for taxation in Iowa shall be deemed to be an equipment company.

SEC. 2. Verified statement. Every freight line and every equipment company, as designated in the preceding section, doing business, or owning cars which are operated in this state, shall, annually, on or before the first Monday of June, in each year, commencing with the year 1903, make out and deliver to the executive council a statement, verified by oath of an officer or agent of such company making such statement, with reference to the first day of January, next preceding showing:

First. The name of the company.

Second. The nature of the company, whether a person or persons, an association, copartnership, corporation or syndicate, and under the laws of what state or county organized.

Third. The location of its principal office or place of business.

Fourth. The name and postoffice address of the president, secretary, auditor, treasurer and superintendent or general manager.

Fifth. The name and postoffice address, of the chief officer or managing agent of the company in Iowa.

Sixth. The aggregate number of miles travelled by its cars during the preceding calendar year while said cars were used in transporting freight either between two points in this state, or between a point within this state and a point without this state; but not including the mileage in this state or elsewhere, of its cars, while the said cars are used in transporting freight not consigned either to or from some point within this state.

Seventh. The number of cars necessary for the mileage so to be reported under the circumstances that ordinarily attend the use of such cars and where different classes of cars are used by one such company as to the matters embraced in this and the preceding paragraph it shall furnish the required information as to each class of such cars.

Eighth. The actual cash value on the first day of January next preceding of the said number of cars necessary to provide for the mileage, to be reported as required by paragraph six of this section.

Ninth. The real estate, personal property, structure, machinery, fixtures and appliances, owned by said company, subject to local taxation within the state, and the location and the actual value thereof in the county, township or district where the same is assessed for local taxation.

SEC. 3. Additional statements—refusal to furnish—penalty. Upon the filing of such statements the executive council shall examine each of them, and if he [it] shall deem the same insufficient, or if they fail to fully set out the matters required to be reported, it shall require such officer or agent to make such other and further statements as to such matters as he [it] may deem proper. In case of the failure or refusal of any company to make and deliver to the executive council any statement or statements required by this act, such company shall forfeit and pay to the state of Iowa, one hundred dollars each day such report is delayed beyond the first Monday of June, to be sued and recovered in any proper form of action, in the name of the state of Iowa, and such penalty when collected shall be paid into the general fund of the state.

SEC. 4. Assessment by executive council. Upon the meeting of the executive council on the second Monday of July in each year, it shall value and assess as the property of said company within this state, the cars of the said company necessary, under the circumstances ordinarily attending the use of such cars, for the mileage to be reported under paragraph sixth of the preceding section of this act, after examining such statements and after ascertaining the actual value of said property of such company therefrom, and from such other information as it may have or obtain. For that purpose the executive council may require such company by its agents or officers, to appear before said council with such books, papers, or additional statements as the council may require, and may compel the attendance of witnesses in case said council shall deem it necessary to enable it to ascertain the actual

value of such property. From the entire actual value of the property within the state so ascertained, there shall be deducted by the said council the actual value of all cars locally assessed, and one-fourth of the residue of such actual value so ascertained, shall be by the executive council assessed to said company.

***SEC. 6. Tax—when due.** The council shall also at said meeting determine the rate of tax to be levied and collected upon said assessments, which shall be equal, as nearly as may be, to the average rate of taxes, state, county, municipal and local, levied throughout the state during the previous year, which rate shall be ascertained from the records and files in the auditor's office, and said tax shall be in full of all taxes except on real estate, personal property locally assessed, and special assessments, and shall become due and payable at the state treasury on the first day of February following the levy thereof, and if not so paid, the state treasurer shall collect the same by distress and sale of any property belonging to such company in the state in the same manner as is required of county treasurers in like cases; and the order of the executive council in such cases shall be sufficient authority therefor.

SEC. 7. "Company" defined. The word "company" as used in this act, shall be deemed and construed to mean any person, copartnership, association, corporation or syndicate that may own or operate, or be engaged in operating, furnishing or leasing cars, as defined and described in section one of this act, whether formed or organized under the laws of this state, or any other state or territory, or any foreign country.

SEC. 8. Stockholders. The individual stockholders or owners of interests of said companies shall not be required to list their shares or interests in such companies so long as the companies pay the taxes on their property as herein provided.

SEC. 9. In effect. This act, being deemed of immediate importance, shall take effect on and after its publication in the Iowa State Register and Des Moines Leader, published in Des Moines, Iowa.

Approved April 12, 1902.

I hereby certify that the foregoing Act was published in the Des Moines Leader, April 15, 1902, and in the Iowa State Register, April 18, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 63.

THE REFUNDING OF SURPLUS COLLATERAL INHERITANCE TAX.

H. F. 245.

AN ACT to refund to administrators and executors any surplus they have paid to the treasurer of state as collateral inheritance tax in excess of that legally due. [Amendatory of chapter four (4), of title seven (VII) of the code, chapter thirty-seven (37) of the Acts of the Twenty-seventh General Assembly and chapter fifty-seven (57) of the Acts of the Twenty-eighth General Assembly, relating to assessment and collection of collateral inheritance tax.]

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

SECTION 1. Surplus tax—how and when refunded. That when a court of competent jurisdiction has or may hereafter determine that property, upon which a collateral inheritance tax has been paid, is not subject to or liable for the payment of such tax, so much of such tax which has been overpaid to the treasurer of state, shall be returned or refunded to the executor or administrator of such estate, or to those entitled thereto, when a certified copy of the record of such court showing the fact of non liability of such property to the payment of such tax has been filed with the executive council of the state, the executive council shall issue an order to the auditor of the state directing him to issue a warrant upon the treasurer of the state to refund such tax.

*There is no section 5 in the enrolled bill of this act.

SEC. 2. Notice of hearing. Such order of court shall not be given until fifteen days notice of the application therefor shall be given to the treasurer of state of the time and place of the hearing of such application, which notice shall be served in the same manner as provided for original notices.

Approved April 10, 1902.

CHAPTER 64.

THE LEVYING, CERTIFYING AND COLLECTION OF ROAD TAX.

H. F. 266.

AN ACT to amend sections fifteen hundred and twenty-eight (1528), fifteen hundred and thirty-three (1533), fifteen hundred and fifty-four (1554) of the code and for the repeal of section fifteen hundred and forty-two (1542) and enacting a substitute therefor, relative to the levying, certifying and collection of road tax.

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

SECTION 1. Rate of property tax for road purposes. That section fifteen hundred and twenty-eight (1528) of the code be amended by striking out the word "amount" in the sixth line of said section and inserting in lieu the word "rate".

SEC 2. Road tax—how expended. That section fifteen hundred and thirty-three (1533) of the code be amended by inserting after the words "road tax" and before the words "to be", in the fourteenth line of said section, the words "locally assessed".

SEC. 3. Delinquent tax certified. That section fifteen hundred and forty-two (1542) of the code be repealed and the following enacted in lieu of the same:

"Section 1542. He shall, on or before the second Monday of November of each year, make out a certified list of all property, including lands, town lots, personal property and property otherwise assessed, including assessments by the executive council on which the road tax has not been paid in full, and the amount of tax charged on each separate assessment or parcel of said property, designating the district in which the same is situated and transmit the same to the county auditor, who shall enter the amount of tax on the lists the same as other taxes, and deliver the same to the county treasurer, charging him therewith which shall be collected in the same manner as county taxes are collected. In case the township clerk shall fail or neglect to make such return, he shall forfeit and pay to the township for road purposes a sum equal to the amount of tax on said property, which may be collected by an action on his bond."

SEC. 4. Report—what to contain. That section fifteen hundred and fifty-four (1554) of the code be amended by inserting after the word "all" and before the word "lands" in the twelfth and fifteenth lines of said section the words "property including".

SEC. 5. In effect. This act, being deemed of immediate importance, shall take effect and be in force from and after the publication of the same in the Iowa State Register and the Des Moines Daily Leader, newspapers published at Des Moines, Iowa.

Approved March 25, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 27, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 65.

WORKING OF HIGHWAYS.

H. F. 40.

AN ACT to amend section fifteen hundred and thirty (1530) of the code in relation to the working of highways.

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

SECTION 1. County road fund. That section fifteen hundred and thirty (1530) of the code be and is hereby amended by striking out the word "may" in the second line thereof and inserting the word "shall". Also by striking out that part thereof after the word "taxes" in the thirteenth line and ending with the words "road fund" in the fifteenth line, and inserting the words "moneys so collected shall not be transferable to any other fund nor used for any other purpose".

Approved April 9, 1902.

CHAPTER 66.

INCORPORATIONS FOR PECUNIARY PROFIT.

H. F. 121.

AN ACT to amend section sixteen hundred ten (1610) and section sixteen hundred eighteen (1618), of the code as amended by chapter forty (40) of the acts of the Twenty-seventh General Assembly and chapter fifty-six (56) of the acts of the Twenty-eighth General Assembly, relating to incorporations for pecuniary profit.

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

SECTION 1. Incorporation fee. That section sixteen hundred ten (1610) as amended by chapter forty (40), acts of the Twenty-seventh General Assembly, be and the same is hereby amended by striking out the words, "but in no event shall a fee in excess of two thousand (\$2,000) dollars be charged under the provisions of this section", in the fifteenth and sixteenth lines of said section.

SEC. 2. Fees for renewal—proof of publication. That section sixteen hundred eighteen (1618) as amended by chapter fifty-six (56), acts of the Twenty-eighth General Assembly, be and the same is hereby amended by striking out of section one (1) of chapter fifty-six (56), the words, "but in no event to exceed two thousand (\$2,000) dollars", in the thirteenth and fourteenth lines, and inserting the words, "and proof of publication filed in the office of the secretary of state", after the word, "corporation" in the twenty-third line of said section.

SEC. 3. In effect. 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 March 4, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 5, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 67.

PUBLICATION OF NOTICE OF INCORPORATION.

S. F. 41.

AN ACT to amend section one thousand six hundred thirteen (1613) of the code, relative to the publication of notice of incorporation.

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

SECTION 1. Notice—how published. That section one thousand six hundred thirteen (1613) of the code be, and the same is hereby amended by inserting after the word "published" in the second line of said section the following: "Once each week".

SEC. 2. In effect. 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 Des Moines, Iowa.

Approved March 17, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 18, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 68.

RELATING TO THE HORTICULTURAL SOCIETY.

H. F. 71.

AN ACT to amend sections sixteen hundred seventy-two (1672) and sixteen hundred seventy-three (1673), of the code, relating to the reports and making appropriation for the horticultural society.

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

SECTION 1. Annual report—how bound. That section one thousand six hundred and seventy-two (1672) of the code be amended by striking out the comma after the word "bound" also the words "one-half" in line two thereof, and by striking out the words "And the remainder in board covers similar to the acts of the general assembly" in lines three and four of said section.

SEC. 2. Appropriation. That section one thousand six hundred and seventy-three (1673) of the code be amended by striking out the words "twenty-five hundred" in the first line thereof, and inserting in lieu thereof the words "four thousand".

Approved April 7, 1902.

CHAPTER 69.

FARMERS' COUNTY INSTITUTES.

S. F. 166

AN ACT to amend section one thousand six hundred seventy-five (1675) of the code, in relation to farmers' county institutes.

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

SECTION 1. State aid—appropriation. That section one thousand six hundred seventy-five (1675) of the code be, and is hereby amended by striking out the word "fifty" in the tenth line of said section, and inserting in lieu thereof the words "seventy-five"; and also by striking out of the twelfth line

of said section the word "fifty" and inserting in lieu thereof the words "seventy-five".

Approved April 10, 1902.

CHAPTER 70.

RELATING TO KINDS OF INSURANCE.

H. F. 354.

AN ACT amending paragraph five (5) of section seventeen hundred and nine (1709) of the code, relating to insurance.

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

SECTION 1. May insure health. That paragraph five (5) of section seventeen hundred and nine (1709) of the code be, and the same is, hereby amended by inserting after the word "insure" in the first line thereof the words: "the health of persons and".

SEC. 2. In effect. 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 12, 1902.

I hereby certify that the foregoing Act was published in the Des Moines Leader, April 16, 1902, and in the Iowa State Register, April 18, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 71.

RELATING TO KINDS OF INSURANCE.

H. F. 374.

AN ACT to amend section one thousand seven hundred and nine (1709) of the code, relating to insurance.

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

SECTION 1. Credit insurance. That section one thousand seven hundred and nine (1709) of the code is hereby amended by adding thereto, as division 8, the following:

"8. Insure or guarantee and indemnify merchants, traders and those engaged in business and giving credit from loss and damage by reason of giving and extending credit to their customers and those dealing with them, which business shall be known as credit insurance."

Approved April 9, 1902

CHAPTER 72.

LIMITATION OF INSURANCE RISKS.

S. F. 295.

AN ACT to amend section seventeen hundred and ten (1710) of the code [as amended by chapter sixty-one (61) of the Acts of the Twenty-eighth General Assembly], relating to limitation of insurance risks.

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

SECTION 1. Kinds of risks. That section seventeen hundred and ten (1710) of the code, as amended by chapter sixty-one (61) of the acts of the Twenty-

eighth General Assembly be further amended by inserting at the end of the amendment made by chapter sixty-one (61) of the acts of the Twenty-eighth General Assembly, the following provision:

"Provided further, however, that any stock company now or hereafter authorized under the laws of this state to transact the business described in division two (2) of section seventeen hundred and nine (1709) of the code shall, in addition to such insurance also be authorized to insure against loss or damage resulting from theft, larceny, burglary, robbery or attempt thereat, and against the loss of moneys or securities in the course of transportation."

SEC. 2. **In effect.** 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 May 2, 1902.

I hereby certify that the foregoing act was published in the Iowa State Register and the Des Moines Leader, May 3, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 73.

NOTICE AND PROOFS OF PERSONAL PROPERTY INSURED.

S. F. 129.

AN ACT relating to notice and proofs of personal property insured. [Amendatory of chapter four (4), of title nine (IX) of the code, relating to insurance other than life.]

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

SECTION 1. **Proofs of loss.** In furnishing proofs of loss under any contract of insurance for damages or loss of personal property it shall only be necessary for the assured, within sixty days from the time the loss occurs, to give notice in writing to the company issuing such contract of insurance accompanied by an affidavit, stating the facts as to how the loss occurred, so far as same are within his knowledge, and the extent of the loss, any agreement or contract to the contrary notwithstanding.

SEC. 2. **In effect.** 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.

Approved April 11, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 12, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 74.

INSURANCE OF PLATE GLASS.

H. F. 241.

AN ACT to amend section seventeen hundred and fifty-nine (1759) of the code and to provide for the insurance of plate glass.

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

SECTION 1. **May insure plate glass.** That section seventeen hundred and fifty-nine (1759) of the code, be, and the same is hereby amended, by striking out the word, "or", in the fourth line of said section and by inserting after the

word, "windstorms" in the same line, the words, "and to insure plate glass against breakage from accident".

Approved April 9, 1902.

CHAPTER 75.

STOCK OR PREMIUM NOTES OF LIFE INSURANCE COMPANIES.

S. F. 236.

AN ACT to amend section seventeen hundred and seventy-one (1771) of the code, in relation to stock or premium notes.

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

SECTION 1. Deposit and withdrawal of stock notes. That section seventeen hundred and seventy-one (1771) of the code be and the same is hereby amended by adding thereto the following:

"All notes heretofore or hereafter given as a part of the capital stock of a stock company, shall be deposited with the auditor of state, and in the event any stockholder shall dispose of his or her stock in such company, he or she may withdraw the note or notes so given, upon depositing with the auditor of state the note of the purchaser of such stock, accompanied by a certificate as provided for in this section."

Approved April 9, 1902.

CHAPTER 76.

LIMIT OF LIABILITIES OF BANKS.

S. F. 187.

AN ACT to amend section eighteen hundred and seventy (1870) of the code, in relation to limit of liabilities of banks.

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

SECTION 1. Loans on real estate security. That section eighteen hundred and seventy (1870) of the code be amended by inserting in line five (5) after the word "bank" and before the word "but" the following:

"Provided that they may loan not to exceed one-half of their capital stock to any person, corporation, company or firm on notes or bonds secured by mortgage or deed of trust upon unincumbered farm land in this state, worth at least twice the amount loaned thereon".

SEC. 2. In effect. 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, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 11, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 77.

RELATING TO BUILDING AND LOAN ASSOCIATIONS.

S. F. 348.

AN ACT amending chapter thirteen (13) [of title nine (IX)] of the code and chapter sixty-nine (69) of the acts of the Twenty-eighth General Assembly, relating to building and loan associations and defining and regulating the same.

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

SECTION 1. Unincorporated building and loan associations. All unincorporated organizations, associations, societies, partnerships or individuals conducting and carrying on a business, the purpose of which is to create a fund derived from periodical payments by members of such organizations, associations, societies, or other persons, upon contracts or otherwise, as well as from fines, forfeitures, incidental fees and payment of premiums and interest, which fund is to be loaned or advanced to members of the organization, association, society or to the persons making such periodical payments, for the purpose of enabling them to acquire the ownership or free possession of real estate, or personal property or to construct buildings, or any or all of such purposes, shall be deemed building and loan associations; and the provisions of chapter thirteen (13) of title nine (9) of the code, and chapter sixty-nine (69) of the acts of the Twenty-eighth General Assembly of the state of Iowa, shall apply to all such building and loan associations so far as the same can be made applicable to unincorporated organizations, associations, societies, partnerships or individuals.

SEC. 2. Sworn statements—deposit of securities. Every such unincorporated organization, association, society, partnership or individual, conducting and carrying on the business defined in section one (1) hereof, shall, before transacting any business in this state, submit to the executive council a full and complete sworn statement of the resources and liabilities of such organization, association, society, partnership or individual, and of the proposed plan or method of doing business; and no such unincorporated building and loan association shall be permitted to carry on its business within this state unless it shall first deposit with the auditor of state at least fifty thousand dollars (\$50,000) of first mortgages and negotiable notes in the same amount secured thereby upon real estate in the state of Iowa, bearing interest at a rate not less than five per cent per annum, which said mortgages shall in no case exceed one half the actual value of the real estate upon which they are taken; and the auditor of state shall have power and authority to require that such further amount of such securities shall be deposited with him as in his judgment may thereafter be necessary to protect the members of such building and loan association, or the persons making periodical payments thereto. The notes, mortgages and securities so deposited with the auditor of state shall, with all interest and accumulations thereon, be held in trust by him for the purpose of fulfilling and carrying out all contracts made by such building and loan association with the members thereof, and with the persons making periodical payments thereto.

SEC. 3. Approval—certificate. If the executive council approves the plan or method of business of any such building and loan association, it shall endorse its approval upon the statement of the resources and liabilities and plan of business presented to it, and such statement shall thereupon be filed in the office of the auditor of state, who shall issue a certificate to such building and loan association to transact business within the state of Iowa, if such association has deposited with him the mortgages and securities required by the provisions of section two (2) hereof.

SEC. 4. Officers to give bond—approval. Every officer of such building and loan association who signs or endorses checks or handles any of the funds or securities thereof, shall give such bond or fidelity insurance for the faithful performance of his duty in such sum as the auditor of state may require, and no such officer shall be deemed qualified to enter upon the duties of his office until his bond is approved by, and deposited with, the auditor of state. And any such bond may be increased or additional securities required by the auditor of state whenever in his judgment it becomes necessary to protect the interest of the association or its members, or persons making periodical payments of money thereto.

SEC. 5. Examination. The auditor of state may at any time he may see proper make, or cause to be made, an examination of any such building and loan association, or he may call upon it for a report of its condition upon any given day which has passed, as often as four times each year, which report shall contain the information hereinafter required.

SEC. 6. Expense of examination. The expense of making such examination shall be paid by the building and loan association, and if made by the auditor in person he shall be paid his necessary expenses only; if made by an examiner designated by the auditor, he shall receive ten dollars (\$10) a day for the time employed by him and his necessary expenses.

SEC. 7. Annual reports. On or before the first day of February of each year every such building and loan association shall file with the auditor of state its annual report in writing for the year ending on the thirty first day of December preceding, giving a complete statement in detail of all of its receipts from all sources, and all disbursements made, during such year, arranged and itemized as may be required by the auditor of state. Such report shall also show the number of members or persons making periodical payments to such association, the number and amount of loans made to such persons, the interest received therefrom, the number and amounts of mortgages, contracts or other securities held by the association, the actual cash value of the real estate securing such mortgages or contracts, the salary paid to each of its officers during the preceding year, the assets and liabilities of the association at the end of the year, and any other matters which in the judgment of the auditor of state may be required to give him full information as to the business transacted by such building and loan association.

SEC. 8. Failure or refusal to furnish reports. If any such building and loan association shall fail or refuse to furnish to the auditor of state the report required in the preceding section, the officers or persons conducting the business of such building and loan association shall forfeit the sum of twenty-five dollars (\$25) for each day that such report is withheld, and the auditor of state may maintain an action, jointly or severally, against them in the name of the state to recover such penalty, and the same shall be paid into the state treasury when recovered by him.

SEC. 9. Penalties. If any officer or agent of any such building and loan association, or any person conducting the business thereof, shall knowingly and willfully swear falsely to any statement in regard to any matter in this act required to be made under oath, he shall be guilty of perjury and punished accordingly. And if any officer, agent or employe of any such association, or any person transacting the business thereof, shall issue, utter or offer to utter, any warrant, check, order, or promise to pay of such association, or shall sign, transfer, cancel or surrender any note, bond, draft, mortgage, or other evidence of indebtedness belonging to such association, or shall demand, collect or receive any money from any member or other person in the name of such association without being authorized so to do; or if any such officer, agent or employe of such association, or any person transacting the business thereof, shall embezzle, convert to his own use, or shall use or pledge for his own benefit or purpose, any moneys, securities, credits or other property belonging to the association, or shall knowingly solicit, transact, or attempt to transact any business for any such association which has not procured and does not hold the certificate of authority from the auditor of state to transact business in this state as provided herein; or shall knowingly make, or cause to be made, any false entries in the books of the association, or shall, with intent to deceive any person making an examination of such association, as herein provided, exhibit to the person making the examination any false entry, paper or statement, he shall be fined in a sum not exceeding ten thousand dollars (\$10,000), or imprisoned in the penitentiary not exceeding ten (10) years, or punished by both such fine and imprisonment.

SEC. 10. Revocation of certificate—receiver. If any such building and loan association, holding a certificate of authority to transact business within this state issued by the auditor as herein provided, shall violate any of the provisions of this act, or shall fail to deposit with the auditor of state such further amount of mortgages or securities as he may require under section two (2) hereof, the auditor of state shall at once revoke such certificate and notify the executive council of the revocation thereof; and under the direction of the executive council, application shall be made by the attorney general to the proper court for the appointment of a receiver to wind up the affairs of the association; and in such proceedings the amount due from the borrowing members or persons making periodical payments upon contracts or mortgages given by them, shall be ascertained in the manner provided in section seven (7) of chapter sixty nine (69) of the Acts of the Twenty-eighth General Assembly; and the amounts owing upon such mortgages or contracts from members of the association or persons making periodical payments thereto, shall be treated and considered as due and payable within a reasonable time, to be fixed by the court after the appointment of a receiver.

SEC. 11. In effect. 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 May 2, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, May 3, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 78.

LEVEES, DRAINS AND WATER COURSES.

S. F. 253.

AN ACT to amend sections one thousand nine hundred and forty-six (1946), one thousand nine hundred and forty-eight (1948) and one thousand nine hundred and fifty-one (1951) of the code relating to levees, drains and water courses.

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

SECTION 1. Repairs. That section one thousand nine hundred and forty-six (1946) of the code be and the same is hereby amended by adding to said section the following:

"In order to prevent or repair a break in any levee in time of high water, any member of the board of supervisors may at once employ the necessary labor to repair the levee or prevent a break thereof, and the necessary and reasonable expense therefor shall be audited by the board of supervisors and paid from the levee fund."

SEC. 2. Diversion to private use a nuisance. That section one thousand nine hundred and forty-eight (1948) of the code be amended by inserting after the word "authority" in the seventh line thereof the words "or obstructing or in any manner diverting any part of the site thereof to private use".

SEC. 3. Public highways along or upon levees. That section one thousand nine hundred and fifty-one (1951) of the code be and the same is hereby amended by adding thereto the words:

"The board of supervisors shall have power to establish public highways along and upon any levee built under the provisions of this chapter, provided that when so used the same shall be worked as other highways and so as to at all times maintain its condition as a levee."

Approved April 7, 1902.

CHAPTER 79.

DEPOT GROUNDS OF RAILWAY CORPORATIONS.

S. F. 349.

AN ACT to amend section nineteen hundred and ninety-eight (1998) of the code, relating to depot grounds of railway corporations.

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

SECTION 1. Additional depot grounds. That section nineteen hundred and ninety-eight (1998) of the code be amended by striking out the word "completed" in the second line of said section. That section 1998 be further amended by inserting after word "operating" in second line of said section the words "or constructing".

SEC. 2. In effect. 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 in Des Moines, Iowa.

Approved April 10, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 11, 1902

W. B. MARTIN,
Secretary of State.

CHAPTER 80.

THE TAKING OF PRIVATE PROPERTY BY THE UNITED STATES FOR PUBLIC IMPROVEMENTS.

S. F. 299.

AN ACT amendatory of chapter four (4) title ten (X) of the code of Iowa, to enable the United States of America to take private property for public improvements.

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

SECTION 1. May purchase or condemn. That where the United States of America has undertaken or may hereafter undertake to improve any river, stream, or water course, forming a part of the boundary line of this state, or within this state, or to utilize any river, stream, or water course, for any purpose, deemed advisable, the said United States may purchase, or condemn land and private property, in accordance with the provisions of chapter four (4) title ten (10) of the code, for taking private property.

SEC. 2. In effect. This act, being deemed of immediate importance, shall be and is hereby declared to be in full force and effect from and after its publication in the Des Moines Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 2, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 4, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 81.

INTERURBAN STREET RAILWAYS.

H. F. 248.

AN ACT relating to, defining, regulating and conferring rights and powers upon inter-urban street railways, and amending section two thousand and twenty-six (2026) of the code, relating to such railways.

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

SECTION 1. Interurban railway defined. Any railway operated upon the streets of a city or town by electric or other power than steam, which extends beyond the corporate limits of such city or town to another city, town or village, or any railway operated by electric or other power than steam, extending from one city, town or village to another city, town or village, shall be known as an interurban railway, and shall be a work of internal improvement.

SEC. 2. What statutes apply. The words railway, railway company, railway corporation, railroad, railroad company, and railroad corporation, as used in the code and acts of the general assembly, now in force or hereafter enacted, are hereby declared to apply to and include all interurban railways, and all companies or corporations constructing, owning or operating such interurban street railways, and all provisions of the code and acts of the general assembly, now in force or hereafter enacted, affecting railways, railway companies, railway corporations, railroads, railroad companies and railroad corporations, are hereby declared to affect and apply in full force and effect to all interurban railways, and to all interurban railway companies or railway corporations constructing, owning or operating such interurban railways.

SEC. 3. When a street railway. Any interurban railway shall, within the corporate limits of any city or town, or of any city acting under a special charter, upon such streets as it shall use for transporting passengers, mail, baggage, and such parcels, packages, and freight as it may carry in its passenger or combination baggage cars only, be deemed a street railway, and be subject to the laws governing street railways.

SEC. 4. Powers of cities and towns. Cities and towns and cities acting under special charters, shall have power to authorize or forbid the construction of such railways upon, or over, or along the streets, alleys and public grounds within their limits and to prescribe the conditions and regulations under which said railways shall be constructed and operated within said limits. But the right to operate as a street railway under section three (3) of this act shall not be granted for a period exceeding twenty-five (25) years. Nothing herein shall impair the obligation of contracts of such city or town heretofore made. This act shall not in any manner affect sections seven hundred and seventy-five (775) and seven hundred and seventy six (776) of the code, which shall be applicable to interurban railways.

SEC. 5. Interurban railways on highways. That section two thousand and twenty-six (2026) of the code be and the same is hereby amended by adding thereto the following:

"Where an interurban railway desires to operate its lines along or upon a public highway, and in the opinion of the board of supervisors of the county in which such highway is located, it is impracticable or inexpedient to increase the width thereof to one hundred (100) feet, such board of supervisors may permit such interurban railway company to construct and operate its railway along and upon such highway, under such restrictions and regulations as the board may deem advisable; but no such railway shall construct or operate its line along or upon such highway until a written statement of consent of three-fourths of the residents owning property abutting upon such highway shall have been obtained and filed with the auditor of the county in which the highway is located. And in all cases the location, construction and operation of such interurban railway shall be subject to the provisions of section two thousand and twenty-seven (2027) of the code."

SEC. 6. Grade crossings—duties of employes—penalty. Wherever the tracks of an interurban railway cross the tracks of any steam railway at grade the steam railway shall have the right of way and not be compelled to stop its trains and the interurban railway company operating said line shall cause

its cars to come to a full stop not nearer than ten (10) feet nor further than fifty (50) feet from such crossing, and before proceeding to cross said steam railway tracks shall cause some person in its employ first to cross said track ahead of said car or cars and ascertain if the way is clear and free from danger for the passage of said interurban cars, and said interurban cars shall not proceed to cross until signalled to do so by such person employed as aforesaid, or said way is clear for such passage over said tracks. Every person in charge of any interurban car or cars, who wilfully fails to comply with the provisions hereof and fails to bring the car or cars which he has in charge to stop, or causes the same to cross said steam railway tracks before the way is clear or he is signalled to do so, shall be subject to a fine of not less than one hundred dollars (\$100.00) nor more than two hundred dollars (\$200.00) or imprisonment in the county jail not to exceed twelve (12) months in the discretion of the court. No steam railway shall obstruct the free passage of the cars of an intersecting interurban railway at such crossing.

SEC. 7. In effect. 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 7, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 8, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 82.

THE TAKING OF PRIVATE PROPERTY FOR INTERNAL IMPROVEMENT.

H. F. 182.

AN ACT to amend section two thousand and twenty-eight (2028) of the code, relating to the taking of private property for works of internal improvement.

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

SECTION 1. Ways to lands which have none. That section two thousand and twenty-eight (2028) of the code be, and the same is hereby amended as follows: Add after the word "thereto" in line six the following:

"But if a railway is to be constructed thereon, as provided in section two thousand and thirty-one (2031) the same may be located wherever necessary and practicable, but not exceeding one hundred feet in width".

SEC. 2. In effect. 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, Iowa.

Approved March 31, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 2, 1901.

W. B. MARTIN,
Secretary of State.

CHAPTER 83.

CONDEMNATION OF REAL ESTATE FOR INSTITUTIONS OF THE UNITED STATES.

H. F. 167.

AN ACT providing for the condemnation of real estate by the state, for the use and benefit of institutions of the United States, and the payment of damages therefor. [Additional to chapter four (4) of title ten (X) of the code, relating to the taking of private property.]

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

SECTION 1. State to condemn. Whenever, in the opinion of the governor of the state, the public interest requires the laying or construction of any drain, sewer or aqueduct, and the acquisition of an easement therefor, upon or across private property, or the taking of any real estate for the making or construction of any drain, sewer or aqueduct, or for rifle ranges, exercise, drill or parade grounds, yards, walls, buildings or other improvements or conveniences for the use or benefit of any fort, arsenal, military post or other institution of the United States, upon or across private property, the same proceedings may be had in the name of the state as are provided for the taking of private property for works of internal improvement by chapter 4, title X, of the code, and the proceedings shall be conducted by the county attorney of the county in which the land is situated, whenever directed by the governor, or he may appoint some other person for that purpose.

SEC. 2. Damages certified—how paid—conveyance of title. When the amount of the damages is finally determined, the sheriff or clerk, as the case may be, shall certify the amount thereof to the governor who shall, by an order endorsed thereon, direct the payment of the same, including all costs and expenses incurred, and the auditor of state shall issue a warrant on the treasury for the amount, which shall be paid out of such money as may have been deposited in the treasury by the United States, or by any person or persons for and on its behalf, and when paid to the sheriff or person entitled thereto, the governor and auditor of state are hereby authorized and instructed to convey the easment or real estate so taken and all of the rights of the state so acquired therein, to the United States, by good and sufficient deed of conveyance executed for, on behalf of and in the name of the state of Iowa, and thereupon the United States, through its proper officer or agent, may enter upon the premises and construct the desired work.

SEC. 3. In effect. 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 the city of Des Moines, Iowa.

Approved April 4, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 5, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 84.

RELATING TO THE RAILROADS OF IOWA PURCHASING OR CONTROLLING RAILROADS IN OTHER STATES.

S. F. 117.

AN ACT to authorize and empower railroad corporations of this state, to transact business, lease or purchase railroads, or to purchase the stock, bonds, or securities of railroads in other states. [Amendatory of chapter five (5), of title ten (X) of the code, relating to the construction and operation of railways.]

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

SECTION 1. Powers in other states. That any railroad corporation organized under and by virtue of the laws of this state and owning and operating a railroad therein shall be authorized and empowered to exercise in any other state or territory of the United States in which it may control or operate a connecting line or lines of railway the powers and privileges conferred upon it by its articles of incorporation and all powers, privileges and franchises conferred upon railroad corporations under and by virtue of the laws of Iowa or of such other state or territory, for the purposes set forth in section two hereof.

SEC. 2. May purchase, lease, control or operate. That any railroad corporation so organized under the laws of Iowa and owning and operating a railroad therein may lease, purchase, or otherwise acquire and own, control or operate any connecting extension of its said railroad not parallel or competing therewith, in any other state or territory of the United States, and to that end may purchase and control the stock, bonds or securities of any such extension if not contrary to the laws of such other state or territory.

SEC. 3. In effect. 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 11, 1902.

I hereby certify that the foregoing Act was published in the Des Moines Leader, April 16, 1902, and in the Iowa State Register, April 18, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 85.

VOTING OF TAXES IN AID OF RAILWAYS.

S. F. 46.

AN ACT to amend sections two thousand and eighty-four (2084), two thousand and eighty-five (2085), two thousand and eighty-six (2086), two thousand and eighty-seven (2087), two thousand and eighty-eight (2088), two thousand and eighty-nine (2089), two thousand and ninety (2090), and two thousand and ninety-one (2091) of the code, relating to taxes in aid of railroads, and extending the provisions thereof to trolley and electric railways.

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

SECTION 1. Trolley or electric railways. That section two thousand and eighty-four of the code be and the same is hereby amended as follows, to-wit: By adding after the words "railway company" in the second and third lines of said section the words "trolley or electric railway". Also by adding after the word "railroad" in the fourth line of said section the words: "or any trolley or electric railway".

SEC. 2. What statutes apply. All of the provisions of sections two thousand and eighty-four, two thousand and eighty five, two thousand and eighty-six, two thousand and eighty-seven, two thousand and eighty-eight, two thousand and eighty-nine, two thousand and ninety, and two thousand and ninety-one of the code are hereby made applicable to trolley or electric railways. And wherever the word "railroad" appears in any of said sections the same shall be held to include trolley or electric railroad; and wherever the words "railroad company" or "railway company" appear in said sections, the same shall be held to include trolley railway company, and electric railway company. Provided, that no stock shall be issued by any such company, except upon payment therefor of the full par value thereof in cash or its equivalent.

SEC. 3. In effect. This act, being deemed of immediate importance, shall 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 March 11, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 12, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 86.

VOTING OF TAXES IN AID OF RAILWAYS.

S. F. 255.

AN ACT to amend section two thousand and eighty-six (2086) of the code, relating to the voting of taxes in aid of railways.

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

SECTION 1. Limit of right to vote. That section two thousand and eighty-six (2086) of the code be and is hereby amended by adding at the end thereof the words, "The right to vote taxes within the limits herein provided shall exist after the expiration of ten (10) years from the exercise to the limit of the right herein granted."

Nothing herein shall authorize a tax of five per centum within the period named to steam railroads and also five per centum within such period to interurban railways.

SEC. 2. In effect. 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.

Approved April 8, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 9, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 87.

TRAIN BULLETINS IN PASSENGER STATIONS.

S. F. 140.

AN ACT to require railway companies to keep posted in their passenger stations bulletins giving the time of arrival and departure of trains. [Additional to chapter five (5) of title ten (X) of the code, relating to the construction and operation of railways.]

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

SECTION 1. Bulletins posted. It shall be the duty of all railway companies on all lines of railway operated by them, to keep posted in the waiting room of each passenger station, a bulletin plainly showing the time of arrival and departure at such station of all trains carrying passengers.

SEC. 2. Penalty. Any railway company failing to comply with the provisions of this act shall be fined not exceeding fifty dollars.

Approved April 10, 1902.

CHAPTER 88.

RELATING TO MILITIA.

H. F. 220.

AN ACT to repeal sections twenty-one hundred sixty-eight (2168), twenty-one hundred and sixty-nine (2169), twenty-one hundred and seventy-three (2173) of the code, and twenty-one hundred and seventy-nine [2179] of the code, and the amendments thereto as shown by chapter [seventy-two] 72 of the acts of the Twenty-eighth General Assembly, and to enact substitutes therefor, and to amend sections twenty-one hundred and seventy-four (2174), twenty-one hundred and seventy-five (2175), twenty-one hundred and eighty-one (2181) of the code and the amendment thereto as shown by chapter [seventy-two] 72, acts of the Twenty-eighth General Assembly, and twenty-one hundred and ninety-nine (2199) of the code, relating to the militia.

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

SECTION 1. Iowa National Guard. That section twenty-one hundred and sixty-eight (2168) of the code of Iowa is hereby repealed and the following enacted in lieu thereof:

"The active militia shall be designated 'Iowa National Guard' hereafter referred to as 'the Guard', recruited by volunteer enlistments and shall consist of four regiments of infantry, one signal company, and, at the discretion of the commander-in-chief, of two batteries of artillery and two troops of cavalry and the necessary staff departments, with such other officers and enlisted men as are hereinafter prescribed."

SEC. 2. Governor to call out. That section twenty-one hundred and sixty-nine (2169) of the code is hereby repealed and the following enacted in lieu thereof:

"When a requisition shall be made by the president of the United States for troops, the governor, as commander-in-chief, shall order into service the national guard of the state, or such portion thereof as may be necessary, and, if insufficient, so many of the militia as is required, designating the same by draft, if a sufficient number shall not volunteer, and shall organize and commission officers therefor; and while so in the service the national guard and militia shall be subject to the same regulations and receive the same compensation and subsistence as the army of the United States receive."

SEC. 3. Enlistments. That section twenty-one hundred and seventy-three (2173) of the code of Iowa is hereby repealed and the following is enacted in lieu thereof:

"All enlistments therein shall be for three years and re-enlistments if within thirty days from date of discharge, for one, two or three years as the soldier may elect, and made by signing the enlistment prescribed by the adjutant-general and taking the following oath or affidavit which may be administered by the enlisting officer, to-wit: 'You do solemnly swear (or affirm) that you will bear true allegiance to, and that you will support, the constitution of the United States and that of the state of Iowa, and will, as a member of the national guard, serve the United States and the state of Iowa faithfully through your term of service, unless sooner discharged, and that you will obey the orders of the commander-in-chief and such officers as may be placed over you, and the laws and regulations governing the military forces.'"

SEC. 4. Staff of commander-in-chief. That section twenty-one hundred and seventy-four (2174) of the code be amended by inserting after the word "aids" in the fifth line thereof the words, "who shall have served in the regular or volunteer service of the United States or the Iowa national guard, not less than one year, provided this section shall not apply to appointments heretofore made."

SEC. 5. Adjutant-general—duties. That section twenty-one hundred and seventy-five (2175) of the code be amended by striking out after the word "governor" in the sixth line thereof the words, "except in time of war or public danger he", and inserting in lieu thereof the word "and".

SEC. 6. Company and troop officers. That section twenty-one hundred and seventy-nine (2179) of the code as amended by the Twenty-eighth General Assembly is hereby repealed and the following enacted in lieu thereof:

"A company of infantry shall consist of a captain, a first lieutenant, a second lieutenant, one first sergeant, one quartermaster sergeant, four sergeants, six corporals, two cooks, two musicians and not less than forty nor more than sixty-four privates and non-commissioned officers. A signal company shall consist of one captain, two first lieutenants, two second lieutenants, one first sergeant, eight sergeants, sixteen corporals, two cooks[,] two musicians and not less than forty nor more than sixty-four privates and non-commissioned officers. A troop of cavalry or a battery of light artillery shall have the same

officers and non-commissioned officers as an infantry company and one farrier, one blacksmith and one saddler. In time of war or public danger the commander-in-chief may increase enlisted strength of such companies as he may deem necessary equal to those of the regular army. The company officers shall be elected by the officers and enlisted men of the company and shall hold office for five years unless their resignation shall have been accepted or they are dismissed by sentence of court-martial."

SEC. 7. Medical and staff departments. That section twenty-one hundred and eighty-one (2181) of the code as amended by the Twenty-eighth General Assembly be amended by inserting after the words "deputy-surgeon", in second line the word "general" and also after the word "assistant" in line fifteen add the word "general" in the line or sentence reading as follows: "The assistant inspector of small arms practice" to read "assistant general inspector of small arms practice". To strike out in said section in line seventeen the words "a signal officer with rank of first lieutenant", and also striking out after "engineer" in line nineteen the words "and signal".

SEC. 8. Examining board. That section twenty-one hundred and ninety-nine (2199) of the code be amended by adding after the word "officers" in the fifth line thereof, the following "or any person who shall have been elected or appointed". Also by adding after the word "vacated", in the seventh line thereof, the words "or the commission withheld".

SEC. 9. In effect. This act, being of immediate importance, shall be in full force and effect on and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in the city of Des Moines, Iowa.

Approved April 11, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 16, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 89.

RELATING TO THE MILITIA.

H. F. 221.

AN ACT to amend sections twenty-two hundred and four (2204) and twenty-two hundred and fourteen (2214) of the code, [relating to the militia].

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

SECTION 1. Allowance for company and band. That section twenty-two hundred and four (2204) of the code be amended by striking out the words "two hundred dollars" in the last line thereof, and inserting in lieu thereof the words "three hundred dollars", or so much thereof as may be necessary, to be paid under such regulations as the commander-in-chief may prescribe.

SEC. 2. Appropriation. That section twenty-two hundred and fourteen (2214) of the code be amended by striking out the words "fifty thousand two hundred dollars per annum or so much thereof as may be necessary" in the second and third lines thereof, and inserting in lieu thereof the words "fifty-seven thousand three hundred and fifty (57,350) dollars per annum".

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

Approved April 11, 1902.

I hereby certify that the foregoing Act was published in the Des Moines Leader and the Iowa State Register, April 12, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 90.

NAVAL MILITIA.

H. F. 436.

AN ACT authorizing the commander-in-chief to organize naval militia of Iowa, and prescribing regulations therefor. [Additional to chapter one (1) of title eleven (XI) of the code, relating to the militia.]

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

SECTION 1. Naval militia. At the discretion of the governor as commander-in-chief, there may be organized a naval force and be designated as "Naval Militia" and shall consist of one ship's crew and commissioned officers therefor, and prescribe regulations governing the said naval militia.

SEC. 2. Officers. The ship's crew shall be commanded by an officer with the rank of commander, one lieutenant commander, who shall be the executive officer, one lieutenant who shall be the navigation and ordnance officer, one ensign who shall be the aid to the commander, one surgeon with the rank of lieutenant, one engineer with the rank of lieutenant, one assistant engineer with rank of lieutenant junior grade. There shall be allowed to such ship's crew such number of petty officers as the commander-in-chief shall order and direct. Two buglers and not less than forty, nor more than sixty-four petty officers and men.

SEC. 3. Organization — discipline and exercise. The organization of the naval force shall conform as nearly as practicable to the provisions of the laws of the United States, and the system of discipline and exercise shall conform as nearly as may be to that of the navy of the United States. The governor shall have the power to alter, annex, consolidate and disband the same whenever in his judgment it is for the good of the service.

SEC. 4. Uniform. The uniform of the naval militia shall conform to the regulations in force for the navy of the United States.

SEC. 5. Election and appointment of officers. The commissioned officers of the naval militia shall be elected by the officers and men of the ship's crew, under such regulations as the commander-in-chief may prescribe and the ensigns and petty officers shall be appointed by the commander of the naval militia. The time and place of holding elections for officers shall be the same as prescribed for elections in the Iowa national guard. Provided the naval militia can be organized and equipped without expense to the state of Iowa, or to the appropriation for the maintenance of the Iowa national guard, or the appropriation made by the general government to aid the national guard of the several states.

Approved April 10, 1902.

CHAPTER 91.

RELATING TO HOSPITALS FOR THE INSANE.

H.F. 376.

AN ACT to repeal section two thousand two hundred fifty-three (2253) of the code and enact a substitute in lieu thereof, in relation to hospitals for the insane.

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

SECTION 1. State hospitals. That section two thousand two hundred fifty-three (2253) of the code be and the same is hereby repealed and the following enacted in lieu thereof:

"The hospital for the insane at Mount Pleasant shall be known by the name of 'Mount Pleasant State Hospital'; the one at Independence, 'Independence State Hospital'; the one at Clarinda, 'Clarinda State Hospital'; and the one at Cherokee, 'Cherokee State Hospital'."

Approved April 4, 1902.

CHAPTER 92.

APPEALS FROM THE FINDINGS OF COMMISSIONERS OF INSANITY.

S. F. 196.

AN ACT to amend section two thousand two hundred and sixty-seven (2,267) of the code, relating to appeals from the findings of commissioners of insanity.

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

SECTION 1. County attorney to prosecute. That section two thousand two hundred and sixty-seven (2,267) of the code be and is hereby amended by adding thereto the following:

"Upon appeal it shall be the duty of the county attorney to prosecute the action on behalf of the informant without additional compensation."

Approved March 17, 1902.

CHAPTER 93.

DETENTION AND TREATMENT OF DIPSOMANIACS AND INEBRIATES.

H. F. 176.

AN ACT to provide a department in one of the hospitals for the insane, for the detention and treatment of dipsomaniacs, inebriates and those addicted to the excessive use of narcotics. [Additional to chapter two (2) of title twelve (XII) of the code, relating to the care of the insane and to chapter one hundred and eighteen (118) of the acts of the Twenty-seventh General Assembly, as amended by chapter one hundred and forty-three (143) of the acts of the Twenty-eighth General Assembly, relating to the state board of control.]

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

SECTION 1. Board of control to provide department. That the board of control is hereby directed to provide for the detention and treatment of dipsomaniacs, inebriates and persons addicted to the excessive use of morphine or other narcotics, in one or more of the hospitals for the insane at the discretion of said board. Said department thus provided for to be designated as a hospital for inebriates.

SEC. 2. Examination—commitment. That all dipsomaniacs, inebriates and persons addicted to the excessive use of morphine or other narcotics, who shall be citizens of the state of Iowa and residents of the county from which they might be committed to the hospital for inebriates may be brought before the district court or judge of the county where they reside for examination and commitment to said hospital for inebriates. Their examination, trial and commitment shall be governed by the same statutes as now apply to and govern the examination and commitment of incorrigibles to the state industrial school. If it shall be determined by said district court or judge, that such person is addicted to dipsomania, inebriety or to the excessive use of narcotics, he or she shall be committed to such hospital for inebriates, as

may be established by the board of control as above provided for. The term of detention and treatment shall be, for the first commitment not less than one, nor more than three years; and for the second commitment not less than two nor more than five years. The governor shall parole a patient on conditions named in the following section.

SEC. 3. **Conditions of parole.** If after thirty days of such treatment and detention a patient shall appear to be cured, and if the physician in charge and the superintendent of said institution shall so recommend, the governor shall parole said patient, provided that said patient shall pledge himself or herself to refrain from the use of all intoxicating liquors as a beverage, or other narcotics, during the remaining part of his or her term of commitment and shall avoid the frequenting of places and the association of people tending to lead them back to their old habits of inebriety.

And shall send the following report on the first day of every month during term of parole to the governor, which report must be inquired into and approved as correct by the clerk of the district court of the county wherein the patient resides, and said patient shall furnish the clerk of the district court with satisfactory evidence of his sobriety and good habits.

Report of.....to superintendent of hospital for inebriates at.....Iowa.

I,....., being on parole from the hospital for inebriates at....., Iowa, do hereby certify that I have up to this date, being the first day of....., 190...., refrained from the use of all intoxicating liquors as a beverage, and all narcotics of any kind whatsoever, except it be a moderate use of tobacco.

.....
.....

I have carefully inquired into the record of.....as named above and do hereby certify that I believe the statements contained in his above report are true.

.....

Clerk district court of Iowa in and for.....county, Iowa.

Dated this.....day of, 190....

And if at any time the patient on parole, for any reason fails to make the above report, the sheriff of the county wherein such patient resides shall without further writ or warrant, return said patient at once to the hospital from which he or she has been paroled on receiving notice of such failure from the clerk of the district court of the county wherein the patient resides, or any three reputable citizens thereof. And the patient so returned shall be detained and treated during the full term of his commitment.

SEC. 4. **What statutes apply.** That all statutes of the state providing for the trial, commitment, detention and treatment of incorrigibles sent to industrial schools shall be applicable to the trial, detention and treatment of all patients committed under the provisions of this act, except in so far as they may be modified by the provisions of this act.

SEC. 5. **Expenses—how paid.** That the expense of trial, commitment and treatment of such persons so committed under the provisions of this act shall be borne and paid in the same manner and out of the same fund as the expenses of insane patients are borne and paid, and the estates of such patients shall be liable therefor to the same extent as in the case of insane persons.

Approved April 12, 1902.

CHAPTER 94.

SALE OF INTOXICATING LIQUORS AND ABATEMENT OF NUISANCE.

S. F. 342.

AN ACT to amend section two thousand four hundred and ten (2410) of the code, relating to sale of intoxicating liquors and abatement of nuisance.

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

[SECTION 1.] **Abatement by owner.** That section two thousand four hundred and ten (2410) of the code, be, and the same is hereby amended by inserting in the twelfth line after the word "abated" the following words, "as to said building only".

Approved April 11, 1902.

CHAPTER 95.

THE LISTING OF PLACES WHERE INTOXICATING LIQUORS ARE SOLD AND THE ASSESSMENT OF THE MULCT TAX.

H. F. 386.

AN ACT to amend sections twenty four hundred thirty-three (2433) and twenty-four hundred thirty-five (2435) of the code, relating to the listing of places where intoxicating liquors are kept for sale or sold, and the assessment of the mulct tax against the property and its owner or owners and the occupant or tenant of such property.

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

SECTION 1. Return by assessor—notice given. That section twenty-four hundred and thirty-three (2433) of the code be amended by inserting between the word "agent" and the word "any" in the tenth line of said section the following:

"At least five (5) days before the assessor makes the return above contemplated to the county auditor he shall give to the person found in possession of each place which he intends to list, or is required to list, and to the tenant occupant and owner of such place a notice in writing that he intends to return such list to the county auditor charging the property itself and the owner of the property therein described and the person who owns or conducts the business with the mulct tax. But if any one of the persons to whom the assessor is herein required to give notice does not reside within the assessor's assessment district it shall be sufficient for the assessor to mail, at least five days before he makes such return to the auditor, a copy of such notice to such person at his last known postoffice address; and if there is anyone whose postoffice address cannot be ascertained by the assessor it shall be sufficient as to such person for the assessor to post a copy of such notice in some conspicuous place on the front of the property about to be listed as liable to the tax. Service of notice on any agent having general charge of the property or on any agent renting or collecting rent on the property so used or having authority to rent or collect rent on such property, or on any member of the owner's family over fourteen (14) years of age shall be equivalent to notice to the owner of such property. The assessor shall give notice in each case in such one of the ways above provided as the circumstances of the case require, and he shall show in his return to the auditor that he has given notice and the manner of service. The return signed by the assessor shall in all cases be admissible in evidence without further proof, and such return shall have the same force and effect as the oath of the assessor. The burden of proof shall in all cases be upon the party claiming that notice was not given. The county auditor shall furnish to the several assessors of his county printed blanks upon which to give the notice contemplated in this amendment."

SEC. 2. Statement of citizens—notice given. That section twenty-four hundred and thirty-five (2435) of the code be amended by adding thereto the following:

"At least five (5) days before listing the property or names with the county auditor as contemplated in code section twenty-four hundred thirty-five (2435) such citizens shall give notice in writing of their intention so to do to the same parties and in the same manner as required of the assessor in section

one (1) of this amendment, and proof of the service of notice shall be made by the affidavit of one or more of the citizens making the return which affidavit shall be returned to and filed with the auditor with the list of names and property sought to be charged; and the return and affidavit of the citizens so filed with the county auditor shall be admissible in evidence in the same way and with the same force and effect as the return of the assessor."

SEC. 3. In effect. 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.

Approved April 7, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 8, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 96.

RELATING TO SURETY ON BONDS OF PARTIES KEEPING INTOXICATING LIQUORS FOR SALE.

H. F. 381.

AN ACT to amend subdivision three (3), of section twenty-four hundred forty-eight (2448) of the code, relating to surety on bonds.

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

SECTION 1. Surety companies. That subdivision three (3), of section twenty-four hundred forty-eight (2448) of the code, be and the same is hereby amended by adding after the word "bond", at the end of the eighth (8th) line of said subdivision three (3), the following words:

"Provided that any surety company, authorized to do business in this state, under the laws thereof, may become sole surety on any and all bonds required under this section."

Approved April 9, 1902.

CHAPTER 97.

COMMISSIONER OF LABOR STATISTICS.

S. F. 211.

AN ACT relating to the duties of the commissioner of labor statistics, and amending section [s] twenty-four hundred and seventy (2470), twenty-four hundred and seventy-one (2471) and twenty-four hundred and seventy-two (2472) of the code.

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

SECTION 1. Duties—report. That section twenty-four hundred and seventy (2470) of the code be and the same is hereby amended by inserting after the words "laboring classes" in the fifth line thereof, the words "the means of escape from, and the protection of life and health in factories, the employment of children, the number of hours of labor exacted from them and from women".

SEC. 2. Witness fees—how paid. That section twenty-four hundred and seventy-one (2471) of the code be and the same is hereby amended by striking out in the seventh line thereof the words "contingent fund of the bureau in advance" and insert in lieu thereof the words "general funds of the state on voucher by the commissioner".

SEC. 3. Violation or neglect—written notice—prosecution. That section twenty-four hundred and seventy-two (2472) of the code be and the same is hereby amended, by striking out the "semicolon" after the word "thereof" in the tenth line thereof and insert a "period", and the words:

"If the commissioner shall learn of any violation of, or neglect to comply with the law in respect to the employment of children, or in respect to fire escapes, or the safety of employes, or for the preservation of health, he shall give written notice to the owner or person in charge of such factory or building, of such offense or neglect, and if the same is not remedied within sixty days after service of such notice, such officer shall give the county attorney of the county in which such factory or building is situated, written notice of the facts, whereupon that officer shall immediately institute the proper proceedings against the person guilty of such offense or neglect."

Approved April 11, 1902.

CHAPTER 98.

MINES AND MINING.

H. F. 12.

AN ACT to amend [section twenty-four hundred and seventy-nine (2479) of] chapter nine (9) title twelve (XII) of the code, in relation to mines and mining.

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

SECTION 1. Board of examiners. That chapter nine (9) title twelve (12) of the code be and the same is hereby amended by striking out section twenty-four hundred and seventy-nine (2479) and inserting in lieu thereof the following:

"The executive council shall appoint a board of five examiners consisting of two practical miners and two mine operators, all holding certificates of competency as mine foremen, at least one of whom shall also hold a certificate of competency as hoisting engineer, and one mining engineer, each of whom shall have had at least five years' actual experience in his profession immediately preceding his appointment, who shall hold office for a term of two years. The members of said board shall qualify by taking oath to perform the duties devolving upon them fairly, faithfully and impartially, without fear or favor, uninfluenced by personal or political considerations. No member of said board shall be interested in or connected with any school, scheme, plan or device having for its object the preparation, education or instruction of persons in the knowledge required of applicants for certificates of competency. Any member of said board shall be summarily removed from office by the executive council, upon due notice and hearing, for violation of the law, misfeasance or malfeasance in the performance of his duties, or for other sufficient cause, and his successor shall thereupon be appointed by the said executive council for the unexpired term."

Approved March 25, 1902.

CHAPTER 99.

MINES AND MINING.

H. F. 13.

AN ACT to amend section twenty-four hundred and eighty-two (2482) of the code, relating to mines and mining.

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

SECTION 1. Inspection of mines—how often. That section twenty-four hundred and eighty-two (2482) of the code be and the same is hereby amended by inserting after the comma following the word "permit", and before the word "keep" in the ninth line thereof, the following:

"Which examination shall be made at least once in every six (6) months of all mines having an average output of fifty tons or more of coal per day."

Approved March 25, 1902.

CHAPTER 100.

EXAMINATION AND DUTIES OF SHOT EXAMINERS.

S. F. 360.

AN ACT in relation to the examination of shot examiners in coal mines and defining their duties. [Additional to chapter nine (9), of title twelve (XII) of the code, relating to mines and mining.]

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

SECTION 1. Shot examiners—proof of competency. In all mines, where the coal is blasted from the solid, competent persons shall be employed to examine all shots, before they are charged. Said examiners to have the power to prohibit the charging and firing of any shot which, in their judgment, is unsafe. Before entering upon the discharge of their duties, said examiners shall give proof of their competency to the state mine inspector of the district in which the mine, where they are employed, is located, and said inspector shall certify to the operator of each mine the persons who have given proof of their competency to act in the capacity of shot examiners. The state mine inspector to have the power to refuse to give permission to any person to act as shot examiner who, in his judgment, is not sufficiently competent; or he may revoke the permission granted, should it appear that a shot examiner is negligent, or careless in the performance of his work.

SEC. 2. In effect. 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 in Des Moines, Iowa.

Approved April 11, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 16, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 101.

INSPECTION AND USE OF THE PRODUCTS OF PETROLEUM.

S. F. 231.

AN ACT to amend section two thousand five hundred and eight (2508) of the code, in relation to the inspection and use of the products of petroleum.

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

SECTION 1. Damages—what excepted. That section two thousand five hundred and eight (2508) of the code be, and the same is hereby amended by striking out of the twentieth line the words "that the gas or vapor thereof shall be generated" and insert in lieu thereof the words "when the oils from which said gas or vapor is generated".

Approved April 7, 1902.

CHAPTER 102.

H. F. 298.

REPORTS MADE TO THE DAIRY COMMISSIONER.

AN ACT to amend section twenty-five hundred and twenty-two (2522) of the code, relating to reports to the dairy commissioner by milk dealers and operators of creameries and cheese and condensed milk factories and providing a penalty for violations of the section as amended.

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

SECTION 1. Certified report—penalty. That section twenty-five hundred and twenty-two (2522) of the code be and the same is hereby amended by striking out all of said section after the words [word] “reports” in the ninth line thereof and by adding the words:

“Within thirty days after receiving the proper blank form from the dairy commissioner and shall certify to the correctness thereof. Whoever shall violate any provision of this section shall be punished by a fine of not less than twenty-five nor more than one hundred dollars, or by imprisonment in the county jail for not more than thirty days.”

Approved April 10, 1902.

CHAPTER 103.

RELATING TO FISH AND GAME.

S. F. 297.

AN ACT to amend sections two thousand five hundred forty (2540), two thousand five hundred fifty-one (2551), two thousand five hundred fifty-six (2556) and two thousand five hundred sixty-one (2561), of the code; and section two thousand five hundred thirty nine (2539) of the code as amended by chapter sixty-four (64) of the laws of the Twenty-seventh (27th) General Assembly; repealing section five (5) of chapter sixty-four (64) of the laws of the Twenty-seventh (27th) General Assembly and making further provisions additional to said chapter fifteen (15), title twelve (12) of the code, relating to the care and propagation of fish and the protection of birds and game.

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

SECTION 1. Seizure and destruction without warrant. That section one (1) of chapter sixty-four (64) of the Acts of the Twenty-seventh (27th) General Assembly be, and the same is hereby amended by adding thereto the following:

“And abate and destroy any and all of the same without warrant or process and no liability shall be incurred to the owner or any other person for such seizure and destruction and said warden or his regularly constituted deputies or other peace officers as hereinbefore named shall be released from all liability to any person or persons whomsoever for any act done or committed or property seized or destroyed under or by virtue of this section.”

SEC. 2. Catfish. That section two (2) of said chapter sixty-four (64) of the laws of the Twenty-seventh (27th) General Assembly be and the same is hereby amended by inserting after the word “bass” in the fourth (4th) line thereof the word “catfish”.

SEC. 3. Repealed. That section five (5) of chapter sixty-four (64) of the laws of the Twenty-seventh (27th) General Assembly be and the same is hereby repealed.

SEC. 4. Fishing—what permitted. That section two thousand five hundred forty (2540) of the code be and the same is hereby amended by inserting after the word “croppies” in the fourth (4th) line thereof the words “pickereel or catfish”; and by inserting after the words “game fish” in said fourth (4th) line the words “nor shall any one person take of said fish from the waters of the state in any one day more than forty (40) of any or all of said kinds of fish”. That there be stricken from said section beginning in the sixteenth (16th) line thereof and ending in the twentieth (20th) line thereof, the following words, “nor shall any one place in the water any lime, ashes or drug of any kind or other substance, or shoot any gun, explode dynamite, gun cotton, giant powder or other compound or preparation or use electricity in any manner with the intent to kill or so to affect any fish that it may be taken”, and that there be stricken from said section beginning in the twenty-fifth (25th) line thereof the words “shall be prima facie evidence of the intent

to violate the provisions of this section against spearing and seining fish. This presumption will not exist against fishing in the excepted waters as provided in section two thousand five hundred forty-seven (2547) of this chapter", and that there be inserted in lieu thereof after the words "ten rods" in the twenty-fifth (25th) line the following "or the taking or killing of any fish by any means within three hundred (300) feet of a fishway shall be unlawful."

SEC. 5. Explosives—drugs—penalty. It shall be unlawful for any one to place in the waters of the state any lime, ashes or drug of any kind or other substance, explode dynamite, gun cotton, giant powder or other compound or preparation or use electricity in any way with the intent to kill or so to affect any fish that it may be taken and any one guilty of any of said acts shall, upon conviction thereof be fined not less than fifty (\$50.00) dollars or more than one hundred (\$100.00) dollars or imprisoned in the county jail not less than fifteen nor more than thirty days.

SEC. 6. Written permits. That section two thousand five hundred forty-six (2546) of the code be and the same is hereby amended by adding thereto the following:

"Provided further that the warden may, upon proper application in writing, made upon blanks furnished by said warden, issue to whomsoever he may see fit, written permits, upon blank forms to be furnished by said warden, suspending for a specified period specified portions of this chapter relating to fishing and authorizing the person to whom said permit is issued, to take from certain designated portions of the waters of the state, buffalo, carp, quill backs, red-horse, suckers and gar, as in said permit named, in any quantities and for all purposes, provided however that no such permit holder shall be authorized to exercise the rights granted in said permit except in the presence and under the supervision of the warden or one or more of his regularly constituted deputies, without expense to the state."

SEC. 7. Game protected. That section two thousand five hundred and fifty-one (2551) of the code be and the same is hereby amended by inserting after the word "brant" in the sixth (6th) line thereof the words "rail, plover, sand piper and march or beach bird". That the word "June" in the eighth (8th) line thereof be stricken out and there be inserted in lieu thereof, the word "September".

SEC. 8. Other animals—penalty. That section two thousand five hundred fifty-six (2556) of the code be and the same is hereby amended by inserting after the word "muskrat" in the sixth (6th) line thereof the words "or other animals named or referred to in this chapter".

SEC. 9. Sand piper. That section two thousand five hundred sixty-one (2561) of the code be and the same is hereby amended by striking from the fifth (5th) line thereof the words "sand piper".

SEC. 10. In effect. 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, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 11, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 104.

RELATING TO FISHING IN CERTAIN RIVERS.

H. F. 130.

AN ACT to amend section two thousand five hundred and forty-seven (2547) of the code and to prohibit the taking of fish from certain waters of the state, except with hook and line.

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

SECTION 1. **Big Sioux river.** That the words "or the Big Sioux" as they appear in the second line of section two thousand five hundred and forty-seven (2547) of the code be stricken from said section and that the word "or" be inserted in the second line of said section in place of the comma between the words "Mississippi" and "Missouri".

SEC. 2. **In effect.** 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 the city of Des Moines, and in the Sioux City Journal, a newspaper published at the city of Sioux City, Iowa.

Approved March 22, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register March 25, 1902, and in the Sioux City Journal, March 26, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 105.

RELATING TO QUARANTINE AND THE EXPENSES THEREOF.

H. F. 83.

AN ACT to repeal section two thousand five hundred and seventy (2570) of the code and enact a substitute therefor, in relation to quarantine and the expenses thereof.

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

SECTION 1. **Care of infected person—expenses.** That section two thousand five hundred and seventy (2570) of the code is hereby repealed and the following enacted in lieu thereof:

"When any person shall be sick or infected with smallpox or other infectious or contagious disease dangerous to the public health, whether a resident or otherwise, the local board of health shall make such provisions as are best calculated to protect the inhabitants therefrom, and may remove such person to a separate house, or to a pesthouse, or detention or other hospital, and shall provide needful assistance, nurses, medical attendance and supplies. If in the judgment of said board such person cannot be removed, then he shall be cared for at the place where he resides in the same manner as above provided. In case of the removal of more than one person to the same house, or to any pesthouse, or detention or other hospital, it shall provide needful assistance, nurses, medical attendance and supplies necessary for their proper care. All bills for expenses incurred in carrying out the provisions of this section shall be filed with the clerk of the local board of health, which board shall examine the same and act thereon at its next regular meeting after the same have been filed with the clerk, and certify the amount allowed thereon by it to the county auditor and the county board of supervisors shall act upon said bills as thus certified at its first regular meeting thereafter. The local board of health shall allow an amount on such bills as shall be reasonable and the certificate of the local board of health shall be prima facie evidence of the correctness of such bills, but the board of supervisors may revise the amounts so allowed and fix the same. The expenses paid under the provisions of this act and the chapter of which it is amendatory shall in no case exceed the reasonable value of the property furnished or services rendered and the county

shall not advance such expenses until the same shall have been audited and allowed by the board of supervisors. When one or more persons shall be confined in a house, or pesthouse, or detention or other hospital, the local board of health shall ascertain the total amount of expense incurred for the care of such persons, which amount shall be equitably apportioned by the local board of health between the several persons cared for, and when so apportioned the president and clerk of said board shall certify to the county auditor the name of such person or persons and their proportionate share, and the county shall recover the same in any court of competent jurisdiction within this state, and the certificate of the president and clerk of said board shall be prima facie evidence of the amount furnished such person or persons. In case of the inability of any person or persons, or those liable for their support, to pay for the expenses incurred as provided in this section, such expense shall be paid by the county, and the board of supervisors of said county shall, at the time it levies the general taxes, levy on the property of the city, town or township, from which such expenses were certified a sufficient tax to reimburse the county to the extent of one-third of the amount paid by it under the provisions of this act. In the event that any of the expenses made as aforesaid shall be collected from private individuals after said tax has been levied on the property of the city, town, or township, said city, town, or township shall have credited to them one-third of the amount so collected. It is further provided that nothing herein contained shall be construed to prevent any person quarantined, as herein provided, from employing at his own expense the physician or nurse of his choice, and no part of the expense of the physician or nurse employed by the board of health shall be apportioned to him under the provisions of this act. The forcible removal of infected persons, as herein provided, shall be effected by an application made to any civil magistrate, in the manner provided for the removal and abatement of nuisances, who shall issue the warrant as directed in such cases, to remove such person or persons to the place designated by the local board of health, or to take possession of the condemned or infected houses or lodgings, which warrant shall be executed under the direction of the local board of health, and such officer shall receive a reasonable compensation to be determined and allowed by said board."

SEC. 2. Quarantine expenses—how paid. All expenses incurred by the local board of health in establishing, maintaining or raising a quarantine, including fumigation, and the building and providing any pesthouse, detention or other hospital shall be by it certified to and paid by the county in the first instance and the board of supervisors shall at the time of the levy of the taxes for general purposes levy a tax upon the township, town or city, to reimburse the county for the amounts paid by it under the provisions of this section. All acts or parts of acts conflicting with this section are hereby repealed.

SEC. 3. In effect. 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.

Approved April 11, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 16, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 106.

TIME OF MEETINGS OF LOCAL BOARD OF HEALTH.

H. F. 162.

AN ACT to amend section twenty-five hundred and seventy-one (2571) of the code, relating to time of meetings for local boards of health.

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

SECTION 1. **Date changed.** That section twenty-five hundred and seventy-one (2571) of the code be and is hereby amended by striking out the word "October" in the second line and insert the word "November" in lieu thereof.

Approved April 5, 1902.

CHAPTER 107.

ENFORCEMENT OF THE RULES AND REGULATIONS OF THE STATE BOARD OF HEALTH.

S. F. 192.

AN ACT amending section two thousand five hundred and seventy-two (2572) of the code, relating to the enforcement of the rules and regulations of the state board of health.

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

SECTION 1. **State board may enforce rules—when—expenses.** That section two thousand five hundred and seventy-two (2572) of the code be amended by adding thereto the following:

"If any local board of health shall refuse or neglect to enforce the rules and regulations of the state board of health, the state board of health may enforce its rules and regulations within the territorial jurisdiction of such local board, and for that purpose shall have and may exercise all of the powers given by statute to local boards of health; and the peace and police officers of the state, when called upon by the state board of health to enforce its rules and regulations, shall execute the orders of such board. All expenses incurred by the state board of health in determining whether its rules and regulations are enforced by a local board of health, and in enforcing the same when a local board has refused or neglected to do so, shall be paid in the same manner as is now provided for the payment of the expenses of enforcing such rules and regulations by local boards of health."

SEC. 2. **In effect.** 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 March 17, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 18, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 108.

THE ERECTION AND MAINTENANCE OF PESTHOUSES AND HOSPITALS.

S. F. 197.

AN ACT relating to the powers of boards of health and health officers and the erection and maintenance of pest houses and hospitals in certain cases. [Additional to chapter sixteen (16), of title twelve (XII) of the code, relating to the state board of health.]

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

SECTION 1. **Location of pest houses.** That when a controversy arises between municipalities or between boards of health thereof, respecting the location of pesthouses or hospitals for the treatment of infectious or con-

tagious diseases, such matter shall be referred to the president of the state board of health who shall forthwith appoint a committee of three (3) members thereof, which committee shall upon two days' notice to the parties interested, investigate the matter and make such order in the premises as the facts warrant, and such order shall be final.

SEC. 2. Jurisdiction. The health officers of the municipality which is allowed to maintain a pesthouse or hospital for patients affected by infectious or contagious diseases outside the limits of said municipality, shall have exclusive jurisdiction and control of such pest house or hospital for the enforcement of all sanitary and health regulations.

SEC. 3. In effect. 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 printed and published at Des Moines, Iowa.

Approved April 5, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 8, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 109.

RELATING TO ITINERANT PHYSICIANS.

S. F. 232.

AN ACT to amend section twenty-five hundred and eighty-one (2581) of the code, in relation to itinerant physicians.

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

SECTION 1. Agent or employe. That section twenty-five hundred eighty-one (2581) of the code be amended by inserting after the word "who" in the fourth line the words "by himself, agent or employe".

Approved April 9, 1902.

CHAPTER 110.

SALE OF COCAINE.

H. F. 31.

AN ACT relating to the sale of cocaine and providing punishment for the illegal sale thereof. [Amendatory of chapter eighteen (18) of title twelve (XII) of the code, relating to the practice of pharmacy.]

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

SECTION 1. Sale of cocaine. No one, by himself, clerk, employe or agent, shall either directly or indirectly, sell or give away any cocaine, or preparation containing cocaine, except on the written prescription of a registered physician for medical purposes. And no such prescription shall be refilled except upon the written order of a physician. However, nothing in this act shall be construed to prevent the sale thereof to a wholesale or retail dealer in drugs nor registered physician, or licensed dentist for use in the practice of his profession.

SEC. 2. Penalty. Any one found guilty of violating the provisions of section one, of this act, for the first offense, shall pay a fine of not less than twenty-five dollars, and not more than one hundred dollars and cost of prosecution. For the second offense, and each subsequent offense, he shall pay on conviction thereon, a fine of not less than one hundred dollars, and not more than three hundred dollars, or imprisonment in the county jail not to exceed

three months. Any clerk, employe or agent, violating, or aiding in the violation of section one, shall be charged and convicted as principal.

SEC. 3. Enforcement. Peace officers shall see that the provisions of this act are faithfully executed within their respective jurisdictions, and when they are informed, or have reason to believe that this act has been violated, and the proof thereof can be had, they shall file information to that effect against the offending party before a magistrate, who thereupon shall proceed according to law. The county attorney shall prosecute violators of this act.

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

Approved March 22, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 25, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 111.

APPOINTMENT OF OFFICERS FOR THE SOLDIERS' HOME.

S. F. 267.

AN ACT to amend section twenty-six hundred and four (2604) of the code, relating to the appointment of officers for the soldiers' home.

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

SECTION 1. Assistant surgeons. That section twenty-six hundred and four (2604) of the code be and it is hereby amended by inserting immediately following the word "surgeon", as it appears in the eighth (8) line of said section, the following: "together with such assistant surgeons as may, from time to time, be required, and the said adjutant and quartermaster shall be".

Approved March 31, 1902.

CHAPTER 112.

COMPENSATION OF ADJUTANT, QUARTERMASTER AND SURGEON OF THE SOLDIERS' HOME.

S. F. 269.

AN ACT to amend section twenty-six hundred and four (2604) of the code, relating to the compensation to be allowed to the adjutant, quartermaster and surgeon of the Iowa soldiers' home.

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

SECTION 1. Houses, lights and water. That section twenty-six hundred and four (2604) of the code be, and the same is hereby amended by adding to the end of said section the following:

"Provided, that the adjutant, quartermaster and surgeon shall also be furnished without charge the houses erected by the state and now occupied by such officers, together with lights and water."

Approved April 12, 1902.

CHAPTER 113.

ADDITIONAL SUPPORT FOR THE SOLDIERS' HOME.

H. F. 107.

AN ACT to amend section twenty-six hundred and eight (2608) of the code as amended by chapter seventy-two (72) of the Acts of the Twenty-seventh General Assembly and provide additional support for the soldiers' home at Marshalltown.

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

SECTION 1. Support fund for officers and employes. That section twenty-six hundred and eight (2608) of the code as amended by chapter seventy-two [72] of the acts of the Twenty-seventh General Assembly is hereby amended by inserting therein, after the words "fourteen dollars per month, for each member", the following: "and ten dollars per month for each officer and employe not a member of the home".

SEC. 2. In effect. 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.

Approved April 11, 1902.

I hereby certify that the foregoing Act was published in the Des Moines Leader, April 16, 1902, and in the Iowa State Register April 17, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 114.

EXAMINATIONS OF APPLICANTS FOR STATE CERTIFICATES AND DIPLOMAS.

H. F. 432.

AN ACT to amend section twenty-six hundred twenty-nine (2629) of the code, relating to examinations of applicants for state certificates and diplomas.

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

SECTION 1. Training and qualifications. That section twenty-six hundred twenty-nine (2629) of the code be and the same is hereby amended by striking out the period (.) after the word "teaching" in the eleventh line thereof and inserting a comma (,) in lieu thereof. Also by inserting after said comma (,) the following words: "Or with such other training and qualifications as the board may require."

SEC. 2. In effect. 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.

Approved April 9, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 10, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 115.

SCHOOLS FOR THE INSTRUCTION AND TRAINING OF TEACHERS FOR THE COMMON SCHOOLS.

S. F. 328.

AN ACT to provide for the inspection, recognition and supervision of schools for the instruction and training of teachers for the common schools, and providing for the licensing of the graduates of the same. [Additional to chapter two (2), of title thirteen (XIII) of the code, relating to the board of educational examiners.]

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

SECTION 1. Educational examiners to inspect and supervise. That the state board of educational examiners shall constitute a board for the inspection, recognition and supervision of the schools designed for the instruction and training of teachers for the common schools.

SEC. 2. Accredited schools—annual visitations. That schools desiring state recognition shall apply to the board of educational examiners which shall then proceed to inspect such schools with reference to course of study, equipment and faculty. All schools that shall meet the requirements of the board of educational examiners shall be known as accredited schools. Such schools shall have an annual visitation by some member of the board of educational examiners, or some one appointed for that purpose by said board, who shall receive compensation as is provided for in section 2634 of the code.

SEC. 3. Certificates—fee. Graduates of approved accredited schools who shall pass the required examination for a two-years' certificate shall receive from the state board of examiners a certificate for two years, which may be renewed under such rules as said board may prescribe. Applicants for a certificate shall pay a fee of \$2.00, one-half of which shall be returned in case of failure.

SEC. 4. Sworn statement. At the close of each school year, the principal or superintendent of each accredited school shall file with the board of examiners a sworn statement, showing the name, age, postoffice address, studies and attendance of each of the students in his school taking the prescribed teachers' course.

Approved April 9, 1902.

CHAPTER 116.

RANK OF COMMANDANT AND INSTRUCTOR OF MILITARY SCIENCE AND TACTICS IN STATE EDUCATIONAL INSTITUTIONS.

S. F. 261.

AN ACT establishing the rank of commandant and instructor of military science and tactics in state educational institutions. [Amendatory of chapters three (3), four (4), and five (5), of title thirteen (XIII) of the code, relating to the state university, the state college of agriculture and mechanic arts and the state normal school.]

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

SECTION 1. Colonel of cadets. That the commandant and instructor of military science and tactics in the Iowa state university, the college of agriculture and mechanic arts and the state normal school be given the rank of colonel of cadets, and the governor of the state of Iowa is hereby authorized to issue commissions therefor, upon the request of the president of such educational institutions.

SEC. 2. In effect. 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.

Approved March 22, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 25, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 117.

LEVY OF SPECIAL TAX FOR STATE NORMAL SCHOOL.

H. F. 359.

AN ACT providing for the levy of a special tax of one-tenth of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for state normal school at Cedar Falls, Iowa. [Additional to chapter five (5), of title thirteen (XIII) of the code, relating to the normal school.]

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

SECTION 1. Special tax—purpose—how drawn. For the purpose of providing for the erection, repair and improvement and equipment of such necessary buildings as shall be determined upon by the board of trustees of the state normal school, there shall be levied annually for five years a special tax of one-tenth of a mill on the dollar upon the assessed valuation of the taxable property of the state, and the proceeds thereof shall be carried into the treasury to the credit of said state normal school. Said levy shall be first made with the levy made for state purposes in the year nineteen hundred and two (1902) and the same levy shall be made annually for the four successive years thereafter. The money realized from such levy for said state normal school shall be held by the treasurer of the state for the purposes hereinbefore provided and drawn upon requisition of the board of trustees of said state normal school.

SEC. 2. In effect. 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.

Approved April 9, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 10, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 118.

ADMISSION OF FEEBLE-MINDED WOMEN TO THE INSTITUTION FOR FEEBLE-MINDED CHILDREN AT GLENWOOD.

H. F. 228.

AN ACT to provide for the admission of feeble-minded women to the institution for feeble-minded children at Glenwood, and the maintenance thereof, [Amendatory of chapter seven (7) of title thirteen (XIII) of the code, relating to the institution for feeble-minded children.]

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

SECTION 1. Admission. That all feeble-minded women under forty-six years of age who are residents of the state of Iowa may be admitted to the institution for feeble-minded children at Glenwood.

SEC. 2. What statutes apply. The provisions of chapter seven (7) of title XIII of the code, in regard to the admission and maintenance of children in said institution, shall apply to the admission and maintenance of feeble-minded women authorized by this act.

Approved April 7, 1902.

CHAPTER 119.

DISCHARGE OF BOYS AND GIRLS FROM INDUSTRIAL SCHOOLS.

H. F. 55.

AN ACT to amend sections two thousand seven hundred and eight (2708), two thousand seven hundred and nine (2709), and two thousand seven hundred and eleven (2711), title thirteen (13), chapter eight (8), of the code, to repeal sections twelve (12), thirteen (13), and fourteen (14), chapter one hundred (100), laws of the Twenty-eighth General Assembly in relation to discharge of boys and girls from industrial schools.

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

SECTION 1. Repealed. That section twelve (12), section thirteen (13), and section fourteen (14) of chapter one hundred (100) laws of the Twenty-eighth General Assembly be, and the same are hereby repealed.

SEC. 2. Commitment—age limit. That section two thousand seven hundred and eight (2708) of the code be, and the same is hereby amended by striking out the word "majority" in the thirty-first line of said section, and inserting in lieu thereof "the age of twenty-one (21) years".

SEC. 3. Same. That section two thousand seven hundred and nine (2709) of the code be, and the same is hereby amended by striking out the word "majority" in the eleventh line of said section, and inserting in lieu thereof "twenty-one (21) years".

SEC. 4. Same. That section two thousand seven hundred and eleven of the code be, and the same is hereby amended by striking out the word "majority" in the third and eighth lines of said section, and inserting in lieu thereof in each instance "twenty-one (21) years".

SEC. 5. In effect. This act, being deemed of immediate importance, shall be in force from and after its publication in the Iowa State Register and the Des Moines Daily Capital, newspapers published at Des Moines, Iowa.

Approved March 22, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Daily Capital, March 25, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 120.

DISCHARGE OR PAROLE OF INMATES OF THE INDUSTRIAL SCHOOLS.

H. F. 345.

AN ACT to amend section twenty-seven hundred eleven (2711) of the code, in regard to the discharge or parole of inmates of the industrial schools.

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

SECTION 1. Board of control to discharge or parole. That section twenty-seven hundred eleven (2711) of the code be and it is hereby amended by inserting therein at the end of the fourth line thereof the following:

"And the board may, in exceptional cases, discharge or parole inmates without regard to the length of their service or conduct, when satisfied that the reasons therefor are urgent and sufficient."

Approved April 10, 1902.

CHAPTER 121.

SUPPORT OF THE COLLEGE FOR THE BLIND.

H. F. 86.

AN ACT to repeal section twenty-seven hundred and eighteen (2718) of the code, and chapter eighty-two (82) laws of the Twenty-seventh General Assembly amendatory thereto, and to enact a substitute therefor, relating to the support of the college for the blind at Vinton, Iowa.

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

SECTION 1. Appropriation—support. That section twenty-seven hundred and eighteen (2718) of the code and chapter eighty-two (82) of the acts of the Twenty-seventh General Assembly be and they are hereby repealed, and in lieu thereof is enacted the following:

"For the support of the college and to meet the ordinary and current expenses thereof, including the compensation of officers, teachers and other employes, the purchase of supplies of food, clothing, furniture and furnishings, books, maps, apparatus, and other incidental expenses, there is hereby appropriated, out of any money in the state treasury not otherwise appropri-

ated, or so much thereof as may be needed, twenty-two dollars per month for nine months each year, for each resident pupil actually supported in the college. Said sum shall be placed to the credit of the college on the certificate of the board of control of state institutions which shall show the average number of pupils in the college for the preceding month, and shall be paid from the state treasury, as provided by chapter one hundred eighteen (118) of the acts of the Twenty-seventh General Assembly and acts amendatory thereof."

SEC. 2. Prior expenses—monthly allowance. All expenses of the college incurred prior to the first day of March, A. D. 1902, shall be paid from the funds heretofore authorized by section twenty-seven hundred and eighteen (2718) of the code, as amended and the monthly allowance authorized by this act shall be computed from the first day of February, A. D. 1902.

SEC. 3. In effect. 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 17, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 19, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 122.

SUPPORT OF THE SCHOOL FOR THE DEAF.

H. F. 188.

AN ACT to repeal section twenty-seven hundred and twenty-seven (2727) of the code and chapter eighty-three (83) of the Acts of the Twenty-seventh General Assembly amendatory thereto, and to enact a substitute therefor, relating to the support of the Iowa school for the deaf at Council Bluffs, Iowa.

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

SECTION 1. Appropriation—support. That section twenty-seven hundred and twenty-seven (2727) of the code and chapter eighty-three (83) of the acts of the 27th General Assembly be and they are hereby repealed and in lieu thereof is enacted the following:

"For the support of the school and to meet the ordinary and current expense thereof, including the compensation of officers, teachers and other employes, the purchase of supplies, of food, clothing, furniture and furnishings, books, maps, apparatus and other incidental expenses, there is hereby appropriated, out of any money in the state treasury not otherwise appropriated, or so much thereof as may be needed, twenty-two dollars per month for nine months of each year, for each resident pupil actually supported in the school. Said sum shall be placed to the credit of the school on the certificate of the board of control of state institutions which shall show the average number of pupils in the school for the preceding month, and shall be paid from the state treasury, as provided by chapter one hundred eighteen (118) of the acts of the 27th General Assembly and acts amendatory thereof."

SEC. 2. Prior expenses—monthly allowance. All expenses of the school, incurred prior to the first day of April, A. D. 1902, shall be paid from the funds heretofore authorized by section twenty-seven hundred and twenty-seven (2727) of the code, as amended, and the monthly allowance authorized by this act, shall be computed from the first day of February, A. D. 1902.

SEC. 3. In effect. 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 17, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 20, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 123.

DUTIES OF COUNTY SUPERINTENDENTS.

S. F. 175.

AN ACT to amend section twenty-seven hundred and thirty-eight (2738) of the code, in relation to the duties of county superintendents.

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

SECTION 1. Normal institute—receipts and disbursements. That section twenty-seven hundred and thirty-eight (2738) of the code be and the same is hereby amended by adding to said section the following, viz:

“That the county superintendent shall furnish to the county board of supervisors a certified itemized account of the receipts and disbursements of all moneys collected and paid out by him for a normal institute, which account they shall examine, audit and publish with their proceedings next following the holding of the normal institute. The superintendent shall report to the board of supervisors the first of January annually a summary of his official financial transactions for the previous year.”

Approved April 10, 1902.

CHAPTER 124.

COMPENSATION OF COUNTY SUPERINTENDENTS.

S. F. 13.

AN ACT to amend section twenty-seven hundred and forty-two (2742) of the code, relating to county superintendents.

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

SECTION 1. Salary. That section twenty-seven hundred and forty-two (2742) of the code of Iowa be and the same is hereby amended by striking out all the first line thereof and that part of the second line thereof preceding and including the word “duties”, and inserting in lieu thereof the words, “He shall receive a salary of twelve hundred and fifty dollars a year”.

Approved April 10, 1902.

CHAPTER 125.

REGISTRATION OF VOTERS FOR SCHOOL ELECTIONS.

H. F. 428.

AN ACT to amend section twenty-seven hundred fifty-five (2755) of the code, relating to the registration of voters for school elections.

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

SECTION 1. Registrars. That section two thousand seven hundred and fifty-five (2755) of the code be, and the same is, hereby amended by substituting a period for the semicolon after the word “elections” at the end of line thirteen, and by inserting after the period following said word “elections” the following:

“The board of directors of such school corporation, on or before the last Monday preceding such election shall appoint two suitable persons to be reg-

istrars in each of the election precincts of such school corporation for the registration of voters therein, who shall have the same qualifications as registrars appointed for general elections and shall qualify in the same manner, and receive the same compensation to be paid by the school corporation. The registrars shall meet on the day of election at the voting place in the precinct in which they have been appointed and shall hold continuous session from nine o'clock in the forenoon until seven o'clock in the afternoon. Any person claiming to be a voter, and who is not already registered in the proper precinct, may appear before them in the election precinct where he claims he is entitled to vote and make and subscribe under oath a statement in the registry book, which oath and statement shall be of the same general character as that prescribed by section one thousand and seventy-seven (1077) of the code, and shall thereupon be granted a certificate of registration", followed by a period.

SEC. 2. **School elections.** That said section two thousand seven hundred and fifty-five (2755) of the code be further amended by striking out the word "but" in the fourteenth line thereof.

Approved April 12, 1902

CHAPTER 126.

ORGANIZATION OF INDEPENDENT SCHOOL DISTRICTS.

S. F. 167.

AN ACT to amend section twenty-seven hundred ninety-four (2794) of the code of Iowa, relating to the organization of independent districts.

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

SECTION 1. **Formation of independent districts.** That section twenty-seven hundred ninety-four (2794) of the code of Iowa be and the same is hereby amended by striking out the word "township" in the third line, and inserting the word "corporation" therefor. Also by striking out the word "townships" in the tenth line and inserting the word "corporations" therefor.

SEC. 2. **In effect.** This act, being deemed of immediate importance, shall 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 7, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 8, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 127.

ISSUANCE OF SCHOOL BONDS.

H. F. 373.

AN ACT to repeal section twenty-eight hundred and twelve (2812) of the code; section one (1) of chapter ninety-five (95) of the acts of the Twenty-seventh General Assembly, and chapter one hundred and forty-two (142) of the acts of the Twenty-eighth General Assembly and to enact a substitute therefor, providing for the issuance of school bonds.

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

SECTION 1. **Repealed.** That section twenty-eight hundred and twelve (2812) of the code; section one (1) of chapter ninety five (95) of the acts of the Twenty-seventh General Assembly and chapter one hundred and forty-two (142) of the acts of the Twenty-eighth General Assembly be and the same are hereby repealed.

SEC. 2. Bonds. The board of directors of any school corporation may issue the bonds of said corporation to pay any judgment against said corporation or any indebtedness under bonds lawfully issued and redeemable by their terms, to be known as school funding bonds. The board may also issue bonds to be known as school tax funding bonds to the extent of any uncollected lawful school house tax duly authorized by the voters, to be paid out of said tax when said tax is collected. All of said bonds shall be authorized by resolution of the board. The board may also, when authorized by the voters, issue bonds to be known as school building bonds for the purpose of providing funds for the erection, completion or improvement of school houses, and the purchase of sites therefor. Each of such classes of bonds shall be substantially in the form provided for county bonds, but subject to changes that will conform them to the action of the board providing therefor, shall not run more than ten years, be in denominations of not more than one thousand nor less than one hundred dollars, and bear a rate of interest not exceeding six per cent per annum, payable semi-annually to be signed by the president and countersigned by the secretary, and shall not be disposed of for less than par value, nor issued for other purposes than in this section provided. They shall be payable, respectively, at the pleasure of such corporation at any time after the expiration of five years, but may be sooner paid if so nominated in the bonds, be registered in the office of the county auditor, numbered consecutively, and redeemable in the order of their issuance. Upon being issued they shall be delivered to the treasurer thereof, the president taking receipt therefor, and thereupon the treasurer shall stand charged on his official bond with their amount. He shall sell the bonds for not less than par value and apply the proceeds thereof in payment of outstanding indebtedness, and for no other purpose than in this act authorized, or he may exchange the new bonds for outstanding bonds without discount, the cost of engraving and printing the bonds to be paid out of the contingent fund. The treasurer shall keep a record of the name and postoffice address of all persons to whom bonds are sold. The provisions relating to payment of county bonds and notice to the owner thereof shall also apply to school bonds issued under this act.

Approved April 12, 1902.

CHAPTER 128.

COMPULSORY EDUCATION.

H. F. 170.

AN ACT for compulsory education. [Additional to title thirteen (XIII) of the code, relating to education.]

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

SECTION 1. Duties of parents or guardians—penalty. Any person having control of any child of the age of seven (7) to fourteen (14) years inclusive, in proper physical and mental condition to attend school, shall cause such child to attend some public, private, or parochial school, where the common school branches of reading, writing, spelling, arithmetic, grammar, geography, physiology, and United States history are taught, or to attend upon equivalent instruction by a competent teacher elsewhere than school, for at least twelve (12) consecutive school weeks in each school year. Provided, that this section shall not apply to any child who lives more than two (2) miles from any school by the nearest traveled road except in those districts in which the pupils are transported at public expense, or who is excused for sufficient reasons by any court of record or judge thereof. Any person who shall violate the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not less than three (\$3) dollars nor more than twenty (\$20) dollars, for each offense.

SEC. 2. Reports to secretary. Upon notice from the secretary of the school corporation within which such school is conducted, it shall be the duty of each principal of each private or parochial school, once during each school year, and at any time when requested in individual cases, and within ten days from the receipt of such notice, to furnish to such secretary a certificate and report of the names, ages and attendance of the pupils in attendance at such school during the preceding year and from the time of the last preceding report to the time at which a report is required and any person having the control of any child between seven and fourteen years of age inclusive, who shall place the same under private instruction, not in a regularly conducted school, upon receiving notice from the secretary of the school corporation, shall furnish a like certificate stating the name and age of such child and the period of time during which said child has been under said private instruction; and any person having the control of such child who is physically or mentally unable to attend school, public or private, shall furnish proofs by affidavit or affidavits as to the physical or mental condition of such child. All such certificates, reports and proofs shall be filed and preserved in the office of the secretary of the school corporation as a part of the records of his office.

SEC. 3. Certified copies. It shall be the duty of the secretary of the school corporation to furnish to any person interested, where so requested, certified copies of all certificates contemplated by this act, on file in his office.

SEC. 4. Truant schools. The board of directors of any school corporation may establish truant schools, or set apart separate rooms in any public school building, for the instruction of children who are habitually truant from instruction, as contemplated by this act. Such directors may provide for the confinement, maintenance, and instruction of such children in such schools, under such reasonable rules and regulations as they may prescribe. If any child, committed or sent to the truant school shall prove insubordinate and escape from such school during school hours, or absent himself or herself therefrom without the consent of the persons in charge thereof, then it shall be the duty of the person in charge of said school with the consent of the parent or guardian to file information before the judge of a court of record, who may, if the charge be found to be true and the said child be habitually vagrant, disorderly, or incorrigible commit such child to one of the industrial schools of the state, under the same proceeding as is provided by section twenty-seven hundred eight (2708), of the code so far as the same may be applicable.

SEC. 5. Truant officers. The board of directors of each school corporation may, at their annual meeting in each year, appoint one or more truant officers, who shall serve for one year, and who may be a constable or a member of the police force, whose duty it shall be to report violations of this act to the secretary of the school corporation, and see to the enforcement of the provisions of this act. It shall be the duty of said truant officer or officers to apprehend and take into custody without warrant any child of the age of seven (7) to fourteen (14) years inclusive, who habitually frequents or loiters about public places during school hours without lawful occupation, or cannot produce a certificate as provided in section two (2) hereof, also any truant child who absents himself or herself from school, and place him or her in charge of the teacher having charge of any school, which said child is entitled to attend, and which school may be designated to said officers by the person having legal control of such child: Provided however in case the school so designated by the parent or person having the care and control of said child be a public school it shall be such as directed by the rules and regulations of the school board and the statutes of the state, and if other than a public school, the maintenance of said child in such school shall be without expense to the school corporation or state. Upon failure of such child to properly attend or when on report of the teacher having the custody of such child, said child is shown to not properly conduct itself in the school where placed as

herein provided, the child may be removed therefrom by the board of directors and placed either in a public school or a truant school conducted in said district. The truant officer or officers shall be entitled to such compensation for service rendered under this act, as shall be fixed by the board of directors appointing him or them, which compensation shall be paid from the contingent fund of said district.

SEC. 6. Enforcement. It shall be the duty of the director or president of any board of directors, or any truant officers appointed by such board of directors, to enforce the provisions of this act, to sue for and recover the penalties herein provided, and to institute criminal prosecution against any person violating the provisions of this act, and any such officers neglecting to do so within thirty (30) days after a written notice has been served upon him by any citizen of said district within which the offending person shall reside, shall himself be liable for a fine of not less than ten (\$10) dollars nor more than twenty (\$20) dollars for each offense.

SEC. 7. Teachers and school officers—duties. All teachers of the public schools of the state, and county superintendents, and school officers and employes shall promptly report to the secretary of the school corporation any violations of the provisions of this act, of which they have knowledge or information, and he shall promptly inform the president of the board of directors thereof and such president shall, if necessary, call a meeting of the board of directors to take such action thereon as the facts shall justify, and any child placed in any truant school may be discharged therefrom at the discretion of the board, upon sufficient assurance of the future good conduct of such child.

SEC. 8. Provisions for punishment. The board of directors of every school corporation is hereby authorized to provide such reasonable methods of punishment of children who are habitually truant from school, or who habitually frequent or loiter about public places during school hours without lawful occupation, as may be necessary to carry out and make effectual the provisions of this act.

SEC. 9. School census. It shall be the duty of all officers, empowered to take the school census, to ascertain the number of children of the ages of seven (7) to fourteen (14) years, inclusive, in their respective districts, the number of such children who do not attend school, and so far as possible, the cause of failure to attend school.

Approved April 1, 1902.

CHAPTER 129.

BUSHEL WEIGHTS.

H. F. 214.

AN ACT to amend section three thousand and sixteen (3016) of the code, relating to bushel weight.

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

SECTION 1. Bushel by weight. That section three thousand and sixteen (3016) be and the same is hereby amended by striking out the word "forty-eight" in the twenty-ninth line and inserting the word "fifty" in lieu thereof. The same be and the same is hereby amended further by striking out the word "forty-eight" in the thirtieth line and inserting the word "fifty" in lieu thereof.

Approved March 22, 1902.

CHAPTER 130.

NEGOTIABLE INSTRUMENT LAW.

H. F. 351.

AN ACT relating to negotiable instruments, being an act to establish a law uniform with the laws of other states on that subject, and to repeal sections three thousand and forty-three (3043), three thousand and forty-five (3045), three thousand and forty-nine (3049), three thousand and fifty (3050), three thousand and fifty-one (3051), three thousand and fifty-two (3052), three thousand and fifty-four (3054), and three thousand and fifty-five (3055), of title fifteen (15), chapter three (3) of the code, additional to code title fifteen (15), chapter three (3).

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

SECTION 1. Negotiable instruments—requirements. An instrument to be negotiable must conform to the following requirements:

1. It must be in writing and signed by the maker or drawer.
2. Must contain an unconditional promise or order to pay a sum certain in money.
3. Must be payable on demand or at a fixed or determinable future time.
4. Must be payable to the order of a specified person or to bearer; and.
5. Where the instrument is addressed to a drawee, he must be named or otherwise indicated therein with reasonable certainty.

SEC. 2. Sum payable. The sum payable is a sum certain within the meaning of this act although it is to be paid:

1. With interest; or
2. By stated installments; or
3. By stated installments, with a provision that upon default in payment of any installment, the whole shall become due; or
4. With exchange, whether at a fixed rate or at the current rate; or
5. With costs of collection or an attorney's fee, in case payment shall not be made at maturity

SEC. 3. Unconditional order or promise to pay. An unqualified order or promise to pay is unconditional within the meaning of this act, though coupled with:

1. An indication of a particular fund out of which reimbursement is to be made, or a particular account to be debited with the amount; or
2. A statement of the transaction which gives rise to the instrument. But an order or promise to pay out of a particular fund is not unconditional.

SEC. 4. Determinable future time An instrument is payable at a determinable future time, within the meaning of this act, which is expressed to be payable:

1. At a fixed period after date or sight; or
2. On or before a fixed or determinable future time specified therein; or
3. On or at a fixed period after the occurrence of a specified event, which is certain to happen, though the time of happening be uncertain.

An instrument payable upon a contingency is not negotiable, and the happening of the event does not cure the defect.

SEC. 5. Additional stipulations. An instrument which contains an order or promise to do an act in addition to the payment of money is not negotiable. But the negotiable character of an instrument otherwise negotiable is not affected by a provision which:

1. Authorizes the sale of collateral securities in case the instrument be not paid at maturity; or
2. Authorizes a confession of judgment if the instrument be not paid at maturity; or
3. Waives the benefit of any law intended for the advantage or protection of the obligor; or
4. Gives the holder an election to require something to be done in lieu of payment of money.

But nothing in this section shall validate any provision or stipulation otherwise illegal.

SEC. 6. Validity and negotiable character. The validity and negotiable character of an instrument are not affected by the fact that:

1. It is not dated; or
2. Does not specify the value given, or that any value has been given therefor; or
3. Does not specify the place where it is drawn or the place where it is payable; or
4. Bears a seal; or
5. Designates a particular kind of current money in which payment is to be made.

But nothing in this section shall alter or repeal any statute requiring in certain cases the nature of the consideration to be stated in the instrument.

SEC. 7. Payable on demand. An instrument is payable on demand:

1. Where it is expressed to be payable on demand, or at sight, or on presentation; or
2. In which no time for payment is expressed.

Where an instrument is issued, accepted or indorsed when overdue, it is, as regards the person so issuing, accepting or indorsing it, payable on demand.

SEC. 8. Payable to order. The instrument is payable to order where it is drawn payable to the order of a specified person or to him or his order. It may be drawn payable to the order of:

1. A payee who is not maker, drawer or drawee; or
2. The drawer or maker; or
3. The drawee; or
4. Two or more payees jointly; or
5. One or some of several payees; or
6. The holder of an office for the time being.

Where the instrument is payable to order, the payee must be named or otherwise indicated therein with reasonable certainty.

SEC. 9. Payable to bearer. The instrument is payable to bearer:

1. When it is expressed to be so payable; or
2. When it is payable to a person named therein or bearer; or
3. When it is payable to the order of a fictitious or non-existing person, and such fact was known to the person making it so payable; or
4. When the name of the payee does not purport to be the name of any person; or
5. When the only or last indorsement is an indorsement in blank.

SEC. 10. Language of instrument. The negotiable instrument need not follow the language of this act, but any terms are sufficient which clearly indicate an intention to conform to the requirements thereof.

SEC. 11. Prima facie date. When the instrument or an acceptance or any indorsement thereon is dated, such date is deemed prima facie to be the true date of the making, drawing, acceptance or indorsement, as the case may be.

SEC. 12. Ante-dated and post-dated. The instrument is not invalid for the reason only that it is ante-dated or post-dated, provided this is not done for an illegal or fraudulent purpose. The person to whom an instrument so dated is delivered acquires the title thereto as of the date of delivery.

SEC. 13. Date inserted. When an instrument expressed to be payable at a fixed period after date is issued undated, or where the acceptance of an instrument payable at a fixed period after sight is undated, any holder may insert therein the true date of issue or acceptance, and the instrument shall be payable accordingly. The insertion of a wrong date does not avoid the instrument in the hands of a subsequent holder in due course; but as to him, the date so inserted is to be regarded as the true date.

SEC. 14. Incomplete instrument. Where the instrument is wanting in any material particular, the person in possession thereof has a prima facie

authority to complete it by filling up the blanks therein. And a signature on a blank paper delivered by the person making the signature in order that the paper may be converted into a negotiable instrument operates as a prima facie authority to fill it up as such for any amount. In order however, that any such instrument when completed may be enforced against any person who became a party thereto prior to its completion, it must be filled up strictly in accordance with the authority given and within a reasonable time. But if any such instrument, after completion, is negotiated to a holder in due course it is valid and effectual for all purposes in his hands, and he may enforce it as if it had been filled up strictly in accordance with the authority given and within a reasonable time.

SEC. 15. Instrument completed and negotiated without authority. Where an incomplete instrument has not been delivered it will not, if completed and negotiated, without authority, be a valid contract in the hands of any holder, as against any person whose signature was placed thereon before delivery.

SEC. 16. Delivery. Every contract on a negotiable instrument is incomplete and revocable until delivery of the instrument for the purpose of giving effect thereto. As between immediate parties, and as regards a remote party other than a holder in due course, the delivery, in order to be effectual, must be made either by or under the authority of the party making, drawing, accepting or indorsing, as the case may be; and in such case the delivery may be shown to have been conditional or for a special purpose only, and not for the purpose of transferring the property in the instrument. But where the instrument is in the hands of a holder in due course, a valid delivery thereof by all parties prior to him so as to make them liable to him, is conclusively presumed. And where the instrument is no longer in the possession of a party whose signature appears thereon, a valid and intentional delivery by him is presumed until the contrary is proved.

SEC. 17. Rules of construction. Where the language of the instrument is ambiguous, or there are omissions therein, the following rules of construction apply:

1. Where the sum payable is expressed in words and also in figures and there is a discrepancy between the two, the sum denoted by the words is the sum payable; but if the words are ambiguous or uncertain, references may be had to the figures to fix the amount.

2. Where the instrument provides for the payment of interest, without specifying the date from which interest is to run, the interest runs from the date of the instrument, and if the instrument is undated, from the issue thereof.

3. Where the instrument is not dated, it will be considered to be dated as of the time it was issued.

4. Where there is conflict between the written and printed provisions of the instrument, the written provisions prevail.

5. Where the instrument is so ambiguous that there is doubt whether it is a bill or a note, the holder may treat it as either, at his election.

6. Where a signature is so placed upon the instrument that it is not clear in what capacity the person making the same intended to sign, he is to be deemed an indorser.

7. Where an instrument containing the words "I promise to pay", is signed by two or more persons, they are deemed to be jointly and severally liable thereon.

SEC. 18. Liability. No person is liable on the instrument whose signature does not appear thereon, except as herein otherwise expressly provided. But one who signs in a trade or assumed name will be liable to the same extent as if he had signed in his own name.

SEC. 19. Signature by authorized agent. The signature of any party may be made by a duly authorized agent. No particular form of appointment

is necessary for this purpose; and the authority of the agent may be established as in other cases of agency.

SEC. 20. Liability of agent. Where the instrument contains, or a person adds to his signature, words indicating that he signs for or on behalf of the principal, or in a representative capacity, he is not liable on the instrument if he was duly authorized; but the mere addition of words describing him as an agent, or as filling a representative character without disclosing his principal, does not exempt him from personal liability.

SEC. 21. Signature by "procurator." A signature by "procurator" operates as notice that the agent has but a limited authority to sign, and the principal is bound only in case the agent in so signing acted within the actual limits of his authority.

SEC. 22. Liability of corporations or infants. The indorsement or assignment of the instrument by a corporation or by an infant passes the property therein, notwithstanding that from want of capacity the corporation or infant may incur no liability thereon.

SEC. 23. Forged signature. Where a signature is forged or made without the authority of the person whose signature it purports to be, it is wholly inoperative, and no right to retain the instrument, or to give a discharge therefor, or to enforce payment thereof against any party thereto, can be acquired through or under such signature, unless the party against whom it is sought to enforce such right is precluded from setting up the forgery or want of authority.

SEC. 24. Prima facie consideration. Every negotiable instrument is deemed prima facie to have been issued for a valuable consideration, and every person whose signature appears thereon to have become a party thereto for value.

SEC. 25. Value—debt. Value is any consideration sufficient to support a simple contract. An antecedent or pre-existing debt constitutes value, and is deemed such, whether the instrument is payable on demand or at a future time.

SEC. 26. Holder for value. Where value has at any time been given for the instrument, the holder is deemed a holder for value in respect to all parties who became such prior to that time.

SEC. 27. Lien. Where the holder has a lien on the instrument, arising either from contract or by implication of law, he is deemed a holder for value to the extent of his lien.

SEC. 28. Failure of consideration. Absence of failure of consideration is matter of defense as against any person not a holder in due course, and partial failure of consideration is a defense pro tanto, whether the failure is an ascertained and liquidated amount or otherwise.

SEC. 29. Accommodation party. An accommodation party is one who has signed the instrument as maker, drawer, acceptor, or indorser, without receiving value therefor, and for the purpose of lending his name to some other person. Such a person is liable on the instrument to a holder for value, notwithstanding such holder at the time of taking the instrument knew him to be only an accommodation party.

SEC. 30. Negotiation—what constitutes. An instrument is negotiated when it is transferred from one person to another in such manner as to constitute the transferee the holder thereof if payable to bearer, it is negotiated by delivery; if payable to order, it is negotiated by the indorsement of the holder, completed by delivery.

SEC. 31. Indorsement. The indorsement must be written on the instrument itself or upon a paper attached thereto. The signature of the indorser, without additional words, is a sufficient indorsement.

SEC. 32. Partial indorsement. The indorsement must be an indorsement of the entire instrument. An indorsement which purports to transfer to the indorsee a part only of the amount payable, or which purports to transfer the

instrument to two or more indorsees severally, does not operate as a negotiation of the instrument. But where the instrument has been paid in part, it may be indorsed as to the residue.

SEC. 33. Kinds of indorsement. An indorsement may be either in blank or special; and it may also be either restrictive or qualified, or conditional.

SEC. 34. Special indorsement—indorsement in blank. A special indorsement specifies the person to whom or to whose order the instrument is to be payable; and the indorsement of such indorsee is necessary to the further negotiation of the instrument. An indorsement in blank specifies no indorsee, and an instrument so indorsed is payable to bearer, and may be negotiated by delivery.

SEC. 35. Conversion of blank indorsement. The holder may convert a blank indorsement into a special indorsement by writing over the signature of the indorser in blank any contract consistent with the character of the indorsement.

SEC. 36. Restrictive indorsement. An indorsement is restrictive which either:

1. Prohibits the further negotiation of the instrument; or
2. Constitutes the indorsee the agent of the indorser; or
3. Vests the title in the indorsee in trust for or to the use of some other person. But the mere absence of words implying power to negotiate does not make an indorsement restrictive.

SEC. 37. Rights conferred by restrictive indorsement. A restrictive indorsement confers upon the indorsee the right:

1. To receive payment of the instrument.
2. To bring any action thereon that the indorser could bring.
3. To transfer his rights as such indorsee, where the form of the indorsement authorizes him to do so.

But all subsequent indorsees acquire only the title of the first indorsee under the restrictive indorsement.

SEC. 38. Qualified indorsement. A qualified indorsement constitutes the indorser a mere assignor of the title to the instrument. It may be made by adding to the indorser's signature the words "without recourse" or any words of similar import. Such an indorsement does not impair the negotiable character of the instrument.

SEC. 39. Conditional indorsement. Where an indorsement is conditional, a party required to pay the instrument may disregard the condition, and make payment to the indorsee or his transferee, whether the conditions have been fulfilled or not. But any person to whom an instrument so indorsed is negotiated, will hold the same, or the proceeds thereof, subject to the rights of the person indorsing conditionally.

SEC. 40. Negotiation of specially indorsed instruments. Where an instrument, payable to bearer, is indorsed specially, it may nevertheless be further negotiated by delivery; but the person indorsing specially is liable as indorser to only such holders as to make title through his indorsement.

SEC. 41. Two or more payees or indorsees. Where an instrument is payable to the order of two or more payees or indorsees who are not partners, all must indorse unless the one indorsing has authority to indorse for the others.

SEC. 42. Where drawn or indorsed by fiscal officer. Where an instrument is drawn or indorsed to a person, as "cashier" or other fiscal officer of a bank or corporation, it is deemed prima facie to be payable to the bank or corporation of which he is such officer; and may be negotiated by either the indorsement of the bank or corporation, or the indorsement of the officer.

SEC. 43. Misspelled name. Where the names [name] of a payee or indorsee is wrongly designated or misspelled, he may indorse the instrument as therein described adding, if he thinks fit, his proper signature.

SEC. 44. Personal liability negatived. Where any person is under obligation to indorse in a representative capacity, he may indorse in such terms as to negative personal liability.

SEC. 45. Prima facie negotiation. Except where an indorsement bears date after the maturity of the instrument, every negotiation is deemed prima facie to have been effected before the instrument was overdue.

SEC. 46. Prima facie place. Except where the contrary appears, every indorsement is presumed prima facie to have been made at the place where the instrument is dated.

SEC. 47. Instrument negotiable in its origin. An instrument negotiable in its origin continues to be negotiable until it has been restrictively indorsed or discharged by payment or otherwise.

SEC. 48. Unnecessary indorsement. The owner may at any time strike out any indorsement which is not necessary to his title. The indorser whose indorsement is struck out, and all indorsers subsequent to him, are thereby relieved from liability on the instrument.

SEC. 49. Transfer without indorsement. Where the holder of an instrument payable to his order transfers it for value without indorsing it, the transfer vests in the transferee such title as the transferee had therein, and the transferee acquires, in addition, the right to have the indorsement of the transferer. But for the purpose of determining whether the transferee is a holder in due course, the negotiation takes effect as of the time when the indorsement is actually made.

SEC. 50. Instrument negotiated back to prior party. Where an instrument is negotiated back to a prior party, such party may, subject to the provisions of this act, reissue and further negotiate the same, but he is not entitled to enforce payment thereof against any intervening party to whom he was personally liable.

SEC. 51. Suit—discharge. The holder of a negotiable instrument may sue thereon in his own name and payment to him in due course discharges the instrument.

SEC. 52. Holder in due course. A holder in due course is a holder who has taken the instrument under the following conditions:

1. That the instrument is complete and regular upon its face.
2. That he became the holder of it before it was overdue, and without notice that it had been previously dishonored, if such was the fact.
3. That he took it in good faith and for value.
4. That at the time it was negotiated to him he had no notice of any infirmity in the instrument or defect in the title of the person negotiating it.

SEC. 53. Not a holder in due course. Where an instrument payable on demand is negotiated an unreasonable length of time after its issue, the holder is not deemed a holder in due course.

SEC. 54. Notice of infirmity or defect. Where the transferee receives notice of any infirmity in the instrument or defect in the title of the person negotiating the same before he has paid the full amount agreed to be paid therefor, he will be deemed a holder in due course only to the extent of the amount theretofore paid by him.

SEC. 55. Defective title. The title of a person who negotiates an instrument is defective within the meaning of this act when he obtained the instrument, or any signature thereto, by fraud, duress, or force and fear, or other unlawful means, or for an illegal consideration, or when he negotiates it in breach of faith, or under such circumstances as amount to a fraud.

SEC. 56. Knowledge of infirmity or defect. To constitute notice of an infirmity in the instrument or defect in the title of the person negotiating the same, the person to whom it is negotiated must have had actual knowledge of the infirmity or defect, or knowledge of such facts that his action in taking the instrument amounted to bad faith.

SEC. 57. Free from defect and defenses. A holder in due course holds the instrument free from any defect of title of prior parties, and free from defenses available to prior parties among themselves, and may enforce payment of the instrument for the full amount thereof against all parties liable thereon.

SEC. 58. Rights of holder. In the hands of any holder other than a holder in due course, a negotiable instrument is subject to the same defenses as if it were non-negotiable. But a holder who derives his title through a holder in due course, and who is not himself a party to any fraud or illegality affecting the instrument, has all the rights of such former holder in respect of all parties prior to the latter.

SEC. 59. Holder to prove title. Every holder is deemed prima facie to be a holder in due course; but when it is shown that the title of any person who has negotiated the instrument was defective, the burden is on the holder to prove that he or some person under whom he claims acquired the title as a holder in due course. But the last mentioned rule does not apply in favor of a party who became bound on the instrument prior to the acquisition of such defective title.

SEC. 60. Maker. The maker of a negotiable instrument by making it engages that he will pay it according to its tenor, and admits the existence of the payee and his then capacity to indorse.

SEC. 61. Drawer. The drawer by drawing the instrument admits the existence of the payee and his then capacity to indorse, and engages that on due presentment the instrument will be accepted or paid, or both, according to its tenor, and that if it be dishonored, and the necessary proceedings on dishonor be duly taken, he will pay the amount thereof to the holder, or to any subsequent indorser who may be compelled to pay it. But the drawer may insert in the instrument an express stipulation negating or limiting his own liability to the holder.

SEC. 62. Acceptor. The acceptor by accepting the instrument engages that he will pay it according to the tenor of his acceptance, and admits:

1. The existence of the drawer, the genuineness of his signature, and his capacity and authority to draw the instrument; and
2. The existence of the payee and his then capacity to indorse.

SEC. 63. Indorser. A person placing his signature upon an instrument otherwise than as maker, drawer or acceptor is deemed to be an indorser, unless he clearly indicates by appropriate words his intention to be bound in some other capacity.

SEC. 64. Indorsement before delivery. Where a person, not otherwise a party to an instrument, places thereon his signature in blank before delivery, he is liable as indorser in accordance with the following rules:

1. If the instrument is payable to the order of a third person, he is liable to the payee and to all subsequent parties.
2. If the instrument is payable to the order of the maker or drawer, or is payable to bearer, he is liable to all parties subsequent to the maker or drawer.
3. If he signs for the accommodation of the payee, he is liable to all parties subsequent to the payee.

SEC. 65. What warranted by delivery or qualified indorsement. Every person negotiating an instrument by delivery or by a qualified indorsement, warrants:

1. That the instrument is genuine and in all respects what it purports to be.
2. That he has a good title to it.
3. That all prior parties had capacity to contract.
4. That he has no knowledge of any fact which would impair the validity of the instrument or render it valueless.

But when the negotiation is by delivery only, the warranty extends in favor of no holder other than the immediate transferee. The provisions of subdi-

vision three of this section do not apply to persons negotiating public or corporate securities, other than bills and notes.

SEC. 66. What warranted by unqualified indorsement. Every indorser who indorses without qualification, warrants to all subsequent holders in due course:

1. The matters and things mentioned in subdivisions one, two and three of the next preceding section; and

2. That the instrument is at the time of his indorsement valid and subsisting. And, in addition, he engages that on due presentment, it shall be accepted or paid, or both, as the case may be, according to its tenor, and that if it be dishonored, and the necessary proceedings on dishonor be duly taken, he will pay the amount thereof to the holder, or to any subsequent indorser who may be compelled to pay it.

SEC. 67. Indorsement on instrument negotiable by delivery. Where a person places his indorsement on an instrument negotiable by delivery he incurs all the liabilities of an indorser.

SEC. 68. Prima facie order of liability. As respects one another, indorsers are liable prima facie in the order in which they indorse; but evidence is admissible to show that as between or among themselves they have agreed otherwise.

Joint payees or joint indorseees who indorse are deemed to indorse jointly and severally.

SEC. 69. Liability of broker or agent. Where a broker or other agent negotiates an instrument without indorsement, he incurs all the liabilities prescribed by section sixty-five of this act, unless he discloses the name of his principal, and the fact that he is acting only as agent.

SEC. 70. Presentment for payment. Presentment for payment is not necessary in order to charge the person primarily on the instrument; but if the instrument is, by its terms, payable at a special place, and he is able and willing to pay it there at maturity, such ability and willingness are equivalent to a tender of payment upon his part. But except as herein otherwise provided, presentment for payment is necessary in order to charge the drawer and indorsers.

SEC. 71. Presentment—when made. Where the instrument is not payable on demand, presentment must be made on the day it falls due. Where it is payable on demand, presentment must be made within a reasonable time after its issue, except that in the case of a bill of exchange, presentment for payment will be sufficient if made within a reasonable time after the last negotiation thereof.

SEC. 72. Presentment—when sufficient. Presentment for payment, to be sufficient, must be made:

1. By the holder, or by some person authorized to receive payment on his behalf.

2. At a reasonable hour on a business day.

3. At a proper place as herein defined.

4. To the person primarily liable on the instrument, or if he is absent or inaccessible, to any person found at the place where the presentment is made.

SEC. 73. Presentment—proper place. Presentment for payment is made at the proper place:

1. Where a place of payment is specified in the instrument and it is there presented.

2. Where no place of payment is specified and the address of the person to make payment is given in the instrument and it is there presented.

3. Where no place of payment is specified and no address is given and the instrument is presented at the usual place of business or residence of the person to make payment.

4. In any other case if presented to the person to make payment wherever

he can be found, or if presented at his last known place of business or residence.

SEC. 74. Instrument exhibited—delivery. The instrument must be exhibited to the person from whom payment is demanded, and when it is paid must be delivered up to the party paying it.

SEC. 75. Presentment during banking hours. Where the instrument is payable at a bank, presentment for payment must be made during banking hours, unless the person to make payment has no funds there to meet it at any time during the day, in which case presentment at any hour before the bank is closed on that day is sufficient.

SEC. 76. Presentment to personal representative. Where the person primarily liable on the instrument is dead, and no place of payment is specified, presentment for payment must be made to his personal representative, if such there be, and if with the exercise of reasonable diligence he can be found.

SEC. 77. Presentment to partners. Where the persons primarily liable on the instrument are liable as partners, and no place of payment is specified, presentment for payment may be made to any one of them, even though there has been a dissolution of the firm.

SEC. 78. Presentment to several persons not partners. Where there are several persons, not partners, primarily liable on the instrument, and no place of payment is specified, presentment must be made to them all.

SEC. 79. Presentment not required to charge drawer. Presentment for payment is not required in order to charge the drawer where he has no right to expect or require that the drawee or acceptor will pay the instrument.

SEC. 80. Presentment not required to charge indorser. Presentment for payment is not required in order to charge an indorser where the instrument was made or accepted for his accommodation, and he has no reason to expect that the instrument will be paid if presented.

SEC. 81. Delay in making presentment. Delay in making presentment for payment is excused when the delay is caused by circumstances beyond the control of the holder, and not imputable to his default, misconduct or negligence. When the cause of delay ceases to operate, presentment must be made with reasonable diligence.

SEC. 82. Presentment dispensed with. Presentment for payment is dispensed with:

1. Where after the exercise of reasonable diligence presentment as required by this act cannot be made.

2. Where the drawee is a fictitious person.

3. By waiver of presentment, express or implied.

SEC. 83. Dishonored by non-payment. The instrument is dishonored by non-payment when:

1. It is duly presented for payment and payment is refused or cannot be obtained; or

2. Presentment is excused and the instrument is overdue and unpaid.

SEC. 84. Right of recourse. Subject to the provisions of this act, when the instrument is dishonored by non-payment, an immediate right of recourse to all parties secondarily liable thereon, accrues to the holder.

SEC. 85. Maturity. Every negotiable instrument is payable at the time fixed therein without grace. When the day of maturity falls upon Sunday, or a holiday, the instrument is payable on the next succeeding business day. Instruments falling due on Saturday are to be presented for payment on the next succeeding business day, except that instruments payable on demand may, at the option of the holder, be presented for payment before twelve o'clock noon on Saturday when that entire day is not a holiday.

SEC. 86. Time of payment—how determined. Where the instrument is payable at a fixed period after date, after sight, or after the happening of a

specified event, the time of payment is determined by excluding the day from which the time is to begin to run, and by including the date of payment.

SEC. 87. Payable at bank. Where the instrument is made payable at a bank it is equivalent to an order to the bank to pay the same for the account of the principal debtor thereon.

SEC. 88. Payment in due course. Payment is made in due course when it is made at or after maturity of the instrument to the holder thereof in good faith and without notice that his title is defective.

SEC. 89. Notice of dishonor. Except as herein otherwise provided, when a negotiable instrument has been dishonored by non-acceptance or non-payment, notice of dishonor must be given to the drawer and to each indorser, and any drawer or indorser to whom such notice is not given is discharged.

SEC. 90. Notice—by whom given. The notice may be given by or on behalf of the holder, or by or on behalf of any party to the instrument who might be compelled to pay it to the holder, and who, upon taking it up, would have a right to reimbursement from the party to whom the notice is given.

SEC. 91. Notice given by agent. Notice of dishonor may be given by an agent either in his own name or in the name of any party entitled to give notice, whether that party be his principal or not.

SEC. 92. Notice given by holder. Where notice is given by or on behalf of the holder, it inures for the benefit of all subsequent holders and all prior parties who have a right of recourse against the party to whom it is given.

SEC. 93. Notice given by party entitled to give. Where notice is given by or on behalf of a party entitled to give notice, it inures for the benefit of the holder and all parties subsequent to the party to whom the notice is given.

SEC. 94. Notice given to parties liable or to principal. Where the instrument has been dishonored in the hands of an agent, he may either himself give notice to the parties liable thereon, or he may give notice to his principal. If he gives notice to his principal, he must do so within the same time as if he were the holder, and the principal, upon the receipt of such notice, has himself the same time for giving notice as if the agent had been an independent holder.

SEC. 95. Written notice. A written notice need not be signed, and an insufficient written notice may be supplemented and validated by verbal communication. A misdescription of the instrument does not vitiate unless the party to whom the notice is given is in fact misled thereby.

SEC. 96. Notice—written or oral. The notice may be in writing or merely oral and may be given in any terms which sufficiently identify the instrument and indicate that it has been dishonored by non-acceptance or non-payment. It may in all cases be given by delivering it personally or through the mails.

SEC. 97. Notice—to whom given. Notice of dishonor may be given either to the party himself or to his agent in that behalf.

SEC. 98. Notice given to personal representative. Where any party is dead, and his death is known to the party giving notice, the notice must be given to a personal representative, if there be one, and if with reasonable diligence, he can be found. If there be no personal representative, notice may be sent to the last residence or last place of business of the deceased.

SEC. 99. Notice given to partners. Where the parties to be notified are partners, notice to any one partner is notice to the firm, even though there has been a dissolution.

SEC. 100. Notice given to joint parties. Notice to joint parties who are not partners must be given to each of them, unless one of them has authority to receive such notice for the others.

SEC. 101. Notice in case of bankruptcy or insolvency. Where a party has been adjudged a bankrupt or an insolvent, or has made an assignment for the benefit of creditors, notice may be given either to the party himself or to his trustee or assignee.

SEC. 102. Notice—when given. Notice may be given as soon as the instrument is dishonored, and unless delay is excused as hereinafter provided, must be given within the times fixed by this act.

SEC. 103. Same. Where the person giving and the person to receive notice reside in same place, notice must be given within the following times:

1. If given at the place of business of the person to receive notice, it must be given before the close of business hours on the day following.

2. If given at his residence, it must be given before the usual hours of rest on the day following.

3. If sent by mail, it must be deposited in the postoffice in time to reach him in the usual course on the day following.

SEC. 104. Same. Where the person giving and the person to receive notice reside in different places, the notice must be given within the following times:

1. If sent by mail, it must be deposited in the postoffice in time to go by mail the day following the day of dishonor, or if there be no mail at a convenient hour on that day, by the next mail thereafter.

2. If given otherwise than through the postoffice, then within the time that notice would have been received in due course of mail, if it had been deposited in the postoffice within the time specified in the last subdivision.

SEC. 105. Notice deposited in postoffice. Where notice of dishonor is duly addressed and deposited in the postoffice, the sender is deemed to have given due notice, notwithstanding any miscarriage in the mails.

SEC. 106. Notice deposited in branch postoffice. Notice is deemed to have been deposited in the postoffice when deposited in any branch postoffice or in any letter box under the control of the postoffice department.

SEC. 107. Notice after receipt. Where a party receives notice of dishonor, he has, after the receipt of such notice, the same time for giving notice to antecedent parties that the holder has after the dishonor.

SEC. 108. Notice—how sent. Where a party has added an address to his signature, notice of dishonor must be sent to that address; but if he is not given such address, then the notice must be sent as follows:

1. Either to the postoffice nearest to his place of residence, or to the postoffice where he is accustomed to receive his letters; or

2. If he lives in one place, and have his place of business in another, notice may be sent to either place; or

3. If he is sojourning in another place, notice may be sent to the place where he is sojourning. But where the notice is actually received by the party within the time specified in this act, it will be sufficient, though not sent in accordance with the requirements of this section.

SEC. 109. Notice waived. Notice of dishonor may be waived, either before the time of giving notice has arrived, or after the omission to give due notice, and the waiver may be expressed or implied.

SEC. 110. Waiver—who bound by. Where the waiver is embodied in the instrument itself, it is binding upon all parties; but where it is written above the signature of an indorser, it binds him only.

SEC. 111. Waiver of protest. A waiver of protest, whether in the case of a foreign bill of exchange or other negotiable instrument, is deemed to be a waiver not only of a formal protest, but also of a presentment and notice of dishonor.

SEC. 112. Notice dispensed with. Notice of dishonor is dispensed with when, after the exercise of reasonable diligence, it cannot be given to or does not reach the parties sought to be charged.

SEC. 113. Delay in giving notice of dishonor. Delay in giving notice of dishonor is excused when the delay is caused by circumstances beyond the control of the holder and not imputable to his default, misconduct or negligence. When the cause of delay ceases to operate, notice must be given with reasonable diligence.

SEC. 114. Notice to drawer—when not required. Notice of dishonor is not required to be given to the drawer in either of the following cases:

1. Where the drawer and drawee are the same person.
2. Where the drawee is a fictitious person or a person not having capacity to contract.
3. Where the drawer is the person to whom the instrument is presented for payment.
4. Where the drawer has no right to expect or require that the drawee or acceptor will honor the instrument.
5. Where the drawer has countermanded payment.

SEC. 115. Notice to indorser—when not required. Notice of dishonor is not required to be given to an indorser in either of the following cases:

1. Where the drawee is a fictitious person or a person not having capacity to contract and the indorser was aware of the fact at the time he indorsed the instrument.
2. Where the indorser is the person to whom the instrument is presented for payment.
3. Where the instrument was made or accepted for his accommodation.

SEC. 116. Notice of dishonor by non-acceptance. Where due notice of dishonor by non-acceptance has been given, notice of a subsequent dishonor by non-payment is not necessary, unless in the meantime the instrument has been accepted.

SEC. 117. Omission to give notice. An omission to give notice of dishonor by non-acceptance does not prejudice the rights of a holder in due course subsequent to the omission.

SEC. 118. Protest. Where any negotiable instrument has been dishonored it may be protested for non-acceptance or non-payment as the case may be; but protest is not required, except in the case of foreign bills of exchange.

SEC. 119. Instrument discharged—how. A negotiable instrument is discharged:

1. By payment in due course by or on behalf of the principal debtor.
2. By payment in due course by the party accommodated, where the instrument is made or accepted for accommodation.
3. By the intentional cancellation thereof by the holder.
4. By any other act which will discharge a simple contract for the payment of money.
5. When the principal debtor becomes the holder of the instrument at or after maturity in his own right.

SEC. 120. Party secondarily liable—how discharged. A person secondarily liable on the instrument is discharged:

1. By an act which discharges the instrument.
2. By the intentional cancellation of his signature by the holder.
3. By the discharge of a prior party.
4. By the valid tender of payment made by a prior party.
5. By a release of the principal debtor, unless the holder's right of recourse against the party secondarily liable is expressly reserved.
6. By an agreement binding upon the holder to extend the time of payment, or to postpone the holder's right to enforce the instrument, unless made with the assent of the party secondarily liable, or unless the right of recourse against such party is expressly reserved.

SEC. 121. Payment by party secondarily liable. Where the instrument is paid by a party secondarily liable thereon, it is not discharged; but the party so paying it is remitted to his former rights as regards all prior parties, and he may strike out his own and all subsequent indorsements, and again negotiate the instrument, except:

1. Where it is payable to the order of a third person, and has been paid by the drawer; and

2. Where it was made or accepted for accommodation, and has been paid by the party accommodated.

SEC. 122. Renunciation of rights by holder. The holder may expressly renounce his rights against any party to the instrument before, at or after its maturity. An absolute and unconditional renunciation of his rights against the principal debtor made at or after the maturity of the instrument discharges the instrument. But a renunciation does not affect the rights of a holder in due course without notice. A renunciation must be in writing, unless the instrument is delivered up to the person primarily liable thereon.

SEC. 123. Unintentional cancellation. A cancellation made unintentionally, or under a mistake, or without the authority of the holder, is inoperative; but where an instrument or any signature thereon appears to have been cancelled, the burden of proof lies on the party who alleges that the cancellation was made unintentionally, or under a mistake or without authority.

SEC. 124. Instrument materially altered. Where a negotiable instrument is materially altered without the assent of all parties liable thereon, it is avoided, except as against a party who has himself made, authorized or assented to the alteration and subsequent indorsers. But when an instrument has been materially altered and is in the hands of a holder in due course, not a party to the alteration, he may enforce payment thereof according to its original tenor.

SEC. 125. Material alteration—what constitutes. Any alteration which changes:

1. The date.
2. The sum payable, either for principal or interest.
3. The time or place of payment.
4. The number or the relations of the parties.
5. The medium or currency in which payment is to be made.

Or which adds a place of payment where no place of payment is specified, or any other change or addition which alters the effect of the instrument in any respect, is a material alteration.

SEC. 126. Bill of exchange. A bill of exchange is an unconditional order in writing addressed by one person to another, signed by the person giving it, requiring the person to whom it is addressed to pay on demand, or at a fixed or determinable future time, a sum certain in money to order or to bearer.

SEC. 127. Liability of drawee. A bill of itself does not operate as an assignment of the funds in the hands of the drawee available for the payment thereof, and the drawee is not liable on the bill unless and until he accepts the same.

SEC. 128. Bill addressed to two or more. A bill may be addressed to two or more drawees jointly, whether they are partners or not; but not to two or more drawees in the alternative or in succession.

SEC. 129. Inland bill of exchange. An inland bill of exchange is a bill which is, or on its face purports to be, both drawn and payable within this state. Any other bill is a foreign bill. Unless the contrary appears on the face of the bill, the holder may treat it as an inland bill.

SEC. 130. Option of holder. Where in a bill drawer and drawee are the same person, or where the drawee is a fictitious person, or a person not having capacity to contract, the holder may treat the instrument at his option, either as a bill of exchange or a promissory note.

SEC. 131. Referee in case of need. The drawer of a bill and any indorser may insert thereon the name of a person to whom the holder may resort in case of need, that is to say, in case the bill is dishonored by non-acceptance or non-payment. Such person is called the referee in case of need. It is in the option of the holder to resort to the referee in case of need or not, as he may see fit.

SEC. 132. Acceptance. The acceptance of a bill is the signification by the drawee of his assent to the order of the drawer. The acceptance must be in

writing and signed by the drawer. It must not express that the drawee will perform his promise by any other means than the payment of money.

SEC. 133. Acceptance written in the bill. The holder of a bill presenting the same for acceptance may require that the acceptance be written on the bill, and if such request is refused, may treat the bill as dishonored.

SEC. 134. Acceptor—to what extent bound. Where an acceptance is written on a paper other than the bill itself, it does not bind the acceptor except in favor of a person to whom it is shown and who, on the faith thereof, receives the bill for value.

SEC. 135. Unconditional promise in writing. An unconditional promise in writing to accept a bill before it is drawn is deemed an actual acceptance in favor of every person who, upon the faith thereof, receives the bill for value.

SEC. 136. Date of acceptance. The drawee is allowed twenty-four hours after presentment in which to decide whether or not he will accept the bill; but the acceptance, if given, dates as of the day of presentation.

SEC. 137. Acceptance by destruction or refusal to return bill. Where a drawee to whom a bill is delivered for acceptance destroys the same, or refuses within twenty-four hours after such delivery, or within such other period as the holder may allow, to return the bill accepted or non-accepted to the holder, he will be deemed to have accepted the same.

SEC. 138. Acceptance before signed by drawer. A bill may be accepted before it has been signed by the drawer, or while otherwise incomplete, or when it is overdue, or after it has been dishonored by a previous refusal to accept, or by non-payment. But when a bill payable after sight is dishonored by non-acceptance and the drawee subsequently accepts it, the holder, in the absence of any different agreement, is entitled to have the bill accepted as of the date of the first presentment.

SEC. 139. Acceptance—general or qualified. An acceptance is either general or qualified. A general acceptance assents without qualification to the order of the drawer. A qualified acceptance in express terms varies the effect of the bill as drawn.

SEC. 140. General acceptance. An acceptance to pay at a particular place is a general acceptance unless it expressly states that the bill is to be paid there only and not elsewhere.

SEC. 141. Qualified acceptance. An acceptance is qualified, which is:

1. Conditional, that is to say, which makes payment by the acceptor dependent on the fulfillment of a condition therein stated.
2. Partial, that is to say, an acceptance to pay part only of the amount for which the bill is drawn.
3. Local, that is to say, an acceptance to pay only at a particular place.
4. Qualified as to time.
5. The acceptance of some one or more of the drawees, but not of all.

SEC. 142. Holder may refuse qualified acceptance. The holder may refuse to take a qualified acceptance, and if he does not obtain an unqualified acceptance, he may treat the bill as dishonored by non-acceptance. Where a qualified acceptance is taken, the drawer and indorsers are discharged from liability on the bill, unless they have expressly or impliedly authorized the holder to take a qualified acceptance, or subsequently assent thereto. When the drawer or an indorser receives notices of a qualified acceptance, he must within a reasonable time express his dissent to the holder, or he will be deemed to have assented thereto.

SEC. 143. Presentment for acceptance—where made. Presentment for acceptance must be made:

1. Where the bill is payable after sight, or in any other case where presentment for acceptance is necessary in order to fix the maturity of the instrument; or
2. Where the bill expressly stipulates that it shall be presented for acceptance; or

3. Where the bill is drawn payable elsewhere than at the residence or place of business of the drawee.

In no other case is presentment for acceptance necessary in order to render any party to the bill liable.

SEC. 144. Presentment within reasonable time. Except as herein otherwise provided, the holder of a bill which is required by the next preceding section to be presented for acceptance must either present it for acceptance or negotiate it within a reasonable time. If he fail to do so, the drawer and all indorsers are discharged.

SEC. 145. Presentment—to whom made. Presentment for acceptance must be made by or on behalf of the holder at a reasonable hour, on a business day and before the bill is overdue, to the drawer or some person authorized to accept or refuse acceptance on his behalf; and

1. Where a bill is addressed to two or more drawees who are not partners, presentment must be made to them all, unless one has authority to accept or refuse acceptance for all, in which case presentment may be made to him only.

2. Where the drawee is dead, presentment may be made to his personal representative.

3. Where the drawee has been adjudged a bankrupt or an insolvent or has made an assignment for the benefit of creditors, presentment may be made to him or to his trustee or assignee.

SEC. 146. Presentment—when made. A bill may be presented for acceptance on any day on which negotiable instruments may be presented for payment under the provisions of sections seventy-two and eighty-five of this act. When Saturday is not otherwise a holiday, presentment for acceptance may be made before twelve o'clock noon on that day.

SEC. 147. Delay excused. Where the holder of a bill drawn payable elsewhere than at the place of business or the residence of the drawee has not time with the exercise of reasonable diligence to present the bill for acceptance before presenting it for payment on the day that it falls due, the delay caused by presenting the bill for acceptance before presenting it for payment is excused and does not discharge the drawers and indorsers.

SEC. 148. Presentment excused. Presentment for acceptance is excused and a bill may be treated as dishonored by non-acceptance, in either of the following cases:

1. Where the drawee is dead, or has absconded, or is a fictitious person or a person not having capacity to contract by bill.

2. Where after the exercise of reasonable diligence, presentment cannot be made.

3. Where although presentment has been irregular, acceptance has been refused on some ground.

SEC. 149. Dishonor by non-acceptance. A bill is dishonored by non-acceptance:

1. When it is duly presented for acceptance and such an acceptance as is prescribed by this act is refused or cannot be obtained; or

2. When a presentment for acceptance is excused and the bill is not accepted.

SEC. 150. Same. Where a bill is duly presented for acceptance and is not accepted within the prescribed time, the person presenting it must treat the bill as dishonored by non-acceptance or he loses the right of recourse against the drawer and indorsers.

SEC. 151. Right of recourse. When a bill is dishonored by non-acceptance, an immediate right of recourse against the drawers and indorsers accrues to the holder and no presentment for payment is necessary.

SEC. 152. Foreign bill—protest. Where a foreign bill appearing on its face to be such is dishonored by non-acceptance, it must be duly protested for non-acceptance, and where such a bill which has not previously been dishon-

ored by non-acceptance is dishonored by non-payment, it must be duly protested for non-payment. If it is not so protested, the drawer and indorsers are discharged. Where a bill does not appear on its face to be a foreign bill, protest thereof, in case of dishonor is unnecessary.

SEC. 153. Protest—what to specify. The protest must be annexed to the bill, or must contain a copy thereof, and must be under the hand and seal of the notary making it, and must specify:

1. The time and place of presentment.
2. The fact that presentment was made and the manner thereof.
3. The cause or reason for protesting the bill.
4. The demand made and the answer given, if any, or the fact that the drawee or acceptor could not be found.

SEC. 154. Protest—by whom made. Protest may be made by:

1. A notary public; or
2. By any reputable resident of the place where the bill is dishonored, in the presence of two or more credible witnesses.

SEC. 155. Protest—when made. When a bill is protested, such protest must be made on the day of its dishonor, unless delay is excused as herein provided. When a bill has been duly noted, the protest may be subsequently extended as of the date of the noting.

SEC. 156. Protest—place of making. A bill must be protested at the place where it is dishonored, except that when a bill drawn payable at the place of business or residence of some person other than the drawee, has been dishonored by non-acceptance, it must be protested for non-payment at the place where it is expressed to be payable; and no other presentment for payment to, or demand on, the drawee is necessary.

SEC. 157. Protest for non payment. A bill which has been protested for non-acceptance may be subsequently protested for non-payment.

SEC. 158. Acceptor bankrupt before bill matures. Where the acceptor has been adjudged a bankrupt or an insolvent or has made an assignment for the benefit of creditors, before the bill matures, the holder may cause the bill to be protested for better security against the drawer and indorsers.

SEC. 159. Protest dispensed with—delay. Protest is dispensed with by any circumstances which would dispense with notice of dishonor. Delay in noting or protesting is excused when delay is caused by circumstances beyond the control of the holder and not imputable to his default, misconduct or negligence. When the cause of delay ceases to operate, the bill must be noted or protested with reasonable diligence.

SEC. 160. Protest where bill is lost or destroyed. Where a bill is lost or destroyed, or is wrongfully detained from the person entitled to hold it, protest may be made on a copy or written particulars thereof.

SEC. 161. Acceptance for honor supra protest. Where a bill of exchange has been protested for dishonor by non-acceptance, or protested for better security, and is not overdue, any person not being a party already liable thereon may, with the consent of the holder, intervene and accept the bill supra protest for the honor of any party liable thereon or for the honor of the person for whose account the bill is drawn. The acceptance for honor may be for part only of the sum for which the bill is drawn, and where there has been an acceptance for honor for one party, there may be a further acceptance by a different person for the honor of another party.

SEC. 162. Same. An acceptance for honor supra protest must be in writing and indicate that it is an acceptance for honor, and must be signed by the acceptor for honor.

SEC. 163. Same. Where an acceptance for honor does not expressly state for whose honor it is made, it is deemed to be an acceptance for the honor of the drawer.

SEC. 164. Liability of acceptor for honor. The acceptor for honor is liable to the holder and to all parties to the bill subsequent to the party for whose honor he has accepted.

SEC. 165. Acceptor for honor. The acceptor for honor by such acceptance engages that he will on due presentment pay the bill according to the terms of his acceptance, provided it shall not have been paid by the drawee, and provided also, that it shall have been duly presented for payment and protested for non-payment and notice of dishonor given to him.

SEC. 166. Acceptance of bill payable after sight. When a bill payable after sight is accepted for honor its maturity is calculated from the date of the noting for non-acceptance and not from the date of the acceptance for honor.

SEC. 167. Acceptance of dishonored bill. Where a dishonored bill has been accepted for honor supra protest or contains a reference in case of need, it must be protested for non-payment before it is presented for payment to the acceptor for honor or referee in case of need.

SEC. 168. Presentment for payment to acceptor for honor. Presentment for payment to the acceptor for honor must be made as follows:

1. If it is to be presented in the place where the protest for non-payment was made, it must be presented not later than the day following its maturity.

2. If it is to be presented in some other place than the place where it was protested, then it must be forwarded within the time specified in section 104.

SEC. 169. Delay in presenting for acceptance. The provisions of section eighty-one apply where there is delay in making presentment to the acceptor for honor or referee in case of need.

SEC. 170. Bill dishonored by acceptor for honor. When the bill is dishonored by the acceptor for honor it must be protested for non-payment by him.

SEC. 171. Payment for honor supra protest. Where a bill has been protested for non-payment, any person may intervene and pay it supra protest for the honor of any person liable thereon or for the honor of the person for whose account it was drawn.

SEC. 172. Payment for honor attested. The payment for honor supra protest in order to operate as such and not as a mere voluntary payment must be attested by a notarial act of honor which may be appended to the protest or form an extension to it.

SEC. 173. Notarial act of honor. The notarial act of honor must be founded on a declaration made by the payer for honor or by his agent in that behalf declaring his intention to pay the bill for honor and for whose honor he pays.

SEC. 174. Payment for honor—preference. Where two or more persons offer to pay a bill for the honor of different parties, the person whose payment will discharge most parties to the bill is to be given the preference.

SEC. 175. Payment for honor—discharge. Where a bill has been paid for honor all parties subsequent to the party for whose honor it is paid are discharged, but the payer for honor is subrogated for, and succeeds to, both the rights and duties of the holder as regards the party for whose honor he pays and all parties liable to the latter.

SEC. 176. Refusal of payment supra protest. Where the holder of a bill refuses to receive payment supra protest, he loses his right of recourse against any party who would have been discharged by such payment.

SEC. 177. Payer for honor to receive bill and protest. The payer for honor on paying to the holder the amount of the bill and the notarial expenses incidental to its dishonor, is entitled to receive both the bill itself and the protest.

SEC. 178. Bill drawn in a set. Where a bill is drawn in a set, each part of the set being numbered and containing a reference to the other parts, the whole of the parts constitute one bill.

SEC. 179. Two or more parts negotiated to different holders. Where two or more parts of a set are negotiated to different holders in due course, the holder whose title first accrues is as between such holders the true owner of the bill. But nothing in this section affects the rights of a person who in due course accepts or pays the part first presented to him.

SEC. 180. Liability of indorsers of two or more parts. Where the holder of a set indorses two or more parts to different persons he is liable on every such part, and every indorser subsequent to him is liable on the part he has himself indorsed, as if such parts were separate bills.

SEC. 181. Acceptance—where written. The acceptance may be written on any part and it must be written on one part only. If the drawee accepts more than one part, and such accepted parts are negotiated to different holders in due course, he is liable on every such part as if it were a separate bill.

SEC. 182. Payment by acceptor of a bill drawn in a set. When the acceptor of a bill drawn in a set pays it without requiring the part bearing his acceptance to be delivered up to him, and that part at maturity is outstanding in the hands of a holder in due course, he is liable to the holder thereon.

SEC. 183. Discharge of one part of a bill drawn in a set. Except as herein otherwise provided where any one part of a bill drawn in a set is discharged by payment or otherwise, the whole bill is discharged.

SEC. 184. Negotiable promissory note. A negotiable promissory note within the meaning of this act is an unconditional promise in writing made by one person to another, signed by the maker engaging to pay on demand or at a fixed or determinable future time, a sum certain in money to order or to bearer. Where a note is drawn to the maker's own order, it is not complete until indorsed by him.

SEC. 185. Checks. A check is a bill of exchange drawn on a bank payable on demand. Except as herein otherwise provided, the provisions of this act are applicable to a bill of exchange payable on demand apply to a check.

SEC. 186. Presentment for payment. A check must be presented for payment within a reasonable time after its issue, or the drawer will be discharged from liability thereon to the extent of the loss caused by the delay.

SEC. 187. Certification equivalent to acceptance. Where a check is certified by the bank on which it is drawn, the certification is equivalent to an acceptance.

SEC. 188. Acceptance procured by holder—drawer and indorsers discharged. Where the holder of a check procures it to be accepted or certified, the drawer and all indorsers are discharged from liability thereon.

SEC. 189. Check not an assignment of funds. A check of itself does not operate as an assignment of any part of the funds to the credit of the drawer with the bank, and the bank is not liable to the holder, unless and until it accepts or certifies the check.

SEC. 190. Negotiable instrument law. This act shall be known as the negotiable instrument law.

SEC. 191. Terms defined. In this act, unless the context otherwise requires:

"Acceptance" means an acceptance completely by delivery or notification.

"Action" includes counter-claim and set-off.

"Bank" includes any person or association of persons carrying on the business of banking, whether incorporated or not.

"Bearer" means the person in possession of a bill or note which is payable to bearer.

"Bill" means bill of exchange, and "note" means negotiable promissory note.

"Delivery" means transfer of possession, actual or constructive, from one person to another.

"Holder" means the payee or endorsee of a bill or note, who is in possession of it, or the bearer thereof.

"Indorsement" means an indorsement completed by delivery.

"Instrument" means negotiable instrument.

"Issue" means the first delivery of the instrument, complete in form, to a person who takes it as a holder.

"Person" includes a body of persons, whether incorporated or not.

"Value" means valuable consideration.

"Written" includes printed, and "writing" includes print.

SEC. 192. Person primarily liable. The person "primarily" liable on an instrument is the person who by the terms of the instrument is absolutely required to pay the same. All other parties are "secondarily" liable.

SEC. 193. Reasonable or unreasonable time. In determining what is a "reasonable time" or an "unreasonable time" regard is to be had to the nature of the instrument, the usage of trade or business (if any) with respect to such instruments, and the facts of the particular case.

SEC. 194. Sunday and holidays. Where the day, or the last day, for doing an act herein required or permitted to be done falls on Sunday or on a holiday, the act may be done on the next succeeding secular or business day.

SEC. 195. Not retroactive. The provisions of this act do not apply to negotiable instruments made and delivered prior to the passage hereof.

SEC. 196. Rules of the law merchant. In any case not provided for in this act, the rules of the law merchant shall govern.

SEC. 197. Sections of code repealed. The following enumerated sections of title fifteen (15) chapter three (3) of the code are hereby repealed; sections three thousand and forty-three (3043), three thousand and forty-five (3045), three thousand and forty-nine (3049), three thousand and fifty (3050), three thousand and fifty-one (3051), three thousand and fifty-two (3052), three thousand and fifty-four (3054), and three thousand and fifty-five (3055).

SEC. 198. Days of grace—demand made on. A demand made on any one of the three days following the day of maturity of the instrument, except on Sunday or a holiday, shall be as effectual as though made on the day on which demand may be made under the provisions of this act, and the provisions of this act as to notice of non-payment, non-acceptance, and as to protest shall be applicable with reference to such demand as though the demand were made in accordance with the terms of this act; but the provisions of this section shall not be construed as authorizing demand on any day after the third day from that on which the instrument falls due according to its face.

Approved April 12, 1902.

CHAPTER 131.

SUPPORT OF FAMILIES OF INSANE PERSONS.

S. F. 195.

AN ACT to amend section three thousand two hundred and twenty-five (3,225) of the code, relating to the support of families of persons adjudged to be insane.

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

SECTION 1. Allowance to family. That section three thousand two hundred and twenty-five (3,225) of the code be and is hereby amended by striking out the words "under fifteen years of age" in the seventh line and inserting before the word "children" in said line the word "minor". Also by striking out the words "for twelve months from the time he was adjudged insane" in the ninth (9) and tenth (10) lines, and inserting in lieu thereof, after the word "them", the following: "during the period such person is insane."

Approved March 31, 1902.

CHAPTER 132.

RELATING TO THE RIGHTS, DUTIES AND RELATIONS BETWEEN PARENT AND CHILD
BY ADOPTION.

S. F. 156.

AN ACT to amend section three thousand two hundred and fifty three [3253] of the code relating to the rights, duties and relations between parent and child by adoption.

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

SECTION 1. **Right of inheritance.** That section 3253 of the code be and the same is hereby amended by adding thereto the following words:

"And the right of inheritance from each other shall be the same as between parent and children born in lawful wedlock."

Approved April 8, 1902.

CHAPTER 133.

FRIENDLESS CHILDREN.

H. F. 145.

AN ACT to repeal chapter eight (8) of title sixteen (16) of the code, and enact a substitute therefor relating to the care of friendless children, and the establishment, regulation and visitation of homes for friendless children.

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

SECTION 1. **Repealed.** That chapter eight (8) of title sixteen (16) of the code be and the same is hereby repealed, and the following enacted in lieu thereof.

SEC. 2. **Powers of societies.** Any society legally incorporated under the laws of the state of Iowa for the purpose of receiving, caring for, placing out for adoption, or in any way improving the condition of abandoned, abused, ill-treated, friendless, or orphan children, may receive, control and dispose of such minor children under the provisions of this act; and such corporations shall be the legal guardian of the persons of all children so surrendered to it, and may exercise all the rights and authority of the parents of such children in regulating the apprenticing and adoption thereof.

SEC. 3. **Surrender of children.** Children may be surrendered to such society by the father and mother jointly; by either father or mother, when the other is dead, or hopelessly insane, an habitual drunkard, has abandoned his family, is in prison for crime, or is an inmate or keeper of a house of ill-fame; by the mother alone if the child is illegitimate and in her care and custody; by any court of record or judge thereof, or any mayor, or justice of the peace in the county of the residence of such children or their parents, upon complaint made and proceedings had thereon as hereinafter provided.

SEC. 4. **Commitment.** Whenever it shall be made to appear to any court, judge, mayor, or justice of the peace, as above provided, that any child within his jurisdiction, by reason of orphanage, or neglect, abuse, crime, drunkenness, or gross immorality of one or both of the parents, or other persons having custody of such child, is abandoned [,] ill-treated, or friendless, or in circumstances tending to induce such child to lead a dissolute, immoral or vicious life, then it shall be the duty of such court or magistrate to take such child away from its parents or those having control thereof, and commit it to some society incorporated for that purpose, or to some other person or guardian, as may seem to be for the best interests of such child, and the society or person so adopting shall be required to keep such child if over seven (7) years of age and under fourteen (14) years of age in school during the school sessions of the school district in which said child is kept or in some parochial school for like period.

SEC. 5. Written complaint—appeal. All proceedings under section four (4) of this chapter shall be by written complaint duly verified, which complaint shall state the cause of action and the relief asked. If it shall appear that such child is in the custody and control of parents, guardians, or other persons, such parents, guardians, or other persons shall be served with a copy of said complaint, and such notice of the time and place of the hearing thereof as may be ordered by the court or magistrate by whom the case is to be tried; which notice and copy shall be served in the same manner as is provided in the service of original notices. An appeal may be taken to the district court from the order of a magistrate at any time within twenty (20) days thereafter, in the same manner as appeals are taken from judgments in justice courts, except that no bond shall be required to stay proceedings.

SEC. 6. Custody of child during trial. Upon filing of proper complaint, the magistrate may, if thought best, issue a warrant directed to the sheriff or other peace officer, requiring such peace officer forthwith to take into his custody the child described in such complaint, and to retain possession of it subject to the order and direction of the court.

SEC. 7. Religious faith. The court or magistrate in committing children, shall place them as far as practicable in the care and custody of some individual holding the same religious belief as the parents of said child, or with some association which is controlled by persons of like religious faith as the parents of said child; and when any home or society shall dispose of the custody of any child, it shall be, as far as practicable, to some person of the same religious faith as its parents, unless the parents or former guardian otherwise consent.

SEC. 8. Habeas corpus. Upon the hearing of any habeas corpus proceedings for the custody of any such child, if it appears that it has been surrendered to the home under the provisions of this chapter, such fact shall be presumptive evidence that it was done properly and that said home was entitled to the custody and guardianship thereof.

SEC. 9. Proceedings—county attorney to prosecute—court costs. Proceedings under this act may be brought by any citizen of the state, acting by himself or his attorney. It shall be the duty of the county attorney, when requested, to prepare complaints and prosecute all such cases in behalf of the complainants. Court costs shall be taxed the same as in criminal actions.

SEC. 10. Board of control to have supervision—annual reports—financial statements. All associations or societies receiving children under this act shall be under the supervision of the board of control of state institutions and shall be subject to visitation by the board of control, its members, or agents, which may require such information and statistics from such associations as the board shall deem necessary, in order to enable it to exercise proper supervision over them. Every such association shall file with the state board of control, during the month of January of each year, an annual written or printed report, which shall include a statement of the number of children cared for during the preceding year, the number of children received for the first time and the number returned from families, the number placed in homes, the number deceased, the number returned to friends, and the number placed in state institutions, the number and names and number of months of each of those attending school; also a financial statement showing the receipts and disbursements of such association. The statement of disbursements shall show the amount expended for salaries and other expenses, specifying the same, and the amount expended for lands, buildings, and investments. And no child shall be committed to the care of any association which shall not have filed a satisfactory report for the calendar year last preceding with the state board of control, unless it be a society organized within the current year.

SEC. 11. Jurisdiction to revoke. The district court of any county in which any society or home may be located shall have jurisdiction to revoke the powers herein granted upon a showing that any such society or person has

abused the trust imposed in such society or person, or that the welfare of its wards demands that they be taken from the control of such society or person. It shall be the duty of the state board of control to institute such proceedings whenever, in its judgment, they are advisable.

SEC. 12. Associations of other states. No association which is incorporated under the laws of any other state than the state of Iowa shall place any children in any family home within the boundaries of the state of Iowa, either with or without indentures, or for adoption, unless the said association shall have furnished the state board of control with such guarantee as it may require, including an indemnity bond in favor of the state of Iowa in the penal sum of one thousand (1,000) dollars, that no child shall be brought into the state of Iowa by such society or its agents, having any contagious or incurable disease, or having any deformity, or being of feeble mind, or of vicious character, and that said association will promptly receive and remove from the state any child brought into the state of Iowa by its agents, which shall become a public charge within the period of five (5) years after being brought into this state. Provided, that this act shall not be construed as prohibiting any person residing in Iowa from receiving and adopting into his family any child or children from another state.

SEC. 13. Appropriation. To provide for the expenses of the inspection herein required, there is hereby appropriated the sum of one thousand dollars (\$1,000.00) or so much thereof as may be necessary, from any funds of the state treasury not otherwise appropriated.

Approved April 10, 1902.

CHAPTER 134.

RELATING TO THE RECORDING OF WILLS.

S. F. 95.

AN ACT to amend section thirty-two hundred and eighty-seven (3287) of the code, relating to the recording of wills.

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

SECTION 1. Transcript filed and recorded—where—costs. That section thirty-two hundred and eighty-seven (3287) of the code be and the same is hereby amended by adding thereto the following:

"And whenever it shall appear that the testator died seized of real estate located in a county of this state other than that in which probate is granted, a complete transcript, properly authenticated, and of the record entry of the order of court admitting the will to probate and if a copy of such will is not contained therein a certified copy of such will shall be attached thereto and the same shall be filed by the clerk in the office of the clerk of the district court in such other county, who shall cause the same to be entered in the probate docket, and said transcript shall be recorded in full in the book kept for the recording of wills in such county and when so recorded such record may be read in evidence in all courts without further proof. The cost of such transcript and of the recording thereof shall be taxed against the estate of the decedent unless administration thereof be closed, in which event it shall be paid by the owner of the real estate involved."

Approved April 8, 1902.

CHAPTER 135.

PROPERTY RIGHTS OF PERSONS WHO FELONEOUSLY TAKE THE LIFE OF ANOTHER.

S. F. 178.

AN ACT to amend section three thousand three hundred and eighty-six (3386) of the code, relating to the property rights of persons who feloniously take the life of another.

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

SECTION 1. Heir causing death. That section three thousand three hundred and eighty-six (3386) of the code be amended by inserting after the word "person" in the third line of said section the following words: "Or receive any interest in the estate of the decedent as surviving spouse".

Approved March 19, 1902.

CHAPTER 136.

DESCENT OF ESTATES OF CHILDREN BY ADOPTION.

S. F. 155.

AN ACT relating to the rules of descent of estates of children by adoption. [Additional to chapter four (4) of title seventeen (XVII) of the code, relating to the descent and distribution of the intestate's property.]

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

SECTION 1. Parents by adoption and wife. One-half of the estate of any adopted child who shall die intestate and leaving no issue, shall descend to the parents by adoption of such child, and the other half to his or her surviving spouse. If one of the parents by adoption be dead, in case there was more than one such parent, the portion which would have gone to such parent shall go to the surviving parent by adoption. If such child leave no surviving spouse, his entire estate shall go to his parents by adoption; or if he leave but one such parent then to such parent.

SEC. 2. Heirs of parents by adoption. If the adopted parent or parents, if more than one, be dead, the portion which would have gone to such parent or parents had they or either of them survived the intestate, shall be disposed of in the same manner as if such parent or parents had outlived the intestate and died in possession of such share, and so on through their ascending ancestors.

SEC. 3. Natural parents. If heirs are not thus found, the portion thus uninherited shall go to the natural parents of the intestate, and in case of their death then to their heirs under the ordinary rules of descent.

Approved April 9, 1902.

CHAPTER 137.

LIMITATION OF ACTIONS ON JUDGMENTS.

H. F. 47.

AN ACT to amend section three thousand four hundred and thirty-nine (3439) of the code, relating to the limitation of actions on judgments.

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

SECTION 1. Time of bringing action extended. That section three thousand four hundred and thirty-nine (3439) of the code be and the same is hereby amended by adding thereto the following:

"The provisions of this section shall apply to all judgments rendered after the taking effect of the code of 1873, and prior to the taking effect of the code of 1897, but the time within which an action may be brought on any judgment rendered during said period, which would otherwise be barred by this amendment, is hereby extended one year after the taking effect hereof."

SEC. 2. Acts in conflict. All acts and parts of acts inconsistent with this act are hereby repealed.

Approved March 27, 1902.

CHAPTER 138.

PLACE OF BRINGING ACTION.

H. F. 67.

AN ACT to amend section thirty-four hundred and ninety-seven (3497) of the code, relating to place of bringing action.

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

SECTION 1. **Actions against common carriers.** That section thirty-four hundred and ninety-seven (3497) of the code be and is hereby amended, by inserting the words "steamboat and other river crafts" after the word "canal" in the third line.

SEC. 2. **In effect.** 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 March 5, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 6, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 139.

MANNER OF COMMENCING ACTIONS.

H. F. 68.

AN ACT to amend section thirty-five hundred and twenty-nine (3529) of the code, relating to manner of commencing actions.

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

SECTION 1. **Service on agent of corporation.** That section thirty-five hundred and twenty-nine (3529) of the code be and is hereby amended by inserting the words "steamboat or other river craft" after the word "canal" in the second line.

SEC. 2. **In effect.** 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 5, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 6, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 140.

TAXES ON PROPERTY IN THE HANDS OF RECEIVERS.

S. F. 9.

AN ACT to amend section thirty-eight hundred and twenty-five (3825) of the code, making taxes on property in the hands of receivers a preferred claim.

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

SECTION 1. **Priority of liens.** That section thirty-eight hundred and twenty-five (3825) of the code be and the same is hereby amended by adding to said section the following:

"Provided that when the assets of any corporation, partnership or person shall be placed in the hands of a receiver, all taxes against said corporation,

partnership or person, whether levied under the laws of the state or ordinances of municipal corporations, shall be entitled to priority and be first paid in full by the receiver and claims therefor need not be filed with said receiver."

Approved March 19, 1902.

CHAPTER 141.

RELATING TO GARNISHMENT PROCEEDINGS.

H. F. 105.

AN ACT to amend section four thousand five hundred and forty-four (4544) of the code, relative to garnishment proceedings.

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

SECTION 1. Judgment rendered. That section four thousand five hundred and forty-four (4544) of the code be amended by adding the following:

"Judgment against the garnishee shall not be entered until the principal defendant shall have had five days' notice of the garnishment proceedings to be served in the same manner as original notices."

Approved February 26, 1902.

CHAPTER 142.

RELATING TO KIDNAPING.

H. F. 156.

AN ACT concerning and defining kidnaping for the purpose of ransom, and prescribing the punishment therefor. [Amendatory of chapter two (2), title twenty-four (XXIV) of the code, relating to offenses against the lives and persons of individuals.]

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

SECTION 1. Kidnaping for ransom—penalty. That whoever kidnaps, takes or carries away any person, or decoys or entices such person away from any place in this state for the purpose of or with the intention of receiving or securing from any one any money, property or thing of value as a ransom, reward or price for the return of the person so kidnaped, taken, carried, decoyed or enticed away, as aforesaid, or whoever shall imprison, detain or hold any person at any place in this state for the purpose or with the intent of receiving or securing from any one money, property or thing of value as a ransom, reward or price for the return, liberation or surrender of the person so imprisoned, detained or held, shall be deemed to be guilty of the crime of kidnaping for the purpose of ransom, and upon conviction thereof shall be imprisoned in the penitentiary during life, or for any fixed term of years not less than ten years.

SEC. 2. Other statutes not affected. This act shall not be held or deemed to repeal or affect in any manner sections four thousand seven hundred and sixty (4760), four thousand seven hundred and sixty-one (4761) and four thousand seven hundred and sixty-five (4765) of the code.

Approved March 22, 1902.

CHAPTER 143.

ADVISING OR INCITING UNLAWFUL KILLING OF A HUMAN BEING.

H. F. 52.

AN ACT making it a crime to advise, counsel, encourage, advocate or incite the unlawful killing of any human being and fixing the punishment therefor. [Additional to chapter two (2) of title twenty-four (XXIV) of the code, relating to offenses against the lives and persons of individuals.]

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

SECTION 1. Penalty. Whoever shall within this state advise, counsel, encourage, advocate or incite the unlawful killing within or without the state of any human being where no such killing takes place shall be punished by imprisonment in the state penitentiary for not more than twenty years.

Approved April 7, 1902.

CHAPTER 144.

POSSESSION OF BURGLAR'S TOOLS.

S. F. 13.

AN ACT to amend section forty-seven hundred and ninety (4790) of the code, in relation to the possession of burglar's tools.

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

SECTION 1. Penalty. That section forty-seven hundred and ninety (4790) of the code be and the same is hereby amended by striking from said section all that part thereof commencing with the word "fined" in the third line thereof, and ending with the word "days" in the fifth line thereof and inserting in lieu thereof the following: "imprisoned in the penitentiary not more than five years, or be fined not exceeding \$500.00 and imprisoned in the county jail not more than one year."

Approved March 10, 1902.

CHAPTER 145.

MALICIOUS MISCHIEF AND TRESPASS.

H. F. 117.

AN ACT to amend section four thousand eight hundred and seven (4807) of the code, relating to malicious mischief and trespass.

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

SECTION 1. Malicious injury to electric railways, etc. That section four thousand eight hundred and seven (4807) of the code be and is hereby amended as follows: By inserting in the first line thereof between the words "any" and "bridge" the words "electric railway or apparatus thereto belonging or any" and by inserting in the fifth line thereof between the words "telephone" and "or" the words "electric light".

Approved March 4, 1902.

CHAPTER 146.

THE SELLING OF PROPERTY UPON WHICH THERE IS A LIEN FOR RENT.

H. F. 135.

AN ACT, making it a crime to sell property upon which there is a landlord's lien for the rent, without the written consent of the landlord and fixing the penalty therefor. [Additional to chapter five (5) of title twenty-four (XXIV) of the code, relating to larceny and receiving stolen goods.]

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

SECTION 1. Larceny. If any tenant of farm lands shall, with intent to defraud, sell, conceal, or in any manner dispose of any of the grain, or other annual products thereof upon which there is a landlord's lien for unpaid rent, without the written consent of the landlord, he shall be guilty of larceny and punished accordingly.

SEC. 2. Payment of rent. The payment of the rent for the lands upon which such grain or other annual products were raised at or before the time the same falls due, shall be a bar to any prosecution under section one (1) hereof, and no prosecution shall be commenced until such rent be wholly due.

Approved April 9, 1902.

CHAPTER 147.

ESCAPE OF PRISONERS FROM THE PENITENTIARY.

H. F. 395.

AN ACT to repeal section forty-eight hundred and ninety-seven (4897) of the code, and to enact a substitute therefor, relating to the escape of persons confined in a penitentiary for any less period than for life.

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

SECTION 1. Prison breach—penalty. That section forty-eight hundred and ninety-seven (4897) of the code be, and the same is hereby repealed, and the following enacted in lieu thereof:

“If any person confined in a penitentiary for any less period than for life, breaks such prison and escapes therefrom; or while employed on work for the state in places and buildings owned or leased by it outside of the penitentiary enclosures, or while on public roads or other ways going to or returning from such places of employment, escapes from custody, he shall be imprisoned in such penitentiary for a term of not to exceed five years, to commence from and after the expiration of the original term of his imprisonment.”

Approved April 11, 1902.

CHAPTER 148.

RELATING TO SODOMY.

S. F. 337.

AN ACT defining the crime of sodomy. [Amendatory of chapter nine (9), title twenty-four (XXIV) of the code, relating to offenses against chastity, morality and decency.]

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

SECTION 1. Sodomy. Whoever shall have carnal copulation in any opening of the body except sexual parts, with another human being, or shall have carnal copulation with a beast, shall be deemed guilty of sodomy.

Approved March 31, 1902.

CHAPTER 149.

THE SAFETY AND COMFORT OF FACTORY LABORERS.

S. F. 212.

AN ACT to provide for the safety and comfort of laborers and other persons assembled in factories and buildings. [Additional to chapter ten (10), of title twenty-four (XXIV) of the code, relating to offenses against the public health.]

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

SECTION 1. Water closets or privies. Every manufacturing establishment, workshop or hotel in which five or more persons are employed, shall be provided with a sufficient number of water closets, earth closets or privies, for the reasonable use of the persons employed therein, which shall be properly screened and ventilated and kept at all times in a clean condition; and if women or girls are employed in such establishment, the water closets, earth

closets or privies used by them shall have separate approaches and be separate and apart from those used by the men.

SEC. 2. Duties of parties in charge. It shall be the duty of the owner, agent, superintendent or other person having charge of any manufacturing or other establishment where machinery is used, to furnish and supply or cause to be furnished and supplied therein, belt shifters or other safe mechanical contrivances for the purpose of throwing belts on and off pulleys, and, wherever possible, machinery therein shall be provided with loose pulleys; all saws, planers, cogs, gearing, belting, shafting, set-screws and machinery of every description therein shall be properly guarded. No person under sixteen years of age, and no female under eighteen years of age shall be permitted or directed to clean machinery while in motion. Children under sixteen years of age shall not be permitted to operate or assist in operating dangerous machinery, of any kind.

SEC. 3. Blowers and pipes. All persons, companies or corporations operating any factory or workshop where emery wheels or emery belts of any description, or tumbling barrels used for rumbling or polishing castings, are used, shall provide the same with blowers and pipes of sufficient capacity, placed in such manner as to protect the person or persons using same from the particles of dust produced or caused thereby, and to carry away said particles or dust arising from or thrown off such wheels, belts or tumbling barrels while in operation, directly to the outside of the building, or to some receptacle place so as to receive or confine such particles or dust; provided, however, that grinding machines upon which water is used at the point of grinding contact, and small emery wheels which are used temporarily for tool grinding, are not included within the provisions of this section, and the shops employing not more than one man at such work may, in the discretion of the commissioner of the bureau of labor of the state, be exempt from the provisions hereof.

SEC. 4. Enforcement—penalty. It shall be the duty of the commissioner of the bureau of labor of the state, and the mayor, and chief of police of every city or town, to enforce the provisions of the foregoing sections. Any person, whether acting for himself or for another or for a co-partnership, joint stock company or corporation, having charge or management of any manufacturing establishment, workshop or hotel, who shall fail to comply with the provisions of said sections, within ninety days after being notified in writing to do so, by any one of said officers whose duty it may be to enforce the provisions of said sections, shall be punished by a fine not exceeding one hundred dollars or by imprisonment in the county jail not exceeding thirty days.

Approved April 11, 1902.

CHAPTER 150.

CONSTRUCTION OF FIRE ESCAPES.

S. F. 230.

AN ACT for the preservation of life and protection of property to require the construction of fire escapes to certain buildings and enclosures now constructed or hereafter to be erected, providing the manner of constructing same, and imposing penalties for violation thereof. [Additional to chapter ten (10), of title twenty-four (XXIV) of the code, relating to offenses against the public health.]

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

SECTION 1. Protection against fire—means of escape. The owners, proprietors or lessees of all buildings, structures or enclosures of three or more stories in height, now constructed or hereafter to be erected, shall provide for and equip said buildings and structures with such protection against fire and means of escape from such buildings as shall hereafter be set forth in this bill.

SEC. 2. Buildings and enclosures—how classified. The buildings, structures and enclosures contemplated in this act shall be classified as follows:

First. Hotels or lodging rooms of three or more stories in height.

Second. Tenements or boarding houses, of three or more stories in height, occupied by one or more families or aggregating twenty (20) persons or more; provided that a mansard roof or attic, when used for sleeping rooms, shall be counted as one story.

Third. Buildings used as opera houses, theatres or public halls, of a seating capacity exceeding three hundred (300).

Fourth. Public school buildings, seminaries, and colleges more than two stories in height.

Fifth. Hospitals and asylums of three or more stories in height.

Sixth. Manufactories, warehouses and buildings of all character of three or more stories in height, not specified in the foregoing sections.

SEC. 3. Fire escapes and stairways. Each twenty-five hundred (2,500) superficial feet of area, or fractional part thereof, covered by buildings or structures specified under classification one, of section 2, of this act, shall be provided with one ladder fire escape of steel or wrought iron construction, attached to the outer wall thereof, and provided with platforms of steel or wrought iron construction of such size and dimensions and such proximity to one or more windows of each story above the first as to render access to such ladder from each story easy and safe, said ladder to start about five feet from the ground and extend above the roof, or a drop ladder may be hung at the second story in such a manner that it can be easily lowered in case of necessity, provided, however, that where such buildings shall be occupied by more than twenty (20) persons, the said building shall be provided with one stairway of steel or wrought iron construction with above described platforms, accessible from each story with a drop or counterbalance stairway from the second story balcony to the ground, or a stationary stairway may be carried down to within five feet from the ground. Buildings under classification 2 of section 2 of this act shall be provided for in the same manner as those under the head of classification 1. Buildings under classification 3, of section 2, of this act shall be provided with at least one of above described outside stairways, or such a number [of] exits or such a number of above described stairways as may be determined by the chief of fire department, or the mayor of each city or town where no such chief of fire department exists. Each twenty-five hundred (2,500) superficial feet of area or fractional part thereof covered by buildings, structures or enclosures under classification 4 of section 2 of this act, shall be provided for in the same manner as those under the head of classification 3. Each twenty-five hundred (2,500) superficial feet of area or fractional part thereof covered by buildings, structures or enclosures under classification 5, section 2, of this act shall be provided with at least one above described outside stairway, provided, however, that if there be living or sleeping quarters for more than twenty-five (25) persons in such building, then there shall be at least two of the above described outside stairways. Each five thousand (5000) superficial feet of area, or fractional part thereof covered by buildings under classification 6, section 2 of this act, shall be provided with at least one above described ladder, and platforms at each story, if not more than twenty (20) persons be employed in the same. If more than twenty (20) persons be employed, then there shall be at least two of the above described ladders, and platforms attached, or one such stairway, and platforms of sufficient size at each story, and if more than forty (40) persons be employed in said building, then there shall be at least two, or such number of the above described outside stairways as the chief of fire department, or the mayor of any city or town where no such chief of fire department exists, may from time to time determine.

SEC. 4. Enforcement—penalty. It is hereby made the duty of the chief of fire department, or the mayor of each city or town where no such chief of

fire department exists, or the chairman of the board of supervisors, in case such building is not within the corporate limits of any city or town, to adopt uniform specifications for fire escapes hereinbefore provided, and keep such specifications on file in their respective offices, and to serve or cause to be served a written notice in behalf of the state of Iowa upon the owner or owners, or their agents or lessees, of buildings within this state not provided with fire escapes in accordance with the provisions of this act, commanding such owner, owners, or agents or either of them, to place or cause to be placed upon said buildings, such fire escape or fire escapes as are provided in this act within sixty days after service of such notice, pursuant to the specifications established. Any such owner, owners or agents, trustees or either of them so served with notice as aforesaid, who shall not within sixty days after the service of said notice upon him or them, place or cause to be placed such fire escape or fire escapes upon such buildings as required by this act and the terms of said notice, shall be subject to a fine not less than fifty (\$50) dollars, and not more than one hundred (\$100) dollars, and shall be subject to a further fine of twenty-five (\$25) dollars for each additional week of neglect to comply with such notice.

SEC. 5. Inspection. All fire escapes erected under the provisions of this act shall be subject to inspection and approval or rejection in writing, by the person named in section 4 of this act who has caused such written notice to be served.

SEC. 6. In effect—acts in conflict. This act shall take effect and be in force from and after the fourth day of July A. D. 1902. All acts or parts of acts inconsistent with this act are hereby repealed.

Approved April 8, 1902.

CHAPTER 151.

USE OR SALE OF BOTTLES, BOXES, CASKS, KEGS AND BARRELS OF ANOTHER.

S. F. 12.

AN ACT amending section five thousand and fifty-two (5052) of the code, relating to the use or sale of bottles, boxes, casks, kegs and barrels of another.

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

SECTION 1. Penalty. That section five thousand and fifty-two (5052) of the code be, and the same is hereby amended, by inserting after the word "misdemeanor" in the thirteenth line of said section, the following:

"And any person convicted thereof shall be fined not exceeding one hundred dollars, or imprisoned in the county jail not exceeding thirty days."

SEC. 2. In effect. 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 Des Moines, Iowa.

Approved February 21, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, February 22, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 152.

HABITUAL CRIMINALS.

H. F. 92.

AN ACT relating to the indictment and punishment of persons who have been convicted of felony two or more times in this state, or in this and other states, and making certain evidence competent proof thereof. [Amendatory of title twenty-four (XXIV) of the code, relating to crimes and punishments.]

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

SECTION 1. Habitual criminal—punishment. Whoever has been twice convicted of crime, sentenced and committed to prison, in this or any other state, or by the United States, or once in this state and once at least in any other state, or by the United States, for terms of not less than three years each, shall, upon conviction of a felony committed in this state after the taking effect of this act, be deemed to be an habitual criminal, and shall be punished by imprisonment in the penitentiary for a term of not less than twenty-five years, provided that no greater punishment is otherwise provided by statute, in which case the law creating the greater punishment shall govern, and further provided, that if the person so convicted shall show, to the satisfaction of the court before whom such conviction was had, that he was released from imprisonment, upon either of said sentences, upon a pardon granted for the reason that he was innocent, such conviction and sentence shall not be considered as such under this act.

SEC. 2. Competent and prima facie evidence. On the trial of any cause, under the provisions of this act, a duly authenticated copy of the former judgment and commitment, from any court in which such judgment and commitment was had, for either of the said crimes formerly committed by the party indicted under this act, shall be competent and prima facie evidence of such former judgment and commitment, and may be used in evidence upon the trial of said cause.

Approved April 9, 1902.

CHAPTER 153.

BAIL AFTER CONVICTION OF CERTAIN CRIMES.

H. F. 401.

AN ACT to amend section five thousand and ninety-six (5096) of the code, relating to bail after conviction of certain crimes.

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

[SECTION 1.] **Murder in the first degree or treason.** That section five thousand and ninety-six (5096) of the code be, and the same is hereby amended, by striking out of the fourth and fifth lines thereof, the words "No defendant convicted of murder, or charged with treason shall be admitted to bail.", and by inserting in lieu thereof the following: "No defendant convicted of murder in the first degree, or of the crime of treason shall be admitted to bail."

Approved April 11, 1902.

CHAPTER 154.

THE PROCURING OF EVIDENCE FOR THE IDENTIFICATION OF CRIMINALS.

H. F. 276.

AN ACT to protect sheriffs and other peace officers in procuring evidence for the identification of criminals, or persons accused of crime. [Additional to chapter thirty-four (34), of title twenty-five (XXV) of the code, relating to evidence and witnesses.]

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

SECTION 1. Photograph—measurements. It shall be lawful for the sheriff of any county or the chief of police in any city in this state, to take or procure the taking of the photograph of any person held to answer on a charge of any felony, such person being in the custody of such officer, or to make and record any measurements of such prisoner, by the Bertillion or other system, and to exchange such photographs, or measurements, or copies of the same,

with other sheriffs and police officers, or to distribute the same by mail for the purpose of securing evidence for the identification of such person held to answer, if the identity and past record of the said person are unknown to him, and the cost of such photographs, and measurements, and of distributing the same, may be allowed by the court as a part of the costs in the case.

Approved April 11, 1902.

CHAPTER 155.

EMPLOYMENT OF PRISONERS.

H. F. 394.

AN ACT to amend section fifty-seven hundred and seven (5707) of the code, relative to the employment of persons sentenced to imprisonment in the penitentiary, in places or buildings owned or leased by the state outside of the penitentiary enclosures.

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

SECTION 1. Employment of prisoners. That section fifty-seven hundred and seven (5707) of the code be, and the same is hereby amended by striking out after the word "Anamosa" in the second line thereof, the words "there confined and worked upon the state stone quarries near said penitentiary" and insert in lieu thereof, the following: "or to that at Ft. Madison, there confined and worked in places and buildings owned or leased by the state outside of the penitentiary enclosures".

Approved April 11, 1902.

CHAPTER 156.

COMPENSATION OF OFFICERS AND EMPLOYES OF THE PENITENTIARIES.

S. F. 108.

AN ACT to amend section five thousand seven hundred and sixteen (5716) of the code, in relation to the compensation of officers and employes of the penitentiaries of the state.

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

SECTION 1. Compensation of physician. That section five thousand seven hundred and sixteen (5716) of the code of Iowa be and is hereby amended by striking out after the words "Fort Madison" in the sixth line, the word, "fifty" and inserting in lieu thereof the words "seventy-five".

SEC. 2. In effect. 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.

Approved March 10, 1902

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 11, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 157.

SUPPORT FOR THE HOSPITALS FOR THE INSANE.

S. F. 161.

AN ACT to provide for the support of the hospitals for the insane and for the transfer of patients on account of the opening of the hospital at Cherokee. [Repealing chapter fifty-four (54) of the acts of the Twenty-seventh General Assembly and chapter one hundred forty (140) of the acts of the Twenty-eighth General Assembly and enacting substitutes therefor, relating to the compensation for keeping patients in the insane hospitals.]

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

SECTION 1. Repealed. That chapter fifty-four of the acts of the Twenty-seventh General Assembly is hereby repealed and in lieu thereof is enacted the following:

"Section 2291. **Amount allowed for care of patients.** The board of control of state institutions of Iowa may from time to time fix the monthly sum for the board and care of each patient in the hospitals for the insane, which sum for the hospitals at Clarinda, Independence and Mount Pleasant shall not exceed twelve dollars, and for the hospital at Cherokee shall not exceed fifteen dollars. Said sum shall be placed to the credit of the hospital entitled thereto upon certificate of the board of control of state institutions, based upon reports of the superintendent, and paid from the state treasury, as provided by chapter one hundred eighteen (118) of the acts of the Twenty-seventh General Assembly and acts amendatory thereof, and the certificate of the board shall be competent evidence of the amount due for the time therein stated. The amount credited a hospital for any month shall be based on the average number of patients in the hospital for the preceding month. When the average number of patients in the hospital at Cherokee shall be more than six hundred, the monthly sum shall not exceed fourteen dollars, and when such number shall be more than seven hundred fifty patients the monthly sum shall not exceed thirteen dollars, and when such number shall be more than nine hundred patients the monthly sum shall not exceed twelve dollars. Provided, however, that so much of the monthly sum as exceeds twelve dollars shall be paid by the state from any money in the state treasury not otherwise appropriated and shall not be charged to any county or person.

SEC. 2. Support for Cherokee hospital. Section 2 of chapter one hundred forty (140) of the acts of the Twenty-eighth General Assembly is hereby repealed and in lieu thereof is enacted the following:

"That in order to maintain the hospital for the insane at Cherokee and provide for the patients therein during the first month of its occupancy, the superintendent is authorized to estimate before the opening of the hospital for the support of five hundred fifty patients for such first month, and the sum of eight thousand two hundred fifty dollars is hereby appropriated for that purpose."

SEC. 3. Appropriation for transferring patients. The sum of six thousand dollars or so much thereof as shall be necessary is hereby appropriated out of any money in the state treasury not otherwise appropriated to pay the expenses of transferring patients in hospitals for the insane to other hospitals, made advisable by the opening of the hospital at Cherokee. The money required for the purpose stated shall be drawn by and on the estimate of the superintendents of the several hospitals, approved by the board of control of state institutions, and may be so drawn before the expenses are incurred or vouchers therefor are filed. Any unexpended balance of money so drawn shall be returned to the state treasury. An itemized statement of the money so drawn and of the expenses so incurred and paid and of the balance if any returned to the state treasury shall be made by the board of control and filed in the office of the auditor of state.

SEC. 4. In effect. 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, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 11, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 158.

PRACTICE OF OSTEOPATHY.

S. F. 273.

AN ACT to repeal chapter sixty-nine (69), of the laws of the Twenty-seventh General Assembly, regulating the practice of osteopathy in the state of Iowa, and enacting a substitute therefor.

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

SECTION 1. Diploma—examination—certificate. Any person holding a diploma from a legally incorporated school of osteopathy, recognized as of good standing by the Iowa osteopathic association, and wherein the course of study comprises a term of at least twenty (20) months, or four (4) terms of five (5) months each, in actual attendance at such school, and which shall include instruction in the following branches, to-wit: Anatomy including dissection of a full lateral half of the cadaver, physiology, chemistry, histology, pathology, gynecology, obstetrics and theory of osteopathy and two full terms of practice of osteopathy, shall, upon the presentation of such diploma to the state board of medical examiners and satisfying such board that he is the legal holder thereof, be granted by such board an examination on the branches herein named, (except upon the theory and practice of osteopathy until such time as there may be appointed an osteopathic physician on the state board of health and of medical examiners). The fee for said examination, which shall accompany the application, shall be ten dollars (\$10) and the examination shall be conducted in the same manner, and at the same place and on the same date that physicians are examined as prescribed by section twenty-five hundred and seventy-six (2576) of the code. The same general average shall be required as in cases of physicians; provided that osteopaths who are graduates of legally incorporated schools of osteopathy as above recognized, and who are at the time of the passage of this act engaged in the practice of osteopathy in Iowa, shall be entitled to receive a certificate upon the payment of the prescribed fee without such examination. Upon passing a satisfactory examination as above prescribed the said board of medical examiners shall issue a certificate to the applicant therefor, signed by the president and secretary of said board, which certificate shall authorize the holder thereof to practice osteopathy in the state of Iowa. This certificate when issued shall be registered with the recorder of the county in which the holder thereof resides and for which he shall pay a fee of fifty cents (50c). And the holder thereof shall not be subject to the provisions of section two thousand five hundred eighty (2580) of the code.

SEC. 2. Drugs—major or operative surgery. The certificate provided for in the foregoing section shall not authorize the holder thereof to prescribe or use drugs in his practice, nor to perform major or operative surgery.

SEC. 3. Revocation of certificate. The board of medical examiners may refuse to grant a certificate to any person otherwise qualified, who is not of good moral character. For like cause, or for incompetency, or habitual intoxication, or upon satisfactory evidence by affidavit or otherwise that a certificate had been granted upon false and fraudulent statements as to graduation or length of practice, the said board may revoke a certificate by an affirmative vote of at least five (5) members of the board, which number shall include one or more members of the different schools of medicine represented in said board. After the revocation of a certificate, the holder thereof shall not practice osteopathy, surgery, or obstetrics in the state.

SEC. 4. Fraudulent diplomas—false representation—penalties. Any person who shall present to the board of medical examiners a fraudulent or false diploma, or one of which he is not the rightful owner, for the purpose of procuring a certificate as herein provided, or shall file, or attempt to file, with the recorder of any county in the state the certificate of another as his own, or who shall falsely

personate any one to whom a certificate has been granted by such board, or shall practice osteopathy, surgery or obstetrics in the state without having first obtained and filed for record the certificate herein required, and who is not embraced in any of the exceptions contained in this chapter, or who continues to practice osteopathy, surgery or obstetrics after the revocation of his certificate, is guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than three hundred dollars (\$300), nor more than five hundred dollars (\$500) and costs of prosecution, and shall stand committed to the county jail until such fine is paid; and whoever shall file or attempt to file with the recorder of any county in the state the certificate of another with the name of the party to whom it was granted or issued erased, and the claimant's name inserted, or shall file or attempt to file with the board of medical examiners any false or forged affidavit of identification, shall be guilty of forgery.

SEC. 5. Itinerant osteopath—license. Every person practicing osteopathy, or obstetrics, or professing to treat, cure or heal diseases, ailments or injury by any osteopathic application or method, who goes from place to place, or from house to house, or by circulars, letters or advertisements solicits persons to meet him for professional treatment at places other than his office at the place of his residence, shall be considered an itinerant osteopath; and such itinerant osteopath shall, in addition to the certificate elsewhere provided for in this chapter, procure from the state board of medical examiners a license as an itinerant, for which he shall pay to the treasurer of state, for use of the state of Iowa, the sum of two hundred and fifty dollars (\$250) per annum. Upon payment of this sum, the secretary shall issue to the applicant therefor a license to practice within the state, as an itinerant osteopath, for one year from the date thereof. The board may, for satisfactory reasons, refuse to issue such license, or may cancel such license upon satisfactory evidence of incompetency or gross immorality.

SEC. 6. Acts in conflict. All acts and parts of acts in conflict herewith are hereby repealed.

Approved April 8, 1902.

CHAPTER 159.

SUPPORT OF THE INDUSTRIAL SCHOOL FOR BOYS.

H. F. 265.

AN ACT making provision for the support of the department of the industrial school for boys at Eldora, Iowa. (Amendatory to chapter eighty-one (81), of the acts of the Twenty-seventh General Assembly, relating to support of the industrial school.)

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

SECTION 1. Per capita support. That section one (1) of chapter eighty-one (81), of the acts of the Twenty-seventh General Assembly be, and the same is hereby amended by striking out the word "nine", in the fourth line of said section, and inserting in lieu thereof the word "ten", (10).

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

Approved April 11, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Daily Capital, April 12, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 160.

EXPENSES OF STATE ARCHITECT.

S. F. 345.

AN ACT to amend section twenty-three [23] of chapter one hundred eighteen [118] of the Acts of the Twenty-seventh General Assembly, providing for the payment of expenses of the state architect.

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

SECTION 1. Traveling expenses—assistant draftsmen. That section twenty-three of chapter one hundred eighteen of the acts of the Twenty-seventh General Assembly is hereby amended by adding thereto the following:

“The state architect shall be entitled to receive in addition to the compensation for his services fixed by the board, his necessary traveling expenses within the state when engaged in official business, and the board may allow him compensation for assistant draftsmen for services performed for the state when, in the opinion of the board, such services are necessary, provided, however, that the total amount allowed for traveling expenses and draftsmen shall not exceed two thousand dollars in any biennial period.”

SEC. 2. In effect. 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, 1902.

I hereby certify that the foregoing Act was published in the Des Moines Leader, April 16, 1902, and in the Iowa State Register, April 18, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 161.

DISBURSEMENT OF TAX MONEY LEVIED AND COLLECTED FOR WATER WORKS.

S. F. 340.

AN ACT to amend section two (2), of chapter twenty-five (25), of the acts of the Twenty-eighth General Assembly, relating to disbursement of tax money levied and collected for and on account of water works.

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

SECTION 1. Water works fund. That section two (2), of chapter twenty-five (25), of the acts of the Twenty-eighth (28) General Assembly, relating to the disbursement of tax money levied and collected for and on account of water works, be and the same is hereby amended by striking out, in the seventh (7) line of said section after the words “city treasurer” the words “from the county treasurer”, and insert in lieu thereof the words “from any source”.

SEC. 2. Special charter cities. That the provisions of said section, so amended, shall be applicable to cities under special charters.

SEC. 3. In effect. 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.

Approved April 10, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 11, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 162.

CERTAIN LAW RELATING TO WATER WORKS MADE APPLICABLE TO CITIES UNDER SPECIAL CHARTERS.

S. F. 204.

AN ACT providing that chapter twenty-five (25) of the acts of the Twenty-eighth (28) General Assembly, relating to water works, be made applicable to cities under special charters.

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

SECTION 1. Special charter cities. That chapter twenty-five (25), of the acts of the Twenty-eighth (28) General Assembly, relating to water works, be and the same is hereby made applicable to cities under special charters.

SEC. 2. In effect. 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.

Approved March 19, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 21, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 163.

LEVY OF TAX FOR PARK PURPOSES IN CERTAIN CITIES.

H. F. 41.

AN ACT to amend section three (3), of chapter thirty (30), of the acts of the Twenty-eighth General Assembly, relating to the levy of taxes for park purposes in certain cities.

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

SECTION 1. Tax certified—rate in certain cities. That section three (3) of chapter thirty (30) of the acts of the Twenty-eighth General Assembly be and is hereby amended by striking out the word "twenty-five" in the fourth (4th) line thereof and inserting in lieu thereof the word "twenty-two" and by striking out the word "twenty-five" in the fifth (5th) line thereof and inserting in lieu thereof the word "twenty-two".

Approved March 22, 1902.

CHAPTER 164.

TAXATION OF EXPRESS COMPANIES.

S. F. 259.

AN ACT to repeal sections two (2), three (3), six (6), and seven (7) of chapter forty-five (45), Acts of the Twenty-eighth General Assembly, and to enact a substitute therefor; and to amend section one (1) chapter forty-five (45) Acts of the Twenty-eighth General Assembly, relating to taxation of express companies.

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

SECTION 1. Annual statement—to whom delivered. That section one (1), chapter forty five (45) acts of the Twenty-eighth (28) General Assembly be and the same is hereby amended by striking out the words "auditor of state" from the tenth line thereof, and inserting in lieu thereof the words "executive council".

SEC. 2. Repealed. That section two (2), chapter forty-five (45) acts of the Twenty-eighth (28) General Assembly be and the same is hereby repealed, and the following enacted in lieu thereof:

"**Sec. 2. Additional information—delay—penalty.** Upon the filing of such statements, the executive council shall examine each of them, and if it shall deem the same insufficient, or in case it shall deem that other information is requisite, it shall require such officer or agent to make such other and further statements as the executive council may call for. In the case of the failure or refusal of any company to make out and deliver to the executive council any statement or statements required by this act, such company shall forfeit and pay to the state of Iowa one hundred dollars for each day such report is delayed beyond the first Monday in March of that year, to be sued and recovered in any proper form of action in the name of the state of Iowa, on the relation of the executive council, and such penalty when collected shall be paid into the general fund of the state."

SEC. 3. Repealed. That section three (3), chapter forty-five (45), acts of the Twenty-eighth (28) General Assembly be and the same is hereby repealed, and the following enacted in lieu thereof:

"**Sec. 3. Assessment by executive council.** The executive council shall meet on the second Monday in July in each year, and it shall thereupon value and assess the property of such company, in the manner hereinafter set forth, after examining such statements, and after ascertaining the actual value of the property of such company therefrom, and from such other information as it may have or obtain. For that purpose the executive council may require such company, by its agents or officers, to appear before said council with such books, papers, or statements as the council may require, or it may require additional statements to be made by such company, and may compel the attendance of witnesses, in case said council shall deem it necessary, to enable it to ascertain the actual value of such property; any such company interested may, upon written application, appear before the executive council at such meeting, and be heard in the matter of the valuation of the property of such company for taxation."

SEC. 4. Repealed. That section six (6), chapter forty-five (45), acts of the Twenty-eighth (28) General Assembly be and the same is hereby repealed and the following enacted in lieu thereof:

"**Sec. 6. Assessment in each county—how certified.** Said executive council shall thereupon, for the purpose of determining what amount shall be assessed by it to said company, in each county of the state, through, across, into, or over which the route of said company extends, multiply the value per mile, as above ascertained, by the number of miles in each of said counties, as reported in said statements, or as otherwise ascertained, and the result thereof, with the mileage and the rate of assessment per mile, shall be by said council certified to the auditors respectively of the several counties through, into, over and across which the routes of said company extend."

SEC. 5. Repealed. That section seven (7), chapter forty-five (45) acts of the Twenty-eighth (28) General Assembly be and the same is hereby repealed, and the following enacted in lieu thereof:

"**Sec. 7. Levy and collection of tax—rates.** At the first meeting of the board of supervisors held after such certificate is received by the county auditor, it shall cause the same to be entered in its minute book, and make and enter therein an order stating the length of the routes and the assessed value of each in each city, town, township, or other taxing district in its county, through or into which said routes extend, which shall constitute the taxable value of said property for taxing purposes, and the taxes on said property, when collected by the county treasurer, shall be disposed of as other taxes. The county auditor shall immediately thereafter transmit a copy of said order to the councils of cities, or towns, and to the trustees of each township, in the county. The county auditor shall also add to the value so apportioned the assessed value of the real estate, buildings, machinery, fixtures, appliances, and personal property not used exclusively in the conduct of the business situated in any township or taxing district as returned by the

assessor thereof, and extend the taxes thereon upon the tax list as in other cases. All such property shall be taxable upon said assessment at the same rates, by the same officers, and for the same purposes as the property of individuals within such counties, townships or taxing districts. The property so included in said assessments and the shares of stock in such companies so assessed shall not be taxed in this state, except as provided in this act."

SEC. 6. **In effect.** This act, being deemed of immediate importance, it shall be in force and take effect from and after its publication in the Iowa State Register and the Des Moines Daily Leader, newspapers published in Des Moines, Iowa

Approved February 28, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 1, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 165.

MEMBERSHIP IN THE ANNUAL CONVENTION OF THE DEPARTMENT OF AGRICULTURE.

H. F. 311.

AN ACT to amend section three (3), of chapter fifty-eight (58), of the Acts of the Twenty-eighth General Assembly, relating to membership in the annual convention of the department of agriculture.

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

[SECTION 1.] **Farmers' institutes to be represented.** That section three (3) of chapter fifty-eight (58) of the acts of the Twenty-eighth General Assembly be and the same is hereby amended by striking out the second word "and" in the last line of said section, and by adding after the word "association" in the last line of said section, the following: "and each farmers' institute organized under the provisions of section sixteen hundred and seventy-five (1675) of the code." Provided said farmers' institute has been organized at least one (1) year, and has reported to the state secretary of agriculture, not later than November first, through its president and secretary or executive committee, that an institute was held according to law, the date thereof, the names and postoffice address of its officers. They shall also furnish the state secretary of agriculture with a copy of program of each institute hereafter held and one or more papers read before such institute, if papers are read. No proxy given by any delegate elected by a farmers' institute shall be recognized by said convention.

Approved April 4, 1902.

CHAPTER 166.

CONSTRUCTION OF STREET RAILWAYS UPON THE STATE FAIR GROUNDS.

S. F. 217.

AN ACT to amend section eight (8), of chapter fifty-eight (58), of the Acts of the Twenty-eighth General Assembly, relating to the construction of street railways upon the state fair grounds.

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

SECTION 1. **Board of agriculture to authorize or forbid construction.** That section eight (8) of chapter fifty-eight (58) of the acts of the Twenty-eighth General Assembly be amended by adding at the end of the said section the following:

"The said board of agriculture shall have the power to authorize or forbid the construction of street railways within the state fair grounds and may define the motive power by which the cars thereon shall be propelled and to authorize or forbid the location and laying down of tracks for street railways in said grounds."

SEC. 2. **In effect.** 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 Des Moines, Iowa.

Approved April 2, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 4, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 167.

RELATING TO SAVINGS BANKS.

S. F. 122.

AN ACT to amend section two (2), of chapter sixty-seven (67), of the laws of the Twenty-eighth General Assembly, relating to savings banks.

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

SECTION 1. **Limit of deposits.** That section two (2) of chapter sixty-seven (67) of the laws of the Twenty-eighth General Assembly be and the same is hereby amended by striking therefrom the word "ten" in the fifth line of said section, and inserting in lieu thereof the word "twenty".

SEC. 2. **In effect.** 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 March 14, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 15, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 168.

INSPECTION AND USE OF THE PRODUCTS OF PETROLEUM.

S. F. 220.

AN ACT to amend chapter eighty-three (83) of the Acts of the Twenty-eighth General Assembly in relation to the inspection and use of the products of petroleum.

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

SECTION 1. **Gasoline lamps or apparatus.** That chapter eighty-three (83) of the acts of the Twenty-eighth General Assembly be, and the same is hereby amended by inserting after the word "lamps" or "lamp" wherever they occur in said chapter the words "or apparatus".

Approved April 7, 1902.

CHAPTER 169.

PENSION MONEY OF MEMBERS OF THE SOLDIERS' HOME.

S. F. 303.

AN ACT to amend chapter ninety-two (92) of the Acts of the Twenty-eighth General Assembly in relation to pension money of members of the Iowa soldiers' home at Marshalltown, Iowa.

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

SECTION 1. Pension money—how used. That section two (2) of chapter ninety-two (92) of the acts of the Twenty-eighth General Assembly is hereby amended by striking from the seventeenth and eighteenth lines thereof the following words: "for the necessary wants of such depositor".

SEC. 2. Repealed. Section three (3) of said chapter is hereby repealed, and the following is enacted in lieu thereof:

"**Sec. 3. Pension money—when deposited.** Each member of the home who receives a pension, and who has a wife or minor children, shall deposit with the commandant forthwith on receipt of his pension check one-half of the amount thereof, which shall be sent at once to the wife if she be dependent upon her own labor or others for support, or if there be no wife to the guardian of the minor child or children if dependent upon others for support. Provided, however, that the commandant if satisfied that the wife has deserted her husband, or is of bad character, or is not dependent upon others for support, may pay the money deposited as aforesaid to the guardian of the dependent minor child or children."

Approved April 10, 1902.

CHAPTER 170.

PRACTICE OF VETERINARY MEDICINE, SURGERY AND DENTISTRY.

S. F. 291.

AN ACT to amend chapter ninety-three (93) of the Acts of the Twenty-eighth General Assembly, relating to the practice of veterinary medicine, surgery and dentistry.

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

SECTION 1. Existing practitioners. Section two (2) of chapter ninety-three (93) of the acts of the Twenty-eighth General Assembly is hereby repealed and the following enacted in lieu thereof:

"Any person of good moral character who has practiced the profession of veterinary medicine, surgery and dentistry in this state for a period of five years immediately preceding the passage of the act of which this is an amendment shall be deemed eligible to registration as an existing practitioner upon presenting to the board of veterinary medical examiners, created by the act of which this is an amendment, satisfactory evidence that such person is of good moral character and that such person had actually practiced veterinary medicine, surgery and dentistry in the state of Iowa for a period of five years immediately preceding the passage of the act of which this is an amendment, application for such registration to be made before July 4, 1902."

SEC. 2. Graduates. Section three (3) of chapter ninety-three (93) of the acts of the Twenty-eighth General Assembly is hereby amended by adding after the word "verified" at the end of the last line of said section, the following: "all applications for such registration to be made before July 4, 1902."

SEC. 3. Revocation of certificate. Section five (5) of chapter ninety-three (93) of the acts of the Twenty-eighth General Assembly is hereby amended by adding after the word "jurisdiction" at the end of the last line of said section, the following:

"It shall also have the power to revoke any certificate issued by it when it is shown that such certificate was procured by false representation or where good cause for revocation of such certificate has arisen since the issuance thereof".

SEC. 4. **Qualifications—license.** Section nine (9) of chapter ninety-three (93) of the acts of the Twenty-eighth General Assembly is hereby amended by striking out after the words "to these requirements" in line ten, the following words in lines ten and eleven: "and eligible to practice under section two hereof".

SEC. 5. **In effect.** This act, being deemed of immediate importance, shall be in full force and effect on and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in the city of Des Moines.

Approved April 4, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 5, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 171.

LEVY OF SPECIAL TAX FOR STATE UNIVERSITY.

S. F. 10.

AN ACT to repeal chapter ninety-seven (97) of the Acts of the Twenty-eighth (28) General Assembly and to enact a substitute therefor providing for the levy of a special tax of one-fifth (1-5) of a mill on the dollar upon the assessed valuation of the taxable property of the state for the erection, repair, [and] improvement of buildings for the state university of Iowa.

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

SECTION 1. **Repealed.** That chapter ninety-seven (97) of the acts of the Twenty-eighth (28) General Assembly of the state of Iowa, is hereby repealed.

SEC. 2. **Levy of special tax—purposes—how drawn.** For the purpose of providing for the erection, repair and improvement of such necessary buildings as shall be determined upon by the board of regents of the state university, there shall be levied annually for five years a special tax of one-fifth (1-5) of a mill on the dollar upon the assessed valuation of the taxable property of the state, and the proceeds thereof shall be carried into the treasury to the credit of said state university. Said levy shall be first made with the levy made for state purposes in the year nineteen hundred and two (1902), and the same levy shall be made annually for the four successive years thereafter. The money realized from such levy for said university shall be held by the treasurer of the state for the purposes hereinbefore provided and drawn upon requisition of the board of regents. The funds to be realized from the tax levies herein provided for shall not be anticipated by issuing warrants or other obligations of the state.

SEC. 3. **In effect.** 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.

Approved April 7, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 8, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 172.

LEVY OF SPECIAL TAX FOR AGRICULTURAL COLLEGE.

S. F. 153.

AN ACT to repeal chapter ninety-nine (99) of the Acts of the Twenty-eighth (28) General Assembly and to enact a substitute therefor providing for the levy of a special tax of one-fifth of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the Iowa state college of agriculture and mechanic arts.

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

SECTION 1. Repealed. That chapter 99 of the acts of the Twenty-eighth General Assembly of the state of Iowa, is hereby repealed.

SEC. 2. Levy of special tax—purposes—how drawn. For the purpose of providing for the erection, repair and improvement and equipment of such necessary buildings as shall be determined upon by the board of trustees of the Iowa state college of agriculture and mechanic arts, there shall be levied annually for five years a special tax of one-fifth of a mill on the dollar upon the assessed valuation of the taxable property of the state, and the proceeds thereof shall be carried into the treasury to the credit of the said college. Said levy shall be first made with the levy made for state purposes in the year nineteen hundred and two (1902) and the same levy shall be made annually for the four successive years thereafter. The money realized from such levy for said college shall be held by the treasurer of the state for the purpose hereinbefore provided and drawn upon requisition of the board of trustees. The funds to be realized from the tax levies herein provided for shall not be anticipated by issuing and discounting warrants or other obligations of the state.

SEC. 3. Repeal not to affect collection or expenditure of taxes. The repeal of said chapter 99 acts of the Twenty-eighth General Assembly shall in no manner affect the collection and expenditure of the taxes heretofore levied thereunder but the same shall be collected and expended as though said act remained in full force.

SEC. 4. In effect. 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.

Approved April 7, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 8, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 173.

IOWA LIBRARY COMMISSION.

H. F. 263.

AN ACT to repeal sections two (2), three (3), four (4) and five (5), chapter one hundred sixteen (116), Acts of the Twenty-eighth General Assembly; also defining the duties of the Iowa library commission, transferring the associate and traveling libraries from the state library board to the Iowa library commission, and providing for an appropriation for the extension of the work of the Iowa library commission, also amending section one hundred sixty-eight (168) of the code and repealing sections two thousand eight hundred sixty-eight (2868), two thousand eight hundred sixty-nine (2869), two thousand eight hundred seventy-one (2871), two thousand eight hundred seventy-two (2872), two thousand eight hundred seventy-three (2873) and two thousand eight hundred seventy-four (2874) of said code, also repealing chapter one hundred forty-eight (148) Acts of the Twenty-seventh General Assembly.

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

SECTION 1. Repealed. That sections two (2), three (3), four (4) and five (5) of chapter one hundred sixteen (116) acts of the Twenty-eighth General Assembly be and the same are hereby repealed, and that the following be substituted therefor.

SEC. 2. Duties of commission. The commission shall give advice and counsel to all free and other public libraries, and to all communities which may propose to establish them, as to the best means of establishing and maintaining such libraries, the selection of books, cataloguing, and other details of library management. It may print such lists and circulars of information as it shall deem necessary and as approved by the executive council. It may also conduct a summer school of library instruction, a clearing house for periodicals for free gift to local libraries and perform such other public service as may seem to it for the best interests of the state.

SEC. 3. Traveling libraries. The state library board shall transfer to the Iowa library commission all associate and traveling libraries belonging to the state, and the said library commission is authorized to accept the same; and it shall be the duty of said commission to operate the said associate and traveling libraries, also to properly equip and circulate the books thus acquired or subsequently purchased to be loaned within the state to libraries, schools, colleges, universities, library associations, farmers' institutes, granges, study clubs, charitable and penal institutions and individuals, free of cost except for transportation, under such conditions and rules as shall protect the interests of the state and best increase the efficiency of the service it is expected to render the public.

SEC. 4. Secretary—assistants—duties—expenses—office. Said commission shall employ a secretary not of its own number, who shall serve at the will of the commission, and under such conditions as it shall determine. It may also employ such other assistants as shall be requisite in the performance of the work of the commission as set forth in sections two (2) and three (3) and number of assistants and their salaries and the salary of the secretary shall be fixed by the committee on retrenchment and reform. It shall be the duty of said secretary to keep a record of the proceedings of the commission; to keep accurate accounts of its financial transactions, and to act under the direction of the commission in supervising the work of the traveling libraries, in organizing new libraries and improving those already established, and in general to perform such other duties as may be assigned him by the commission. In addition to his salary he shall be allowed his necessary traveling expenses while absent from his office in the service of the commission, the same to be verified and certified and paid in the same manner as other expenses incurred by the commission. Said commission to have its office in the state library with storage and shipping room in the basement of the capitol. The work in connection with the associate libraries shall be conducted by the library commission.

SEC. 5. Biennial report. The secretary of the commission shall make a full report to the governor on library conditions and progress in Iowa on July first, nineteen hundred three (1903), with sketches of the free public libraries and illustrations of such library buildings as said commission may deem expedient: two thousand (2,000) copies of this report shall be printed—one thousand (1,000) of which shall be bound in cloth, and biennially thereafter a like report shall be made to the governor, two thousand (2,000) copies of which shall be printed, one thousand (1,000) of the same to be bound in cloth, these reports to be printed and bound by the state the same as other public documents, and to be distributed under the direction of the commission, and such other printing and binding provided by this act shall be done by the state when allowed by the executive council.

SEC. 6. Reports from libraries. The commission shall each year obtain from all free public libraries reports showing condition, growth, development

and manner of conducting said libraries, and shall obtain reports from other libraries in the state at their discretion, and shall furnish annually to the secretary of state such information for publication in the Iowa official register as may be deemed of public interest.

SEC. 7. Expenses—appropriation. No member of the commission shall ever receive any compensation for service as a member, but the traveling expenses of members in attending meetings of the commission or in visiting or establishing libraries; and other incidental and necessary expenses connected with the work of the commission, shall be paid, including the necessary expense in the maintenance and extension of the traveling library system, provided that the whole amount of said expense and salaries shall not exceed the sum of six thousand (\$6,000) dollars in any one year, not more than three thousand five hundred (\$3,500.00) dollars of said sum to be used in the payment of salaries and expenses of the commission and secretary. All bills incurred by the commission or by its members under the law shall be certified by the president and secretary of the commission to the state auditor, who shall issue warrants therefor upon the state treasury, and there is hereby annually appropriated from any funds in the state treasury not otherwise appropriated the sum of six thousand dollars, (\$6,000) to carry into effect the provisions of this act, and any balance not expended in any one year may be added by the commission to the expenditure for any ensuing year. All accounts and bills for expenses of the secretary and members of the commission and all bills for expenditures by the commission, shall be itemized and verified and be audited and allowed by the executive council before being paid.

SEC. 8. Supplies. That section 2869 of the code and chapter 148 of the acts of the 27 G. A. be and the same are hereby repealed, and that section 168 of the code be so amended as to add after the word "department" in the 9 line the words "traveling library and Iowa library commission".

SEC. 9. In effect. This act shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in the city of Des Moines, Iowa.

Approved April 11, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 15, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 174.

ERECTION OF MONUMENTS ON BATTLE FIELD OF SHILOH.

H. F. 275.

AN ACT to amend chapter one hundred and sixty-seven (167), laws of the Twenty-eighth (28th) General Assembly of Iowa, entitled: "An act to provide for the erection of monuments to mark the positions occupied by the Iowa volunteers at the battle of Shiloh, Tennessee, and to make an appropriation to pay the expenses of the commissioners."

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

SECTION 1. Dedicatory ceremonies—supervising committee—expenses. That chapter one hundred and sixty-seven (167), laws of the 28th General Assembly of Iowa, relating to the erecting of monuments on the battle field of Shiloh, approved April 6th, 1900, be and the same is hereby amended by adding to section four (4), of said act, the following:

"Any portion of the amount in this act appropriated, not required to pay expenses of commissioners, as herein limited, and to pay for the monuments and markers contracted for, erected and delivered pursuant to this act, may be used and expended by the commissioners appointed and acting under the provisions of this act, in preparing for and holding suitable and appropriate

dedicatory ceremonies, at Pittsburg Landing, Tennessee, and paying the expense of a committee of the commissioners composed of not more than two persons in supervising the construction of the said monuments and markers. Said expenses to be paid out upon warrants drawn in like manner, upon proper vouchers and similarly drawn."

SEC. 2. In effect. This act, being deemed by the General Assembly of immediate importance, shall be in full force and effect after publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 1, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 2, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 175.

ASPEN GROVE CEMETERY ASSOCIATION.

H. F. 42.

AN ACT to amend chapter forty-four (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, Iowa, conferring upon said association all of the rights, powers and privileges now possessed, or hereafter conferred by the statutes of Iowa, upon corporations not for pecuniary profit.

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

SECTION 1. Rights and powers conferred. That chapter forty-four (44) of the laws of the session of the legislature of the territory of Iowa, approved December 18th, 1843, be, and the same is hereby amended as follows:

There is hereby conferred upon the Aspen Grove Cemetery Association of Burlington, Iowa, all the rights, powers and privileges, including the right to amend its charter, now possessed or hereafter conferred by the statutes of Iowa upon corporations not for pecuniary profit.

SEC. 2. Acts in conflict. All parts of chapter forty-four (44) laws of the session of the legislature of the territory of Iowa, approved December 18th, 1843, in contravention of the provisions of this act are hereby repealed.

Approved February 21, 1902.

APPROPRIATION ACTS.

CHAPTER 176.

GENERAL LEVY FOR STATE PURPOSES.

H. F. 455.

AN ACT to provide for the general levy for state purposes for the year nineteen hundred two (1902) and subsequent years.

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

SECTION 1. State levy. The executive council shall in the year nineteen hundred two (1902) fix the rate per centum to be levied upon the valuation of the taxable property of the state necessary to yield for general state purposes approximately the sum of two million three hundred thousand dollars (\$2,300,000.00) and in the year nineteen hundred three (1903) shall fix the rate necessary to yield approximately the sum of two million dollars (\$2,000,000.00).

SEC. 2. Council to certify rate to county auditor. The executive council shall certify the rate necessary to the auditor of each county.

SEC. 3. In effect. 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.

Approved April 12, 1902.

I hereby certify that the foregoing Act was published in the Des Moines Leader April 15, 1902, and in the Iowa State Register, April 18, 1902.

W. B. MARTIN,
Secretary of State

CHAPTER 177.

UNIFORM TIME AT WHICH ALL ANNUAL APPROPRIATIONS SHALL BEGIN.

H. F. 257.

AN ACT fixing a uniform time at which all annual appropriations shall begin.

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

SECTION 1. Fiscal year—quarters. That after the taking effect of this act all annual appropriations shall be for the fiscal year beginning with July 1st, and ending with June 30th of the succeeding year and when such appropriations are made payable quarterly, the quarters shall end with September 30th, December 31st, March 31st and June 30th, but nothing in this act shall be construed as increasing the amount of any annual appropriation.

SEC. 2. Pro rata disbursements. Annual appropriations hereafter made shall be disbursed in accordance with the provisions of the acts granting the same pro rata from the time such acts shall take effect up to the first day of the succeeding quarter as provided in Sec. 1 of this act.

SEC. 3. Acts in conflict. All acts or parts of acts in conflict with this act are hereby repealed.

SEC. 4. In effect. This act, being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and Des Moines Leader, daily papers published at Des Moines, Iowa.

Approved April 12, 1902.

I hereby certify that the foregoing Act was published in the Des Moines Leader April 16, 1902, and in the Iowa State Register April 18, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 178.

STATE AND JUDICIAL OFFICERS; STATE AND OTHER EXPENSES.

S. F. 366.

AN ACT to make appropriations for the payment of state and judicial officers, state and other expenses.

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

SECTION 1. Appropriation—how drawn. 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 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.

SEC. 2. Money not expended. There is further appropriated from the state treasury for a term of two years ending March 31, 1904, the following sums, or so much thereof as may be necessary, to-wit: Provided that on the first day of April succeeding the meeting of the regular session of the general assembly all moneys appropriated in this act and remaining unexpended, shall be and are hereby covered into the state treasury.

SEC. 3. Clerical help—contingent fund—supplies, etc. For the office of auditor of state, for the biennial period, as per joint resolution No. 5, sixteen thousand nine hundred forty dollars (\$16,940.00). For the office of attorney-general, for the biennial period, as per joint resolution No. 5, fifty-five hundred and sixty dollars (\$5,560.00). For the office of state mine inspector, for the biennial period, as per joint resolution No. 5, fifteen hundred and sixty dollars (\$1,560.00). To the railroad commissioners for clerical help, as per joint resolution No. 5, and expenses for the biennial period, eight thousand dollars (\$8,000.00). To the historical department, for the biennial period, as per joint resolution No. 5, forty-nine hundred and twenty dollars (\$4,920.00). For the geological survey, for the biennial period, as per joint resolution No. 5, sixteen hundred eighty dollars (\$1,680.00). For the office of clerk of the supreme court, for the biennial period, as per joint resolution No. 5, fifty-five hundred twenty dollars (\$5,520.00). For incidental expenses of the chief justice of the supreme court, for the biennial period, including stenographic service during regular and special sessions of the court, the sum of four thousand dollars (\$4,000.00); also for the bailiff of the supreme court rooms, as per joint resolution No. 5, fifteen hundred sixty dollars (\$1,560.00). For expenses of the dairy commissioner, assistant commissioner and deputy, and for milk inspection, nine thousand dollars (\$9,000.00), for the biennial period. For the office of treasurer, for the biennial period, as per joint resolution No. 5, for salaries and incidental expenses nine thousand eight hundred twenty dollars (\$9,820.00). For the office of superintendent of public instruction, for the biennial period, as per joint resolution No. 5, thirty-eight hundred eighty dollars (\$3,880.00). For the office of state librarian, for the biennial period, as per joint resolution No. 5, thirty-seven hundred twenty dollars (\$3,720.00). For the

office of supreme court reporter, for the biennial period, as per joint resolution No. 5, fourteen hundred and forty dollars (\$1,440.00). For the office of secretary of state, for the biennial period, as per joint resolution No. 5, fourteen thousand three hundred dollars (\$14,300.00). For the office of the governor, for the biennial period, the sum of fifteen thousand one hundred forty dollars (\$15,140.00), for the payment of room rent for the governor, for the biennial period, twelve hundred dollars (\$1,200.00), and for the expenses of employing additional counsel when necessary, under the provisions of sections sixty-three (63) and sixty-four (64) of the code, two thousand dollars (\$2,000.00); for return of paroled prisoners, fifteen hundred dollars (\$1,500.00). For employes under the custodian, for the biennial period, as per joint resolution No. 5, forty-one thousand five hundred twenty dollars (\$41,500.00) [\$41,520.00]. For providential contingencies, thirty-five thousand dollars (\$35,000.00), to be expended in accordance with the provisions of section one hundred seventy (170) of the code, the said amount to be under the control of the executive council and all payments from said sum shall first receive its unanimous approval. Any expenditures under this section shall be reported in detail by the auditor of state in his biennial report. There is hereby appropriated, ten thousand dollars (\$10,000.00), to be expended under the direction of the executive council, under the provisions of section one hundred sixty-four of the code. There is hereby appropriated eighty-seven thousand dollars (\$87,000.00), to be expended under the direction of the executive council, under the provisions of sections one hundred sixty-five (165) and one hundred sixty-eight (168) of the code. For the payment of mail carrier for the capitol twenty two hundred dollars (\$2,200.00) for the biennial period. For the office of secretary of the executive council for the biennial period, as per joint resolution No. 5, seventy-six hundred eighty dollars (\$7,680.00). There is hereby appropriated for the purpose of advertising laws to be expended under the provisions of section thirty-six (36) of the code, eight hundred dollars (\$800.00). There is hereby appropriated for the purpose of paying, freight, expressage, and drayage, sixty-seven hundred dollars (\$6,700.00) for the biennial period. To the members of the executive council for extra services for the year 1902 and 1903 to April 1, 1904, the sum of eleven hundred twenty five dollars (\$1,125.00) each and warrants shall be issued monthly therefor at the end of each month.

SEC. 4. Vouchers. Each of the foregoing named officers shall furnish vouchers therefor, containing the items of such expenditures, to the auditor of state before any warrants shall issue therefor, and the amounts thereof, and to whom paid, shall be reported to the next General Assembly.

SEC. 5. Interest due permanent school fund. For the purpose of paying the interest on the indebtedness of the state to the permanent school fund, the sum of thirteen hundred and thirteen [dollars] (\$1,313.00), which is to be in full of such interest on such indebtedness, and the auditor of state shall draw warrants for the above appropriation as said interest shall become due.

SEC. 6. Lieutenant-governor. To John Herriott, lieutenant-governor, as president of the senate, eleven hundred dollars (\$1,100.00).

SEC. 7. Speaker of house. To Willard L. Eaton, as speaker of the house of representatives, the sum of five hundred fifty dollars (\$550.00), which shall be in addition to his salary as member of the house.

SEC. 8. Lieutenant governor. To J. C. Milliman, lieutenant-governor, as president of the senate six days at \$10.00 per day, \$60.00.

SEC. 9. Badges. To Drysdale & Hall for badges for the senate and house of representatives forty dollars (\$40.00).

SEC. 10. Chairs. To L. Harbach, for chairs for governor, president of the senate, and speaker of the house, one hundred and fifty dollars (\$150.00).

SEC. 11. Gavels. To L. Harbach for gavels for president of the senate and speaker of the house of representatives two [dollars] (\$2.00).

SEC. 12. Vestibules. To L. Harbach for vestibule for senate and vestibule for house of representatives, one thousand dollars (\$1,000.00).

SEC. 13. Chaplains. For chaplains of the senate and of the house the sum of six hundred eighty dollars (\$680.00) or so much thereof as may be necessary; warrants therefor to be drawn in favor of the persons entitled thereto, who shall be determined by the auditor of state upon the certified statement of the president of the senate and the speaker of the house.

SEC. 14. Memorial exercises. To Grant Glee club, twenty-eight dollars (\$28.00) for services rendered at the state house for memorial exercises on Jan. 29th, 1902.

SEC. 15. Lighting art room. To the Des Moines Electric Light Co., for service lighting the art [room] of the historical building from May, 1901, to April 1st, 1902, the sum of eighty-two and 26-100 dollars (\$82.26).

SEC. 16. Expert accountant. To W. M. Wilcoxon for services as expert accountant under the employment of the executive council to determine the facts as to the overcharges in the accounts of ex-State Binder La Fayette [Lafayette] Young the sum of one hundred eighty dollars (\$180.00).

SEC. 17. Publication of notices. For the payment of the claims due sundry parties for publication of notices of application for pardon under the provisions of section fifty-six hundred twenty-six, (5626) of the code, the sum of two hundred seventy-seven and 63-100 dollars (\$277.63), to be paid on a statement approved by the governor.

SEC. 18. Witness. To Dr. Charles Tilden as witness before claims committee of the house ten dollars (\$10.00).

SEC. 19. Redemption of certain lots from tax sale. To John A. Reed, for the redemption of lots one and two, block seven, Scott's addition to the plat of Des Moines, Iowa, from the tax sale of December 6th, 1898, one hundred twenty-five and 73-100 dollars (\$125.73).

SEC. 20. Bill files—journal covers—shoe laces. To Howard Tedford, for making 225 house bill files; 200 senate bill files; 200 house journal covers; 200 senate journal covers; and one gross extra shoe laces, three hundred seventy-five and 65-100 dollars (\$375.65).

SEC. 21. Letter press—gavels, etc. To Baker-Trisler Co., for one letter press for the speaker; one asbestos copying bath; two copies Cushing's Manual, and two gavels one of each for the president of the senate and speaker of the house; one file case for the chief clerk, sixteen and 78-100 dollars (\$16.78).

SEC. 22. Cement sidewalk. To T. H. Cady, for building a cement sidewalk ordered by the city council and under contract let by the executive council, across lots nine (9) and ten (10), block four (4), H. Lyon's addition to Des Moines, Iowa, seventy-two dollars (\$72.00).

SEC. 23. Telephones. To the Mutual Telephone Co., for telephones in the House and Senate cloak rooms for the 29th General Assembly, twenty dollars (\$20.00).

SEC. 24. Expert accountants. To P. H. Skinner, for services rendered by himself and W. H. Hedges, expert accountants, in the year 1901, nine hundred twelve dollars (\$912.00), to be paid on a claim audited by the executive council.

SEC. 25. Sprinkling street. To R. D. Bennett for sprinkling the street in front of building occupied by the adjutant-general in the year 1900, eleven and 55-100 dollars (\$11.55).

SEC. 26. Printing. To Bernard Murphy, for work done on the annual report of the bureau of labor on the order of the commissioner of labor for which no compensation is provided by law, fifty-six and 39-100 dollars (\$56.39).

SEC. 27. Expert accountants. To A. L. Denio and C. C. Clements, for work as expert accountants for the year 1902, six hundred dollars (\$600.00), or so much as is required to be paid on claim to be approved by the executive council.

SEC. 28. Approved claims. To the executive council to meet necessary expenses for which no appropriation is made, three thousand dollars (\$3,000.00) to be disbursed on claims approved by the executive council, and the auditor of state shall draw warrants for the same.

SEC. 29. Publication of notices. To the Seymour Leader, two dollars (\$2.00); to the What Cheer Patriot, two and 80-100 dollars (\$2.80); to the Des Moines Daily Capital, seventy five cents (\$.75); to the Chariton Herald, one and 65-100 dollars (\$1.65); to the Knoxville Journal, five and 60-100 dollars (\$5.60); to the Ottumwa Courier Co., seventy-five cents (\$.75); to the Iowa State Register, three and 75-100 dollars (\$3.75), to the Des Moines Leader, three and 75-100 dollars (\$3.75), all of said sums being for the publication of the notices required by statute for the examinations of candidates for mine inspector.

SEC. 30. Warden's support fund. For the support fund of the wardens of the penitentiaries at Anamosa and Ft. Madison five hundred dollars (\$500.00) each for the biennial period, payable quarterly.

SEC. 31. Warden's house fund. For warden's house fund at the penitentiary at Ft. Madison, two hundred and fifty dollars (\$250.00) for the biennial period.

SEC. 32. Court costs. To the clerk of the district court of Wapello county, Iowa, the sums of one hundred and ninety-one and 70-100 dollars (\$191.70), and to the clerk of the supreme court of Iowa the sum of fifty-one and 75-100 dollars (\$51.75) as costs in the case of State of Iowa *ex rel.* v. Byron F. Meek *et al.*

SEC. 33. Capital improvement commission. To Peter A. Dey seventy-nine and 55-100 dollars (\$79.55); Henry S. Josselyn sixty-one and 6-100 dollars (\$61.06); and Charles A. Cumming fifty-four and 90-100 dollars (\$54.90), for money expended in performance of their duties as commissioners of the capitol improvement commission over and above the warrants drawn under the provisions of chapter 177, acts of the 28th General Assembly.

SEC. 34. Night watch and janitor. To Robert McNulty for services as night watch and janitor at the historical building six hundred forty-nine dollars (\$649).

SEC. 35. Deputy warden—house fund. To Z. H. Gurley, deputy warden at Anamosa for house fund to equalize with the deputy warden at Ft. Madison, seventy five dollars (\$75.00).

SEC. 36. Extra expense on report of labor commissioner. To C. F. Wennerstrum for extra expense to which he was put in compiling [report of] bureau of labor statistics, twenty dollars (\$20.00).

SEC. 37. New vault and repairs for state treasury. To treasurer of state one thousand dollars (\$1,000.00) or so much as may be necessary for the purchase of a new vault door and rebuilding and repairing the safe and providing for a new time lock for the same.

SEC. 38. House and senate employes. To the employes of the house and senate for services required after adjournment, one hundred thirty-two dollars (\$132.00) or so much thereof as may be necessary.

SEC. 39. Quarantine expenses—Indian reservation. To the executive council to pay such bills, not to exceed sixteen hundred and four and 61-100 dollars (\$1,604.61) as it, in connection with the state board of health, shall approve, which may have been incurred by the state board of health in the exercise of its duties in properly establishing a quarantine on the Indian reservation in Tama county, Iowa, and enforcement thereof, and the proper and necessary care of the individuals thus quarantined, and who were inflicted with a contagious disease, out of any moneys heretofore appropriated by the Twenty-ninth General Assembly for the purpose of replacing any property of said Indians that may have been infected with contagious disease, and the proper and necessary expenses incurred in so doing and thoroughly fumigating and disinfecting said camp, that may not already have been expended.

SEC. 40. Sleeping car expenses. There is hereby appropriated the sum of ninety and 10 100 dollars (\$90.10); for the purpose of reimbursing company "A", of the 49th regiment Iowa national guard, of Dubuque, sixty dollars (\$60.00); and company "L" of the 52nd regiment Iowa national guard of Sioux City, thirty and 10-100 dollars (\$30.10), money advanced for sleeping car service in attending the inauguration of the governor on January 16th, 1902. The warrants shall be drawn upon the treasurer for the same [sum] herein appropriated in favor of the adjutant-general upon filing of vouchers therefor with the auditor of state.

SEC. 41. Salary—James E. Bruce. To James E. Bruce for first half of salary and mileage as senator from the eighteenth senatorial district of Iowa in the Twenty-ninth General Assembly, two hundred and eighty-one and 80-100 dollars (\$281.80).

SEC. 42. Salary—J. M. Emmert. To J. M. Emmert for last half of salary as senator from the eighteenth senatorial district of Iowa in the Twenty-ninth General Assembly, two hundred and seventy-five dollars (\$275.00).

SEC. 43. Election contest—attorney fees. To T. B. Swan for attorney's fees, two hundred and twenty-five dollars (\$225.00), in the Bruce-Emmert election contest.

SEC. 44. Same. To L. L. De Lano for attorney's fees in the Bruce Emmert election contest the sum of two hundred and twenty-five dollars (\$225.00).

SEC. 45. Election contest—attorney fees and expenses. To E. A. Fields for attorney's fees and expenses of Geo. A. Jeffers and Geo. C. Scott, in the Fields-Cottrell election contest, one hundred dollars (\$100.00).

SEC. 46. Same. To W. C. Miller, for attorney's fees in the Fields-Cottrell election contest, twenty-five dollars (\$25.00).

SEC. 47. Attorney fees for recovering war claims. That the executive council be, and it is hereby authorized and directed to audit and allow, in such sum as said council may deem necessary and just, any and all bills for attorney's fees of attorneys employed to prosecute the claim of the state of Iowa, against the United States, for the recovery of the sum paid as interest upon the bonds of the state issued to procure money with which to aid the United States in suppressing the insurrection of 1861-5, and the other expenses incurred by the state, incident to the issue of said bonds, and the interest paid by the state upon its war expense warrants; and there is hereby appropriated such sum as may be necessary to pay such attorney's fees, as may be so allowed by the executive council, to be paid out of any moneys in the state treasury not otherwise appropriated. That all bills for the expenses necessarily incurred in the prosecution of said claims shall be audited by the governor and paid from the governor's contingent fund.

SEC. 48. Election contest—mileage and other expenses. To sundry persons for services, per diem, mileage and expenses in obedience to order and by the approval of the special contest committee in the Nolan-Crawford senatorial contest, the sum of three hundred sixty and 80-100 dollars (\$360.80), as follows, to-wit: W. P. Dillan, deputy sheriff, serving subpoena, four and 50-100 dollars (\$4.50); B. F. Bean, serving subpoenas, six dollars (\$6.00); witness, John H. Weimer, twenty-five and 50-100 dollars (\$25.50); Theodore Scharle, twenty-four and 25-100 dollars (\$24.25); Harry F. Salot, twenty-four and 25-100 dollars (\$24.25); M. E. Nagal, twenty-four and 25-100 dollars (\$24.25); E. P. Lande, twenty-four and 25-100 dollars (\$24.25); Herman Taernes, twenty-four and 25-100 dollars (\$24.25); C. B. Scharle, twenty-four and 25-100 dollars (\$24.25); Adam Doerr, Jr., twenty-four and 25-100 dollars (\$24.25); W. F. Kratchmer, twenty-four and 25-100 dollars (\$24.25); I. C. Chamberlain, twenty-four and 25-100 dollars (\$24.25); John M. Kenety, twenty-four and 25-100 dollars (\$24.25); T. H. McQuillen, thirty-one and 30-100 dollars (\$31.30); F. B. Bean, twenty-four and 25-100 dollars (\$24.25); P. W. Crawford, witness fees advanced for Frank Jess, twenty-five and 50-100 dollars (\$25.50).

SEC. 49. Same. To sundry persons for services, per deim, mileage and expenses in obedience to order and by the approval of the special contest committee in the Bruce-Emmert senatorial contest the sum of five hundred and twenty-three and 45-100 (\$523.45), as follows, towit: S. G. Dunmore, county auditor and tally clerk, seventy-five and 60-100 dollars (\$75.60); S. A. Worthing, same, sixty-eight and 20-100 dollars (\$68.20); witnesses, Mrs. S. G. Dunmore, fourteen dollars (\$14.00); E. C. Worthing, nine and 45-100 dollars (\$9.45); J. H. Vinson, nine and 45-100 dollars (\$9.45); A. Walker, nine and 45-100 dollars (\$9.45); S. W. Clark, nine and 50-100 dollars (\$9.50); H. C. Baugham and S. N. Wagner, nine and 80-100 dollars (\$9.80) each; J. M. Baxter, eleven and 50-100 dollars (\$11.50); John Moon, twelve and 10-100 dollars (\$12.10); D. W. Hickman, twelve dollars (\$12.00); C. F. Hall, thirteen and 20-100 dollars (\$13.20); G. A. Smith, twelve and 70-100 dollars (\$12.70); Joseph Eshelman, thirteen and 50-100 (\$13.50); W. C. Bryant, S. H. Lamborn, Jasper Quick, Hugh Reinig, J. C. Bryant, S. W. Garvin, twelve and 20-100 dollars (\$12.20) each; George Forsyth, A. Gibson, twelve and 80-100 dollars (\$12.80) each; Ed Everly, twelve and 20-100 dollars (\$12.20); Job Harris, twelve and 90-100 dollars (\$12.90); William Hopley, eleven and 50-100 dollars (\$11.50); H. K. Forsyth, H. Wilcox, and Lem Jones, thirteen and 45-100 dollars (\$13.45) each; John Pipher, one and 35-100 dollars (\$1.35); J. H. Lowman fourteen and 25-100 dollars (\$14.25); James E. Bruce, fees advanced to sheriff, two dollars (\$2.00); Robert Marshall sheriff serving subpoenas, twenty-nine and 90-100 dollars (\$29.90); and D. W. Stewart sheriff serving subpoenas, fifty cents (.50-100); F. M. Chapman, nine and 45-100 dollars (\$9.45).

SEC. 50. Election contest—attorney's fees and expenses. To Thomas F. Nolan two hundred ninety-five and 50-100 dollars (\$295.50) for attorney's fees and expenses in the Nolan-Crawford election contest.

SEC. 51. Same. To Phineas W. Crawford two hundred dollars (\$200.00) for attorney's fees in the Nolan-Crawford election contest.

SEC. 52. Expenses of mine explosion committee. There is hereby appropriated out of any money in the state treasury not otherwise appropriated for the per diem pay and expenses of the committee appointed to examine into the cause of the explosion at Lost Creek mine, as follows: J. E. Stout the sum of forty-five and 32-100 dollars (\$45.32); T. J. Phillips the sum of eighty and 58-100 dollars (\$80.58); John P. White the sum of seventy-five and 6-100 dollars (\$75.06); John P. Reese the sum of sixty-nine and 58-100 dollars (\$69.58).

SEC. 53. Memorial album. To W. F. Giesseman for engrossing and complete album (McKinley) fifty dollars (\$50.00).

SEC. 54. Engrossed resolutions. To Leon Shoop for engrossed resolutions and time six dollars (\$6.00).

SEC. 55. Extra help for secretary of state. To the secretary of state fifty-five dollars (\$55.00) to pay for extra help which he needed in the office.

SEC. 56. Indexing journals. To the secretary of state one hundred dollars (\$100.00) as compensation for indexing the house and senate journals of the Twenty-ninth General Assembly, in addition to amount provided by law.

SEC. 57. Rent of storage rooms. For the rent of storage rooms for the use of the adjutant-general for the biennial period the sum of sixteen hundred dollars (\$1,600.00), or so much thereof as may be necessary, the same to be expended under the direction of the governor.

SEC. 58. In effect. 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.

Approved April 12, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader April 15, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 179.

CAPITOL COMMISSION.

S. F. 176.

AN ACT creating a commission to superintend the completion of the capitol building and certain repairs thereto, and appropriating money therefor.

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

SECTION 1. Capitol commissioners. That there is hereby created a commission consisting of three (3) persons, not more than two shall belong to the same political party to be known as capitol commissioners.

SEC. 2. Appointment—terms—organization—secretary. That the members of said commission shall be appointed by the governor within sixty (60) days after the passage of this act, and the terms of office of the members of said commission shall commence on the first day of July, 1902, and continue for the term of four (4) years. The members of said commission shall meet at the capitol building in Des Moines, Iowa, on Tuesday, the first day of July, 1902, and select from their number a president, and may appoint some person as secretary of the commission who shall also act as clerk and bookkeeper.

SEC. 3. Revocation of appointments—vacancies. The governor shall have power to revoke the appointment of any person or persons appointed by him under the provisions of this act, and he shall have power to appoint persons as members of such commission should any vacancy occur in the membership thereof.

SEC. 4. Contracts—itemized account. The commission shall have the power and it shall be their duty to let contracts and to employ persons to repair, improve[,] adorn and complete the capitol building in substantial accordance with the recommendations contained in the report of the capitol improvement commission, provided for under the provisions of chapter one hundred and seventy-seven (177) of the laws of the Twenty-eighth General Assembly, and which report was made to the governor of Iowa as provided by law. They shall keep an accurate, itemized account of all moneys expended, and shall make to the governor of Iowa a [an] annual verified report showing the progress of the work, and an itemized statement of moneys disbursed. The accounts of said commission shall be kept in a manner agreeable to the requirements of the executive council and said council shall have its expert accountant examine the accounts of said commission when the accounts of other offices and commissions are examined and at such other time as said council may deem advisable.

SEC. 5. Compensation—expenses The commissioners shall each receive as compensation five (\$5.00) dollars per day for each day they are actually employed in the performance of their duties, provided, that they shall not receive in any one year more than five hundred (\$500.00) dollars each. In addition to this they are to be reimbursed their actual necessary expenses incurred and paid by them while engaged in the performance of their duties. The secretary of this commission shall receive as his salary the sum of seventy-five (\$75.00) dollars per month for time actually and necessarily employed.

SEC. 6. Appropriation—when available. For the purpose of carrying out the provisions of this act, there is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of two hundred and fifty thousand (\$250,000) dollars, or so much thereof as may be necessary; provided that there shall not be withdrawn from the treasury during the year ending June 30th, 1903, to exceed one-fourth of such appropriation; that there shall not be withdrawn from the treasury up to and including the 30th day of June, 1904, to exceed one-half of such appropriation; that there shall not be withdrawn from the treasury up to and including the 30th day of June, 1905, to exceed three-fourths of such appropriation, but there may be drawn by and

including June 30th, 1906, the entire unexpended balance of this appropriation if necessary in order to carry out the purposes of this act.

SEC. 7. Auditor to draw warrants. The auditor of state is hereby authorized and directed to draw warrants on the state treasurer on presentation of vouchers signed and approved by the governor and president of the commission.

SEC. 8. In effect. This act, being deemed of immediate importance, shall take effect and be in force from and after its passage and publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 12, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 16, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 180.

HOSPITALS FOR THE INSANE, PENITENTIARIES, INDUSTRIAL SCHOOLS, INSTITUTIONS FOR FEEBLE-MINDED, SCHOOL FOR THE DEAF, COLLEGE FOR THE BLIND, SOLDIERS' ORPHANS' HOME, SOLDIERS' HOME, AND INDUSTRIAL HOME FOR THE BLIND.

H. F. 391.

AN ACT making appropriations for the construction, repair, support and contingent funds of the hospitals for the insane at Mt. Pleasant, Independence and Clarinda, the penitentiaries, the industrial schools for boys and girls, the institution for feeble-minded children, the school for the deaf, the college for the blind, the soldiers' orphans' home and the soldiers' home, and relating to the industrial home for the blind. Also authorizing the use of a portion of the balance in the support fund at the hospital for the insane at Clarinda in the enlargement and equipment of the shop building, and of a portion of the balance of certain funds of the penitentiary at Ft. Madison in the erection of the hospital and library building.

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

SECTION 1. Appropriation. That there is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of seven hundred sixteen thousand, five hundred seventy-seven and 50-100 dollars (\$716,577.50) for the construction, repair, support and contingent funds for the hospitals for the insane at Mt. Pleasant, Independence and Clarinda, the penitentiaries, the industrial schools for boys and girls, the institution for feeble-minded children, the school for the deaf, the college for the blind, the soldiers' orphans' home and the soldiers' home, provided that two hundred thousand dollars (\$200,000) of said sum shall not be drawn during the biennial period ending June 30th, 1903.

SEC. 2. How drawn and expended. That all money herein appropriated shall be drawn from the state treasury and expended in the manner provided by chapter one hundred eighteen (118) of the acts of the Twenty-seventh General Assembly and acts amendatory thereof. Any balance remaining in any appropriation after the object for which it was made shall have been accomplished may be expended at the discretion of the board of control of state institutions for any other purpose connected with the institution for which the appropriation was made, but this provision shall not apply to any appropriation herein made for land.

SEC. 3. Soldiers' home. For the soldiers' home at Marshalltown: For an assembly hall and for furnishing the same, and for carrying heat, light, water and sewer to the same..... \$18,000.00

For additional room and facilities for hospital purposes, and for nurses and other employes, including provisions for heat, light, water and sewage, and for furniture and furnishings.....	\$ 16,000.00
For a laundry building and equipment and for carrying heat, light, water and sewer to the same.....	6,000.00
For a new kitchen, equipment, and for carrying heat, light, water and sewer to the same, and for a new chimney	6,000.00
For an ice house and cold storage and equipment.....	4,000.00
For enlarging boiler house, new boilers, settings and connections and for a new chimney.....	17,500.00
For new bath tubs, stools, urinals and connections for the main and old men's building.....	4,000.00
For an elevator for the main building, connections, equipment and changes to make the same accessible.....	3,500.00
For tunnel and steam connections between the hospital and main power plant.	2,200.00
SEC. 4. Soldiers' orphans' home. For the soldiers' orphans' home at Davenport.	
For a new boiler and engine house, smoke stack, coal house, equipment and connections.....	20,000.00
For raising cottages and for cottage furniture	12,000.00
For slate roof and metal work on cottages.....	750.00
For the purchase of land.....	10,000.00
For disposal of sewage by sewer or sewage disposal plant, including sewer connections, water closets, equipment and carrying heat, water and sewer to same.....	8,203.75
And the board of control is authorized to use the 2,246.25 appropriated for a sewer by chapter 147, acts of the Twenty-seventh General Assembly in addition to the amount herein appropriated for this purpose.	
For straightening Duck creek.....	2,000.00
For a contingent and repair fund	4,000.00
SEC. 5. College for the blind. For the college for the blind at Vinton:	
For repairs to buildings, including porches and cupola	5,000.00
For a pipe organ and motor for the same for the chapel	2,700.00
For a contingent and repair fund	2,000.00
SEC. 6. School for the deaf. For the school for the deaf at Council Bluffs:	
For a new coal house	1,500.00
For closets in industrial building and connections and an addition to building for the same.....	500.00
For library, magazines and papers.....	400.00
For laundry machinery.....	1,200.00
For type and tools for industrial work.....	400.00
For a watchman's clock and for installing the same.....	300.00
For electrical power and for carrying the same and for connections	400.00
For a new range and furnishings.....	600.00
For fencing and fences.....	500.00
For changing and putting in new heating apparatus in the west wing of main building.....	1,000.00
For additional for soap house and oats.....	300.00
For lowering and re-setting boilers.....	2,000.00
For a contingent and repair fund.....	3,000.00
SEC. 7. Institution for feeble minded. For the institution for feeble-minded children at Glenwood:	
To erect, furnish and equip two double cottages for boys and for carrying heat, light and water and sewer to the same.....	\$50,000.00

For roofing custodial and parts of main building with slate and for supporting and re-inforcing roofs, and for plastering and repairs to custodial and parts of main building.....	\$10,000.00
For new boilers, generators and electrical equipment and setting the same.....	5,500 00
For repairs to boiler house and coal sheds.....	1,500.00
For a new bake oven.....	1,500.00
For a new brick barn.....	5,000.00
For a new pump, pipe, motor and connections.....	2,575.00
For the purchase of land.....	25,000.00
For a contingent and repair fund.....	8,000.00

SEC. 8. Industrial school for boys. For the industrial school for boys at Eldora:

For a school building and for furnishing and equipping the same and for carrying heat, light, water and sewer to the same.....	17,500.00
For furnishing old school rooms for sitting rooms.....	2,100.00
For water closets and for equipping the same and for making water and sewer connections to the same.....	1,750.00
For a bake oven.....	1,500.00
For electric motors and connections.....	600.00
For repairs to walls of main building and for painting walls, wood-work, tin and gutter work and for repairs to woodwork.....	3,500.00
For library, books, magazines and papers.....	1,000.00
For a new shop building and equipment, and for carrying heat, light, water and sewer to the same.....	12,000.00
For an engine and generator.....	3,500.00
For a repair and contingent fund.....	4,000.00

SEC. 9. Industrial school for girls. For the industrial school for girls at Mitchellville:

For a new family building for small girls, furnishing and equipping the same, and for carrying heat, light, water and sewer to the same, and for connections.....	17,000.00
For a system of storage for water and for making the same available with proper pressure, fire pump, hose, appliances and connections.....	8,000.00
For library, books, magazines and papers.....	300.00
For pump house and connections.....	1,000.00
For an engine, electric generator and connections.....	3,500.00
For a chaplain's fund.....	300.00
For a sewage disposal system, including sewer connections.....	4,000.00
For a contingent and repair fund.....	3,000.00

SEC. 10. Mt. Pleasant state hospital. For the hospital for the insane at Mt. Pleasant:

For installing new closets, and for plumbing and repairs.....	2,000.00
For new deep well, pumps, power, machinery and connections....	10,000.00
For new boilers, settings and connections, and for purifying plant for water.....	5,200.00
For a new brick smokestack.....	7,500.00
For new floors, repairs to floors, and for furniture and furnishings.	8,000.00
For new food elevators and equipment.....	6,400.00
For a new roof for kitchen, new downspouts, repairs and cistern connections.....	1,250.00
For painting.....	3,000.00
For library, books, magazines and papers.....	1,000.00
For printing press and outfit.....	600.00
For cement floors in basement.....	1,000.00
For removal of old greenhouse, enlargement of it, repairs to and re-erecting same.....	3,000.00

For a farmer's cottage.....	\$ 2,500.00
For a new barn.....	5,000.00
For the purchase of cows.....	3,000.00
For a sewage disposal plant and necessary sewers and connections thereto.....	10,000.00
For the purchase of land.....	25,000.00
For a repair and contingent fund.....	10,000.00
SEC. 11. Independence state hospital. For the hospital for the insane at Independence:	
For a storehouse and equipment, and for taking heat, light, water and sewer to same.....	5,500.00
For new water closets, fixtures, and connections and for wainscoting.....	5,000.00
For fans and tempering coils and connections to ventilate balance of wards in main building and Grove hall.....	6,000.00
For radiators and connections for wards A and I.....	2,000.00
For a palm house with heat.....	2,000.00
For a new ice house and refrigerator.....	2,000.00
For a brick fire department building.....	2,500.00
For cement walks.....	500.00
For electric motors for elevator and for connections.....	1,500.00
For tile floor for main hall.....	2,000.00
For another section for mangle.....	1,200.00
For the purchase of land.....	39,000.00
For a contingent and repair fund.....	10,000.00
SEC. 12. Clarinda state hospital. For the hospital for the insane at Clarinda:	
For a cold storage and ice manufacturing plant, building, machinery, equipment and connections.....	15,000.00
For enlarging shop building and for equipment.....	6,000.00
For a coal house, ash elevator and equipment.....	4,000.00
For an engine for dynamo.....	2,500.00
For the purchase of land.....	30,000.00
For a repair and contingent fund.....	10,000.00
SEC. 13. Penitentiary at Ft. Madison. For the penitentiary at Ft. Madison:	
For a new power house, smokestack, machine shop, blacksmith shop, well, water storage, boilers, piping and connections.....	21,000.00
For a new building for a hospital, library, and school room, fixtures and furnishings and taking heat, light, water and sewer to same..	30,000.00
For a laundry equipment.....	2,000.00
For a new prison wall.....	20,000.00
For transportation of discharged convicts.....	2,000.00
For a contingent and repair fund.....	6,000.00
SEC. 14. Penitentiary at Anamosa. For the penitentiary at Anamosa:	
For finishing walls and roof of north cell house.....	2,662.50
For freight on stone.....	2,000.00
For salary of foremen.....	11,600.00
For derrick supplies.....	800.00
For powder and fuse.....	400.00
For tools.....	400.00
For laundry equipment.....	2,000.00
For machinery and repair of water system, engineering department	5,500.00
For cement.....	240.00
For transportation of discharged convicts.....	1,000.00
For a contingent and repair fund.....	6,000.00
SEC. 15. Industrial home for the blind. The board of control of state institutions is authorized to use so much of the unexpended balance (\$3,812.01)	

appropriated by the Twenty-eighth General Assembly, for closing the industrial home for the blind, at Knoxville as may be necessary to properly care for and keep in repair the buildings and other property of the state at that place.

SEC. 16. Shop building at Clarinda state hospital. The board of control of state institutions is authorized, if in its judgment it is safe to do so, to use from the balance of the support fund of the hospital for the insane at Clarinda, not exceeding six thousand dollars for the purpose of enlarging and equipping the shop building, and only so much of the appropriation heretofore made herein for said shop building and equipment shall be used for that purpose as may with the amount used from said support fund make in the aggregate six thousand dollars.

SEC. 17. Hospital, library and schoolroom building at Ft. Madison. The board of control of state institutions is authorized, if in its judgment it is safe so to do, to use twenty thousand dollars of the balance in the support fund of the penitentiary at Ft. Madison and two thousand dollars of the books and periodicals fund for the purpose of aiding in the erection and equipment of the new building for a hospital, library, and schoolroom and only so much of the thirty thousand dollars appropriated for this purpose in section 13 of the act shall be used as may with the amount used from the surplus of said support fund and from the books and periodicals fund make in the aggregate thirty thousand dollars.

SEC. 18. In effect. 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.

Approved April 12, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 15, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 181.

CONSTRUCTION AND EQUIPMENT OF LAUNDRY BUILDING FOR THE MT. PLEASANT STATE HOSPITAL.

H. F. 447.

AN ACT to appropriate money for the construction and equipment of a laundry building for the hospital for the insane at Mt. Pleasant, Iowa, and to provide it with heat, water, lights and sewer connections.

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

SECTION 1. Amount appropriated. That there be and is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of fifteen thousand dollars (\$15,000.00) for the construction and equipment of a laundry building for the hospital for the insane at Mt. Pleasant, Iowa, and to provide for heating it and furnishing it with water, lights, and sewer connections.

SEC. 2. How drawn. The money appropriated by this act shall be drawn from the treasury, as provided by chapter one hundred eighteen (118) of the acts of the Twenty-seventh General Assembly.

SEC. 3. In effect. 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.

Approved April 12, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 15, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 182.

HOSPITAL FOR THE INSANE AT CHEROKEE.

S. F. 49.

AN ACT appropriating money to aid in completing and furnishing the hospital for the insane at Cherokee, for the purchase of land and for a contingent and repair fund.

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

SECTION 1. Appropriations—purposes. That there is hereby appropriated, out of any money in the state treasury not otherwise appropriated, for the hospital for the insane at Cherokee, in addition to the appropriation heretofore made, the following: To aid in completing and equipping all unfinished buildings; to construct an addition to the coal house, an industrial building, a fire station, scale house, conservatory, pavilions, walks, roads, and fences; for barns and other buildings to be used for live stock, farm and garden products, implements and tools; for a water supply including wells, cisterns, and ice house; for a bake oven, ranges, fixtures, fire apparatus, machinery, furniture and furnishings; for vehicles, implements, tools and live stock; for supplies, wages and support; for seeds for farm and garden; for trees, shrubs, flowers and grounds; for musical instruments, pictures, books, stationery; and for all purposes essential to the completion, equipment and furnishing of said hospital in all its departments and to prepare it for the reception and proper care of insane patients, and for the accommodation of officers and employes, the sum of \$100,000.00; for additional land \$26,000.00; for contingent and repair fund \$12,000.00.

SEC. 2. How expended—unexpended balances. All money appropriated by this act shall be drawn from the state treasury and expended in the manner provided by chapter one hundred eighteen (118) of the acts of the Twenty-seventh General Assembly. Any unexpended balance of an appropriation made for one or more items may be expended for any other item specified or for any other purpose for the benefit of the hospital in the discretion of the board of control.

SEC. 3. In effect. 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.

Approved February 17, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, February 18, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 183.

IOWA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS, STATE UNIVERSITY, AND STATE NORMAL SCHOOL.

S. F. 365.

AN ACT making appropriations to the Iowa state college of agriculture and mechanic arts, the state university, and the state normal school.

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

SECTION 1. Agricultural college—amounts appropriated—how paid. There is hereby appropriated to the Iowa state college of agriculture and mechanic arts, out of any money in the state treasury not otherwise appropriated, the sum of thirty-five thousand dollars (\$35,000.00) annually hereafter for additional support fund, and for the support of the experiment station the sum of ten thousand dollars (\$10,000.00) annually hereafter; said sums to be paid in quarterly installments on order of the trustees, the first installment to be paid July 1, 1902. There is further appropriated out of any money in the state treasury not otherwise appropriated the sum of forty-five thousand dollars (\$45,000.00) to be used as follows:

For commencing barn	\$ 5,000.00
For the purchase of live stock	5,000.00
For commencement of a central building	35,000.00

Said sums hereby appropriated shall be paid upon the order of the board of trustees of the Iowa state college of agriculture and mechanic arts.

SEC. 2. State university—amounts appropriated—purposes—how and when payable. There is hereby appropriated for the state university out of any money in the state treasury not otherwise appropriated for the further and additional support of said university, in its several colleges and chairs, the sum of thirty-five thousand dollars (\$35,000.00) annually hereafter, said sum to be payable in quarterly installments on the order of the board of regents of the said university, the first installment to be payable on the first day of September A. D. 1902.

There is hereby further appropriated the sum of seventy-eight thousand dollars (\$78,000.00) which may be used during the year 1902, as follows:

For land	\$23,000.00
For the commencement of a medical building	\$50,000.00
For repair and contingent fund	\$ 5,000.00

There is further appropriated to the said university the sum of forty thousand dollars (\$40,000.00) to be used during the year 1903, as follows:

Equipment for medical building \$35,000.00, which sum may be used temporarily for medical building and replaced from building fund hereafter collected from taxes.

For repair and contingent fund	\$ 5,000.00
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There is further appropriated to the said university to be used in the year 1904, but authorized now, for land upon which contracts may now be made the sum of twenty-seven thousand dollars (\$27,000.00).

The said sums hereby appropriated shall be paid upon the order of the board of regents of the said university.

SEC. 3. State normal school—amounts appropriated—purposes—how and when payable. There is hereby appropriated to the state normal school at Cedar Falls, out of any money in the state treasury not otherwise appropriated the sum of twelve thousand five hundred dollars (\$12,500.00) annually hereafter which shall be paid quarterly on the order of the board of trustees, the first payment to be made October 1, 1902, and to be used as follows:

For payment of teachers	\$ 7,500.00
For contingent expenses	5,000.00

There is further appropriated to said normal school the sum of seven thousand dollars (\$7,000.00) annually which shall be paid on the order of the board of trustees of said normal school, on the first day of August of each year, the first payment to be made August 1st, 1902, and to be used as follows:

For summer term	\$ 7,000.00
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There is further appropriated to said normal school the sum of eleven thousand six hundred dollars (\$11,600.00) which shall be paid on the order of the board of trustees of said normal school, but not more than one-fourth thereof

shall be paid before October 1st, 1902, nor more than one-half before April 1st, 1903, nor more than three-fourths before October 1st, 1903; for the following purposes:

For repairs	\$ 3,000.00
For library	3,000.00
For military instruction.....	1,600.00
For librarian and assistants	4,000.00

There is further appropriated to said normal school the sum of six thousand five hundred dollars (\$6,500.00) which shall be paid on the order of the board of trustees of said normal school, but not more than one-half thereof shall be paid before June 1st, 1902, nor the second half before the first day of October, 1902, to be used as follows:

For replacing roofs on boiler house, north building and superintendent's home.....	\$3,000.00
For grading and improvement of grounds,	500 00
For street paving.....	3,000.00

And there is further appropriated to said normal school the sum of twenty-seven thousand one hundred sixty-nine dollars and thirty-five cents (\$27,169.35) which shall be paid on the order of the board of trustees of said normal school, immediately upon the taking effect of this act; for the following purposes:

For extension of heating plant and boilers,	\$ 7,073.29
Extension of water mains and fire protection,	1,096 06
For furnishing buildings.....	10,000.00
Janitors, firemen and fuel.....	2,000.00
Additional boilers and heating capacity.....	7,000.00

SEC. 4. **In effect.** 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.

Approved April 12, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 15, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 184.

FIRE PROOF BUILDING FOR LIVE STOCK EXHIBITS.

H. F. 185.

AN ACT making an appropriation for the department of agriculture for the purpose of erecting a permanent fire proof building for live stock exhibits.

WHEREAS, The state of Iowa is the owner in fee simple of the two hundred and sixty-six acres of land now used by the department of agriculture for the purpose of holding the Iowa state fairs, and

WHEREAS, The Iowa state fairs have been of inestimable benefit to the various industries of the state of Iowa, and especially to our agricultural interests, and

WHEREAS, The influence of the Iowa state fairs has contributed in a great measure to the development of the state in its improvements of stock and farm products and the general growth and development of the commonwealth, and

WHEREAS, It is necessary in order that the greatest good may result from the Iowa state fairs that a fire proof building be erected for the convenience of the people, wherein live stock exhibits may be shown and judged to the best possible advantage, therefore

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

SECTION 1. Amount appropriated—purpose. That there is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of thirty-seven thousand (\$37,000) dollars or as much thereof as may be necessary for the department of agriculture for the purpose of erecting a permanent, fire proof building for live stock exhibits, exterior dimensions being one hundred and seventy-five (175) feet by two hundred and twenty-five (225) feet, show arena one hundred and twenty (120) feet by one hundred and seventy (170) feet and a seating capacity of four thousand (4,000).

SEC. 2. How expended. That the money herein appropriated shall be paid out on the order of the president and secretary of the department of agriculture, at such times and in such sums as by them may be deemed necessary for the erection and completion of the above mentioned building.

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

Approved April 11, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 16, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 185.

STATE HISTORICAL SOCIETY.

H. F. 234

AN ACT making appropriations to the Iowa state historical society.

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

SECTION 1. Annual appropriation—purposes—how paid. That there be and is hereby appropriated to the Iowa state historical society, out of any money in the state treasury not otherwise appropriated, for current expenses, for daily opening of the library to students and investigators, for the continued publication of the Iowa Historical Record, or other Iowa journal of history and politics, and for additional support, the sum of fifteen hundred dollars (\$1500) annually hereafter, to be paid in quarterly installments on the order of the board of curators of the said historical society, the first installment to be paid July 1, 1902.

SEC. 2. Additional appropriation—purposes—how paid. That there be and is hereby further appropriated for the ensuing biennial period, and in addition to the above, the sum of nine thousand five hundred dollars (\$9,500) for the publication of documentary material relating to the history of Iowa (including the letters, and other papers of Governor Kirkwood, and the messages and papers of the governors of Iowa) continued, for the purchase of the constitutions and statute laws of the states and territories, for the purchase of books, papers, pamphlets and periodicals relating to Iowa and American history, for classifying and cataloguing the library of said historical society, and for binding reports, pamphlets, papers, and books purchased or received on exchange from other states and other historical societies; said sum to be paid in quarterly installments on the order of the board of curators of the said historical society, the first installment to be paid July 1, 1902.

SEC. 3. In effect. 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 the Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 11, 1902.

I hereby certify that the foregoing Act was published in the Des Moines Leader, April 16, 1902, and in the Iowa State Register, April 18, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 186.

BENEDICT HOME AT DES MOINES, IOWA.

H. F. 58.

AN ACT making an appropriation for the Benedict home at Des Moines, Iowa.

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

SECTION 1. Amount appropriated—how expended. There is hereby appropriated for the support of Benedict home, at Des Moines, Iowa, out of any money in the state treasury, not otherwise appropriated, the sum of seven thousand dollars (\$7,000) or so much thereof as may be necessary, to be expended as directed by the executive council, provided that not more than one half the amount herein appropriated shall be drawn during the first half of the biennial period.

Approved April 11, 1902.

CHAPTER 187.

WOMAN'S AND BABY'S HOME OF SIOUX CITY.

H. F. 116.

AN ACT making an appropriation for the woman's and baby's home of Sioux City, Iowa.

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

SECTION 1. Amount appropriated—how expended. That there is hereby appropriated for the support of the woman's and baby's home at Sioux City, Iowa, out of any money in the state treasury not otherwise appropriated, the sum of two thousand dollars (\$2,000.00) or as much thereof as may be necessary to be expended as directed by the executive council: Provided, that not more than one-half of the amount herein appropriated shall be drawn during the first half of the biennial period.

Approved April 11, 1902.

CHAPTER 188.

DUBUQUE RESCUE HOME.

H. F. 219.

AN ACT making an appropriation for the Dubuque rescue home of Dubuque, Iowa.

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

SECTION 1. Amount appropriated—how expended. That there is hereby appropriated for the support of the Dubuque rescue home of Dubuque, Iowa, out of any money in the state treasury not otherwise appropriated the sum of two thousand dollars (\$2,000 00), or so much thereof as may be necessary, to be expended as directed by the executive council; provided, that not more than one half of the amount herein appropriated shall be drawn during the first half of the biennial period.

Approved April 11, 1902.

CHAPTER 189.

ADDITIONAL EMPLOYES OF THE GENERAL ASSEMBLY.

S. F. 100.

AN ACT to appropriate forty-five hundred dollars, or so much thereof as may be necessary, to pay the additional employes of the General Assembly.

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

SECTION 1. Amount appropriated—how drawn. That there is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of forty-five hundred dollars to pay additional employes of the General Assembly; and the state auditor is hereby authorized to draw warrants against the same in favor of the persons and in the amounts certified to by the president of the senate and the speaker of the house, and the state treasurer is authorized to pay such warrants.

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

Approved February 6, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, February 7, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 190.

EXPENSES OF INAUGURAL CEREMONIES.

S. F. 147.

AN ACT appropriating money to defray the expenses of the inauguration ceremonies.

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

SECTION 1. Amount appropriated—how drawn. There is hereby appropriated, out of any money in the state treasury not otherwise appropriated, the sum of twelve hundred sixty and eighty-six one-hundredths dollars (\$1260.86) or so much thereof as may be necessary to pay the expenses incurred on account of the inauguration ceremonies. Warrants shall be drawn upon the treasurer for the sum herein appropriated in favor of the adjutant-general, upon filing of vouchers therefor with the auditor of state.

SEC. 2. In effect. 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 6, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader March 7, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 191.

PURCHASE OF RAILROAD COMMISSIONERS' OFFICIAL MAPS.

S. F. 111.

AN ACT making an appropriation for the purchase of thirty thousand (30,000) railroad commissioners' official maps to be distributed by the members of the general assembly and railroad commissioners.

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

SECTION 1. Number ordered—distribution. That the railroad commissioners are hereby instructed to procure thirty thousand (30,000) copies of the railroad commissioners' official map of Iowa, five thousand (5,000) of said maps to be printed on heavy paper mounted and with tape sides; twenty-five thousand (25,000) of said maps to be folded and enclosed in suitable envelopes. One hundred (100) copies in envelopes and ten (10) mounted maps to be delivered to each member of the general assembly for distribution; and the remainder to be distributed under the direction of the railroad commissioners.

SEC. 2. Appropriation. There is hereby appropriated out of any moneys not otherwise appropriated, the sum of two thousand and five hundred dollars (\$2,500) or so much thereof as shall be necessary for the purpose herein stated.

SEC. 3. In effect. 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.

Approved February 17, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, February 18, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 192.

CUSTODIAN'S EMPLOYES.

S. F. 298.

AN ACT to appropriate money to pay the custodian's employes for the month of March, A. D. 1902.

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

SECTION 1. Amount appropriated. That there is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of sixteen hundred twenty and 48-100 dollars or so much as is necessary to pay the custodian's employes for the month of March, 1902, not provided for by the general appropriation made for that purpose in chapter 149 acts of the 28th General Assembly.

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

Approved April 2, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 4, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 193.

EXPRESS, FREIGHT AND CARTAGE.

S. F. 134.

AN ACT appropriating money to pay express, freight and cartage.

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

SECTION 1. Appropriation for bills due and unpaid. That there is hereby appropriated out of any funds not otherwise appropriated from the

state treasury the sum of one thousand, two hundred and twenty-two and nine one-hundredths (1,222.09) dollars to pay express, freight and cartage now due and unpaid.

SEC. 2. Appropriation to cover deficiency for approved claims. That there is hereby appropriated out of any funds not otherwise appropriated from the state treasury the sum of three hundred, twenty-one and 52-100 (321.52) dollars, to cover deficiency for claims approved by the executive council prior to this date.

SEC. 3. Appropriation to pay express and freight during session of Twenty-ninth General Assembly. That there is hereby appropriated out of any funds not otherwise appropriated from the state treasury the sum of four hundred (400.) dollars or as much as is necessary to pay express and freight during the present session of the Twenty-ninth General Assembly, and any part of such appropriation remaining unexpended May 1, 1902, shall be covered back into the treasury.

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

Approved March 6, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 7, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 194.

COMPILATION AND PUBLICATION OF THE CODE SUPPLEMENT.

S. F. 1.

AN ACT to provide for the compilation of the laws of the Twenty-seventh, Twenty-eighth and Twenty-ninth General Assemblies, to annotate the same and the code and rules of the supreme court to and including the May term, 1902, of the supreme court, and to publish said compilation and annotations as a supplement to the code, and to provide for the appointment of a supervising committee, and making an appropriation therefor.

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

SECTION 1. Code supplement committee—vacancies—expenses. That within five days after this act becomes a law the president of the senate and the speaker of the house shall each appoint from the senate and house respectively, three members as a joint committee to be known as "The Code Supplement Supervising Committee". Vacancies shall be filled in same manner. The committee shall be allowed expenses as hereinafter provided.

SEC. 2. General supervision. Said committee shall have general supervision of the work of compiling the acts of a general and permanent nature of the Twenty-seventh, Twenty-eighth and Twenty-ninth General Assemblies, annotating the same and the code and the rules of the supreme court, and indexing and publishing such compilation as hereinafter provided.

SEC. 3. Editor—compensation—copyright. The editor shall prepare the compilation of said supplement and the index and annotations and have general supervision of the work under the direction of the committee. His compensation shall be fifteen hundred dollars (\$1,500.00). The secretary of state shall deliver to the editor the enrolled bills for use in proof reading, which shall be by the enrolled bills. The editor shall copyright the said supplement, its index, numbers, chapters, sections, annotations and its entire arrangement and publication and assign such copyright to the state of Iowa. In case of neglect or inability to act on the part of the editor said committee may discharge him and employ another instead.

SEC. 4. What laws to be compiled—how arranged—annotations. Said committee shall cause to be prepared a compilation of the laws of a general and permanent nature of the Twenty-seventh, Twenty-eighth and Twenty-ninth General Assemblies, arranged into sections, chapters and titles and numbered so as to conform to the code: Also, annotations thereof and of the code and rules of the supreme court to and including the decisions handed down at the May, 1902, term. Said annotations shall be arranged under the appropriate sections or section numbers of the code and rules as the case may be.

SEC. 5. Section numbers. Sections of the code which have been amended shall be given in said compilation as amended. Where additional sections have been added to any section, chapter or title, the same shall be appropriately placed and numbered thus: (Section 51-a, 51-b, 51-c, as the case may be.) If there are neither amendments nor annotations to a section, the number thereof may be omitted in such compilation.

SEC. 6. Index. The committee shall also cause to be prepared a complete index to said supplement including such revision and reprinting of the index to the code as it may deem necessary.

SEC. 7. Additional help—purchase of annotations, etc. Said committee for the purpose of accomplishing such work, may employ such competent annotators, editorial assistants, stenographers, and clerks as may be necessary to complete the work within the time hereinafter required. The said committee may purchase such compilation, annotations or index, or any part thereof, as may be deemed for the best interests of the state.

SEC. 8. Code supplement—how printed and bound. The committee shall cause said supplement to the code to be well made of first-class material, printed on electro plates and bound in full law sheep in one volume, hand sewed and in accordance with the best workmanship and methods of publishing law books. In size, type, catch words, numbering, paper, binding and other materials, the same shall conform as near as may be to the code. The plates shall be preserved.

SEC. 9. Distribution. Said supplement shall be distributed to the persons, sold and accounted for, except as to the price, in the manner provided in section sixteen (16) to twenty inclusive of an act of the Twenty-sixth General Assembly, extra session, "to provide for the annotation, indexing, publication, distribution and sale of the code and statutes hereafter enacted, the appointment of a supervising committee and the election of an editor, and prescribing their duties" which took effect May 5, 1897. The distribution to the members of the General Assembly shall commence with the 29th General Assembly.

SEC. 10. Official publication—price per volume. The supplement to the code as herein provided to be published and distributed shall be the official edition and the only authoritative publication of the existing laws of the state and no other publication of the laws of the state except the session laws and code shall be used in the courts or referred to in the decisions by title, chapter or section in the reports of the same. Said supplement shall be received in evidence in all courts and tribunals of the state as the official publication of such laws of the state. Neither said supplement nor any part thereof shall be published except in the manner now provided by law for the publication of the code and parts thereof—said supplement shall be sold for two dollars (\$2) per volume.

SEC. 11. Number of copies. An edition of 15,000 copies of said code supplement shall be printed, and the first copies shall be bound and ready for distribution on or before September 1st 1902.

SEC. 12. Traveling expenses—supplies. The members of the committee shall be allowed three cents a mile for distance actually traveled also expenses actually incurred in the performance of their duties and may draw their requisitions for all necessary codes, session laws, printing, postage and supplies.

SEC. 13. **Bills for expenses—approval—how paid.** All bills for expenses of the committee and editor and expenditures in connection with said work shall be verified. The same shall be approved by the committee and executive council and the auditor shall draw warrants therefor upon the state treasurer and the same shall be paid out of the treasury.

SEC. 14. **Appropriation.** There is hereby appropriated out of the treasury from funds not otherwise appropriated, a sum sufficient to pay the costs and expenses of preparing, publishing and distributing said supplement to the code.

SEC. 15. **In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its passage and publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved February 24, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, February 25, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 195.

LOUISIANA PURCHASE EXPOSITION.

H. F. 300.

AN ACT to provide for an exhibit of the arts, industries and resources of the state of Iowa, at the Louisiana purchase exposition to be held in the city of St. Louis, in the state of Missouri, and making appropriation therefor.

WHEREAS, Congress has passed a bill providing for an international [international] exhibition, to be known as the Louisiana purchase exposition, to be held at the city of St. Louis in the state of Missouri during the year 1903; and

WHEREAS, It is desirable that the arts, industries and resources of the state of Iowa shall be creditably represented in such exposition, therefore,

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

SECTION 1. **Commission—how appointed—powers—vacancies—expenses.** That the governor of the state of Iowa be, and he is hereby authorized and directed to appoint an exposition commission to be known as the "Louisiana Exposition Purchase Commission." Such commission shall consist of thirteen members to be selected one from each congressional district in the state, and two from the state-at-large, not more than eight of whom shall be of the same political party, and such commission shall have full power to devise and execute plans for the state exhibit and representation herein contemplated, and to take charge of the same, and disburse the appropriation made therefor. It may appoint such officers and employ such persons as in its judgment necessary for the carrying out of the purposes of this act, including the right to delegate to an executive committee of its own number, consisting of not more than five persons, the duty and power to execute all or any plans that may be devised or ordered by such commission. It shall elect a treasurer who shall be custodian of the moneys herein appropriated, and whose duties shall be defined by it. Before entering upon the duties of such position such treasurer shall furnish a bond, with sureties subject to the approval of the executive council and running to the state of Iowa in a penal sum equal to the amount herein appropriated. Such commission shall be appointed on or before the first day of May, 1902. Any vacancy occurring in said commission shall be filled by the governor of Iowa by the choice of some citizen residing in the congressional district wherein such vacancy occurs, or if the vacancy be one of the commissioners-at-large, by the selection of some person from the state-at-large. The members

of the commission herein created shall receive no compensation for their services, but they shall be paid out of the money herein appropriated all their expenses incurred while engaged in the work of the commission.

SEC. 2. Appropriation—vouchers—statement—accounts. The sum of one hundred and twenty-five thousand dollars (\$125,000.00), or so much thereof as may be needed by such commission for the purpose of making an exhibit and representation by the state of Iowa, provided for in section one hereof, is hereby appropriated out of any money in the state treasury not otherwise appropriated, and warrants therefor shall be issued on the order of the president and secretary of said commission by the auditor of state on the treasurer of state from time to time, but no such warrant shall be issued until said commission through its duly chosen officers shall certify to the auditor of state that the same is actually necessary for disbursement, and not more than one-half of said appropriation shall be drawn prior to the 30th day of June, 1903. All payments of money must be upon vouchers duly executed under conditions to be fixed by said commission, and no claims shall be paid by such commission except such as have been duly presented to the commission or to the secretary thereof, and audited and allowed. At the close of its services the commission shall make to the governor a statement of all its doings which shall include a showing of all exhibits made by the state of Iowa, or the citizens thereof, and the awards made on such exhibits, and such other matter as the said commission may deem valuable to the people of the state of Iowa, together with a list of all receipts and disbursements, with complete vouchers therefor. The accounts of said commission shall be kept in a manner agreeable to the requirements of the executive council and said council shall have its expert accountant examine the accounts of said commission at any time it may deem advisable. All reports required to be made by said commission shall be verified.

SEC. 3. Appropriation—when available. If the exposition shall not be held during the year 1903, then not more than one-half of the appropriation herein made shall be drawn prior to the 30th day of June of the year in which said exposition is held.

SEC. 4. In effect. This act, being deemed of immediate importance, it shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, papers published at Des Moines, Iowa.

Approved April 12, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 16, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 196.

ERECTION OF MONUMENTS IN THE VICKSBURG NATIONAL MILITARY PARK.

H. F. 155.

AN ACT to provide for the erection of monuments and tablets on the Vicksburg National Military Park to mark the positions occupied by Iowa brigades, regiments and batteries; to commemorate the valor and services of Iowa soldiers in the campaign and siege of Vicksburg; and to make an appropriation therefor.

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

SECTION 1. Amount appropriated. That for the purpose of perpetuating the memory and commemorating the valor and services of Iowa soldiers in the campaign and siege of Vicksburg, Mississippi, in 1863, by erecting brigade, regimental and state monuments and tablets on the Vicksburg National Military Park, and to pay the necessary expenses of the members of

the commission to be appointed by the governor of the state of Iowa, there is hereby appropriated out of any moneys not otherwise appropriated, the sum of one hundred and fifty thousand dollars (\$150,000) or as much thereof as may be necessary.

SEC. 2. Commission—how appointed—duties—appropriation—when available. That the commission provided for by this act shall consist of nine members who shall be appointed by the governor, who shall have been soldiers and each a member of an Iowa regiment or battery in the war of the rebellion. Said commission is hereby authorized and empowered to make contracts for the construction, delivery and erection upon said National Military Park of such monuments and tablets as will, in the opinion of the members thereof, most appropriately and permanently mark the positions of Iowa brigades, regiments and batteries on the investment line during the siege of Vicksburg, and suitably record and commemorate the valor and services of Iowa soldiers in the campaign and siege of Vicksburg. The material, style and cost of said monuments and tablets shall be left to the discretion of said commissioners, except that not more than two thousand dollars shall be used for erecting monuments and tablets for each regiment or battery represented, and provided further: That the total cost of all monuments and tablets erected by the commission on said park, shall not exceed the sum above appropriated after all other costs and expenses are paid; but not more than five thousand dollars of the total sum hereby appropriated shall be drawn during the biennial period commencing July 1, 1901, forty-five thousand (\$45,000) dollars to be available on and after July 1st, 1904, and the remaining one hundred thousand dollars (\$100,000) to be available on and after July 1st, 1905.

SEC. 3. Commissioners to serve without compensation—expenses. That said commissioners shall be paid the necessary expenses incurred by them in the performance of the duties aforesaid, but shall receive no other compensation.

SEC. 4. Vouchers. The auditor of state is hereby authorized and directed to draw warrants upon the treasury upon presentation to him of proper vouchers certified by said commission from time to time and approved by the governor in payment of the expenses of the commissioners, and in payment of said monuments and tablets after contracts for such work are made and as the work progresses, but not more than 90 per cent of the cost of said monuments and tablets shall be paid for until the same are fully completed and erected in the places designated by said commission.

SEC. 5. Vacancies. Should a vacancy occur in said commission, it shall be the duty of the governor to fill the same by the appointment of some other person who served as a soldier in an Iowa regiment or battery in the war of the rebellion.

SEC. 6. In effect. 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 the city of Des Moines, Iowa.

Approved April 1, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 2, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 197.

ERECTION OF MONUMENTS ON LOOKOUT MOUNTAIN AND MISSIONARY RIDGE.

S. F. 152.

AN ACT making an appropriation, and providing for the erection of monuments in memory of the Iowa troops, on Lookout Mountain and Missionary Ridge, (the battles of Chattanooga).

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

SECTION 1. Amount appropriated—how drawn. That there is hereby appropriated the sum of thirty five thousand dollars (\$35,000.00) for the purpose of erecting three state monuments, one on Lookout Mountain and one on either end of Missionary Ridge, the places at which the different Iowa troops fought its battles, the exact location to be determined or redetermined by the commission contemplated in section two (2) of this bill. Said monuments to be erected for the purpose of perpetuating an expression on the part of the people of the state of Iowa of their appreciation of the patriotism, courage and distinguished soldierly bearing of their fellow citizens, who took part in said battles. Not more than five thousand dollars (\$5,000.00) of the total sum hereby appropriated shall be drawn during the biennial period commencing July 1, 1901.

SEC. 2. Commission—how appointed—expenses—duties. The board of commissioners shall consist of one member from each of the eleven Iowa commands which participated in said battles of Lookout Mountain and Missionary Ridge, to wit: 4th, 5th, 6th, 9th, 10th, 17th, 25th, 26th, 30th, 31st Iowa regiments and the 1st Iowa battery,—and said member shall have been present and participated in said battles,—whose duty it will be to superintend the plans for and the erection of said monuments, and they are to receive actual expenses for the time they are actually employed in attending to their duties as commissioners, to be paid on itemized statements sworn to by the claimant, and the amount of said expenses shall not exceed in the aggregate the sum of three thousand dollars to be paid out of the appropriation hereby made. The governor shall appoint said board of commissioners, and may, for just cause, remove any member of said board, and fill all vacancies therein caused by removal or otherwise. It shall be the duty of said commissioners to have inscribed on each monument contemplated in this bill the names and numbers of the Iowa regiments and the battery which participated at these points aforesaid.

SEC. 3. Plans and specifications. The material used in the construction of said monuments shall be of the best quality of granite, or any equally durable stone, and such other stone, marble, bronze or material as may be necessary for ornamenting and completing said monuments, and the direction, plans and specifications of the work shall be executed by skilled and reputable contractors, artists, mechanics and laborers. In the working plans and specifications presented to the commissioners for acceptance, the parties submitting them shall be required to, and shall guarantee that each and every part of said monuments shall be perfect and complete for the purpose designed and intended, as fully as it is made to appear and represented to be in the plans and specifications, and shall be required to give bonds, with acceptable sureties, in the penal sum of \$2000.00, conditioned that the said monuments shall be perfect and complete for the purposes designed and intended, and that the monuments shall be fully completed and finished as a whole and in every part for and within the contract price, and such price shall be duly stated with the specifications and plans that shall be submitted to the commissioners. And it shall be further understood and agreed that no extra work or material shall be necessary to fully complete the monuments than the estimate set forth.

SEC. 4. What prohibited—penalty. It shall not be lawful for any member of the board to be directly or indirectly interested in, or to derive any profit from, any contract, employment or purchase connected with the monuments; nor shall any member thereof be the owner or interested in any claim against the state growing out of the erection of said monuments, other than for compensation for their services. Any of the above named commissioners violating the provisions of this section, or corruptly using his official position, shall be deemed guilty of a felony, and upon conviction shall be fined in any

sum not exceeding one thousand dollars, to which may be added imprisonment in the state prison for any term not exceeding two years.

SEC. 5. Supervising committee. It shall be the duty of said commissioners to appoint one or more of their number to supervise the proper construction of the monuments.

SEC. 6. Expenditures not to exceed appropriation—vouchers—approval. No contract shall be made, nor any plan or design for any of the monuments adopted, nor work done under the provisions of this act, which contemplates an expenditure exceeding the sum of thirty-five thousand dollars (\$35,000.00) for the erection and full completion of the monuments, including the expenses of the commissioners. The auditor of the state is hereby authorized and directed to draw warrants upon the treasury, upon presentation to him of proper vouchers certified by said commission, from time to time and approved by the governor, in payment of the expenses of said commissioners, and in payment of said commission after contracts therefor are made and as the work progresses, but not more than 90 per cent of the cost of said monuments shall be paid for until the same be fully completed and erected in the places designated by said commission.

SEC. 7. In effect. 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.

Approved April 9, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 11, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 198.

ERECTION OF MONUMENT TO MEMORY OF CHARLES SHEPHERD.

S. F. 278.

AN ACT making an appropriation for the erection of a monument in Forrest Home cemetery, Mount Pleasant, Iowa, in remembrance of one Charles Shepherd and providing the method of such erection.

WHEREAS, The remains of one Charles Shepherd, a soldier of the Revolutionary war, lies in Iowa soil—in the midst of a cultivated field, with no stone or monument of any sort to mark the spot—he having died in his pioneer home situated on the left bluff of Skunk river, near Millspaugh's Mills, Henry county, in 1845. His home place consisted of a forty acre tract that was secured with money paid by a grateful government, in the form of a pension, for services rendered under the leadership of Washington, in our first great struggle for national life. On this little farm the old patriot lived, and died, and was buried. The burial on this farm is well authenticated by persons now living, and who were present and saw the body committed to the earth, and who are able to locate the place closely, but not exactly, therefore

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

SEC. 1. Amount appropriated. That there be and there is hereby appropriated out of any funds not otherwise appropriated the sum of five hundred dollars (\$500.00), or so much thereof as may be required, for the purpose of erecting in Forrest Home cemetery at Mount Pleasant, Iowa, a suitable and durable monument in commemoration of the public services, and the devotion to duty and country, of this old patriot and soldier.

SEC. 2. Purchase and erection of monument. McFarland post, G. A. R., at Mount Pleasant is authorized to purchase said monument and cause it

to be erected in a suitable and conspicuous place in said cemetery. The material to be used and the manner of construction shall be such as to render the monument durable and permanent; and it shall bear a concise and brief statement, as far as known, of the life, public services, death and burial of the said Charles Shepherd; a description, according to government survey, of the tract of land in which the remains were buried; also a statement of the fact that the monument is erected by the state of Iowa, assisted by McFarland post, G. A. R., of Mount Pleasant, Iowa, and the "Daughters of the American Revolution."

SEC. 3. Conditions—auditor to issue warrant. The material, style and cost of said monument shall be determined by said post, except that the entire cost, when said work is completed, shall not exceed the amount of this appropriation, and, provided that the monument shall be placed on a suitable lot, the title of which is vested either in the city of Mount Pleasant, or in said McFarland post, and, provided further, that no part of this appropriation shall be used either for the purchase of ground or for superintendence. The auditor of state shall issue a warrant on the state treasury, payable to said McFarland post, for such sum as shall be required to pay for the monument and the erection thereof, provided for in this act, when the officers of said post shall file in said auditor's office a statement over their official signatures showing that said monument has been purchased and erected in accordance with the provisions of this act, which statement shall show a detailed account of the cost of said work.

Approved April 10, 1902.

CHAPTER 199.

PAVING STATE'S PORTION OF EAST WALNUT STREET BETWEEN FOURTEENTH AND FIFTEENTH STREETS.

H. F. 322.

AN ACT to appropriate money to pay for paving the state's portion of East Walnut street between Fourteenth and Fifteenth streets adjoining the state's property.

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

SECTION 1. Amount appropriated. That there be and hereby is appropriated out of the money in the state treasury not otherwise appropriated the sum of twenty-five hundred dollars (\$2500.00) or so much thereof as may be necessary for the purpose of paving the state's portion of the paving on East Walnut street from Fourteenth street to Fifteenth street.

SEC. 2. When paid. The same or as much as is necessary to be paid out only on the certificate of the city clerk that the work has been properly done.

Approved April 11, 1902.

CHAPTER 200.

SUBSTITUTES FOR INFECTED ARTICLES DESTROYED ON TAMA INDIAN RESERVATION.

S. F. 276.

AN ACT to appropriate seven thousand dollars, or so much thereof as may be necessary, to supply the Indians on the reservation in Tama county with substitutes for things to be destroyed on account of being infected with disease.

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

SECTION 1. Appropriation—how expended. There is hereby appropriated from the state treasury the sum of seven thousand dollars, or so much thereof as may be necessary to accomplish the objects hereinafter mentioned, which sum is placed at the disposal of the executive council of the state of Iowa, to be expended under its direction.

SEC. 2. Destruction of infected property—purchase of substitute property. The state board of health, in conjunction with the agent of the United States in charge of the Indians on the reservation in Tama county, shall immediately destroy whatever property of the said Indians may be found to be infected with contagious disease; and there shall be supplied to the several Indians whose property is thus destroyed such substitute or substitutes therefor as will cover their loss and prevent hardship and suffering. Said board and agent shall also thoroughly fumigate and disinfect whatever remains in the said camp and which may be dangerous to the public health. The purchases of property substituted for that so destroyed shall be approved by the executive council, and upon the voucher or vouchers of said executive council, the auditor of state shall draw his warrants upon the treasury for any sum or sums so expended, not exceeding the appropriation above named.

SEC. 3. In effect. 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 the city of Des Moines, Polk county, Iowa.

Approved March 5, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 6, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 201.

ERECTION OF FISHWAY IN THE BONAPARTE DAM.

S. F. 218.

AN ACT to provide for the condemnation of a fishway and for the erection of a fishway in the Bonaparte dam. Also making an appropriation for the expenses thereof and prescribing penalties for injuring or destroying such fishway.

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

SECTION 1. Condemnation proceedings—how instituted. That the attorney-general of this state is hereby authorized and directed within six months from the passage of this act, to institute proceedings in the name of the state of Iowa against the owners and parties in possession of the dam across the Des Moines river at Bonaparte, Iowa, to condemn and appropriate for the use of the state the right to erect and maintain a fishway in the river and dam sufficient to afford free passage for fish from the river below said dam to the waters in the river above the same, and to take all necessary steps to carry out the purposes of this act.

SEC. 2. Notice—appeal. The condemnation proceedings hereby authorized shall be the same so far as practicable, and the same notice shall be given as is now provided by law for taking and holding real estate by railway corporations organized in this state and the parties shall have the same right of appeal as in cases of condemnation proceedings instituted by a railway corporation.

SEC. 3. Damages—auditor to draw warrant. When the amount of damages in such condemnation proceedings shall have been ascertained in the manner herein provided and duly certified to the auditor of state, he shall draw his warrant for the amount thereof on the state treasurer in favor of the party or parties entitled thereto.

SEC. 4. Erection of fishway—cost—how paid. As soon as said damages shall have been assessed by the jury selected for such purpose and the amount thereof paid, it shall be the duty of the state fish and game warden to cause to be erected a substantial and permanent fishway in said dam, of suitable capacity and facilities to afford a free passage of fish up and down the same while

the water is running over such dam, and of the most approved pattern. The warden shall personally superintend the construction of such fishway and shall certify the cost of the same to the state auditor who shall thereupon draw his warrant on the state treasurer for the amount thereof.

SEC. 5. **Appropriation—governor to approve.** There is hereby appropriated from any moneys in the state treasury not otherwise appropriated, a sufficient sum to pay the warrants herein authorized. But no money shall be expended for any purpose provided by this act until approved by the governor of the state who shall determine whether the amount fixed in the condemnation proceedings shall be paid or refused.

SEC. 6. **Injury or destruction of fishway—penalty.** Any person who shall wilfully injure or destroy the fishway so erected or maintained, shall be guilty of a misdemeanor and upon conviction thereof shall be subjected to the same penalties as are provided in section 2550 of the code.

SEC. 7. **In effect.** 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.

Approved April 2, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader April 3, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 202.

PORTRAIT OF JAMES HARLAN.

H. F. 454.

AN ACT making an appropriation for the purchase of a portrait of the late James Harlan for the gallery of portraits in the art gallery of the historical department at Des Moines, Iowa.

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

SECTION 1. **Amount appropriated—executive council to purchase.** There is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of one thousand dollars, or so much thereof as may be required for the purpose, for the purchase of an oil portrait of Hon. James Harlan, senator from Iowa in the United States Senate from 1855 to 1865 and from 1867 to 1873, and the executive council is hereby created a commission to make the purchase of the same.

Approved April 12, 1902.

CHAPTER 203.

TO REIMBURSE F. M. POWELL OF GLENWOOD.

H. F. 148.

AN ACT to reimburse F. M. Powell for money paid by him to secure the vacation of a public road for the benefit of the institution for feeble-minded children at Glenwood.

WHEREAS F. M. Powell, of Glenwood, for the purpose of securing the vacation of a public road through the grounds of the institution for feeble-minded children at Glenwood, did, during the year 1901, pay the sum of one hundred sixty dollars (\$160.00) for a right of way for a public road in lieu of the one through the institution grounds; and

WHEREAS a public road was established over the right of way thus purchased and the one through the institution grounds was vacated to the great benefit, of the institution; therefore

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

SECTION 1. Amount appropriated. That there is hereby appropriated, out of any money in the state treasury not otherwise appropriated, to reimburse F. M. Powell for the money thus paid, the sum of one hundred sixty dollars (\$160.00).

Approved April 11, 1902.

CHAPTER 204.

TO REIMBURSE GREENE COUNTY.

S. F. 31.

AN ACT to reimburse Greene county for money expended for care of a nonresident insane person.

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

SECTION 1. Amount appropriated. That there is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of two hundred and eighty-eight dollars and thirty cents, to reimburse Greene county for money expended in the care of Frank Brainard, insane, a resident of the state of Nebraska.

Approved April 11, 1902.

CHAPTER 205.

TO INDEMNIFY MATHEW R. SADLER FOR DAMAGES.

H. F. 304.

AN ACT to indemnify Mathew R. Sadler for damages caused by sewage from the industrial school for girls at Mitchellville.

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

SECTION 1. Appropriated. That there is hereby appropriated out of any money in the state treasury not otherwise appropriated, so much as shall be found due to Mathew R. Sadler, for the payment of damages sustained if any by him in consequence of the flow of sewage from the industrial school for girls at Mitchellville, Iowa, upon land owned by him, provided that the sum appropriated under this act shall not exceed five hundred dollars (\$500.00).

SEC. 2. Voucher—compensation in full. The damages sustained if any by said Sadler shall be ascertained by the board of control of state institutions of Iowa, and shall be paid on a voucher approved by said board in the same manner that the ordinary expenses of said institution are paid. And if the amount found to be due by said board is accepted by said Sadler, it shall have the force and effect of full compensation for all damages sustained by him from such flow of sewage prior to the time of the completion of a sewage disposal plant for the industrial school for girls, at Mitchellville.

Approved April 11, 1902.

CHAPTER 206.

TO PAY CHARLES GRAY FOR PUBLISHING ORIGINAL NOTICE.

H. F. 352.

AN ACT making an appropriation to Charles Gray for publishing original notice in the case of Bettannier v. Caille.

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

SECTION 1. Amount appropriated—how drawn. That the sum of twenty-one dollars (§21) is hereby appropriated out of any money in the state treasury not otherwise appropriated, for the purpose of paying Charles Gray for the publication of an original notice of the filing of a petition of intervention by the state of Iowa in the case of E. F. Bettannier, et al, v. V. E. Caille, et al, then pending in the district court of Adams county, Iowa; and the auditor of state is hereby authorized to draw his warrant for the sum of twenty-one dollars (§21) in favor of Charles Gray in full payment of the claim for which this appropriation is made.

Approved April 11, 1902.

SPECIAL ACTS.

CHAPTER 207.

WATER SUPPLY FOR MILITARY RESERVATIONS OF THE UNITED STATES.

H. F. 18.

AN ACT to provide a water supply for military reservations of the United States in this state.

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

SECTION 1. Water for military reservations—how furnished. That all individuals or private corporations to which any city in this state has granted authority to erect and maintain waterworks with all the necessary reservoirs, mains, filters, pipes and other appurtenances in such city, including the Des Moines Waterworks company now owning and operating such a plant in the city of Des Moines, shall whenever the United States has, or may hereafter establish a military reservation within a distance of five miles from either of the boundaries of such city, be authorized to use said waterworks plant in said city, and the mains now or hereafter laid in the highways of said city for the purpose of furnishing water to such military reservation, such authority to continue so long as under franchises now held or hereafter granted such individuals or corporations shall be authorized to maintain and operate such waterworks plant in such cities.

SEC 2. Mains in highways. The board of supervisors of any county in which such military reservation is or may hereafter be located, shall have the power to authorize any such individual or corporation to lay its mains in any of the highways of the county for the purpose of extending the same to any such military reservation.

SEC. 3. In effect. This act, being deemed of immediate importance, shall take effect at once upon publication in the Iowa State Register and the Des Moines Leader, newspapers published at the city of Des Moines, Iowa. Said publication to be without expense to the state.

Approved February 17, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, February 18, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 208.

RELIEF OF THE GRANTEES OF JOHN CARSNER.

H. F. 194.

AN ACT for the relief of the grantees of John Carsner, and for the purpose of having a patent issued in his name for a certain tract of land.

WHEREAS, On the 29th day of December, 1849, one John Carsner purchased of the state of Iowa the south half (S. $\frac{1}{2}$) of the north-east quarter (N. E. $\frac{1}{4}$) and the north half (N. $\frac{1}{2}$) of the south-east quarter (S. E. $\frac{1}{4}$) of section thirty-one (31) in township seventy-seven (77) and of range twenty-one (21) west of

the fifth P. M., in Marion county, Iowa, and the east half (E. $\frac{1}{2}$) of the south-east quarter (S. E. $\frac{1}{4}$) and the south-west quarter (S. W. $\frac{1}{4}$) of the south-east quarter (S. E. $\frac{1}{4}$) of section twenty-five (25) in township seventy-seven (77) north, of range twenty-two (22) west of the fifth P. M., in Warren county, Iowa, as shown by duplicate certificate of original entry No. 1249 on file in the office of the secretary of state of Iowa.

WHEREAS, Said John Carsner paid the state of Iowa in full for said land, and was entitled to have a patent issued to him therefor, but by mistake or oversight, no patent therefor was signed by the governor of the state and issued as provided by law, and

WHEREAS, The title to said land is still in the state of Iowa, therefore,

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

SECTION 1. Conveyance of title. That the title to the south half (S. $\frac{1}{2}$) of the north-east quarter (N. E. $\frac{1}{4}$) and the north half (N. $\frac{1}{2}$) of the south-east quarter (S. E. $\frac{1}{4}$) of section thirty-one (31) township seventy-seven (77) range twenty-one (21) in Marion county, Iowa, and the east half (E. $\frac{1}{2}$) of the south-east quarter (S. E. $\frac{1}{4}$) and the south-west quarter (S. W. $\frac{1}{4}$) of the south-east quarter (S. E. $\frac{1}{4}$) of section twenty-five (25) in township seventy-seven (77) north of range twenty-two (22) west of the fifth P. M., in Warren county, Iowa, does hereby pass from the state of Iowa to said John Carsner, and that the same vest in him pursuant to said purchase.

SEC. 2. Patent. And that the governor of the state and that the secretary of state are hereby authorized and directed to issue to said John Carsner a patent for the tracts described in section one of this act, in the usual form, and deliver them to the present owner of said tract, to be recorded in the proper counties.

SEC. 3. In effect. This act, being of immediate importance, shall 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 7, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 12, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 209.

RELIEF OF THE GRANTEES OF JOHN AND W. A. NOBLE.

H. F. 179.

AN ACT for the relief of the grantees of John Noble and W. A. Noble, and for the purpose of having a patent issued in their names for a certain tract of land.

WHEREAS, On the 17th day of November, 1853, John Noble and W. A. Noble purchased from the state of Iowa the south-west quarter (S. W. $\frac{1}{4}$) of the north-east quarter (N. E. $\frac{1}{4}$) of section twenty-seven (27) township seventy-seven (77) north, of range twenty-three (23) west of the fifth P. M., Iowa, and

WHEREAS, By a mistake the duplicate certificate of purchase for same was issued to them, describing the land as being in township seventy-nine (79) instead of township seventy-seven (77), said duplicate certificate being No. 4150, and

WHEREAS, The land in township seventy-nine (79) was, before the date of said purchase, purchased by another party, and later was patented to said party, and

WHEREAS, It was the intention to issue the said John Noble and W. A. Noble a certificate for the said forty acres of land, describing it as in township seventy-seven (77), and

WHEREAS, The patent issued for said land to said John Noble and W. A. Noble described the land as being in township seventy-nine (79) instead of township seventy-seven (77), and

WHEREAS, Said John Noble and W. A. Noble paid the state of Iowa in full for said land and were entitled to have a patent issued to them therefor for the south-west quarter (S. W. $\frac{1}{4}$) of the north-east quarter (N. E. $\frac{1}{4}$) of section twenty-seven (27) township seventy-seven (77) north of range twenty-three (23) west of the fifth P. M., Iowa, and

WHEREAS, The title to said land is still in the state of Iowa, therefore

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

SECTION 1. Conveyance of title. That the title to the south-west quarter (S. W. $\frac{1}{4}$) of the north east quarter (N. E. $\frac{1}{4}$) of section twenty-seven (27) township seventy-seven (77) north of range twenty-three (23) west of fifth P. M., Iowa, being a part of the Des Moines river land grant, does hereby pass from the state of Iowa to the said John Noble and W. A. Noble, and that the same vest in them pursuant to their said purchase.

SEC. 2. Patent. That the governor of the state of Iowa and the secretary of state are hereby authorized and directed to issue to said John Noble and W. A. Noble a patent for the tract described in section one of this act, in the usual form, and deliver the same to the present owner of said tract, to be recorded in said county of Warren.

SEC. 3. In effect. 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, newspapers published in Des Moines, Iowa.

Approved March 7, 1902.

I hereby certify that the foregoing Act was published in the Des Moines Leader and the Iowa State Register, March 11, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 210.

IMPROVEMENT OF THE CHANNELS OF MEANDERED STREAMS WITHIN THE CORPORATE LIMITS OF CERTAIN CITIES.

S. F. 234.

AN ACT to authorize the improvement of the channels of meandered streams dividing the territory within the corporate limits of certain cities and to authorize the reclaiming of lands between the meandered lines of said streams within said corporate limits and to create a commission therefor and defining its powers and prescribing its duties.

WHEREAS the title to the beds of the meandered streams in Iowa, including all the land between the meandered lines of such streams is vested in the state of Iowa and under control of the legislature, and

WHEREAS much of said lands between the meandered lines of such streams is land, not needed by the waters of such streams for channels or water courses, and

WHEREAS such lands as lie within the corporate limits of said cities would be of great value to the public if reclaimed by walls or embankments to secure an adequate channel for such streams, and

WHEREAS the courses of such streams through such cities could be beautified and made regular and sanitary and the expense of bridging greatly reduced, where they are now unsightly, irregular, unsanitary and of such great width that the expense of bridging and maintaining bridges is very great, and

WHEREAS the state can make no use of said lands and has an interest in the improvement of the channels of streams, therefore

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

SECTION 1. Petition—river front improvement commission. That whenever five hundred electors of any city whose corporate limits are divided by a meandered stream, shall, in writing, petition the governor of this state for the appointment of a commission, as provided for by this act, he shall within one month thereafter, appoint three electors, residents of the city of the said electors so petitioning, who shall constitute a body corporate, to be known as the river front improvement commission of....., inserting in said blank the name of the city of the said electors so applying.

SEC. 2. Election. That one commissioner shall be elected at each biennial city election after the passage of this act to succeed one of the commissioners so appointed, whose term shall expire when his successor is elected and qualified.

SEC. 3. Organization—secretary—treasurer. The commissioners shall, within ten (10) days after their appointment, qualify by taking the oath of office, determine, by lot, the order of the expiration of their terms, and organize by the election of one of their number as chairman; they shall also elect a secretary, not one of their number; and shall also elect a treasurer, not one of their number, who shall give bonds in the sum of twenty-five thousand dollars (\$25,000) the penalty of which may be increased by the commission. The treasurer shall receive and pay out all moneys under the control of said commission as ordered by it, but shall receive no compensation for his services. Each of the commissioners shall be reimbursed for the actual expenses incurred or money paid out by him in connection with the discharge of his official duties, but shall receive no compensation for his services. An itemized statement of all expenses and moneys received and paid out shall be made under oath and filed with the secretary and allowed by the commission.

SEC. 4. Title to river bed. That when said commissioners have been so appointed and qualified, the fee simple title to the bed of the meandered stream, separating the corporate limits of the city, for which they are appointed, shall immediately vest in the commission in trust for the public and the same while held by the commission shall be exempt from taxation, provided that the fee title to the channel or bed of the stream to be located and preserved as hereinafter provided shall remain in the state, and provided also, that the vested rights of riparian owners and owners of water powers, shall not be injuriously affected by this act.

SEC. 5. Powers of commission. Said commission may redeem lands between the meandered lines of such stream, construct, regulate and maintain dams across such stream, provide for and protect, by secure walls or banks, a channel adequate to carry flood waters of a volume equal to all reasonable expectations, based on past experience, and the area drained by such stream, according to expert authority; beautify such walls or banks; and park so much thereof as public interest may require; and where circumstances permit, make any part of the area redeemed and acquired suitable for sites for public buildings.

SEC. 6. Profiles and specifications—approval. That said commission may adopt plans, profiles and specifications for the improvement of the said river channel and banks, and the reclaiming of lands between the meandered lines of said stream within such city, and the construction of dams; but before the beginning of the execution of the same, such plans, profiles and specifications shall be approved by the executive council of Iowa.

SEC 7. Additional powers—annual report. Said commission may acquire real estate and riparian and other rights within such city in the vicinity of such stream by donation, or purchase, or by condemnation for the public uses herein authorized in the manner provided by law for the taking of private

property for public use, and shall take the title to property in the name of the commission and its successors, in trust for the public, and hold the same exempt from taxation. It may sell and convey or lease, or exchange any property acquired by it, by virtue of this act and otherwise. It shall have exclusive control of all the lands acquired by it, and of the banks and waters of such stream for carrying out the purposes of this act, may make contracts and sue and be sued. It shall keep a record of all its transactions, which shall during ordinary business hours be open to inspection by the public and shall make an annual report of all moneys received and expended by it and for what general purposes, and of all moneys owing to it and by it and for what general purposes, to the city council at the regular November meeting, and publish such report in some newspaper in the city.

SEC. 8. Bonds—mortgages. For the purpose of paying for real estate and improvements and accomplishing the purposes of its creation, said commission may issue bonds in such amounts as it may deem necessary, and may execute trust deeds or mortgages upon its property acquired by virtue of this act and otherwise or any part thereof to secure the payment of said bonds and interest thereon.

SEC. 9. Cities may aid in making improvements. That such city shall not be liable for any indebtedness incurred by said commission or for any bond issued by said commission. That such cities are hereby authorized to aid in making the improvements specified in this act by appropriating money from its general fund or from the surplus remaining at the end of the fiscal year in any special fund, except in cases where such diversion of moneys is especially prohibited by statute, and may appropriate in aid of the improvements herein provided for, the reasonable saving effected in the building of bridges and otherwise by reason of said improvements.

SEC. 10. Rules and regulations—penalty. Said commission may, in writing, prescribe rules and regulations for the government of the public grounds under their control and persons resorting thereto, which rules and regulations shall be enforced when entered in the record of the proceeding of the commission, and a copy thereof signed by the commissioners has been posted at each gate or principal entrance to any such public grounds and a wilful violation thereof shall be a misdemeanor, punishable by fine not exceeding twenty-five dollars (\$25). Anyone who shall cut, break or deface any tree or shrub growing in such public grounds, without authority, shall be guilty of a misdemeanor and be punished by fine not exceeding one hundred dollars (\$100) or by imprisonment not exceeding thirty (30) days in jail. Any magistrate in the city shall have jurisdiction to try such offenses.

SEC. 11. Police protection—water supply. The mayor, on written request of the commission, shall furnish adequate police protection for such public grounds and the city shall furnish such water supply as may be necessary therefor, and properly light the same at its expense. The commission shall be entitled to the services of the city engineer, when requested, without expense to it. It shall have the power to permit or forbid the erection of poles or the stretching of wires for electric light, street railway or other purposes by persons or corporations, in such public grounds or in or along streets, highways or over public places laid out or controlled by it.

SEC. 12. Wharves, landing places, bath and boat houses. That said commission shall have power, in and over the bed and banks of such river as specified, to construct and regulate the use of wharves, landing places, bath houses, boat houses and other suitable structures and shall have exclusive jurisdiction over the water of such stream, within the corporate limits of such city and may maintain said stream in a suitable condition for boating, skating and other public amusements and purposes.

SEC. 13. What prohibited. No member of the commission shall, during the time for which he has been appointed or elected, or for one year thereafter, be appointed to any office in the gift of the commission which shall be

created, or the emolument of which shall be increased, during the term for which he was elected, nor shall he be interested directly or indirectly in any contract for work or service to be performed for the commission or in the purchase or sale of any property sold to or by the commission.

SEC. 14. **Vacancies.** In case vacancy arises in the commission, the governor of the state shall fill such vacancy by appointment for the unexpired portion of the term or until the next election as the case may be.

SEC. 15. **Cities affected.** The provisions of this act shall apply only to cities acting under special charter and cities of the first class acting under the general incorporation laws having a population of less than twenty five thousand (25000).

SEC. 16. **In effect.** 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, without expense to the state.

Approved March 14, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 15, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 211.

PUBLICATION OF AN EXTRA EDITION OF THE CODE.

S. F. 2,6.

AN ACT to provide for the publication of an edition of seven thousand and five hundred (7500) copies of the code.

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

SECTION 1. **Code supplement—committee to publish.** That the code supplement supervising committee appointed under the provisions of "An act to provide for the compilation of the laws of the Twenty-seventh, Twenty-eighth and Twenty-ninth General Assemblies, to annotate the same and code and rules of the supreme court to and including the May term, 1902 of the supreme court and to publish said compilation and annotations as a supplement to the code, and to provide for the appointment of a supervising committee, and making an appropriation therefor," enacted by the Twenty-ninth General Assembly of the state of Iowa, shall cause to be published an edition of seven thousand and five hundred (7500) copies of the code, in accordance with the provisions of "An act to provide for the annotation, indexing, distribution and sale of the code and statutes hereafter enacted, and the appointment of a supervising committee, and the election of an editor and prescribing their duties," enacted by the Twenty-sixth General Assembly, extra session, and which took effect May 5th 1897, so far as applicable. Said committee may cause the plates to be corrected where errors in print occur, also may change the citations therein from Northwestern Reporter to Iowa Reports, and may print therewith the new index prepared for the supplement to the code or omit the index and may publish therewith references to amendments and subsequent enactments.

SEC. 2. **In effect.** 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.

Approved March 22, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 25, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 212.

RIGHT OF WAY OVER GROUNDS OF STATE INSTITUTION AT GLENWOOD.

S. F. 104.

AN ACT to authorize the granting to the Chicago, Burlington and Quincy Railroad company, its successors or assigns, a right of way through lands owned by the state, and used by the institution for feeble minded children at Glenwood, Iowa.

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

SECTION 1. Authority to acquire right of way. That the Chicago, Burlington and Quincy Railroad company, its successors or assigns, are hereby authorized to acquire a right of way over and through the lands of the state used in connection with the institution for feeble minded children at Glenwood, Iowa, upon the terms and conditions herein provided.

SEC. 2. Terms and conditions. The said railroad company, its successors and assigns, shall furnish to the executive council a plat showing its proposed line of road through said premises, and upon the approval of such location by said council it shall issue a certificate to that effect, which certificate shall confer upon said railroad company the right to acquire the said right of way as provided in chapter four (4) title ten (10) of the code, but no such right of way shall be acquired without the approval of said council. In the event of approval of location as aforesaid the council is authorized to negotiate for, and agree upon, the damages sustained by the state by reason of taking said right of way.

SEC. 3. Deed. Upon payment by said company to the state treasurer of the compensation and value so fixed by agreement or by condemnation, as the case may be, the governor of Iowa shall execute and deliver to said company a deed conveying to said railway company, its successors or assigns, said right of way.

SEC. 4. In effect. 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 March 22, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 25, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 213.

THE SURRENDER OF JURISDICTION OVER CERTAIN PROPERTY TO THE UNITED STATES.

H. F. 407.

AN ACT ceding to the United States exclusive jurisdiction over certain lands or lots acquired by the United States for public purposes within this state, and authorizing the acquisition thereof.

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

SECTION 1. Consent to acquisition of land. That the consent of the state of Iowa is hereby given, in accordance with the seventeenth clause, eighth section, of the first article of the constitution of the United States, to the acquisition by the United States, by purchase, condemnation, or otherwise, of any land in this state required for sites for custom houses, courthouses, post-offices, arsenals, or other public buildings whatever, or for any other purposes of the government.

SEC. 2. Exclusive jurisdiction. That exclusive jurisdiction in and over any land so acquired by the United States shall be, and the same is hereby ceded to the United States, for all purposes except the service upon such sites of all civil and criminal process of the courts of this state; but the jurisdiction so ceded shall continue no longer than the said United States shall own such lands.

SEC. 3. Exempt from taxation. The jurisdiction ceded shall not vest until the United States shall have acquired the title to the said lands by purchase, condemnation or otherwise; and so long as the said lands shall remain the property of the United States when acquired as aforesaid, and no longer, the same shall be and continue exempt and exonerated from all state, county and municipal taxation, assessment or other charges which may be levied or imposed under the authority of this state.

SEC. 4. In effect. 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 the city of Des Moines, county of Polk, state of Iowa.

Approved March 27, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 28, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 214.

SALE OF TWO ISLANDS IN THE MISSISSIPPI RIVER ADJACENT TO THE IOWA SHORE IN SCOTT COUNTY.

H. F. 425

AN ACT authorizing the executive council to sell and convey two islands newly formed by accretion in the Mississippi river, and located in sections three and four, in township seventy-seven, north of range three, east of the fifth P. M., in Scott county, Iowa, the same being west of the main channel of said Mississippi river and adjacent to the Iowa shore.

WHEREAS, An island has been formed by accretion in the Mississippi river near the Iowa shore particularly described as follows, to wit: Beginning at the northeast corner of section number four, township seventy-seven, north range three, east of the 5th P. M., running thence due south on section line ten hundred fifteen (1015) feet to a point at about low water mark on the upper or northeasterly end of said small island, said point being the place of beginning, thence in a general direction south thirty-six and one-half ($36\frac{1}{2}$) degrees west, fifteen hundred and forty (1540) feet along the southeastern boundary line of said island to the lower or southwesterly end of said island, thence northeasterly along the northwest boundary line of said island to the place of beginning, said tract containing four and two-tenths acres, more or less, and lying in the northeast quarter of said section four, township seventy-seven, range three, Scott county, Iowa, the same being west of the main channel of said Mississippi river and adjacent to the Iowa shore, and

WHEREAS, Another certain island has been formed by accretion in the Mississippi river near the Iowa shore described as follows, to-wit: Beginning at a point sixteen hundred sixty (1660) feet due south and one hundred fifty (150) feet due west of the northeast corner of section four, township seventy seven north range three, east of the 5th P. M., said point being one hundred fifty (150) feet due west of a point on the boundary line between sections three and four in said township and range, which point is sixteen hundred and sixty (1660) feet south of the northeast corner of said section four, said point of beginning being about low water mark on the lower or southwesterly end of said small island, thence running in a general direction north thirty-five (35) degrees east, and following the northwest boundary line of said island nine

hundred and sixty-five (965) feet more or less, to the upper or northeasterly end, thence in a southwesterly direction along the southeast boundary line of said island to the point of beginning, and containing two and five-tenths acres of land, more or less; part of said island lying in section four, and part lying in section three, all in township seventy-seven north, of range three, east of the 5th P. M., Scott county, Iowa, the same being west of the main channel of said Mississippi river and adjacent to the Iowa shore, and

WHEREAS, Said islands are not needed by the state of Iowa for any specific purpose and have not been otherwise disposed of, therefore

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

SECTION 1. Appraisers—sale advertised—patent. That the executive council of the state of Iowa be and is hereby authorized and empowered to appoint three disinterested persons, residents of the state of Iowa, as appraisers, to appraise and report to the executive council the value of the said islands described in the preamble hereto; and when such report of appraisal has been filed with the executive council, said executive council is hereby authorized and empowered to advertise the proposed sale of said islands for four consecutive weeks in some newspaper of general circulation published in Scott county, Iowa, and to sell said islands for not less than their appraised value to the highest bidder, for the benefit of the state of Iowa, and that upon payment into the state treasury of the purchase price agreed upon by the person or persons to whom said sale is made, the governor of the state of Iowa is authorized and empowered to execute and deliver to the purchaser a patent, and to affix the great seal of the state of Iowa, conveying all the right, title and interest of the state of Iowa in and to said islands by the correct descriptions thereof.

SEC. 2. In effect. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Des Moines Daily Capital, a newspaper published at Des Moines, Iowa, and in the Davenport Daily Republican, a newspaper published at Davenport, Iowa.

Approved April 9, 1902.

I hereby certify that the foregoing Act was published in the Des Moines Daily Capital, April 11, 1902, and in the Davenport Daily Republican, April 15, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 215.

USE OF GOVERNOR'S SQUARE FOR PARK PURPOSES.

S. F. 251.

AN ACT to authorize the improvement and to regulate the use of the Governor's Square in the city of Des Moines for park purposes.

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

SECTION 1. Granted to park commissioners of Des Moines. Subject to the conditions and restrictions hereinafter provided, the tract of ground in the city of Des Moines known as "Governor's Square", and bounded and described as follows: Lot ten (10) in Brooks & Company's addition, now in and forming a part of the city of Des Moines also known as Governor's Square, be and the same is hereby granted to and conferred upon the board of park commissioners of the city of Des Moines and their successors for park purposes.

SEC. 2. Jurisdiction and control. That jurisdiction and control over said tract of ground for park purposes and for the purposes of this act is hereby vested in said board of park commissioners, and said board of park commis-

sioners shall have power to improve, beautify and use the same to the same extent and in the same manner as though the title thereto was vested in it, and shall have power to use such portion of its funds as may be available to improve and utilize the same for the public use and pleasure and to exercise in respect thereto, so long as the use thereof is permitted, the general powers as to parks conferred by sections 850 to 858 of the code inclusive.

SEC. 3. Right to terminate grant. All of the grants, rights and privileges contained in sections 1 and 2 of this act are subject to the right retained by the state of Iowa to terminate the grant possession and use of said tract of ground whenever the executive council or legislature of the state shall so determine.

SEC. 4. Written notice—removal of buildings, etc. Thirty days' notice in writing, signed by the executive council, and served upon the chairman of the said board of park commissioners, shall be sufficient to terminate all rights and privileges of said board of park commissioners in and to said tract of ground, and the same shall at once revert to the state; and said board of park commissioners, within a reasonable time, to be fixed by the executive council, shall have the right to remove all buildings, movable property, and betterments placed thereon by said board of park commissioners which can be removed without damage to the state's property; all other improvements and betterments shall, without expense, be and become the property of the state.

SEC. 5. In effect. 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, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 11, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 216.

SENATORIAL DISTRICTS.

S. F. 261.

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.

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

SECTION 1. Apportionment. 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:

1. **First District.** Lee county shall constitute the first district.
2. **Second District.** Jefferson county and Van Buren county shall constitute the second district.
3. **Third District.** Appanoose county and Davis county shall constitute the third district.
4. **Fourth District.** Lucas county and Wayne county shall constitute the fourth district.
5. **Fifth District.** Decatur county, Ringgold county, and Union county shall constitute the fifth district.
6. **Sixth District.** Adams county and Taylor county shall constitute the sixth district.
7. **Seventh District.** Fremont county and Page county shall constitute the seventh district.

8. **Eighth District.** Mills county and Montgomery county shall constitute the eighth district.
9. **Ninth District.** Des Moines county shall constitute the ninth district.
10. **Tenth District.** Henry county and Washington county shall constitute the tenth district.
11. **Eleventh District.** Clarke county and Warren county shall constitute the eleventh district.
12. **Twelfth District.** Keokuk county and Poweshiek county shall constitute the twelfth district.
13. **Thirteenth District.** Wapello county shall constitute the thirteenth district.
14. **Fourteenth District.** Mahaska county shall constitute the fourteenth district.
15. **Fifteenth District.** Marion county and Monroe county shall constitute the fifteenth district.
16. **Sixteenth District.** Adair county and Madison county shall constitute the sixteenth district.
17. **Seventeenth District.** Audubon county, Dallas county, and Guthrie county shall constitute the seventeenth district.
18. **Eighteenth District.** Cass county and Shelby county shall constitute the eighteenth district.
19. **Nineteenth District.** Pottawattamie county shall constitute the nineteenth district.
20. **Twentieth District.** Louisa county and Muscatine county shall constitute the twentieth district.
21. **Twenty-first District.** Scott county shall constitute the twenty-first district.
22. **Twenty-second District.** Clinton county shall constitute the twenty-second district.
23. **Twenty-third District.** Jackson county shall constitute the twenty third district.
24. **Twenty-fourth District.** Cedar county and Jones county shall constitute the twenty-fourth district.
25. **Twenty-fifth District.** Iowa county and Johnson county shall constitute the twenty-fifth district.
26. **Twenty-sixth District.** Linn county shall constitute the twenty-sixth district.
27. **Twenty-seventh District.** Calhoun county and Webster county shall constitute the twenty-seventh district.
28. **Twenty-eighth District.** Marshall county shall constitute the twenty-eighth district.
29. **Twenty-ninth District.** Jasper county shall constitute the twenty-ninth district.
30. **Thirtieth District.** Polk county shall constitute the thirtieth district.
31. **Thirty-first District.** Boone county and Story county shall constitute the thirty-first district.
32. **Thirty-second District.** Woodbury county shall constitute the thirty-second district.
33. **Thirty-third District.** Buchanan county and Delaware county shall constitute the thirty-third district.
34. **Thirty-fourth District.** Crawford county, Harrison county, and Monona county shall constitute the thirty-fourth district.
35. **Thirty-fifth District.** Dubuque county shall constitute the thirty-fifth district.
36. **Thirty-sixth District.** Clayton county shall constitute the thirty-sixth district.
37. **Thirty-seventh District.** Hamilton county, Hardin county, and Wright county shall constitute the thirty-seventh district.

38. **Thirty-eighth District.** Black Hawk county and Grundy county shall constitute the thirty-eighth district.
39. **Thirty-ninth District.** Bremer county and Butler county shall constitute the thirty-ninth district.
40. **Fortieth District.** Allamakee county and Fayette county shall constitute the fortieth district.
41. **Forty-first District.** Mitchell county, Winnebago county, and Worth county shall constitute the forty-first district.
42. **Forty-second District.** Howard county and Winneshiek county shall constitute the forty-second district.
43. **Forty-third District.** Cerro Gordo county, Franklin county, and Hancock county shall constitute the forty-third district.
44. **Forty-fourth District.** Chickasaw county and Floyd county shall constitute the forty-fourth district.
45. **Forty-fifth District.** Benton county and Tama county shall constitute the forty-fifth district.
46. **Forty-sixth District.** Cherokee county, Ida county, and Plymouth county shall constitute the forty-sixth district.
47. **Forty-seventh District.** Clay county, Dickinson county, Emmet county, Kossuth county, and Palo Alto county shall constitute the forty-seventh district.
48. **Forty-eighth District.** Carroll county, Greene county, and Sac county shall constitute the forty-eighth district.
49. **Forty-ninth District.** Lyon county, O'Brien county, Osceola county, and Sioux county shall constitute the forty-ninth district.
50. **Fiftieth District.** Buena Vista county, Humboldt county, and Pocahontas county shall constitute the fiftieth district.
- Approved April 12, 1902.

CHAPTER 217.

REPRESENTATIVE DISTRICTS.

H. F. 419.

AN ACT to apportion the state into representative districts and declare the ratio of representation.

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

SECTION 1. **Apportionment.** That one representative from every thirty-six thousand (36,000) inhabitants is hereby constituted the ratio of apportionment, and that each representative district shall be as hereinafter described.

SEC. 2. **First District.** Lee county shall be the first district and entitled to one representative, (39,719).

SEC. 3. **Second District.** Van Buren county shall be the second district and entitled to one representative, (17,354).

SEC. 4. **Third District.** Davis county shall be the third district and entitled to one representative, (15,620).

SEC. 5. **Fourth District.** Appanoose county shall be the fourth district and entitled to one representative, (25,927).

SEC. 6. **Fifth District.** Wayne county shall be the fifth district and entitled to one representative, (17,491).

SEC. 7. **Sixth District.** Decatur county shall be the sixth district and entitled to one representative, (18,115).

SEC. 8. **Seventh District.** Ringgold county shall be the seventh district and entitled to one representative, (15,325).

SEC. 9. **Eighth District.** Taylor county shall be the eighth district and entitled to one representative, (18,784).

SEC. 10. **Ninth District.** Page county shall be the ninth district and entitled to one representative, (24,187).

SEC. 11. **Tenth District.** Fremont county shall be the tenth district and entitled to one representative, (18,546).

SEC. 12. **Eleventh District.** Mills county shall be the eleventh district and entitled to one representative, (16,764).

SEC. 13. **Twelfth District.** Montgomery county shall be the twelfth district and entitled to one representative, (17,803).

SEC. 14. **Thirteenth District.** Adams county shall be the thirteenth district and entitled to one representative, (13,601).

SEC. 15. **Fourteenth District.** Union county shall be the fourteenth district and entitled to one representative, (19,928).

SEC. 16. **Fifteenth District.** Clarke county shall be the fifteenth district and entitled to one representative, (12,440).

SEC. 17. **Sixteenth District.** Lucas county shall be the sixteenth district and entitled to one representative, (16,126).

SEC. 18. **Seventeenth District.** Monroe county shall be the seventeenth district and entitled to one representative, (17,985).

SEC. 19. **Eighteenth District.** Wapello county shall be the eighteenth district and entitled to one representative, (35,426).

SEC. 20. **Nineteenth District.** Jefferson county shall be the nineteenth district and entitled to one representative, (17,437).

SEC. 21. **Twentieth District.** Henry county shall be the twentieth district and entitled to one representative, (20,022).

SEC. 22. **Twenty-first District.** Des Moines county shall be the twenty-first district and entitled to one representative, (35,989).

SEC. 23. **Twenty-second District.** Louisa county shall be the twenty-second district and entitled to one representative, (13,516).

SEC. 24. **Twenty-third District.** Washington county shall be the twenty-third district and entitled to one representative, (20,718).

SEC. 25. **Twenty-fourth District.** Keokuk county shall be the twenty-fourth district and entitled to one representative, (24,979).

SEC. 26. **Twenty-fifth District.** Mahaska county shall be the twenty-fifth district and entitled to one representative, (34,273).

SEC. 27. **Twenty-sixth District.** Marion county shall be the twenty-sixth district and entitled to one representative, (24,159).

SEC. 28. **Twenty-seventh District.** Warren county shall be the twenty-seventh district and entitled to one representative, (20,376).

SEC. 29. **Twenty-eighth District.** Madison county shall be the twenty-eighth district and entitled to one representative, (17,710).

SEC. 30. **Twenty-ninth District.** Adair county shall be the twenty-ninth district and entitled to one representative, (16,192).

SEC. 31. **Thirtieth District.** Cass county shall be the thirtieth district and entitled to one representative, (21,274).

SEC. 32. **Thirty-first District.** Pottawattamie county shall be the thirty-first district and entitled to two representatives, (54,336).

SEC. 33. **Thirty-second District.** Harrison county shall be the thirty-second district and entitled to one representative, (25,597).

SEC. 34. **Thirty-third District.** Shelby county shall be the thirty-third district and entitled to one representative, (17,932).

SEC. 35. **Thirty-fourth District.** Audubon county shall be the thirty-fourth district and entitled to one representative, (13,626).

SEC. 36. **Thirty-fifth District.** Guthrie county shall be the thirty fifth district and entitled to one representative, (18,729).

SEC. 37. **Thirty-sixth District.** Dallas county shall be the thirty sixth district and shall be entitled to one representative, (23,058).

SEC. 38. **Thirty-seventh District.** Polk county shall be the thirty-seventh district and entitled to two representatives, (82,624).

SEC. 39. **Thirty-eighth District.** Jasper county shall be the thirty-eighth district and entitled to one representative, (26,976)

SEC. 40. **Thirty-ninth District.** Poweshiek county shall be the thirty-ninth district and entitled to one representative, (19,414).

SEC. 41. **Fortieth District.** Iowa county shall be the fortieth district and entitled to one representative, (19,544).

SEC. 42. **Forty-first District.** Johnson county shall be the forty-first district and entitled to one representative, (24,817).

SEC. 43. **Forty-second District.** Muscatine county shall be the forty-second district and entitled to one representative, (28,242).

SEC. 44. **Forty-third District.** Scott county shall be the forty-third district and entitled to two representatives, (51,558).

SEC. 45. **Forty-fourth District.** Cedar county shall be the forty-fourth district and entitled to one representative, (19,371).

SEC. 46. **Forty-fifth District.** Clinton county shall be the forty-fifth district and entitled to two representatives, (43,832).

SEC. 47. **Forty-sixth District.** Jackson county shall be the forty-sixth district and entitled to one representative, (23,615).

SEC. 48. **Forty-seventh District.** Jones county shall be the forty-seventh district and entitled to one representative, (21,954).

SEC. 49. **Forty-eighth District.** Linn county shall be the forty-eighth district and entitled to two representatives, (55,392).

SEC. 50. **Forty-ninth District.** Benton county shall be the forty-ninth district and entitled to one representative, (25,177).

SEC. 51. **Fiftieth District.** Tama county shall be the fiftieth district and entitled to one representative, (24,585)

SEC. 52. **Fifty-first District.** Marshall county shall be the fifty-first district and entitled to one representative, (29,991).

SEC. 53. **Fifty-second District.** Story county shall be the fifty-second district and entitled to one representative, (23,159).

SEC. 54. **Fifty-third District.** Boone county shall be the fifty-third district and entitled to one representative, (28,200).

SEC. 55. **Fifty-fourth District.** Greene county shall be the fifty-fourth district and entitled to one representative, (17,820).

SEC. 56. **Fifty-fifth District.** Carroll county shall be the fifty-fifth district and entitled to one representative, (20,319).

SEC. 57. **Fifty-sixth District.** Crawford county shall be the fifty-sixth district and entitled to one representative, (21,685).

SEC. 58. **Fifty-seventh District.** Monona county and Ida county shall be the fifty-seventh district and entitled to one representative, (30,307).

SEC. 59. **Fifty-eighth District.** Woodbury county shall be the fifty-eighth district and entitled to two representatives, (54,610).

SEC. 60. **Fifty-ninth District.** Cherokee county shall be the fifty-ninth district and entitled to one representative, (16,570).

SEC. 61. **Sixtieth District.** Sac county shall be the sixtieth district and entitled to one representative, (17,639).

SEC. 62. **Sixty-first District.** Calhoun county shall be the sixty-first district and entitled to one representative, (18,569).

SEC. 63. **Sixty-second District.** Webster county shall be the sixty-second district and entitled to one representative, (31,757).

SEC. 64. **Sixty-third District.** Hamilton county shall be the sixty-third district and entitled to one representative, (19,514).

SEC. 65. **Sixty-fourth District.** Hardin county shall be the sixty-fourth district and entitled to one representative, (22,794).

SEC. 66. **Sixty-fifth District.** Grundy county shall be the sixty-fifth district and entitled to one representative, (13,757).

SEC. 67. **Sixty-sixth District.** Black Hawk county shall be the sixty-sixth district and entitled to one representative, (32,399).

SEC. 68. **Sixty-seventh District.** Buchanan county shall be the sixty-seventh district and entitled to one representative, (21,427).

SEC. 69. **Sixty-eighth District.** Delaware county shall be the sixty-eighth district and entitled to one representative, (19,185).

SEC. 70. **Sixty-ninth District.** Dubuque county shall be the sixty-ninth district and entitled to two representatives, (56,403.)

SEC. 71. **Seventieth District.** Clayton county shall be the seventieth district and entitled to one representative, (27,750).

SEC. 72. **Seventy-first District.** Fayette county shall be the seventy-first district and entitled to one representative, (29,845).

SEC. 73. **Seventy-second District.** Bremer county shall be the seventy-second district and entitled to one representative, (16,305).

SEC. 74. **Seventy-third District.** Butler county shall be the seventy-third district and entitled to one representative, (17,955).

SEC. 75. **Seventy-fourth District.** Franklin county shall be the seventy-fourth district and entitled to one representative, (14,906).

SEC. 76. **Seventy-fifth District.** Wright county shall be the seventy-fifth district and entitled to one representative, (18,227).

SEC. 77. **Seventy-sixth District.** Pocahontas county shall be the seventy-sixth district and entitled to one representative, (15,339).

SEC. 78. **Seventy-seventh District.** Buena Vista county shall be the seventy-seventh district and entitled to one representative, (16,975).

SEC. 79. **Seventy-eighth District.** Plymouth county shall be the seventy-eighth district and entitled to one representative, (22,209).

SEC. 80. **Seventy-ninth District.** Sioux county shall be the seventy-ninth district and entitled to one representative, (23,337).

SEC. 81. **Eightieth District.** O'Brien county shall be the eightieth district and entitled to one representative, (16,985).

SEC. 82. **Eighty-first District.** Lyon county and Osceola county shall be the eighty-first district and entitled to one representative, (21,890).

SEC. 83. **Eighty-second District.** Clay county and Palo Alto county shall be the eighty-second district and entitled to one representative, (27,755).

SEC. 84. **Eighty-third District.** Kossuth county shall be the eighty-third district and entitled to one representative, (22,720).

SEC. 85. **Eighty-fourth District.** Cerro Gordo county shall be the eighty-fourth district and entitled to one representative, (20,672).

SEC. 86. **Eighty-fifth District.** Floyd county shall be the eighty fifth district and entitled to one representative, (17,754).

SEC. 87. **Eighty-sixth District.** Chickasaw county shall be the eighty-sixth district and entitled to one representative, (17,037).

SEC. 88. **Eighty-seventh District.** Allamakee county shall be the eighty-seventh district and entitled to one representative, (18,711).

SEC. 89. **Eighty-eighth District.** Winneshiek county shall be the eighty-eighth district and entitled to one representative, (23,731).

SEC. 90. **Eighty-ninth District.** Howard county shall be the eighty-ninth district and entitled to one representative, (14,512).

SEC. 91. **Ninetieth District.** Mitchell county shall be the ninetieth district and entitled to one representative, (14,916).

SEC. 92. **Ninety-first District.** Winnebago county and Worth county shall be the ninety-first district and entitled to one representative, (23,612).

SEC. 93. **Ninety-second District.** Hancock county and Humboldt county shall be the ninety-second district and entitled to one representative, (26,419).

SEC. 94. **Ninety-third District.** Dickinson county and Emmet county shall be the ninety-third district and entitled to one representative (17,931).

Approved April 12, 1902.

LEGALIZING ACTS.

CHAPTER 218.

ACTS OF THE BOARD OF SUPERVISORS OF JEFFERSON COUNTY.

H. F. 25.

AN ACT to legalize the acts of the board of supervisors of Jefferson county, Iowa, relating to the levying of a tax for the support of the poor, and legalizing the tax so levied.

WHEREAS, The code of Iowa authorizes the levying of a tax for county purposes of not to exceed six mills and a further tax of one mill for the support of the poor when the same is necessary; and,

WHEREAS, The board of supervisors of Jefferson county, Iowa, did, in the year 1895, levy a tax of five mills for county purposes and one and one-half mills for the support of the poor, and in the year 1896, did levy a tax of four and five-tenths mills for county purposes and one and five-tenths mills for the support of the poor, and in the years 1897, 1898, 1899, and 1900, did levy a tax of four mills for county purposes and two mills for the support of the poor; and in the year 1901, did levy a tax of four mills for county purposes and two and six-tenths mills for the support of the poor; and,

WHEREAS, The tax for the years 1895, 1896, 1897, 1898, 1899, and 1900 has been collected and apportioned and the tax for the year 1901 has already been partly collected and apportioned; and,

WHEREAS, The total levy by said board for all taxes not being in excess of the legal limit the error being in apportioning the levy between the county and the poor funds; therefore

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

SECTION 1. Acts legalized—pending litigation. That the acts of the board of supervisors of the county of Jefferson, state of Iowa, in levying a tax of one and one-half mills for the year 1895 for the support of the poor, and a tax of one and five-tenths mills for the year 1896 for the support of the poor, and a tax of two mills for the years 1897, 1898, 1899, and 1900, respectively, for the support of the poor; and a tax of two and six-tenths mills for the year 1901 for the support of the poor and the tax [taxes] so levied are hereby legalized and made of as binding force as though they had been in strict conformity with law; providing, however, that nothing in this act shall affect pending litigation.

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

Approved February 17, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, February 18, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 219.

OFFICIAL ACTS OF GEORGE C. MCMURTRY AND HERBERT J. MCMURTRIE, NOTARIES PUBLIC OF THE STATE OF IOWA.

H. F. 26.

AN ACT to legalize and confirm the official acts of George C. McMurtry and Herbert J. McMurtrie, notaries public of the state of Iowa.

WHEREAS, George C. McMurtry and Herbert J. McMurtrie of the county of Polk were on the 15th day of June, 1897, respectively commissioned notaries public in and for the county of Polk for the term ending on the 4th day of July A. D. 1900, and

WHEREAS, While acting under such commission, said George C. McMurtry and Herbert J. McMurtrie obtained authority under the statute to perform notarial acts in the county of Warren, an adjoining county, and

WHEREAS, On the 7th day of March, 1898, said notaries public removed from said county of Polk to said county of Warren, and believing that their authority to discharge notarial duties was not affected by their removal from the county of Polk, continued to act as notaries public from said 7th day of March, 1898, until the 4th day of July, A. D. 1900 inclusive, [therefore]

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

SECTION 1. **Official acts legalized—pending litigation.** That the official acts of George C. McMurtry and Herbert J. McMurtrie, acting as notaries public, performed between the 7th day of March, 1898, and the 4th day of July, 1900, are hereby made as legal and effectual as though their residence had not been changed, providing that nothing in this act shall affect any action now pending.

SEC 2. **In effect.** 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 in Des Moines, without expense to the state.

Approved February 21, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, February 22, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 220.

ORDINANCES OF THE TOWN OF CONWAY.

H. F. 34.

AN ACT to legalize the ordinances of the town of Conway, Taylor county, Iowa.

WHEREAS, Doubts have arisen as to the legality of the ordinances passed by the council of the incorporated town of Conway, Taylor county, Iowa, therefore

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

SECTION 1. **Valid and binding—pending litigation.** That all ordinances passed by the town council of the said incorporated town of Conway, Taylor county, Iowa, not in conflict with the laws of the state of Iowa, are hereby legalized, and the same are hereby declared valid and binding, the same as though the law had been complied with in all respects in the passage of said ordinances. But nothing in this act shall in any manner affect any pending litigation.

SEC. 2. **In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa Capital, a newspaper published in the city of Des Moines, Polk county, Iowa, and in the Conway Journal, a newspaper published in the town of Conway, Taylor county, Iowa, both publications to be without expense to the state.

Approved February 21, 1902.

I hereby certify that the foregoing Act was published in the Iowa Capital, February 22, 1902, and in the Conway Journal, February 27, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 221.

OFFICIAL ACTS OF W. E. HASKINS, NOTARY PUBLIC.

H. F. 74.

AN ACT to legalize the official acts of W. E. Haskins a notary public of Howard county, Iowa.

WHEREAS, W. E. Haskins was duly commissioned a notary public in and for Howard county, Iowa, for the years 1896, 1897, 1898, 1899, 1900, and 1901, and

WHEREAS, Said notary public used a seal during said time on which was engraved the words "Notary Public." instead of "Notarial Seal" with which to authenticate his official acts, and

WHEREAS, Doubts have arisen as to the legality of such seal, therefore,

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

SECTION 1. **Legalized and validated—pending litigation.** That all the official acts of the said W. E. Haskins during the above mentioned period, where such defective seal was used are hereby legalized and made valid the same as if a proper and legal notarial seal had been used during all of said time, provided that nothing in this act shall affect pending litigation.

SEC. 2. **In effect.** 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 Chester Herald, newspapers published in the state of Iowa, which publication shall be without expense to the state.

Approved February 21, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register February 22, 1902, and in the Chester Herald, March 1, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 222.

ELECTION IN DALLAS COUNTY AND PROCEEDINGS OF BOARD OF SUPERVISORS.

H. F. 103.

AN ACT to legalize the election held in the county of Dallas and state of Iowa, on the sixth day of November, 1900, and the proposition submitted at said election for the purpose of building a court house at Adel, in said county, and borrowing money and issuing bonds therefor, and the manner of submitting said propositions, and the manner of the payment of bonds issued for said purpose, and all of the proceedings of the board of supervisors of said county with reference to said matter, and to authorize said county to issue bonds voted at said election, and to levy taxes to pay the same.

WHEREAS, There was, on the sixth day of November, 1900, at the regular election held in the county of Dallas and state of Iowa, submitted to the voters of said county, the following proposition:

"Shall Dallas county build a court house at Adel in said county, and for that purpose issue and sell the bonds of said county to the amount of eighty-five thousand dollars, and no more, said sum to construct, complete and furnish said court house, and no appropriation and expenditure in addition thereto to be made for said purpose by the board of supervisors of said county, said bonds to bear interest at a rate not to exceed five per cent per annum, and to be paid in ten equal annual installments, and for the payment of such bonds levy, in addition to the annual taxes of said county, an annual tax of one and one-half ($1\frac{1}{2}$) mills on the dollar of valuation of the taxable property of said county, from year to year for a period of not exceeding ten years commencing with the year 1901, said levy, however, to be discontinued as soon as the above named sum is raised," and

WHEREAS, At said election the said propositions were voted for by a majority of all the persons voting for and against the same, and

WHEREAS, It was declared by the board of supervisors of said county upon a canvass of the votes cast upon said propositions that the same had been carried and adopted at said election, and

WHEREAS, Doubts have arisen respecting the legality and regularity of the proceedings of the board of supervisors leading up to said election, and respecting the legality and regularity of the notice of said election and respecting the legality and regularity of the propositions submitted and respecting the regularity and legality of the form of ballot used at said election and respecting the regularity and legality of all subsequent proceedings of the board of supervisors relative to said matters and respecting the authority of said board in said matters; therefore,

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

SECTION 1. Legalized and validated. That the resolutions and proceedings of the board of supervisors of Dallas county, Iowa, concerning and providing for the submission of said propositions, the notice of the submission thereof, the form of ballot used at said election and the said proposition and all propositions combined therein and all proceedings of the board of supervisors had with reference to said matter before and after the submission of said proposition, and the manner and time provided in said proposition for the issuing of bonds, and the manner and time of paying the same and the manner and time of making a levy of taxes for paying the same and the amount thereof, and all taxes levied by said board of supervisors in pursuance of said election and adoption of said proposition and all propositions combined therein are hereby legalized and validated.

SEC. 2. Powers of supervisors. The board of supervisors of the said county of Dallas shall have the power and authority under the proceedings herein legalized and in accordance with the provisions thereof, to borrow money to pay the cost of the erection of the court house contemplated in said proposition, to issue the negotiable bonds of the county to evidence such loan and to levy annually, on all the taxable property of the county, a special tax, sufficient to meet the principal and interest of said bonds when and as the same mature in the same manner and to the same effect as if the several questions combined in the single public measure voted upon had been submitted separately and a majority of the electors voting on each separate question had voted in favor thereof and in the same manner and to the same effect as if all the proceedings relative to said matter had been legal.

SEC. 3. In effect. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Dallas County News, a newspaper published at Adel, in Dallas county, Iowa, and in the Iowa State Register, a newspaper published at Des Moines, Iowa, without expense to the state.

Approved February 21, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register February 22, 1902, and in the Dallas County News, February 26, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 223.

INDEPENDENT SCHOOL DISTRICT OF ALLERTON.

H. F. 119.

AN ACT to legalize the acts of the independent school district of Allerton, Wayne county, Iowa, in voting bonds at an election held March 12th, 1900, for the rebuilding of a school house in said independent district and to enable such district to issue such bonds.

WHEREAS; The school building of the independent district of Allerton, Wayne county, Iowa, was destroyed by fire on the 14th day of February, 1900; and,

WHEREAS; On the 12th day of March, 1900, the electors of said district, at a regular meeting, duly called and convened according to law, voted bonds to the amount of eighteen thousand (\$18,000) dollars to rebuild said house; and,

WHEREAS; On the 2nd day of April, 1900, the board of directors let the contract for the building of said house, and at that time said issue of bonds was not in excess of the authority of the said board and of said district, and on the 6th day of April, 1900, chapter forty one (41) of the acts of the Twenty-eighth General Assembly went into effect, which reduced the amount of indebtedness, which said district might contract, to six thousand nine hundred (\$6,900) dollars; and,

WHEREAS; The said house has been built and is now used and occupied, and nearly every resident tax payer in the said district has signed a note for the payment of the sum of eleven thousand (\$11,000) dollars, of the cost price of said house, and,

WHEREAS; By reason of doubts of the legality of said election having arisen, the said district is unable to place said bonds upon the market and sell the same;

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

SECTION 1. Election, vote and bonds legalized. That the election and vote for the issue of bonds to the amount of eighteen thousand (\$18,000) dollars, had and held by the independent school district of Allerton, Wayne county, Iowa, on the 12th day of March 1900, for the rebuilding of the school house in said district, be and the same is hereby legalized and made valid, and all warrants issued in pursuance of said election, and all bonds issued or to be issued to fund said indebtedness so created are hereby legalized and made valid, and the board of directors of said independent district are hereby enabled and empowered to issue bonds to the amount of eleven thousand (\$11,000) dollars to carry out the provisions of said vote and to pay the debt contracted thereunder, anything contained in chapter forty one (41) of the acts of the Twenty-eighth General Assembly to the contrary notwithstanding.

SEC. 2. In effect. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa Daily Capital, a newspaper published in Des Moines, Iowa, and the Allerton News, a newspaper published at Allerton, Iowa, which publication shall be without expense to the state.

Approved February 21, 1902.

I hereby certify that the foregoing Act was published in the Iowa Daily Capital, February 22, 1902, and in the Allerton News, February 27, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 224.

PROCEEDINGS, ORDINANCES AND RESOLUTIONS PASSED BY CITY AND TOWN COUNCILS
BY LESS THAN REQUIRED NUMBER OF VOTES.

H. F. 187.

AN ACT to legalize certain proceedings, ordinances and resolutions passed by the councils of cities and towns by less than the required number of votes.

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

SECTION 1. Valid and legal. That all acts, motions, proceedings, resolutions and ordinances heretofore passed or adopted by the council of any city, including cities acting under special charter, and incorporated towns in the state on the supposition that the mayor was not a member of such council, and which would conform to the law if the mayor had not been a member of said council, shall for all purposes from the date of such act, motion, proceeding, resolution or ordinance, be considered as valid and legal as they would have been had the mayor not been a member of such body.

SEC. 2. In effect. 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.

Approved February 27, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, February 28, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 225.

OFFICIAL ACTS OF THE TOWN COUNCIL OF SUMNER.

H. F. 198.

AN ACT to legalize the official acts of the town council of the incorporated town of Sumner, in Bremer county, Iowa.

WHEREAS, Doubts have arisen as to the legality of the official acts and ordinances passed and adopted by the town council of the incorporated town of Sumner, in Bremer county, Iowa, by reason of the failure of the recorder of said town to properly and correctly keep the records of the proceedings of said council; said record in many instances failing to show that said ordinances were passed and adopted as required by law, and

WHEREAS, Some of said ordinances have been passed and adopted by said council without clearly expressing in the title thereof the subjects contained therein, and, whereas, by reason of other irregularities and failures to comply with the law in regard to the passage, adoption, recording and authentication of ordinances, doubts have arisen as to the legality of the same. Now, therefore,

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

SECTION 1. Ordinances and official acts legalized. That all ordinances of the incorporated town of Sumner in Bremer county, Iowa, and all official acts done under and by virtue of said ordinances by the officers of said town, not in contravention of the laws of the state of Iowa, be and the same are hereby legalized and declared to be legal, valid and binding to the same extent and with the same force as though the laws had in all respects been fully and strictly complied with, in the passage, adoption, recording and authentication of said ordinances.

SEC. 2. Ordinances with defective titles legalized. That all ordinances of the incorporated town of Sumner in Bremer county, Iowa, in which the

subject of each ordinance is not clearly expressed in its title, are hereby legalized, and declared to be legal, valid and binding to the same extent and with the same force as though the subject of each ordinance was clearly and fully expressed in its title.

SEC. 3. Pending litigation. Nothing herein contained shall affect any litigation now pending.

SEC. 4. In effect. 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 Sumner Gazette, newspapers published at Des Moines and Sumner, Iowa, without expense to the state.

Approved March 4, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register, March 6, 1902, and in the Sumner Gazette, March 13, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 226.

INCORPORATION OF CERTAIN CORPORATIONS.

S. F. 40.

AN ACT to legalize the incorporation of certain corporations incorporated under the laws of the state of Iowa.

WHEREAS, A large number of corporations incorporated under the laws of the state of Iowa have heretofore caused notice of such incorporation to be published once each week for four consecutive weeks in some daily, semi-weekly or tri weekly newspaper, instead of causing the same to be published in each issue of such paper for four consecutive weeks; and

WHEREAS, Doubts have arisen as to the legality of the incorporation of the said corporation so publishing notice of incorporation as above mentioned, therefore,

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

SECTION 1. Defective publication of notice of incorporation. That each corporation heretofore incorporated under the laws of the state of Iowa which have caused notice of their incorporation to be published once each week for four consecutive weeks in some daily, semi-weekly or tri-weekly newspaper, instead of causing the same to be published in each issue of such newspaper for four consecutive weeks are hereby legalized and are declared legal incorporations the same as though the law had been complied with in all respects in regard to the publication of notice.

SEC. 2. In effect. 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 Des Moines, Iowa.

Approved March 10, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 11, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 227.

INDEPENDENT SCHOOL DISTRICT OF RALSTON.

H. F. 9.

AN ACT legalizing the organization of the independent school district of Ralston, located in Greene and Carroll counties, Iowa.

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

SECTION 1. Legal and valid. That all proceedings pertaining to the organization of the independent school district of Ralston located in Greene and Carroll counties, Iowa, and the organization of said school district are hereby declared legal and valid, and shall be so held in all proceedings with the same force and effect as if the law with respect to the organization of said independent school district had been strictly complied with.

SEC. 2. In effect. 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, which publication shall be without expense to the state of Iowa.

Approved March 14, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 18, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 228.

ACTS OF TOWN COUNCIL OF ORLEANS.

S. F. 215.

AN ACT to legalize the action of the town council of the incorporated town of Orleans, in Dickinson county, Iowa.

WHEREAS, On the 10th day of February, 1902, the said council for the purpose of raising funds for a new park did pass an ordinance conveying a piece of land called West Park to Eliza J. Mosher, the said West Park being unfit and too far away from the center of population to be available for park purposes, and that the moneys for the sale of said West Park be used for park purposes only:

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

SECTION 1. Transfer of West Park legalized. That the acts of said council of the incorporated town of Orleans, Dickinson county, Iowa, in transferring of the said West Park for the purposes therein mentioned be and the same are hereby legalized and made and declared to be effectual, and all proceedings of said council in relation to the said transfer are hereby declared to be valid and effectual as though said council acted in strict compliance with law, but nothing in this act shall in any manner affect any pending litigation.

SEC. 2. In effect. 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, without expense to the State.

Approved March 17, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 18, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 229.

INCORPORATION OF THE TOWN OF MINDEN.

S. F. 294.

AN ACT to legalize the incorporation of the town of Minden, Pottawattamie county, Iowa, the election of its officers, the passage and record of its ordinances and resolutions, and all acts done by the council of said town.

WHEREAS, Doubts have arisen as to the legality of the incorporation of the town of Minden, Pottawattamie county, Iowa, the election of its officers, the passage of its ordinances and resolutions, the signing of the same by the mayor and the record thereof, therefore:

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

SECTION 1. Valid and binding—pending litigation. That the incorporation of the town of Minden, Pottawattamie county, Iowa, the election of its officers, the passage of its resolutions and ordinances, the signing of the same by the mayor or the lack thereof, and all the official acts done by said town council not in contravention with the laws of the state, are hereby legalized and the same are 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, the election of its officers, and all official acts done by said council, the proper signing and record thereof, or the lack of same. But nothing in this act shall in any manner affect pending litigation.

SEC. 2. In effect. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Council Bluffs Weekly Nonpareil and the Iowa State Register, newspapers published at Council Bluffs and Des Moines, Iowa, without expense to the state of Iowa.
Approved March 19, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register March 21, 1902, and in the Council Bluffs Weekly Nonpareil, March 27, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 230.

ORDINANCES AND OFFICIAL ACTS OF THE TOWN OF SCHALLER.

H. F. 227.

AN ACT to legalize the ordinances and the official acts of the town of Schaller, Sac county, Iowa.

WHEREAS, Doubts have arisen as to the legality of the ordinances and the official acts of the council of the incorporated town of Schaller, Sac county, Iowa, therefore,

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

SECTION 1. Valid and binding—pending litigation. That all ordinances and official acts of the town council of the said incorporated town of Schaller, Sac county, Iowa not in conflict with the laws of the state of Iowa, are hereby legalized and the same are declared valid and binding the same as though the law had been complied with in all respects in the passage of said ordinances and the performance of said official acts. But nothing in this act shall in any manner affect any pending litigation.

SEC. 2. In effect. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Des Moines Leader, a newspaper published in the city of Des Moines, Polk county, Iowa, and in the Schaller Herald, a newspaper published in the town of Schaller, Sac county, Iowa. Both publications to be without expense to the state.

Approved March 22, 1902.

I hereby certify that the foregoing Act was published in the Des Moines Leader, March 25, 1902, and in the Schaller Herald, March 27, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 231.

ORDINANCES AND RESOLUTIONS PASSED BY THE INCORPORATED TOWN OF CRESCO.

H. F. 368.

AN ACT to legalize the ordinances and resolutions passed by the incorporated town of Cresco, Howard county, Iowa, and also of the city of Cresco, in said county and state.

WHEREAS, Doubts have arisen as to the legality of the ordinances and resolutions passed by the council of the incorporated town of Cresco, Howard county, Iowa, and also of the ordinances and resolutions passed by the council of the city of Cresco, Howard county, Iowa, therefore,

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

SECTION 1. **Ordinances and resolutions legalized—pending litigation.** That all ordinances and resolutions passed by the town council of the incorporated town of Cresco, Howard county, Iowa, and also all the ordinances and resolutions passed by the city council of Cresco, Howard county, Iowa, not in conflict with the laws of the state of Iowa, are hereby legalized and the same are declared to be valtd and binding, the same as though the law had in all respects been complied with in the passage and adoption of said ordinances and resolutions, providing that nothing in this act shall affect pending litigation.

SEC. 2. **In effect.** This act, being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and the Cresco Republican, two newspapers published in Iowa; said publications to be without expen-e to the state.

Approved March 22, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register March 25, 1902, and in the Cresco Republican, April 4, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 232.

ELECTION IN OSCEOLA COUNTY.

S. F. 272.

AN ACT to legalize the election held in the county of Osceola and state of Iowa on the 5th day of November 1901, and the proposition submitted at said election for the purpose of building a court house & jail at Sibley in said county, and borrowing money and issuing bonds therefor and the manner of payment of said bonds issued for said purpose, and all of the proceedings of the board of supervisors of said county with reference to said matter.

WHEREAS, There was, on the 5th day of November 1901, at the regular election held in the county of Osceola and state of Iowa, submitted to the voters of said county, the following proposition:

“Shall the proposition to issue bonds in the sum of fifty thousand dollars, (\$50000.00), and to levy a tax therefor, for the purpose of building a court house and jail in Osceola county, Iowa, be adopted”, and

WHEREAS, It was declared by the board of supervisors of said county upon a canvass of the votes cast upon said propositions that the same had been carried and adopted at said election, and

WHEREAS, Doubts have arisen respecting the legality and regularity of the proceedings of the board of supervisors leading up to said election, and respecting the legality and regularity of the notice of said election and respecting the regularity and legality of the form of ballot used at said election and respecting the regularity and legality of the proceedings and subsequent

proceedings of the board of supervisors relative to said matters and respecting the authority of said board in said matters, therefore,

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

SECTION 1. Legalized and validated. That the resolutions and proceedings of the board of supervisors of Osceola county, Iowa, concerning and providing for the submission of the propositions, the notice of the submission thereof, the form, and the form of the ballot used at said election and the said proposition and all propositions combined therein and all proceedings of the board of supervisors had with reference to said matter before and after the submission of the said proposition, and the manner and time provided in subsequent resolutions and propositions for the issuing of said bonds and the manner and time of paying the same and the amount thereof, and all other propositions combined therein are hereby legalized and validated.

SEC. 2. Powers of supervisors. The said board of supervisors of said county of Osceola shall have the power and authority under the proceedings herein legalized and in accordance with the provisions thereof to borrow money to pay the cost of the erection of the court house & jail contemplated in said proposition and resolutions, to issue the negotiable bonds of said county to evidence such loan and to levy annually on all of the taxable property of the said county, a special tax sufficient to meet the principal and interest of said bonds when and as the same mature in the same manner and to the same effect as if the several questions combined in the single public measure voted upon had been submitted separately and a majority of the electors voting on each separate question had voted in favor thereof, and in the same manner and to the same effect as if all the proceedings relative to said matter had been formal and legal.

SEC. 3. In effect. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the "Sibley Gazette" a newspaper published in Sibley, Osceola county Iowa, and in the "Iowa State Register", a newspaper published at Des Moines, Iowa, without expense to the state.

Approved March 25, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register, March 27, 1902, and in the Sibley Gazette, April 3, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 233.

ACTS OF COUNTY AUDITOR AND BOARD OF SUPERVISORS OF LYON COUNTY.

H. F. 378.

AN ACT legalizing acts of the county auditor and of the board of supervisors of Lyon county.

WHEREAS, On the 2nd day of June, 1874, application before the county auditor of Lyon county, Iowa, was made by the petition of A. Toalman and others, asking the appointment of a commissioner to view and report upon the expediency of locating county roads as follows, to-wit: On every section line in said county of Lyon and state of Iowa, excepting the section line west of the range line between ranges forty-eight (48) and forty-nine (49), and so much of said range line between ranges forty-eight (48) and forty-nine (49) as lies south of the southwest corner of section thirty (30), township ninety-eight (98), range forty-eight (48), and also excepting the range line between section thirty-two (32), township one hundred (100), range forty-five (45) and section five (5), township ninety-nine (99), range forty-five (45).

WHEREAS, The auditor of said county appointed A. Toalman commissioner to view said route June 3rd, 1874, and to report on or about the 8th day of June, 1874.

WHEREAS, Thomas Thorson, county auditor of said county in vacation, on the 8th day of June, 1874, that being the time fixed for A. Toalman to make his report, as commissioner, upon said roads, and said report having been made in favor of the establishment of said roads, it was ordered that August 10th, 1874, be fixed for the final action thereon.

WHEREAS, Notice was published for four consecutive weeks in the Beloit Times and the Rock Rapids Review, newspapers published in Lyon county, Iowa, as provided by law.

WHEREAS, The county auditor, on the 10th day of August, 1874, this being the time fixed for the final action on the establishment of said roads, and no objections having been made thereto, it was ordered that the same be established as per plat and field notes on file.

WHEREAS, The board of supervisors of said Lyon county established said roads as follows: On the 8th day of September, 1874, that being the time fixed for the final hearing, and no objections being made against the establishment of the roads petitioned for by A. Toalman and others, called the section line roads and located upon every section line in Lyon county, excepting only the roads and lines above specifically described, no one objecting in any way to the establishment of said roads and no claims for damages having been filed, and it appearing from proofs on file that due notice had been given all parties interested as by law provided, it was therefore ordered that the said roads be and are hereby established absolutely according to the report of the commissioner, and that the action of the auditor in the matter be and is hereby approved.

WHEREAS, Doubts have arisen as to the legality of the establishment of the roads known as section line roads of Lyon county, Iowa, above described, therefore,

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

SECTION 1. Acts relative to establishment and construction of roads. That the action of the county auditor, board of supervisors, commissioner, and other officers relating to the establishment and construction of the roads on all the section lines in Lyon county, Iowa, excepting the section line west of the range line between ranges forty-eight (48) and forty-nine (49), and so much of said range line between ranges forty-eight (48) and forty-nine (49) as lies south of the south-west corner of section thirty (30), township ninety-eight (98), range forty-eight (48), and also excepting the range line between section thirty-two (32), township one hundred (100), range forty-five (45) and section five (5), township ninety-nine (99), range forty-five (45), and all other matters relating or pertaining to the location, establishment and opening of said roads; the petition therefor; the notices; the report of the commissioner; the action of the auditor and the board of supervisors, and all their acts relating to said roads, are hereby made as legal and valid as though the law had in all respects been fully and completely complied with; and said roads are hereby made legal public highways in every respect.

SEC. 2. Pending litigation. That the provisions of this act shall in nowise affect pending litigation.

SEC. 3. In effect. 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 The Reporter, a newspaper published at Rock Rapids, Iowa, without expense to the state.

Approved March 25, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register March 27, 1902, and in The Reporter at Rock Rapids, April 3, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 234.

ACTS OF WATER WORKS TRUSTEES APPOINTED BY THE DISTRICT COURTS.

S. F. 266.

AN ACT to legalize the acts of boards of water works trustees in cities of the first class and cities acting under special charters under appointment made by the district courts of Iowa.

WHEREAS, The district courts of Iowa have appointed and fixed the compensation of boards of water works trustees under the provisions of section seven hundred forty-seven of the code as amended; and

WHEREAS, Such boards of water works trustees have in good faith acted, received compensation and made expenditures under such appointments; now, therefore,

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

SECTION 1. **Acts declared legal and binding.** That all the acts of such boards of water works trustees appointed be and the same are hereby declared legal, valid and binding in all respects and for all purposes and to the same extent as if such appointments had been made and compensation fixed by the mayor, city council or other constitutional authority.

SEC. 2. **No cause of action.** That no cause of action shall exist against said trustees or any of them, their employes or agents, by reason of any lack of authority in their appointment or the fixing of their compensation.

SEC. 3. **Cities affected.** This act shall be held applicable to cities of the first class and to cities acting under special charters.

SEC. 4. **In effect.** 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, Ia.
Approved March 27, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 28, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 235.

THE TOWN OF RUDD.

H. F. 349.

AN ACT to legalize the incorporation of the town of Rudd, Floyd county, Iowa, and the ordinances thereof.

WHEREAS, The application for an order of court in regard to the incorporation of the town of Rudd, in Floyd county, Iowa, was informal, and

WHEREAS, Proper notices were given and an election held as required by law, and

WHEREAS, In seeking to extend its limits the formalities of the statute were complied with except that no record was kept on the proper records of the town by the officers of said town then acting, and

WHEREAS, Ordinances have since been adopted by the council of said town, but in the adoption of the same no proper record was kept thereof; therefore

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

SECTION 1. **Incorporation, extension of limits and ordinances legalized.** That the incorporation of the town of Rudd in Floyd county, Iowa, the extension of the limits thereof, and the ordinances passed by the council of the said

town, are hereby legalized, and the same are declared as valid and binding as the same would have been had the law in all respects been complied with, as to its organization, extension of its limits, and the passage and recording of its ordinances; but that this act shall not affect any matters now in litigation.

Approved March 27, 1902.

CHAPTER 236.

INDEPENDENT SCHOOL DISTRICT OF STANWOOD.

H. F. 326.

AN ACT to legalize the acts of the independent school district of Stanwood, Cedar county, Iowa, in voting bonds at a special election held September 16, 1901, for the rebuilding of a schoolhouse in said independent school district and to enable such district to issue such bonds and to validate all the official acts and proceedings of the board of directors of said school district relative thereto.

WHEREAS, The school building of the independent school district of Stanwood, Cedar county, Iowa, was destroyed by fire on the 20th day of August, 1901; and,

WHEREAS, On the 16th day of September, 1901, the electors of said district, at a special election, voted bonds to the amount of eight thousand five hundred (\$8500.00) dollars to rebuild said house, there being at said meeting 106 votes cast in favor of the proposition and 5 against; and,

WHEREAS, On the 23rd day of October, 1901, the board of directors of said school district let the contract for the building of said house and afterwards, to wit, on or about the 8th day of February, 1902, it was discovered that said school district, on the date that said special meeting was held and bonds voted, could not legally contract an indebtedness above five thousand seven hundred and eighty-two (\$5782.00) dollars and that said district in voting to issue bonds to the amount of eight thousand five hundred (\$8500.00) dollars exceeded its legal authority in the sum of two thousand seven hundred and eighteen (\$2718.00) dollars; and,

WHEREAS, The said contract has been partly performed and unless said special meeting and official acts and proceedings of said board, relative thereto, are legalized and made valid, said independent school district will suffer irreparable loss; and,

WHEREAS, Doubts have arisen as to the legality of said special meeting and of the said bonds voted to be issued and of the official acts and proceedings of said board of directors relative thereto, on account of the electors of said independent school district at said special meeting voting bonds in excess of legal authority in the sum of two thousand seven hundred and eighteen (\$2718.00) dollars and because of alleged informalities in the proposals and advertising for bids for the erection of said school building and in giving notice of said special election and in the contract let for the building of said schoolhouse and in the form of the ballots used at the special meeting in submitting the question of voting bonds: [therefore]

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

SECTION 1. Legalized and validated. That the special election and the vote for the issue of bonds to the amount of eight thousand five hundred (\$8500.00) dollars had and held by the independent school district of Stanwood, Cedar county, Iowa, on the 16th day of September, 1901, for the rebuilding of the school house in said district and all the official acts and proceedings of the board of directors of said district relative thereto, be and the same is hereby legalized and made valid as fully as though all the requirements of the law leading up to, and necessary thereto, had been followed in every respect and particular and in full compliance with the law, and the board of

directors of said independent district are hereby enabled and empowered to issue bonds to the amount of eight thousand five hundred (\$8500.00) dollars.

SEC. 2. In effect. 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 Stanwood Herald, newspapers published respectively at Des Moines and Stanwood, Iowa, without expense to the state.

Approved March 27, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register March 28, 1902, and the Stanwood Herald, April 3, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 237.

CONVEYANCES OF REAL ESTATE BY HUSBAND OR WIFE.

S. F. 157.

AN ACT to validate certain conveyances of real estate in which the husband or wife conveyed the inchoate right of dower of the other spouse.

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

SECTION 1. Conveyances legalized. No conveyance of real estate heretofore made, wherein the husband or wife conveyed or contracted to convey the inchoate right of dower of the other spouse, acting as the attorney in fact, by virtue of a power of attorney executed by each spouse, such power of attorney not having been executed as a part of a contract of separation, shall be held invalid as contravening the provisions of section three thousand one hundred and fifty-four (3154) of the code, but all such conveyances are hereby legalized and made effective.

SEC. 2. In effect. 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 31, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 2, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 238.

CONTRACT MADE BY TOWN OF SPIRIT LAKE FOR CONSTRUCTION OF SEWER.

H. F. 407.

AN ACT to legalize the contract made by the incorporated town of Spirit Lake, Iowa, for the construction of a sewer therein and for the levy of a tax of five mills made by said town in payment therefor.

WHEREAS, The town of Spirit Lake in Dickinson county, Iowa, did on the 13th day of July A. D. 1901 make a written contract for the construction of a sewer in said town which sewer has been completed in accordance therewith, and did on the 2nd day of September A. D. 1901 levy a sewer tax of five mills on the dollar for the purpose of paying therefor, and whereas doubts have arisen as to the legality of said levy, [therefore]

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

SECTION 1. Contract and tax levy legalized. That the making of said contract for the construction of said sewer and the levy of said tax to provide

funds for the payment thereof and the payment thereof by said town, be and the same are hereby legalized and made valid, binding and of full force and effect.

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

Approved March 31, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, April 2, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 239.

ORDINANCES OF THE TOWN OF SHANNON.

H. F. 328.

AN ACT to legalize the ordinances of the town of Shannon City, situated in Union and Ringgold counties, Iowa.

WHEREAS, Doubts have arisen as to the legality of the ordinances passed by the town council of the incorporated town of Shannon City, situated in Union and Ringgold counties, Iowa, therefore,

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

SECTION 1. Ordinances legalized—pending litigation. That all ordinances passed by the town council of the said town of Shannon City, in Union and Ringgold counties, Iowa, not in conflict with the laws of the state of Iowa, are hereby legalized, and the same are declared valid and binding, the same as though the law had been complied with in all respects in the passage of said ordinances. But nothing in this act shall in any manner affect any pending litigation.

SEC. 2. In effect. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Des Moines Capital, a newspaper published in the city of Des Moines, Polk county, Iowa, and in the Shannon City Sun, a newspaper published in the town of Shannon City, in Union county, Iowa, both publications to be without expense to the state.

Approved April 4, 1902.

I hereby certify that the foregoing Act was published in the Des Moines Capital, April 4, 1902, and in the Shannon City Sun, April 11, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 240.

COPY OF CERTIFIED RECORD OF THE UNITED STATES SUPREME COURT.

H. F. 283.

AN ACT to legalize copy of certified record of the supreme court of the United States in case of the Burlington and Missouri River Railroad company, plaintiff in error, vs. Fremont county, Iowa. In error to the supreme court of Iowa.

WHEREAS a certified transcript of record of the supreme court of the United States in case number forty (40), entitled the Burlington and Missouri River Railroad company, plaintiff in error, vs. Fremont county, Iowa, in error to the supreme court of Iowa, is now a part of the records in the recorder's office of Fremont county, Iowa.

WHEREAS said judgment of the supreme court of the United States determines and establishes the title of Fremont county, Iowa, and its grantees to the lands in said county known as swamp lands.

WHEREAS said certified copy of record has become unfit for use or evidence, and whereas the board of supervisors of Fremont county, Iowa, have caused to be made as a part of the records of said county a correct and true copy of said certified copy known as "Copy of swamp land decision." [Therefore]

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

SECTION 1. Transcribed copy legalized. That transcribed copy of certified copy of record of the supreme court of the United States in case of the Burlington and Missouri River Railroad company—plaintiff in error—vs. Fremont county, Iowa, in error to the supreme court of Iowa, together with copy of certificate of clerk of the United States supreme court attached thereto and now a part of the records of Fremont county, Iowa, in recorder's office, be and the same is hereby legalized and made of the same force and effect for all intents and purposes as the original transcript and certificate of the decision of the supreme court of the United States in said swamp land case.

Approved April 5, 1902.

CHAPTER 241.

CONVEYANCE OF REAL ESTATE TO THE TOWNSHIP TRUSTEES OF FOX RIVER TOWNSHIP, DAVIS COUNTY.

H. F. 293.

AN ACT to legalize the conveyance of certain real estate to the township trustees of Fox River township, Davis county, Iowa, for graveyard and church purposes

WHEREAS, Doubts have arisen as to the legality and validity of a certain conveyance of real estate, by S. B. Downing and D. J. McConnell, to the trustees of Fox River township, Davis county, Iowa, and their successors in office, for graveyard and church purposes, as set forth in book 46 at page 616 of the deed records of Davis county, Iowa, therefore,

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

SECTION 1. Conveyance legalized. That the conveyance of said real estate made by S. B. Downing and D. J. McConnell, on June 3, 1901, of certain real estate, described in their deed, recorded in book 46 at page 616 of the deed records of Davis county, Iowa, to the trustees of Fox River township, Davis county, Iowa, and to their successors in office, for graveyard and church purposes, be, and the same is hereby legalized and made valid and binding for the purposes therein expressed.

Approved April 5, 1902.

CHAPTER 242.

THE TOWN OF SWAN.

H. F. 367.

AN ACT to legalize the ordinances of the town of Swan, Marion county, Iowa, and the official acts of the mayor and recorder thereof, in the publication of said ordinances.

WHEREAS, Doubts have arisen as to the legality of the ordinances of the town of Swan, in Marion county, Iowa, and the official acts of the mayor and recorder thereof in the publication of said ordinances, and the acts of the town council thereunder, therefore,

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

SECTION I. Ordinances and official acts legalized—pending litigation. That the ordinances of the town of Swan, in Marion county, Iowa, are hereby legalized and the same are declared valid and binding, and all acts of the mayor and recorder of said incorporation in the publication of said ordinances are hereby legalized and the same are declared valid, binding, and in full force and effect, the same as though the law had been fully complied with in all respects in the passage of the ordinances thereof, and by said mayor and recorder in publishing the ordinances of said town of Swan. But nothing in this act shall in any manner affect pending litigation.

Approved April 5, 1902.

CHAPTER 243.

THE TOWN OF LAURENS.

H. F. 428.

AN ACT to legalize the extension of the corporate limits of the town of Laurens, Iowa; and its ordinances and resolutions and the acts of officers and persons had in pursuance thereof; and to fix the limits of said town.

WHEREAS, At an election held on June 17th, 1901, pursuant to the resolutions of the town council of the town of Laurens, Iowa, the question of the extension of the corporate limits of said town was submitted to the electors thereof and of the territory included within said proposed extension; and a large majority of votes was cast favoring such proposition; and

WHEREAS, The mayor of said town did thereupon proclaim the extension and enlargement of said town fixing its corporate limits as proposed at such election and as follows, to-wit:—

On the north by the north line of the south half of the south half of section twenty-two, in township ninety-three north, range thirty-four west of the fifth P. M.

On the east, by the east line of the southwest quarter of the southeast quarter of said section twenty-two, and the east line of the west half of the northeast quarter of section twenty seven in said township.

On the south, by the south line of the north half of said section twenty-seven.

On the west, by the west lines of said sections twenty-two and twenty-seven; and

WHEREAS, Said council and other officers and persons have acted upon the belief that such extension was in all things regular and according to law; and

WHEREAS, Doubts have arisen as to the validity of such extension of limits, and of such acts of such council officers and persons, therefore,

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

SECTION I. Valid and binding. That such election, proclamation, extension and enlargement of corporate limits; and all acts, ordinances and resolutions of said council and all other officers or persons had in, concerning or with reference to either of such matters or in pursuance thereof, are hereby legalized and declared to be valid and binding in all things whatsoever the same as though the law in respect to the extension of corporate limits of cities and towns had been strictly complied with by said council, and by all other officers and persons whatsoever acting in, concerning or with reference to such enlargement of limits; and the corporate limits of said town are hereby fixed as set forth above in the preamble hereto.

Approved April 5, 1902.

CHAPTER 244.

THE TOWN OF KINROSS.

H. F. 424

AN ACT to legalize the incorporation of the town of Kinross, in the county of Keokuk and state of Iowa, and the official acts of the officers of said town, and all ordinances and resolutions adopted by the council of said town.

WHEREAS, There was held in the year A. D. 1898, in the district court of the state of Iowa, in and for Keokuk county, certain proceedings for the purpose of incorporating a town to be known as Kinross, said town to be located in Liberty township, said county; and

WHEREAS, The record of the proceedings in said court, as said records appear in the office of the clerk of said court, fail to show any order or decree of said court declaring said town to be duly incorporated; and

WHEREAS, Owing to the failure of the records in said cause to show judgment declaring said town duly incorporated, doubts have arisen as to the legality of the incorporation of said town of Kinross, and as to the legality of the official acts of the officers of said town; and

WHEREAS, In the adoption of certain ordinances of said town, the records of the town fail to show a record of the ayes and nays voting upon the adoption of said ordinances; and

WHEREAS, The records of said town fail to show that the mayor of said town has duly signed all of the ordinances of said town; and

WHEREAS, Owing to these and other irregularities in the adoption of said ordinances, doubts have arisen as to the legality of certain of the said ordinances of said town, and now in force in said town; therefore,

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

SECTION 1. Valid and binding. That the incorporation of the town of Kinross, Keokuk county, Iowa, is hereby legalized and declared to be as valid and binding as though the law had in all respects been complied with in the incorporation of said town, and as though the records of the proceedings in the said cause showed full and complete compliance with the laws of Iowa; and the election of all officers in and for the said town, the official acts of all officers of the said town, all franchises granted, all of the resolutions and proceedings of the council of the said town of Kinross, and all of the ordinances adopted by the council of said town, including ordinance number one to ordinance number nine inclusive, and not in contravention of the laws of the state of Iowa, be and are hereby ratified, confirmed and legalized in all respects, and are hereby declared to be valid and binding the same as though the law had been fully complied with in the incorporation of said town, the election of its officers, and all the official acts done, the granting of franchises, and the adoption of its ordinances.

SEC. 2. Pending litigation. Nothing in this act shall in any manner affect any pending litigation.

SEC. 3. In effect. This act, being deemed of immediate importance, shall 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 Kinross Paper, a newspaper published in Kinross, Keokuk county, Iowa, without expense to the state.

Approved April 7, 1902.

I hereby certify that the foregoing act was published in the Des Moines Leader, April 11, 1902, and in The Kinross Paper, April 17, 1902.

W. B. MARTIN.
Secretary of State.

CHAPTER 245.

ELECTION OF THE CITY OF CLINTON IN FAVOR OF ESTABLISHING A FREE PUBLIC LIBRARY.

H. F. 451.

AN ACT legalizing the election of the city of Clinton in favor of establishing a free public library in said city.

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

SECTION 1. Election and vote legalized. That the vote of the electors, and the election held in the city of Clinton, on the question of establishment of a free public library, the proposition having been printed on the same ballot with the names of the city officers, and voted for in that way, said election and manner of voting be and the same is hereby legalized and declared as valid as if section one (1), of chapter thirty-five (35), laws of the Twenty-eighth General Assembly had been complied with, in the form of ballot and manner of holding and conducting said election.

SEC. 2. In effect. This act, being deemed of immediate importance, shall take effect from and after its publication in the Clinton Daily Herald and the Clinton Morning Age, newspapers published in Clinton, Iowa, without expense to the state.

SEC. 3. Pending litigation. This act shall not affect any pending litigation.

Approved April 10, 1902.

I hereby certify that the foregoing Act was published in the Clinton Daily Herald, April 14, 1902, and in the Clinton Morning Age, April 15, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 246.

THE TOWN OF BONDURANT.

H. F. 444.

AN ACT to legalize all acts done and ordinances passed by the town council of the incorporated town of Bondurant, Polk county, Iowa.

WHEREAS, Doubts have arisen as to the legality and regularity of certain official acts done, and ordinances passed, by the town council of the incorporated town of Bondurant, Polk county, Iowa; therefore

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

SECTION 1. Acts and ordinances legalized. That the acts of the town council and the passage and publication of the ordinances of the incorporated town of Bondurant, Iowa, be, and the same are hereby affirmed, ratified and legalized and declared in force and effect as fully and completely as if all the provisions of law had been complied with, providing that nothing herein shall effect pending litigation.

SEC. 2. In effect. 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 the Bondurant Journal, newspapers published respectively at Des Moines, Iowa, and Bondurant, Iowa, said publication to be without expense to the state.

Approved April 10, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register April 11, 1902, and in the Bondurant Journal, April 17, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 247.

THE TOWN OF GRAVITY.

S. F. 271.

AN ACT to legalize the publication of notice and vote, for the incorporation of the town of Gravity, Iowa,

WHEREAS, Doubts have arisen as to the legality of the publication of the notice, and vote for the incorporation of the town of Gravity, Iowa, therefore;

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

SECTION 1. **Valid and binding.** That the publication of notice and proof thereof and the vote incorporating the town of Gravity, Iowa, are hereby legalized and the same declared to be valid, binding and in full force, the same as though the law had been complied with in all respects for the incorporation of said town of Gravity, Iowa.

SEC. 2. **In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa Capital and the Des Moines Register newspapers published in the city of Des Moines, Polk county, Iowa, without expense to the state of Iowa.

Approved April 10, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register, April 11, 1902, and in the Des Moines Daily Capital, April 12, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 248.

OFFICIAL ACTS OF THE TOWN COUNCIL OF DENVER AND THE ACTS OF F. C. RICHMANN, TOWN CLERK.

H. F. 449.

AN ACT to legalize the official acts of the town council of the incorporated town of Denver, in Bremer county, Iowa, and the acts of F. C. Richmann acting as clerk of said town.

WHEREAS, Doubts have arisen as to the legality of the official acts and ordinances passed and adopted by the town council of the incorporated town of Denver, in Bremer county, Iowa, by reason of the failure of the recorder of said town to properly and correctly keep the records of the proceedings of said council; said records in many instances failing to show that said ordinances were passed and adopted as required by law, and

WHEREAS, Some of the said ordinances have been passed and adopted by said council without clearly expressing in the title thereof the subjects contained therein, and whereas, by reason of other irregularities and failures to comply with the law in regard to the passage, adoption, recording and authentication of ordinances, and

WHEREAS, F. C. Richmann was elected town clerk of the incorporated town of Denver, Bremer county, Iowa, in the month of March 1900 for the term of two years, and that on the 1st day of August 1901 said F. C. Richmann moved outside of the incorporate limits of said town of Denver and became a non-resident of said town, but continued to act as town clerk of said incorporated town of Denver, Bremer county, Iowa, doubts have arisen as to the legality of the acts and doings of the said clerk during the period of his being a non-resident of said town. Now therefore,

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

SECTION 1. **Ordinances and official acts legalized.** That all ordinances of the incorporated town of Denver, in Bremer county, Iowa, and all official

acts done under and by virtue of said ordinances by the officers of said town, not in contravention with the laws of the state of Iowa, be and the same are hereby legalized and declared to be legal, valid and binding to the same extent and with the same force as though the laws had in all respects been fully and strictly complied with, in the passage, adoption, recording and authentication of said ordinances.

SEC. 2. Ordinances with defective titles. That all ordinances of the incorporated town of Denver, in Bremer county, Iowa, in which the subject of each ordinance is not clearly expressed in its title, are hereby legalized, and declared to be legal, valid and binding to the same extent and with the same force as though the subject of each ordinance was clearly and fully expressed in its title.

SEC. 3. Acts of F. C. Richmann legalized. That all acts, ordinances, doings, and transactions, of every name, nature, kind and description, of the incorporated town of Denver, Bremer county, Iowa, performed, executed and acted upon while F. C. Richmann was clerk, or acting as clerk, of the said town of Denver, while he was a non-resident of said town, and all acts, doings and transactions of the said F. C. Richmann while he was clerk, or acting, performing and doing the duty and services as a clerk of said town of Denver while he was a non-resident of said town of Denver, not in contravention with the laws of the state of Iowa, be and the same are hereby legalized and declared to be legal, valid and binding to the same extent and with the same force as though the laws had been in all respects strictly complied with and the said F. C. Richmann had at all times been a resident of the incorporated town of Denver, Iowa, and legally acting and qualified as clerk of the said incorporated town of Denver, Bremer county, Iowa.

SEC. 4. Pending litigation. Nothing herein contained shall affect any litigation now pending.

SEC. 5. In effect. 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 Waverly Republican, newspapers published at Des Moines and Waverly, Iowa, without expense to the state.

Approved April 11, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register, April 18, 1902, and in the Waverly Republican, April 24, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 249.

INSTRUMENTS IN WRITING DEFECTIVELY ACKNOWLEDGED.

S. F. 188.

AN ACT to legalize certain instruments in writing which were defectively acknowledged.

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

SECTION 1. Defective acknowledgments legalized. That the acknowledgments of all deeds, mortgages or other instruments in writing, taken and certified previous to the passage of this act, and which have been duly recorded in the proper counties in this state, and which are defective only in the form of the certificate of the officer taking the same, or by reason of such acknowledgment having been made before an official not qualified to take the same, but who was at the time qualified to take acknowledgments generally, be and are hereby declared to be as legal and valid for all purposes as if the form of the certificate had been made in accordance with law, and the official taking such acknowledgments duly qualified therefor.

Approved April 12, 1902.

CHAPTER 250.

THE TOWN OF HILLSDALE.

H. F. 443.

AN ACT to legalize the election held in the town of Hillsdale, Mills county, Iowa, on the eighteenth day of March, 1901, and to legalize all ordinances, acts and proceedings of the officers elected at said election.

WHEREAS. Doubts have arisen as to the legality of the election and qualification of the officers of the town of Hillsdale, Mills county, Iowa, and the legality of the proceedings of the council of said town, owing to the election of nineteen hundred and one (1901) having been called and held upon March 18th, 1901, instead of one week later, as provided by law, therefore,

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

SECTION 1. Election and acts of council legalized. That the election of the town council of the said town of Hillsdale, Mills county, Iowa, and all ordinances passed and all proceedings had and acts done by such council, so far as they are in accord with the laws of the state and the powers conferred upon the town council by law, are hereby declared to be as legal and binding as if all such acts had been in strict conformity to law.

Approved April 12, 1902.

JOINT RESOLUTIONS.

JOINT RESOLUTION No. 1.

ADDITIONAL EMPLOYES OF GENERAL ASSEMBLY.

[Originated in the Senate.]

Relating to the selection of additional employes of the Twenty-ninth General Assembly and fixing their compensation and manner of payment thereof.

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

SECTION 1. That Harry Byers of Hancock county, Milton Thompson of Clarke county, A. W. Tallman of Mitchell county and W. McFadden of Pottawattamie county, are hereby appointed policemen at a salary of \$70.00 per month each.

SEC. 2. That D. W. Donohue of O'Brien county, John Elliott of Appanoose county and H. J. Bennett of Polk county are hereby appointed clerks in the document room at a salary of \$60.00 per month each.

SEC. 3. That John Heater of Sac county, D. W. Shean of Keokuk county, Thos. Martin of Polk county, B. F. Manley of Taylor county, Wm. Law of Audubon county, H. T. Barber of Pottawattamie county, Emanuel Berry of Warren county, Geo. W. Myers of Greene county, J. E. Winder of Taylor county, John W. Cook of Fayette county, Carl Peters of Jasper county and F. E. White of Louisa county, are hereby appointed janitors at a salary of \$60.00 per month each.

SEC. 4. That Ernest J. McDonald of Bremer county, Charles Turbett of Polk county and S. M. Kester of Monroe county are hereby appointed elevator tenders at a salary of \$60.00 per month each.

SEC. 5. That Earl Rainy of Iowa county is hereby appointed assistant bill clerk of the senate and J. P. Spaulding of Dallas county is hereby appointed assistant bill clerk of the house at a salary of \$60.00 per month each.

SEC. 6. That G. L. Shaul of Page county is hereby appointed a clerk in the supply department at a salary of \$66.00 per month.

SEC. 7. That the policemen, elevator tenders and janitors shall be assigned to their respective duties by the custodian. The clerks in the document room shall be assigned to their duties by the secretary of state and the clerk in the supply department shall receive his assignment from the secretary of the executive council. The assistant bill clerks shall be assigned to their duties by the secretary of the senate and chief clerk of the house respectively.

SEC. 8. That the custodian, secretary of state and secretary of executive council respectively, report the time of the employes under his direction to the secretary of the senate and chief clerk of the house and that the time of the assistant bill clerks shall be certified in the same manner as that of other employes of the respective houses.

SEC. 9. That the secretary of the senate and the chief clerk of the house are hereby directed to prepare a pay roll of said employes, the same to be countersigned by the president of the senate and speaker of the house and present the same to the auditor of state.

SEC. 10. That the custodian be authorized to employ such additional help as may be necessary to clear snow from the approaches, steps and walks about the capitol.

SEC. 11. That the secretary of state shall be empowered to retain as many of the clerks as are hereby appointed to service in the document room as he may find necessary for a period not exceeding 2 weeks after the adjournment of the Twenty-ninth General Assembly.

JOINT RESOLUTION No. 2.

NUMBER OF SENATORS AND REPRESENTATIVES.

[Originated in the Senate.]

For an amendment to the constitution of the state of Iowa, proposing the repeal of sections thirty-four (34), thirty-five (35), and thirty-six (36), of article three (3) of said constitution, and proposing to adopt the following in lieu thereof and as a substitute therefor:

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

That sections thirty-four (34), thirty-five (35) and thirty-six (36) of article three (3) of the constitution of the state of Iowa be repealed, and the following be adopted in lieu thereof:

Number of senators. SECTION 34. The senate shall be composed of fifty members, to be elected from the several senatorial districts established by law, and at the next session of the General Assembly, held following the taking of the state and national census, they shall be apportioned among the several counties, or districts of the state according to population as shown by the last preceding census.

Number of representatives—districts. SEC. 35. The house of representatives shall consist of not more than one hundred and eight members. The ratio of representation shall be determined by dividing the whole number of the population of the state as shown by the last preceding state or national census, by the whole number of counties then existing or organized, but each county shall constitute one representative district and be entitled to one representative but each county having a population in excess of the ratio number as herein provided, of three-fifths or more of such ratio number, shall be entitled to one additional representative, but said addition shall extend only to the nine counties having the greatest population.

Ratio and apportionment. SEC. 36. The General Assembly shall, at the first regular session held, following the adoption of this amendment, and at each succeeding regular session held next after the taking of such census, fix the ratio of representation, and apportion the additional representatives as hereinbefore required.

Be it further resolved: That this resolution and the amendment to the constitution therein contained and proposed, be, and the same is hereby referred to the next succeeding General Assembly for action. And the secretary of state is hereby directed to cause the same to be published for three months previous next preceding the day of election of members of the next General Assembly, as provided by law.

Approved April 5, 1902.

JOINT RESOLUTION No. 4.

CHANGES AS TO ADDITIONAL EMPLOYES OF GENERAL ASSEMBLY.

[Originated in the Senate.]

Recommending changes as to additional employes.

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

SEC. 1. That A. P. Heald of Marion county and Jule Parmelee, of Shelby county, be appointed janitors in the place of F. E. White, of Muscatine county,

LAWS OF THE TWENTY-NINTH GENERAL ASSEMBLY.

and John Heater, of Sac county, both of whom declined to accept the positions to which they were appointed.

SEC. 2. That the time of the above named employes be certified, and warrants drawn in their favor in accordance with Joint Resolution No. 1.

JOINT RESOLUTION No. 5.

BIENNIAL ELECTIONS.

[Originated in the Senate.]

Proposing to amend the constitution of the state of Iowa, so as to provide for biennial elections.

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

That the following amendment to the constitution of the state of Iowa be and the same is hereby proposed:

Add as section 16, to article 12 of the constitution, the following:

SECTION 16. The first general election after the adoption of this amendment shall be held on the Tuesday next after the first Monday in November in the year one thousand nine hundred and six, and general elections shall be held biennially thereafter. In the year one thousand nine hundred and six there shall be elected a governor, lieutenant-governor, secretary of state, auditor of state, treasurer of state, attorney-general, two judges of the supreme court, the successors of the judges of the district court whose terms of office expire on December 31st, one thousand nine hundred and six, state senators who would otherwise be chosen in the year one thousand nine hundred and five, and members of the house of representatives. The terms of office of the judges of the supreme court which would otherwise expire on December 31st, in odd numbered years, and all other elective state, county and township officers, whose terms of office would otherwise expire in January in the year one thousand nine hundred and six, and members of the general assembly whose successors would otherwise be chosen at the general election in the year one thousand nine hundred and five, are hereby extended one year and until their successors are elected and qualified. The terms of office of senators whose successors would otherwise be chosen in the year one thousand nine hundred and seven are hereby extended one year and until their successors are elected and qualified. The general assembly shall make such changes in the law governing the time of election and terms of office of all other elective officers as shall be necessary to make the time of their election and terms of office conform to this amendment, and shall provide which of the judges of the supreme court shall serve as chief justice. The general assembly shall meet in regular session on the second Monday in January, in the year one thousand nine hundred and six, and also on the second Monday in January in the year one thousand nine hundred and seven, and biennially thereafter.

Resolved further, That the foregoing proposed amendment to the constitution of the state of Iowa be, and the same is hereby referred to the legislature, to be chosen at the next general election for members of the general assembly, and that the secretary of state cause the same to be published for three months previous to the day of such election as provided by law.

Approved March 25, 1902.

JOINT RESOLUTION No. 5.

NUMBER AND COMPENSATION OF EMPLOYES OF THE STATE DEPARTMENTS.

[Originated in the House.]

Fixing the number and compensation of employes in the departments of state at the seat of government.

LAWS OF THE TWENTY-NINTH GENERAL ASSEMBLY.

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

Until the final adjournment of the next general assembly, the number of employes for the various offices at the seat of government, unless otherwise provided by law, shall at no time exceed the number named herein, and their compensation shall be the amount herein fixed.

FOR THE OFFICE OF ATTORNEY GENERAL.

	Per annum.
One legal assistant at a salary of.....	\$ 1200.00
One stenographer at a salary of.....	780.00
Additional assistance and contingent fund to pay advance costs...	800.00

FOR THE OFFICE OF AUDITOR OF STATE.

One chief clerk and examiner of insurance department at a salary of	1500.00
One security clerk in insurance department (who shall give bond) at a salary of	1250.00
One second assistant clerk in the insurance department, who shall do general work	1000.00
One chief clerk in revenue department at a salary of	1300.00
One clerk of building and loan department at a salary of... ..	1200.00
One clerk for general work at a salary of.....	780.00
One stenographer at a salary of.....	780.00
One janitor at a salary of.....	660.00

FOR THE OFFICE OF CLERK OF SUPREME COURT.

One clerk at a salary of	1000.00
Additional clerical assistance.....	1100.00
One janitor, who shall also act as messenger; and who shall also act as janitor for the supreme court room, at a salary of.....	660.00

FOR THE OFFICE OF GOVERNOR.

One pardon secretary at a salary of.....	1500.00
One pardon clerk at a salary of.....	1200.00
One requisition clerk at a salary of.....	1200.00
One general clerk at a salary of.....	900.00
One general clerk and stenographer at a salary of.....	900.00
One usher and messenger, who shall also act as janitor, at a salary of	840.00

FOR THE STATE LIBRARIAN'S OFFICE.

One cataloguer at a salary of.....	1000.00
One janitor at a salary of.....	660.00
Assistant help in janitor service.....	200.00

FOR THE RAILROAD COMMISSIONERS' OFFICE.

One clerk at a salary of	1000.00
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FOR THE OFFICE OF SECRETARY OF STATE.

One chief clerk (who shall give bond) at a salary of	1250.00
One corporation clerk at a salary of.....	1000.00
One assistant corporation clerk at a salary of.....	1000.00
One stenographer at a salary of.....	780.00
One clerk in the document room at a salary of.....	1000.00
One janitor and messenger at a salary of.....	720.00
Additional clerical assistance may be employed at an expense not to exceed	800.00
For copying and indexing articles of incorporation laws, not to exceed.....	1200.00

LAW OF THE TWENTY-NINTH GENERAL ASSEMBLY.

FOR THE OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION.

One stenographer at a salary of.....	\$	780.00
One janitor at a salary of.....		660.00
Extra clerical assistance not to exceed.....		500.00

FOR SUPREME COURT ROOMS.

One bailiff, who shall also act as janitor and messenger, at a salary of	780.00
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FOR THE OFFICE OF TREASURER OF STATE.

One cashier (who shall give bond) at a salary of	1250.00
One bookkeeper at a salary of.....	1200.00
One clerk and stenographer at a salary of.....	900.00
One clerk for general work at a salary of.....	780.00
One night watch, who shall also act as janitor, at a salary of.....	780.00

FOR THE HISTORICAL DEPARTMENT.

Assistant curator at a salary of.....	960.00
Second assistant curator, clerk and stenographer at a salary of....	840.00
One janitor for the historical building at a salary of.....	660.00
One night watchman at a salary of.....	660.00
One taxidermist at a salary of.....	660.00

FOR THE EXECUTIVE COUNCIL.

One secretary at a salary of.....	1800.00
One clerk at a salary of.....	1200.00
One clerk at a salary of.....	840.00
One mail carrier with team and wagon, who shall perform the duties assigned by the executive council, at a salary of.....	1100.00

FOR THE BOARD OF CONTROL.

One chief bookkeeper not to exceed.....	1600.00
One storekeeper and clerk not to exceed.....	780.00
One assistant bookkeeper not to exceed.....	780.00
One clerk not to exceed	720.00
One estimate clerk not to exceed.....	900.00
One stenographer not to exceed.....	780.00
One stenographer not to exceed	780.00
One clerk and janitor not to exceed	780.00
For extra clerical assistance not to exceed	1300.00

FOR THE DEPARTMENT OF GEOLOGICAL SURVEY.

One clerk and stenographer at a salary of.....	840.00
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FOR THE OFFICE OF STATE MINE INSPECTOR.

One clerk at a salary of.....	780.00
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WEATHER AND CROP SERVICE.

Director's salary	1500.00
Clerical assistance not to exceed	720.00

FOR THE OFFICE OF STATE BOARD OF HEALTH.

One clerk or stenographer at a salary	780.00
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OFFICE OF SUPREME COURT REPORTER.

One clerk at a salary of.....	720.00
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LAWs OF THE TWENTY-NINTH GENERAL ASSEMBLY.

FOR THE OFFICE OF PHARMACY COMMISSIONERS.

One secretary and treasurer at a salary of.....	\$1200.00
For the offices of attorney-general and adjutant-general, there shall ' be one janitor to be selected by them, who shall receive a salary of.....	660.00
For the offices of railroad commissioners, and horticultural depart- ment, there shall be one janitor to be selected by them at a salary of.....	660.00
For the offices of department of agriculture (agricultural) society and state board of health, there shall be one janitor to be selected by them at a salary of.....	660.00
For the offices of pharmacy department, dairy department, the mining inspector and the labor bureau, there shall be one janitor to be selected by the custodian at a salary of	660.00
For the offices of the secretary of the executive council, the supply department, the G. A. R. department and the geological survey, there shall be one janitor to be selected by the executive council at a salary of	660.00
The last five janitors shall be upon the custodian's pay roll.	

The custodian shall provide the necessary janitor service for all parts of the capitol and historical buildings, not otherwise provided for. The janitors of the state house shall at all times be subject to the order of the custodian, to perform any additional services by the way of assisting the state house engineer, state house carpenter, supply department, historical department, or upon the capitol grounds, or any other labor that may be necessary about the capitol or grounds, at such hours as they are not necessarily employed in their regular janitor work, and it shall be the duty of the custodian to assign said janitors to do such extra service, and said custodian may employ janitors and other assistance as follows:

	Per annum.
One engineer at a salary of.....	\$1200.00
One carpenter at a salary of.....	1000.00
One chief of police at a salary of.....	900.00
Two night watchmen at a salary of.....	900.00
Eight janitors at a salary of	660.00
One janitress for ladies' toilet rooms, not to exceed three months per year, at rate of.....	660.00
Three laborers for state grounds, eight months in year, at rate of..	660.00
The necessary firemen for boiler rooms at rate of.....	720.00
One elevator tender, at a salary of.....	600.00

TRAVELING LIBRARY COMMISSION.

One secretary and organizer.....	1200.00
Clerk and stenographer.....	720.00
Other assistance, shipping clerk, office help, etc.....	800.00

Approved April 12, 1902.

JOINT RESOLUTION No. 6.

CHAIRS FOR THE GOVERNOR, PRESIDENT OF THE SENATE AND SPEAKER OF
THE HOUSE.

[Originated in the Senate.]

For the appointment of a joint committee to purchase a chair for the governor, president of the senate, and speaker of the house.

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

That a joint committee of the senate and house be appointed and hereby authorized, to purchase a suitable chair for the governor, and a suitable chair and gavel for the president of the senate and a suitable chair and gavel for the speaker of the house.

*** CONCURRENT RESOLUTIONS.**

NUMBER 1.

CONCURRENT RESOLUTION, relative to furnishing session laws to the members of the Twenty-ninth General Assembly.

Resolved, by the House, the Senate Concurring:

That the secretary of state be requested to furnish each member of the Twenty-ninth General Assembly with one copy of the Twenty-seventh and Twenty-eighth General Assembly laws, and the stationery which will be required by the members of the house and senate.

Adopted January 15, 1902.

NUMBER 2.

CONCURRENT RESOLUTION, relative to the publication of 5,000 additional copies of the Iowa official register for the year 1902.

Resolved by the Senate, the House Concurring:

That the secretary of state be directed to publish 5,000 copies of the Iowa official register for the year 1902, in addition to the number specified in section 70 of the code.

Adopted January 15, 1902.

NUMBER 3.

CONCURRENT RESOLUTION relative to the printing of the inaugural address of Governor A. B. Cummins.

Resolved by the House, the Senate Concurring:

That the secretary of state be and is hereby directed to have printed in pamphlet form fifteen thousand (15,000) copies of the inaugural address of Governor A. B. Cummins for general distribution.

Adopted January 21, 1902.

NUMBER 4.

CONCURRENT RESOLUTION relative to furnishing the code and certain session laws to the first assistant clerk of the house and to the first assistant clerk of the senate.

Resolved by the House, the Senate Concurring:

That the secretary of state be directed to furnish to the first assistant clerk of the house, and to the first assistant secretary of the senate, each a copy of the code and of the session laws of the 27th and 28th General Assembly.

Adopted January 27, 1902.

* The concurrent resolutions appearing herein are the ones which were certified or delivered to the secretary of state by the officers of the house and senate.

NUMBER 5

CONCURRENT RESOLUTION relative to the printing in pamphlet form of 15,000 copies of the report of the Vicksburg Park commission, and 2,000 copies of the governor's report on pardons.

Resolved by the House, the Senate Concurring:

That the secretary of state be and he is hereby directed to have printed in pamphlet form fifteen thousand (15,000) copies of the report to Gov. L. M. Shaw by the Vicksburg Park commission for general distribution. That the secretary of state is hereby authorized to print in pamphlet form for distribution, 2,000 copies of the governor's report on pardons.

Adopted January 27, 1902.

NUMBER 6.

PREAMBLE AND CONCURRENT RESOLUTION giving Senator Fred N. Smith a code of 1897.

WHEREAS, The code of 1897 furnished to Senator Fred N. Smith of Des Moines county, by the secretary of state, under the provision of section four of the code, has been removed from his desk in the senate, and cannot be found; therefore be it

Resolved by the Senate, the House Concurring:

That the secretary of state be and is hereby authorized and instructed to deliver to the said Senator Fred N. Smith, another code.

Adopted, January 29, 1902.

NUMBER 7.

PREAMBLE AND CONCURRENT RESOLUTION relative to the free distribution of certain copies of the session laws.

WHEREAS, There are now in the custody of the secretary of state a large number of volumes of the acts of the general assemblies from the Eighth to the Fourteenth, both inclusive, and

WHEREAS, The said volumes are falling into decay and are being damaged by the ravages of time and otherwise, and

WHEREAS, It has been proven impossible to sell them at any price, therefore be it

Resolved by the House, the Senate Concurring:

That the secretary of state be and is hereby authorized to make gratuitous distribution of said volumes to schools, colleges, libraries, and to all persons who make application therefor, the number to be distributed to each to be governed by the discretion of the secretary. Provided that ten copies of each of said volumes shall be sent to the library of the State Historical society at Iowa City and ten copies to the library of the Iowa State university.

Adopted January 31st, 1902.

NUMBER 8.

CONCURRENT RESOLUTION, authorizing the mounting of lithographic plats in the land office, and rebinding the field notes.

Resolved by the Senate, the House Concurring:

That the secretary of state be authorized and directed to have mounted

with cloth and properly arranged, in volumes of convenient size, the photolithographic plats of all the congressional townships in the state, which were furnished the state department by the commissioner of the general land office. And also that the secretary of state be further authorized and directed to have the volumes containing the original field notes of survey and the records of conveyances rebound, the covers of which are now badly worn, from age and constant use.

Adopted February 25, 1902.

NUMBER 9.

CONCURRENT RESOLUTION, authorizing five thousand copies of the rules of the senate and house to be printed.

Resolved by the Senate, the House Concurring:

That 5,000 copies of the rules of the senate and house, and joint rules, together with the names of all standing committees of the Twenty-ninth General Assembly, be printed as soon as practicable, and distributed in the same manner as those of the Twenty-eighth General Assembly

Adopted February 25, 1902.

NUMBER 10.

CONCURRENT RESOLUTION relative to the printing of the report of the commission appointed to investigate the matter of explosions in coal mines.

Resolved by the House, the Senate Concurring:

That the secretary of state be and is hereby directed to have printed in pamphlet form one thousand (1,000) copies of the report of the commission appointed to inquire into and investigate the matters of explosions in the coal mines of Iowa, together with the supplemental report of John P. Reese and John P. White, for general distribution.

Adopted March 7, 1902.

NUMBER 11.

CONCURRENT RESOLUTION relative to the free distribution to certain persons of the code supplement of 1902.

Resolved by the House, the Senate Concurring:

That the secretary of state be directed to furnish each member of the Twenty-ninth General Assembly with a copy of the code supplement of 1902 as soon as the same shall have been published; also to furnish one copy each for the chief clerk of the house, the first and second assistant clerks, and the journal clerks, and one copy each for the secretary of the senate, the first and second assistant secretaries, and the journal clerks.

Adopted March 29, 1902.

NUMBER 12.

PREAMBLE AND CONCURRENT RESOLUTION, authorizing the executive council to distribute the hand-book of the Iowa soldiers' and sailors' monument.

WHEREAS, There are in the hands of the executive council about fifteen hundred copies of the hand-book of the Iowa soldiers' and sailors' monument for which there is no provision of law for the distribution of the same and which are valuable for the numerous public and school libraries of the state, the historical department, etc., therefore,

LAWS OF THE TWENTY-NINTH GENERAL ASSEMBLY.

Resolved by the Senate, the House concurring:

That the executive council is hereby directed to distribute the same as follows, to-wit:

To the state university ten copies; to the agricultural college ten copies; to the state normal school ten copies; to the curator of the historical department, for exchange purposes one hundred copies; to the state historical society twenty-five copies; to each member of the Twenty-ninth General Assembly five copies; to the state library commission for distribution to public and school libraries of the state one copy to each of said libraries, five hundred copies, and the remainder to be distributed to the department of Iowa Grand Army of the Republic.

Adopted April 1, 1902.

NUMBER 13.

CONCURRENT RESOLUTION relative to furnishing the code and certain session laws to certain officers of the house and senate.

Resolved by the Senate, the House Concurring:

That the secretary of state be and is hereby directed to furnish the second assistant secretary of the senate, and the two journal clerks, and the second assistant clerk of the house and the two journal clerks, each with a copy of the code, together with a copy of the session laws of the Twenty-seventh and Twenty-eighth General Assemblies.

Adopted April 9, 1902.

NUMBER 14.

PREAMBLE AND CONCURRENT RESOLUTION, in relation to the interstate commerce law.

WHEREAS, It is generally believed that the effectiveness of the interstate commerce law has been seriously impaired by certain decisions of the federal courts, and that the law in its present state is practically inoperative in remedying the evils of the transportation service of the country, which was the purpose of its enactment, and

WHEREAS, A bill designated as H. R. 8337 and S. 3575, known as the Nelson-Corliss bill, is now pending in the two houses of congress to amend the interstate commerce act by conferring upon the commission created thereby additional powers for the purpose of enabling it to enforce the provisions of the act, and giving its rulings immediate effect, pending review by the courts: therefore,

Be it resolved by the Senate, the House Concurring:

That the senators and representatives in Congress, from this state be, and are hereby respectfully requested to give said measure careful consideration, and to use their efforts in every proper way to secure its early enactment, or the enactment of some other measure which will afford the relief sought.

Adopted April 9, 1902.

NUMBER 15.

CONCURRENT RESOLUTION, relative to printing 5000 additional copies of the official register for the year 1903, and the binding of 1000 copies in cloth.

Be it resolved by the Senate, the House Concurring:

That there be printed five thousand copies of the official register of 1903,

LAWS OF THE TWENTY-NINTH GENERAL ASSEMBLY.

in addition to the number provided for in the code, and that one thousand copies of the official register of 1902 and 1903 be bound in cloth, with gilt letters; and that the state binder be paid fifteen cents per volume, in full, for folding sewing and binding said official registers in cloth.

Adopted April 9, 1902.

NUMBER 16.

CONCURRENT RESOLUTION relative to the transfer of the Iowa buildings at the Louisiana purchase exposition to the board of control.

Resolved by the Senate, the House Concurring:

That as soon as practicable after the formal closing of the Louisiana purchase exposition, the board of commissioners for Iowa to said exposition shall turn over and surrender to the board of control, any building or buildings belonging to the state which shall have been erected on the grounds of said exposition, and the board of control are hereby authorized to accept the same and to take down and transport all or any part of the material composing such building or buildings, to any state institution which to them seems advisable, and may pay any expenses necessarily incurred in the tearing down, removal and transportation of material out of any funds available to the credit of the institution, where any part of the material may be used.

In case the board of control find they cannot use to advantage any part of such material, they may sell the same to the best possible advantage, using the proceeds of such sale or sales, first, to pay the expenses of tearing down, removing and transporting material, and, second, turning any excess above such expenses into the state treasury.

Adopted April 11, 1902.

CERTIFICATE.

STATE OF IOWA, }
OFFICE OF SECRETARY OF STATE. }

I. W. B. Martin, 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 of the acts and resolutions of the Twenty-ninth General Assembly, except that the words enclosed in brackets [thus] have been inserted where it is evident that an omission had occurred.

In testimony whereof, I have hereunto set my hand and affixed the seal of my office at Des Moines, this twelfth day of June, A. D. 1902.

(SEAL)



Secretary of State.

CONDITION OF THE TREASURY.

DEPARTMENT OF AUDITOR OF STATE, }
DES MOINES, April 30, 1902. }

Hon. W. B. Martin, Secretary of State.

DEAR SIR—In pursuance of section 18 of the constitution of Iowa, I have the honor to submit for publication with the laws of the Twenty-ninth General Assembly, the following statement of the receipts and expenditures of public moneys for the biennial fiscal period commencing July 1, 1899, and ending June 30, 1901.

Respectfully,

FRANK F. MERRIAM,
Auditor of State.

CONDITION OF THE TREASURY.

The amount of funds in the treasury at the close of the last fiscal period, June 30, 1899, including agricultural college mortgage bonds, was \$1,067,391.09, belonging to the several funds as follows:

Agricultural college endowment fund.....	\$ 571,460.53
General revenue	445,001.37
Special university tax.....	50,178.19
Swamp land indemnity fund.....	750.00
Total.....	\$ 1,067,391.09

The amount received from all sources during the fiscal period ending June 30, 1901, was \$5,808,304.36, which was distributed in the several funds as follows:

General revenue.....	\$ 5,130,050.54
Agricultural college endowment fund.....	460,885.30
Special university tax.....	108,713.23
Agricultural college additional endowment.....	50,000.00
Swamp land indemnity fund.....	36,606.03
Special Iowa state college tax.....	30,498.91
Temporary school fund.....	1,353.30
Permanent school fund.....	247.94
Total.....	\$ 5,808,304.36

The receipts being added to the balances on hand June 30, 1899, as shown above makes \$6,875,695.45 as the amount to be accounted for. The disbursements during the fiscal period ending June 30, 1901, were as follows:

General revenue.....	\$ 4,421,173.74
Agricultural college endowment fund.....	383,050.00
Special university tax.....	157,375.00
Agricultural college additional endowment.....	50,000.00
Swamp land indemnity fund.....	27,577.08
Temporary school fund.....	1,353.30
Permanent school fund.....	181.60
Total.....	\$ 5,040,713.72

Leaving a balance in the treasury, June 30, 1901, of \$1,834,981.73, belonging to the several funds, as follows:

General revenue.....	\$ 1,143,881.17
Agricultural college endowment fund.....	649,235.80
Special Iowa state college fund.....	30,498.91
Swamp land indemnity fund.....	9,778.95
Special university tax.....	1,516.47
Permanent school fund.....	63.34
Total.....	\$ 1,834,981.73

CONDITION OF THE TREASURY.

STATEMENT No. 1.

Showing receipts and disbursements during the fiscal period ending June 30, 1901.

RECEIPTS.

Arrest of fugitives, refund.....	\$	18.50
Collateral inheritance tax.....	156,464.54	
Executive council's contingent fund, refund.....	4.68	
Express companies, taxes.....	8,804.71	
Farmers institutes, refund.....	50.00	
Fee account, auditor of state, insurance.....	96,301.75	
Fee account, auditor of state, building and loan.....	1,215.00	
Fee account, clerk of supreme court.....	7,514.66	
Fee account, oil inspectors.....	23,645.99	
Fee account, secretary of state.....	125,568.05	
Fee account, superintendent of public instruction.....	3,268.00	
Fee account, pharmacy commission.....	23,838.71	
Fee account, itinerant licenses.....	3,000.00	
Penitentiary, Anamosa, board of United States prisoners, etc.....	10,768.70	
Penitentiary, Ft. Madison, convict labor, etc.....	58,481.95	
Insane collections, by superintendent.....	1,141.80	
B. F. Norton, dairy licenses.....	1,499.00	
L. M. Shaw, United States aid, soldiers' home.....	85,063.31	
Sale geological reports.....	112.93	
Custodian's sales.....	88.36	
Refund, L. Wix.....	31.25	
Sale monument hand-book.....	7.95	
Wm. Larrabee, refund mileage certificate.....	56.81	
Adjutant-general, refund on freight.....	17.00	
Adjutant-general, refund from Capital City Gas Light company.....	1.08	
Fees from veterinary medical examiners for 1900.....	429.61	
Refund costs, J. R. Prime vs. F. M. Drake et al.....	15.00	
Refund, attorney-general, advance costs, Campbell vs. Walte.....	37.90	
Fees from board of state mine inspectors.....	2,750.00	
Rent, lake lands.....	235.00	
Refund, Fredrice Maach.....	.25	
Insurance taxes.....	382,165.22	
Interest on delinquent taxes.....	29,131.40	
Miscellaneous expressage, refund.....	.25	
Entomologists' fees.....	1,166.85	
Sale of laws.....	6,952.10	
Telegraph companies, taxes.....	20,034.33	
Telephone companies, taxes.....	14,175.50	
Trans-Mississippi Exposition commission.....	184.00	
Insane, due from counties.....	720,417.68	
College for the blind, due from counties.....	1,130.76	
School for deaf, due from counties.....	3,694.71	
Institution for feeble-minded children, due from counties.....	25,080.59	
Orphans' home, due from counties.....	43,380.16	
Penitentiary, Anamosa, support.....	2,034.34	
Penitentiary, Anamosa, library.....	1,256.00	
Penitentiary, Anamosa, books and periodicals.....	1,252.49	
Penitentiary, Anamosa, lectures and entertainments.....	418.51	
Penitentiary, Ft. Madison, support.....	3,078.42	
Penitentiary, Ft. Madison, library.....	1,349.25	
Penitentiary, Ft. Madison, books and periodicals.....	760.59	
Penitentiary, Ft. Madison, lectures and entertainments.....	255.51	
Penitentiary, Ft. Madison, contingent and repair.....	200.00	
Hospital for insane, Cherokee, construction.....	2,844.24	
Hospital for insane, Clarinda, support.....	3,594.98	
Hospital for insane, Independence, support.....	11,973.83	
Hospital for insane, Mt. Pleasant, support.....	6,714.54	
Orphans' home, support.....	2,320.84	
School for the deaf, support.....	8,185.38	
Industrial school for boys, support.....	5,426.52	
Industrial school for girls, support.....	1,686.50	
Proceeds warrants, interest on school fund loans.....	1,353.70	
Institution for feeble-minded children, support.....	3,569.67	
Industrial home for the blind, sale of manufactured articles.....	2,860.23	
Industrial home for the blind, support and closing the home.....	2,063.46	
Soldiers' home, support.....	3,690.76	
Soldiers' home, rebate support account.....	10.00	
Soldiers' home, pensions.....	5,084.25	
College for the blind, support.....	3,650.34	
State taxes, 3-2-10 mills, part of levy of 1898; 2 9-10 mills levy of 1899; and 2 6-10 mills, part of levy of 1900.....	3,107,511.21	
Balance in treasury June 30, 1899.....	445,002.37	
Total.....	\$5,565,061.91	

DISBURSEMENTS.

Redemption of auditor's warrants.....	\$4,421,173.74
Balance cash in treasury June 30, 1901.....	1,143,888.17
Total.....	\$5,565,061.91

CONDITION OF THE TREASURY.

SPECIAL UNIVERSITY TAX.

Balance on hand June 30, 1899.....	\$ 50,178. 79
Received from state tax, 1-10 mill levy.....	108,713. 28
Total.....	\$ 158,891. 47

DISBURSEMENTS.

Redemption auditor's warrants.....	\$ 157,375. 00
Balance in treasury June 30, 1901.....	1,516. 47
Total.....	\$ 158,891. 47

AGRICULTURAL COLLEGE ENDOWMENT FUND.

Amount mortgage bonds in treasury June 30, 1899.....	\$ 482,838. 57
Amount cash in treasury June 30, 1899.....	68,621. 96
Amount received from sale of land, etc., to date.....	77,775. 36
Total.....	\$ 649,235. 89

DISBURSEMENTS.

Cash in treasury June 30, 1901.....	\$ 1,135. 89
Mortgage bonds in treasury June 30, 1901.....	648,100. 00
Total.....	\$ 649,235. 89

AGRICULTURAL COLLEGE ADDITIONAL ENDOWMENT FUND.

Amount received by state treasury from U. S. government.....	\$ 50,000. 00
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DISBURSEMENTS.

Amount disbursed to Herman Knapp, treasurer.....	\$ 50,000. 00
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SPECIAL IOWA STATE COLLEGE TAX.

Amount received from state tax, 1-10 mill levy.....	\$ 30,498. 91
None of the above fund has been disbursed.	

PERMANENT SCHOOL FUND.

Balance in treasury June 30, 1899.....	None.
Received by treasurer of state.....	\$ 247. 94
Total.....	\$ 247. 94
Disbursements by treasurer of state.....	184. 60
Balance in treasury June 30, 1901.....	63. 34
Total.....	\$ 247. 94

TEMPORARY SCHOOL FUND.

Balance in treasury June 30, 1899.....	None.
Amount received from interest on state bonds.....	\$ 1,353. 30
Total.....	\$ 1,353. 30
Amount apportioned to counties.....	1,353. 30
Balance in treasury June 30, 1901.....	None.

SWAMP LAND INDEMNITY FUND.

Balance in treasury June 30, 1899.....	\$ 750. 00
Amount received from U. S. Government.....	36,606. 03
Total.....	\$ 37,356. 03
Disbursed to counties by treasurer of state.....	27,577. 08
Balance in treasury June 30, 1901.....	9,778. 95
Total.....	\$ 37,356. 03

RECAPITULATION OF BALANCES IN TREASURY JUNE 30, 1901.

General revenue.....	\$1,143,888. 17
Special university tax.....	1,516. 47
Agricultural college endowment fund.....	649,235. 89
Special Iowa state college tax.....	30,498. 91
Permanent school fund.....	63. 34
Swamp land indemnity fund.....	9,778. 95
Total.....	\$1,834,981. 73

STATEMENT No. 2.

Showing the amount of warrants issued and to what charged, during the fiscal period ending June 30, 1901.

Adjutant-general's salary.....	\$ 3,495. 76
Adjutant-general's record clerk's salary.....	1,190. 00
Attorney-general's salary.....	7,999. 94

CONDITION OF THE TREASURY.

Attorney-general's legal assistant's salary.....	\$ 2,500.00
Attorney-general's clerks' fund.....	2,113.00
Attorney-general's extra clerk and contingent fund.....	600.00
Attorney-general's traveling expenses.....	125.30
Auditor's salary.....	4,399.94
Auditor, executive council.....	1,000.04
Auditor, deputy's salary.....	3,000.00
Auditor's clerk's fund.....	16,481.54
Board of control, including secretary's salary.....	21,012.49
Board of control, architect's salary.....	6,000.00
Board of control, architect's traveling expenses.....	280.38
Board of control, traveling and miscellaneous expenses.....	3,384.48
Board of control, clerks' fund.....	12,823.73
Board of control, furnishing rooms.....	1,997.98
Board of control, bulletins.....	2,628.67
Board of control, inspection private and county insane institutions.....	103.95
Clerk of supreme court, salary.....	4,399.94
Clerk of supreme court, deputy's salary.....	3,500.00
Clerk of supreme court, clerks' fund.....	5,047.80
Commissioner of labor, salary.....	3,000.00
Commissioner of labor, deputy's salary.....	1,874.95
Commissioner of labor, expenses.....	831.25
Commissioner of pharmacy, enforcement fund.....	1,468.26
Curator, salary.....	2,066.61
Custodian, salary.....	3,000.00
Custodian, expenses.....	38,337.91
Dairy commissioner's salary.....	3,000.00
Dairy commissioner's deputy's salary.....	991.63
Dairy commissioner's assistant's salary.....	991.63
Dairy commissioner's clerks' fund.....	225.00
Dairy commissioner, expenses.....	7,307.72
District judge Henry Banks, Jr.....	4,999.94
District judge M. A. Roberts.....	4,999.94
District judge T. M. Fee.....	4,999.94
District judge F. W. Eichelberger.....	4,999.94
District judge Robt. Sloan.....	4,999.94
District judge H. M. Towner.....	4,999.94
District judge W. H. Tedford.....	4,999.94
District judge F. R. Gaynor.....	4,999.94
District judge Geo. W. Wakefield.....	4,999.94
District judge Wm. Hutchinson.....	4,999.94
District judge John F. Oliver.....	4,999.94
District judge J. D. Gamble.....	4,999.94
District judge J. H. Apolligate.....	4,999.94
District judge A. W. Wilkinson.....	4,999.94
District judge John T. Scott.....	4,999.94
District judge W. G. Clements.....	4,999.94
District judge A. R. Dewey.....	4,999.94
District judge P. B. Wolfe.....	4,999.94
District judge James W. Bollinger.....	4,999.94
District judge W. F. Brannan.....	4,999.94
District judge Allen J. House.....	4,999.94
District judge M. J. Wade.....	4,999.94
District judge S. F. Prouty.....	4,999.94
District judge W. F. Conrad.....	4,999.94
District judge C. F. Holmes.....	4,999.94
District judge C. A. Bishop.....	4,999.94
District judge Amos L. Blair.....	4,999.94
District judge Franklin C. Platt.....	4,999.94
District judge J. R. Whitaker.....	4,999.94
District judge B. F. Birdsall.....	3,124.97
District judge Wm. S. Kenyon.....	1,854.96
District judge L. M. Weaver.....	4,999.94
District judge John C. Sherwin.....	1,250.00
District judge Clifford P. Smith.....	3,749.94
District judge J. F. Clyde.....	4,999.94
District judge J. H. Kelley.....	4,999.94
District judge L. E. Fellows.....	4,999.94
District judge A. N. Hobson.....	4,999.94
District judge W. B. Quarton.....	4,999.94
District judge F. H. Helsell.....	4,999.94
District judge A. D. Ballie.....	2,916.84
District judge A. B. Thornell.....	2,083.30
District judge Walter I. Smith.....	4,999.94
District judge O. D. Wheeler.....	2,916.84
District judge W. R. Green.....	2,083.30
District judge N. W. Macy.....	4,999.94
District judge L. M. Elwood.....	4,999.94
District judge Z. A. Church.....	4,999.94
District judge Geo. W. Burnham.....	4,999.94
District judge Obed Caswell.....	4,999.94
District judge Howard M. Remley.....	4,999.94
District judge Wm. G. Thompson.....	4,999.94
District judge Wm. N. Treichler.....	4,999.94
District judge Fred O'Donnell.....	4,999.94
District judge M. C. Mathews.....	4,999.94
District judge W. S. Withrow.....	4,999.94
District judge Jas. D. Smyth.....	4,999.94
Fish and game warden's salary.....	2,400.00
Fish and game warden's expenses.....	7,937.15
Governor, salary and rent.....	7,200.00
Governor, executive council.....	1,000.04
Governor, secretary.....	3,000.00
Governor, contingent.....	12,107.94
Governor, contingent, return of paroled prisoners.....	427.65
Governor, contingent, to pay counsel.....	80.00
Librarian and assistants' salary.....	9,229.23

CONDITION OF THE TREASURY.

Librarian, catalogue	1,976.28
Librarian, clerks' fund	1,779.51
Mine inspectors' salaries	8,092.50
Mine inspectors' expenses	3,522.12
Mine inspectors' board of examiners	340.80
Mine inspectors' clerk's fund	1,335.00
Mine foremen, board of examiners	3,367.88
Railroad commissioners' and secretary's salaries	16,199.82
Railroad commissioners' expenses	5,092.41
Railroad commissioners' maps	1,900.00
Secretary of state, salary	4,399.94
Secretary of state, executive council	1,000.04
Secretary of state, deputy's salary	3,000.00
Secretary of state, clerks' fund	11,761.98
Secretary of state, clerk of land office	2,500.00
Superintendent of public instruction, salary	4,399.94
Superintendent of public instruction, deputy's salary	7,000.00
Superintendent of public instruction, clerks' fund	3,815.41
Superintendent of public instruction, school journals	206.90
Superintendent of public instruction, traveling expenses	583.54
Superintendent of public weights and measures	100.00
Supreme Judge Josiah Given	7,999.94
Supreme Judge G. S. Robinson	2,000.00
Supreme Judge John C. Sherwin	5,999.94
Supreme Judge C. T. Granger	5,999.96
Supreme Judge Emilo McLain	1,999.98
Supreme Judge Scott M. Ladd	7,999.94
Supreme Judge H. E. Deemer	7,959.94
Supreme Judge C. M. Waterman	7,999.94
Supreme court room, bailiff's salary	910.00
Supreme court, contingent fund	3,207.32
Supreme court reporter's clerks' fund	1,110.00
Supreme court reporter	2,400.00
Treasurer of state, salary	4,399.94
Treasurer of state, executive council	1,000.04
Treasurer of state, deputy's salary	3,000.00
Treasurer of state, clerks' fund	9,527.36
Veterinary surgeons	9,733.17
Agricultural college, financial agent	3,968.43
Agricultural college, general engineering hall	34,949.05
Agricultural college, president's residence	10,000.00
Agricultural college, improvement and repairs	.72
Agricultural college, pure bred stock	9,045.60
Agricultural college, horse barn and stock pavilion	11,997.10
Agricultural college, trustees	6,018.55
Agricultural college, support and current expense fund	43,125.90
Agricultural college, repair, current expense and additional support fund	25,000.00
Agricultural providential contingency fund	16,999.58
Agricultural societies	33,664.32
Arrest of fugitives	9,381.53
Benedict homes	6,588.03
Binder (state)	34,181.73
Board of educational examiners	2,168.45
Board of health	10,080.79
Counties overpaid (institution accounts)	1,059.36
Capitol improvement commission, assistants	191.13
Capitol improvement commission, expenses	223.07
Collateral inheritance tax, enforcement fund	7,902.36
Collateral inheritance tax, court costs	25.55
Condemnation of real estate	9,571.25
College for blind, support fund	39,755.41
College for blind, teacher's fund	19,343.90
College for blind, improvement fund	2,803.73
College for blind, education of Linnie Haguewood	649.00
Education of Linnie Haguewood	320.00
Executive council's contingent fund	1,997.55
Executive council's clerk's fund	6,588.88
Farmers' institutes	5,301.34
Geological survey	9,791.20
Geological survey, expenses	8,019.31
Geological survey, clerks' fund	780.00
Gray uniforms	99.75
Historical building	34,845.51
Historical building, completing and furnishing	20,939.24
Historical collection	12,354.40
Historical collection and library, furniture and fixtures	5,342.60
Historical collection and library, consolidated	5,822.27
Historical society	7,000.00
Horticultural society	5,425.00
Hospital for insane, Cherokee, construction	31,228.81
Hospital for insane, Cherokee, water supply	754.41
Hospital for insane, Clarinda, support	269,443.20
Hospital for insane, Clarinda, improvement	16,737.51
Hospital for insane, Independence, support	322,988.08
Hospital for insane, Independence, improvements	17,144.54
Hospital for insane, Mt. Pleasant, support	251,411.90
Hospital for insane, Mt. Pleasant, improvement	57,327.52
Hospital for insane, Mt. Pleasant, reimbursing patients	3,330.59
Institution for feeble minded children, support	264,738.54
Institution for feeble minded children, improvements	46,840.91
Industrial home for the blind, improvement and support	9,262.08
Industrial home for the blind, closing the home	1,221.05
Industrial school for boys, support	105,610.58
Industrial school for boys, improvement	5,028.57
Industrial school for girls, support	45,479.88
Industrial schools for girls, improvement	23,562.19
Industrial school for girls, chaplain	311.00

CONDITION OF THE TREASURY.

Iowa state university, improvement.....	\$ 11,500.00
Iowa state university, providential contingency fund.....	4,000.08
Iowa state university, support.....	157,000.00
Iowa state university, additional support.....	50,000.00
Iowa state university, regents.....	4,482.30
Iowa state library, circulating.....	3,995.91
Iowa state library, book fund.....	10,000.00
Iowa state library, law department.....	1,822.60
Interest on school fund loans.....	1,353.30
Iowa weather service.....	5,375.27
Mail carrier.....	2,199.98
Militia.....	111,976.14
Militia, storage.....	1,341.64
Miscellaneous expenses, Code 36.....	532.03
Miscellaneous expenses, freight and expressage.....	5,542.82
Miscellaneous expenses, Code 164.....	8,150.57
Miscellaneous expenses, Code 165.....	63,995.00
Monuments for battlefield of Shiloh, expenses.....	947.13
Monuments for battlefield of Shiloh, monument.....	13.95
Memorial to Sergeant Charles Floyd.....	5,000.00
Normal school, library.....	2,000.00
Normal school, librarian and assistant.....	1,600.00
Normal school, summer school.....	6,000.00
Normal school, repairs.....	2,500.00
Normal school, teachers.....	78,005.00
Normal school, military instructor.....	500.00
Normal school, contingent and repair.....	18,000.00
Normal school, contingent expenses.....	5,000.00
Normal school, military instructions.....	800.00
Normal school, additional building.....	50,000.00
Normal school, trustees.....	3,201.55
Orphans' home, support.....	113,905.62
Orphans' home, improvement.....	41,476.68
Penitentiary, Anamosa, support.....	111,496.44
Penitentiary, Anamosa, transportation.....	2,394.38
Penitentiary, Anamosa, officers and guards.....	93,170.84
Penitentiary, Anamosa, support of warden.....	250.00
Penitentiary, Anamosa, library.....	629.02
Penitentiary, Anamosa, books and periodicals.....	912.77
Penitentiary, Anamosa, lectures and entertainments.....	171.81
Penitentiary, Anamosa, improvements.....	35,711.51
Penitentiary, Anamosa, escaped convicts.....	16.07
Penitentiary, Ft. Madison, support.....	97,824.41
Penitentiary, Ft. Madison, transportation.....	2,695.93
Penitentiary, Ft. Madison, officers and guards.....	80,343.44
Penitentiary, Ft. Madison, support of warden.....	250.00
Penitentiary, Ft. Madison, library.....	95.19
Penitentiary, Ft. Madison, books and periodicals.....	45.03
Penitentiary, Ft. Madison, lectures and entertainments.....	93.50
Penitentiary, Ft. Madison, improvements.....	10,609.63
Penitentiary, Ft. Madison, barn.....	59.00
Printer (state).....	61,021.65
Presidential electors, compensation.....	364.05
Prosecution of escaping convicts.....	115.35
Publishing constitutional amendments.....	1,347.40
Providential contingency fund (militia).....	25.75
Return of first regiment infantry.....	39,768.94
Relief of Hull.....	480.00
Relief of Metz.....	420.00
State agricultural society, secretary and assistants' salaries.....	1,200.00
State agricultural society, finance committee.....	21.00
Spanish war and defense fund.....	2,105.90
State library commission.....	1,781.27
State entomologist.....	1,549.15
Soldiers' home, support.....	217,809.30
Soldiers' home, special contingent.....	24.00
Soldiers' home, improvement.....	29,787.17
School for the deaf, support.....	72,106.26
School for the deaf, teachers.....	28,420.58
School for the deaf, improvement.....	6,266.30
Teachers' institutes.....	10,100.00
Transportation, insane from county to state institution.....	199.67
Transfer of convicts and insane.....	217.50
Twenty-eighth General Assembly, special appropriations.....	8,487.79
Twenty-eighth General Assembly, officers' salaries.....	38,033.50
Twenty-eighth General Assembly, mileage.....	2,073.25
Twenty-eighth General Assembly, extra employes.....	3,066.65
Twenty-eighth General Assembly, members' salaries.....	82,500.00
Vicksburg commission, expenses.....	2,000.00
Total.....	\$ 4,420,193.70

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