

# ACTS AND RESOLUTIONS

PASSED AT THE

REGULAR SESSION

OF THE

## Thirty-Second General Assembly

OF THE

## STATE OF IOWA

BEGUN JANUARY 14, AND ENDED APRIL 9, 1907.

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## STATE GOVERNMENT

List of State officers, judges of the supreme, district and superior courts, and members 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.
Warren Garst.....	Lieutenant-Governor .....	Carroll.
W. C. Hayward.....	Secretary of State.....	Scott.
J. M. Jamieson.....	Deputy Secretary of State.....	Guthrie.
B. F. Carroll.....	Auditor of State.....	Davis.
Amos Brandt.....	Deputy Auditor of State.....	Polk.
W. W. Morrow.....	Treasurer of State.....	Union.
Q. A. Willis.....	Deputy Treasurer of State.....	Dallas.
H. W. Byers.....	Attorney General.....	Shelby.
Charles W. Lyon...	Assistant Attorney General.....	Polk.
John C. Crockett.....	Clerk of Supreme Court.....	Hardin.
H. L. Bousquet.....	Deputy Clerk of Supreme Court.....	Marion.
W. W. Cornwall.....	Supreme Court Reporter.....	Clay.
John F. Riggs.....	Superintendent of Public Instruction.....	Keokuk.
Jasper C. Bennett..	Deputy Superintendent of Public Instruction.	Ringgold.
Nathaniel S. Ketchum.	} Railroad Commissioners.....	Marshall.
Willard L. Eaton.....		Mitchell.
David J. Palmer.....		Washington.
Dwight N. Lewis..	Secretary of Board of Railroad Commissioners	Polk.
J. F. Hamilton.....	} Board of Control.....	Linn.
John Cownie.....		Iowa.
G. S. Robinson.....		Woodbury.
F. S. Treat.....	Secretary of Board of Control.....	Polk.
A. H. Davison.....	Secretary of Executive Council.....	Lyon.
John C. Simpson.....	Secretary of Board of Agriculture.....	Marion.
W. H. Thrift.....	Adjutant General.....	Dubuque.
Guy E. Logan.....	Assistant Adjutant General.....	Montgomery.
Edward Sweeney.....	} Mine Inspectors.....	Polk.
John Verner.....		Lucas.
R. T. Rhys.....		Wapello.
Edward D. Brigham..	Commissioner of Labor Statistics.....	Polk.
Johnson Brigham.....	State Librarian.....	Polk.
Emory H. English....	State Printer.....	Cerro Gordo.
Edward D. Chassell..	State Binder.....	Plymouth.
Charles Aldrich.....	Curator Historical Department.....	Boone.
L. G. Weld.....	Superintendent of Weights and Measures...	Johnson.
Paul O. Koto.....	State Veterinary Surgeon.....	Winnebago.
H. R. Wright.....	Food and Dairy Commissioner.....	Delaware.
George A. Lincoln....	Fish and Game Warden.....	Linn.
B. F. Keltz.....	} Commissioners of Pharmacy.....	Hamilton.
J. S. Goss.....		Cass.
Fred Russell.....		Calhoun.
Charles W. Phillips.	Secretary of Pharmacy Commission.....	Jackson.
Fred W. Powers.....	President State Board of Health.....	Black Hawk.
Louis A. Thomas....	Secretary of State Board of Health.....	Montgomery.
Joseph H. Sams.....	President State Board of Medical Examiners	Wright.
Louis A. Thomas....	Secretary State Board of Medical Examiners	Montgomery.
T. E. McCurdy.....	Custodian Public Buildings and Property....	Buchanan.
Samuel Calvin.....	State Geologist .....	Johnson.
James H. Lees.....	Assistant State Geologist.....	Polk.

## STATE GOVERNMENT.

## JUDICIAL DEPARTMENT.

## SUPREME COURT.

Name.	Position.	County from Which Chosen.	Postoffice Address.
Silas M. Weaver.....	Chief Justice.....	Johnson.....	Iowa City.
Scott M. Ladd.....	Judge.....	O'Brien.....	Sheldon.
Charles A. Bishop.....	Judge.....	Polk.....	Des Moines.
Horace E. Deemer.....	Judge.....	Montgomery.....	Red Oak.
John C. Sherwin.....	Judge.....	Cerro Gordo.....	Mason City.
Emlin McClain.....	Judge.....	Johnson.....	Iowa City.

## DISTRICT COURTS.

Dist.	Name.	Postoffice Address.	Counties in District.
1	Henry Bank, Jr. ....	Keokuk .....	Lee.
2	F. W. Eichelberger..	Bloomfield .....	Appanoose, Davis, Jefferson, Lucas,
	M. A. Roberts.....	Ottumwa .....	Monroe, Van Buren and Wapello.
	C. W. Vermillion....	Centerville .....	
	D. M. Anderson.....	Albia .....	
3	H. M. Towner.....	Corning .....	Adams, Clarke, Decatur, Ringgold,
	Hiram K. Evans.....	Corydon .....	Taylor, Union and Wayne.
4	Frank R. Gaynor....	LeMars .....	Cherokee, Lyon, Monona, O'Brien, Os-
	John F. Oliver.....	Onawa .....	ceola, Plymouth, Sioux and Wood-
	William Hutchinson.	Alton .....	bury.
	David Mould.....	Sioux City.....	
5	James D. Gamble....	Knoxville .....	Adair, Dallas, Guthrie, Madison, Marlon
	J. H. Applegate.....	Guthrie Center.	and Warren.
	Edmund Nichols....	Perry .....	
6	Byron W. Preston..	Oskaloosa .....	Jasper, Keokuk, Mahaska, Poweshiek
	W. G. Clements....	Newton .....	and Washington.
	K. E. Willcockson..	Sigourney .....	
7	A. J. House.....	Maquoketa .....	Clinton, Jackson, Muscatine and
	D. V. Jackson.....	Muscatine .....	Scott.
	Jas. W. Bollinger..	Davenport .....	
	Arthur P. Barker..	Clinton .....	
8	Ralph P. Howell.....	Iowa City.....	Iowa and Johnson.
9	William H. McHenry	Des Moines.....	Polk.
	James A. Howe.....	Des Moines.....	
	Hugh Brennan.....	Des Moines.....	
	Jesse A. Miller....	Des Moines.....	
10	Franklin C. Platt..	Waterloo .....	Black Hawk, Buchanan, Delaware and
	Charles E. Ransier..	Independence ..	Grundy.
11	William D. Evans..	Hampton .....	Boone, Franklin, Hamilton, Hardin,
	Robert M. Wright..	Ft. Dodge.....	Story, Webster and Wright.
	C. G. Lee.....	Ames .....	
12	J. F. Clyde.....	Osage .....	Bremer, Butler, Cerro Gordo, Floyd,
	C. H. Kelley.....	Forest City.....	Hancock, Mitchell, Winnebago and
	Clifford P. Smith..	Mason City.....	Worth.
13	L. E. Fellows.....	Lansing .....	Allamakee, Chickasaw, Clayton, Fay-
	A. N. Hobson.....	West Union.....	ette, Howard and Winneshek.
14	A. D. Ballie.....	Storm Lake.....	Buena Vista, Clay, Dickinson, Emmet,
	Daniel F. Coyle....	Humboldt .....	Humboldt, Kossuth, Palo Alto and
			Pocahontas.
15	A. B. Thornell.....	Sidney .....	Audubon, Cass, Fremont, Harrison,
	N. W. Macy.....	Harlan .....	Mills, Montgomery, Page, Pottawat-
	Orville D. Wheeler..	Council Bluffs.	tamie and Shelby.
	W. R. Green.....	Audubon .....	
16	Frank M. Powers..	Carroll .....	Calhoun, Carroll, Crawford, Greene, Ida
	Zala A. Church.....	Jefferson .....	and Sac.
17	C. B. Bradshaw....	Toledo .....	Benton, Marshall and Tama.
	John M. Parker....	Marshalltown ..	

STATE GOVERNMENT.

DISTRICT COURTS—CONTINUED.

Dist.	Name	Postoffice Address	Counties in District
18	Milo P. Smith.....	Cedar Rapids..	Cedar, Jones and Linn.
	F. O. Ellison.....	Anamosa .....	
	W. N. Treichter.....	Tipton .....	
19	M. C. Matthews.....	Dubuque .....	Dubuque.
	Robert Bonson .....	Dubuque .....	
20	James D. Smyth.....	Burlington .....	Des Moines, Henry and Louisa.
	W. S. Withrow.....	Mt. Pleasant...	

SUPERIOR COURTS.

Name.	P. O. Address.	Name.	P.-O. Address..
James H. Rothrock..	Cedar Rapids.	S. B. Snyder.....	Council Bluffs.
W. L. McNamara....	Keokuk.	M. D. Porter.....	Oelwein.

## THIRTY-SECOND GENERAL ASSEMBLY.

## OFFICERS OF THE SENATE.

- Lieutenant Governor and President of the Senate*—Warren Garst, of Coon Rapids, Carroll county.
- President pro tempore*—Senator James A. Smith, of Osage, Mitchell county.
- Secretary*—George A. Newman, of Cedar Falls, Black Hawk county.
- First Assistant Secretary*—George A. Wilson, of Menlo, Adair county.
- Second Assistant Secretary*—Joseph E. Meyer, of Elkader, Clayton county.
- Engrossing Clerk*—Ed. E. Cass, of Bedford, Taylor county.
- Enrolling Clerk*—Inez C. Black, of Knoxville, Marion county.
- Journal Clerks*—Cecil Dixon, of Rockwell City, Calhoun county, and J. S. Irish, of Des Moines, Polk county.
- Sergeant-at-arms*—R. B. Huff, of Muscatine, Muscatine county.
- Bill Clerk*—F. M. Stacy, of Osceola, Clarke county.
- File Clerk*—J. G. Cook, of Arnold's Park, Dickinson county.
- Chief Doorkeeper*—I. L. Hammer, of Kellogg, Jasper county.
- Postmistress*—Hester Runyan, of Odebolt, Sac county.

## SENATORS.

Dist.	Name.	P. O. Address.	Counties in District.
50	Allen, Joseph H....	Pocahontas ....	Buena Vista, Humboldt, Pocahontas.
46	Bleakly, John L.*..	Ida Grove.....	Cherokee, Ida, Plymouth.
18	Bruce, James E....	Atlantic .....	Cass, Shelby.
42	Burgess, Henry C...	Cresco .....	Howard, Winneshiek.
12	Clark, Elbert W....	Grinnell .....	Keokuk, Poweshiek.
16	Crossley, James J.*	Winterset .....	Adair, Madison.
21	De Armand, J. A...	Davenport .....	Scott.
38	DeWolf, Sherman W.	Reinbeck .....	Black Hawk, Grundy.
30	Dowell, Cassius C..	Des Moines.....	Polk.
33	Dunham, Geo. W.*..	Manchester .....	Buchanan, Delaware.
28	Eckles, Charles*....	Marshalltown ..	Marshall.
2	Elerick, James*....	Douds Leando..	Jefferson, Van Buren.
31	Ericson, C. J. A.*..	Boone .....	Boone, Story.
44	Foley, John .....	New Hampton ..	Chickasaw, Floyd.
35	Frudden, A. F.....	Dubuque .....	Dubuque.
43	Gale, A. H.*.....	Mason City.....	Cerro Gordo, Franklin, Hancock.
8	Gilliland, Shirley*..	Glenwood .....	Mills, Montgomery.
17	Hopkins, F. M.*....	Guthrie Center..	Audubon, Dallas, Guthrie.
25	Hughes, John Jr.*..	Williamsburg ..	Iowa, Johnson.
32	Jackson, John H.*..	Sioux City.....	Woodbury.
7	Jamleson, Wm. D...	Shenandoah .....	Fremont, Page.
11	Jamison, James H.*	Osceola .....	Clarke, Warren.
14	Jones, William G.*.	Oskaloosa .....	Mahaska.
49	Kimmel, William C.*	Sheldon .....	Lyon, O'Brien, Osceola, Sioux.
47	Kinne, George*....	Curlew .....	Clay, Dickinson, Emmet, Kossuth, Palo Alto.
23	Lambert, Thomas*..	Sabula .....	Jackson.
4	McKiveen, J. A.*...	Chariton .....	Lucas, Wayne.
1	McManus, E. P.....	Keokuk .....	Lee.
48	Mattes, Joseph.....	Odebolt .....	Carroll, Greene, Sac.
29	Maytag, Fred L....	Newton .....	Jasper.
13	Moon, Edwin G.....	Ottumwa .....	Wapello.
36	Newberry, Byron W.*	Strawb'rry Point	Clayton.
20	Nichols, J. I.....	West Liberty...	Louisa, Muscatine.
37	Peterson, Chas. F...	Clarion .....	Hamilton, Hardin, Wright.
19	Saunders, Chas. G.*.	Council Bluffs ..	Pottawattamie.
10	Seeley, W. B.....	Mt. Pleasant...	Henry, Washington.
9	Smith, Fred. N....	Burlington .....	Des Moines.
41	Smith, James A.*..	Osage .....	Mitchell, Winnebago, Worth.
24	Stirton, Robert C.*.	Monticello .....	Cedar, Jones.
5	Stookey, Marion F.*	Leon .....	Decatur, Ringgold, Union.
26	Stuckslager, W. C.*.	Lisbon .....	Linn.
3	Taylor, Lewis L.*..	Centerville .....	Appanoose, Davis.
6	Turner, Daniel W.*.	Corning .....	Adams, Taylor.

## SENATORS—CONTINUED.

Dist.	Name	P. O. Address	Counties in District
39	Wade, John F.* . . . .	Aredale . . . . .	Bremer, Butler.
15	Warren, J. L.* . . . .	Pella . . . . .	Marion, Monroe.
45	Whipple, William P.	Vinton . . . . .	Benton, Tama.
34	Whiting, Will C. . . .	Whiting . . . . .	Crawford, Harrison, Monona.
40	Wilson, A. C.* . . . .	Oelwein . . . . .	Allamakee, Fayette.
22	Wilson, J. L. . . . .	Almont . . . . .	Clinton.
27	Young, Henry* . . . .	Manson . . . . .	Calhoun, Webster.

\* Terms expire 1908.

## OFFICERS OF THE HOUSE.

*Speaker*—Nathan E. Kendall, of Albia, Monroe county.  
*Speaker pro tempore*—A. F. N. Hambleton, of Oskaloosa, Mahaska county.  
*Chief Clerk*—C. R. Benedict, of Shelby, Shelby county.  
*Assistant Clerk*—Dennis O'Leary, of Council Bluffs, Pottawattamie county.  
*Reading Clerk*—A. E. Kepford, of Des Moines, Polk county.  
*Journal Clerks*—E. J. Frisk, of Des Moines, Polk county, and Eva Seevers, of Oskaloosa, Mahaska county.  
*Enrolling Clerk*—Gertrude Marshall, of Des Moines, Polk county.  
*Engrossing Clerk*—Mrs. Mollie Heist, of Des Moines, Polk county.  
*File Clerk*—H. C. Byers, of Garner, Hancock county.  
*Assistant File Clerk*—Lee Raymond, of Hampton, Franklin county.  
*Bill Clerk*—B. S. Record, of Woodward, Dallas county.  
*Assistant Bill Clerk*—\*G. F. Harwood, of Red Oak, Montgomery county.  
*Sergeant-at-arms*—J. Heffelfinger, of Grundy Center, Grundy county.  
*Chief Doorkeeper*—T. W. Hazleton, of Calmar, Winneshiek county.  
*Assistant Postmistress*—Bertha Lambly, of Emmetsburg, Palo Alto county.

## REPRESENTATIVES.

Dist.	Name.	P. O. Address.	County Composing District.
5	Allred, William P. . . . .	Corydon . . . . .	Wayne.
63	Anderson, William . . . . .	Jewell . . . . .	Hamilton.
51	Arney, Wallace H. . . . .	Marshalltown . . . . .	Marshall.
40	Baird, E. D. . . . .	North English . . . . .	Iowa.
43	Balluff, Frank . . . . .	Davenport . . . . .	Scott.
97	Bascom, J. L. . . . .	Milford . . . . .	Dickinson.
2	Bauman, S. H. . . . .	Birmingham . . . . .	Van Buren.
20	Beery, Enoch . . . . .	Salem . . . . .	Henry.
84	Bergeson, Berges J. . . . .	Graettinger . . . . .	Palo Alto.
68	Bixby, R. J. . . . .	Edgewood . . . . .	Delaware.
94	Blackmore, A. C. . . . .	Northwood . . . . .	Worth.
34	Bonwell, John C. . . . .	Ross . . . . .	Audubon.
31	Brandes, H. C. . . . .	Hancock . . . . .	Pottawattamie.
13	Calkins, George C. . . . .	Mount Etna . . . . .	Adams.
57	Cassady, E. M. . . . .	Whiting . . . . .	Monona.
19	Clarke, James F. . . . .	Fairfield . . . . .	Jefferson.
89	Clary, Tim C. . . . .	New Hampton . . . . .	Chickasaw.
73	Conn, Stanley . . . . .	Parkersburg . . . . .	Butler.
59	Corrie, S. M. . . . .	Ida Grove . . . . .	Ida.
80	Cottrell, J. C. . . . .	Kingsley . . . . .	Plymouth.
16	Darrah, John H. . . . .	Chariton . . . . .	Lucas.
3	DeMar, John C. . . . .	Belknap . . . . .	Davis.
44	Dewell, Hiram . . . . .	Clarence . . . . .	Cedar.
21	Dodds, William D. . . . .	Danville . . . . .	Des Moines.
53	Doran, Justin R. . . . .	Beaver . . . . .	Boone.
74	Dow, D. W. . . . .	Hampton . . . . .	Franklin.
60	Drury, Will . . . . .	Wall Lake . . . . .	Sac.
46	Dunn, Henry . . . . .	Miles . . . . .	Jackson.
6	Dye, C. C. . . . .	Lineville, R. F. D. 2. . . . .	Decatur.
31	Dye, Willoughby . . . . .	Macedonia . . . . .	Pottawattamie.
90	Earle, Willard C. . . . .	Waukon . . . . .	Allamakee.
9	Elliott, Jesse D. . . . .	Hawleyville . . . . .	Page.
99	Feay, Samuel A. . . . .	Rock Rapids . . . . .	Lyon.
66	Feely, Guy A. . . . .	Waterloo . . . . .	Black Hawk.
83	Felt, B. F. Jr. . . . .	Spencer . . . . .	Clay.
15	Fenn, Joel M. . . . .	Murray . . . . .	Clarke.
95	Flugum, C. N. . . . .	Leland . . . . .	Winnebago.
36	Fox, John . . . . .	Dallas Center . . . . .	Dallas.
24	Geneva, Thos. . . . .	What Cheer . . . . .	Keokuk.
11	Greenwood, C. G. . . . .	Silver City . . . . .	Mills.
39	Grier, Geo. E. . . . .	Deep River . . . . .	Poweshiek.
52	Hackler, Chas. W. . . . .	Fort Dodge . . . . .	Webster.
25	Hambleton, A. F. N. . . . .	Oskaloosa . . . . .	Mahaska.
49	Hanna, W. H. . . . .	Garrison . . . . .	Benton.

\* Died during session. A. V. Jones, of Villisca, Montgomery county, elected to fill vacancy.

† W. G. Watt, of Cedar Rapids, Linn county, first elected; retired on account of illness.



## REPRESENTATIVES—CONTINUED.

Dist.	Name	P. O. Address	County Composing District.
76	Hanson, Thor. O.	Bode	Humboldt.
58	Harding, W. L.	Sioux City	Woodbury.
98	Harvey, Mahlon	Sibley	Osceola.
69	Heles, Philip	N. Buena Vista, R.F.D.2.	Dubuque.
79	Hickey, William H.	Aurelia	Cherokee.
85	Holmes, Otis H.	Algona	Kossuth.
93	Hume, Thos. H.	St. Ansgar	Mitchell.
88	Inman, Loren W.	Marble Rock	Floyd.
91	Jewell, P. M.	Decorah	Winneshiek.
12	Jones, F. F.	Villisca	Montgomery.
37	Kelley, John H.	Altoona	Polk.
32	Kellogg, Geo. A.	Missouri Valley	Harrison.
45	Kendall, A. W.	Delmar	Clinton.
17	Kendall, N. E.	Albia	Monroe.
41	Koontz, Geo. W.	Iowa City	Johnson.
92	Kull, Hermann	Cresco, R. F. D. 7.	Howard.
96	Lee, N. J.	Estherville	Emmet.
65	Lister, John	Conrad	Grundy.
61	Lowrey, J. H.	Pomeroy	Calhoun.
48	McAllister, John	Cedar Rapids	Linn.
55	McDonald, Edward	Coon Rapids	Carroll.
58	McElrath, Wm. W.	Moville	Woodbury.
86	Maben, O. K.	Forest City, R. 7.	Hancock.
10	Mann, Asahel	Hamburg	Fremont.
87	Marston, Chas. L.	Mason City	Cerro Gordo.
1	Mason, John B.	Fort Madison	Lee.
77	Mercer, James	Fonda	Pocahontas.
30	Meredith, C. A.	Atlanta	Cass.
72	Miller, Charles	Waverly	Bremer.
69	Miller, Simon	Dubuque	Dubuque.
48	Moore, Ernest R.	Cedar Rapids	Linn.
81	Morris, James F.	Ireton	Sioux.
14	Nix, B. T.	Afton	Union.
38	O'Fall, John F.	Prairie City	Jasper.
47	Paul, Clifford B.	Anamosa	Jones.
78	Pierce, H. L.	Linn Grove	Buena Vista.
27	Price, Clint L.	Indianola	Warren.
22	Reaney, Robert J.	Columbus Junction	Louisa.
1	Reitz, Henry H.	Donnellson	Lee.
21	Ritter, Henry	Burlington	Des Moines.
23	Schoenenberger, John	East Peru	Madison.
56	Schroeder, H. C.	Schleswig	Crawford.
70	Schulte, G. H.	Elkader	Clayton.
71	Shaffer, J. D.	Elgin R. F. D. 1	Fayette.
7	Sheldon, F. E.	Mount Ayr	Ringgold.
29	Sidey, E. J.	Greenfield	Adair.
75	Smith, John R.	Eagle Grove	Wright.
18	Sparks, Clyde G.	Eldon	Wapello.
67	Springer, L. F.	Independence	Buchanan.
23	Stewart, J. Warren	Keota	Washington.
54	Stillman, Paul E.	Jefferson	Greene.
43	Stoltenberg, A. H.	Davenport	Scott.
37	Sullivan, John B.	Des Moines	Polk.
4	Swan, George W.	Plano R. F. D. 2	Appanoose.
33	Swift, Curran F.	Harlan	Shelby.
26	Teter, Lorenzo D.	Knoxville	Marion.
8	Van Houten, G. H.	Lenox	Taylor.
42	Webster, D. D.	Muscatine	Muscatine.
35	Weeks, Elbert W.	Guthrie Center	Guthrie.
64	Welden, William	Iowa Falls	Hardin.
52	White, Geo. C.	Nevada	Story.
50	Wilson, Ward	Traer	Tama.
45	Wolfe, John L.	Clinton	Clinton.
82	Youde, Charles	Sutherland	O'Brien.

## COMMISSIONERS FOR IOWA IN OTHER STATES.

## COMMISSIONERS FOR IOWA IN OTHER STATES.

List of Commissioners for Iowa in other states, qualified to act as such on this twentieth day of June, 1907, whose terms of office will not expire prior to July 5, 1907; published as required in section 390 of the code, showing their names, postoffice addresses, date of commission, qualification and expiration of commission.

Name.	Postoffice.	Date of Expiration of Commission	Date on and after which qualified
CALIFORNIA.			
James L. King.....	San Francisco.....	July 5, 1907.....	July 6, 1904.
CONNECTICUT.			
Patrick McGovern .....	Hartford .....	November 23, 1909..	November 24, 1906.
DISTRICT OF COLUMBIA.			
Charles S. Bundy.....	Washington .....	January 13, 1908....	January 14, 1905.
ILLINOIS.			
Frank P. Crandon.....	Chicago .....	November 8, 1909..	November 9, 1906.
Silas S. Willard.....	Chicago .....	November 26, 1909..	November 27, 1906.
MARYLAND.			
Harry C. Matthieu.....	Baltimore .....	November 6, 1907..	November 7, 1904.
Abraham H. Fisher.....	Baltimore .....	December 23, 1907..	December 24, 1904.
MASSACHUSETTS.			
Edward J. Jones.....	Boston .....	May 8, 1909.....	May 9, 1906.
Charles H. Adams.....	Boston .....	December 17, 1909..	December 18, 1906.
MISSOURI.			
Guy E. Davis.....	Saline .....	July 6, 1907.....	July 7, 1904.
NEW YORK.			
George H. Corey.....	New York City....	December 27, 1908..	December 28, 1905.
Hatley K. Armstrong.....	Penn Yan .....	November 13, 1909..	November 14, 1906.
Edwin F. Corey.....	New York City....	June 23, 1907.....	January 30, 1904.
Joseph B. Braman.....	New York City....	August 6, 1907.....	August 6, 1904.
Wm. F. Letts.....	New York City....	April 27, 1908.....	April 28, 1905.
OHIO.			
Joseph T. Harrison.....	Cincinnati .....	January 18, 1908....	January 19, 1905.
PENNSYLVANIA.			
John S. Wurts.....	Philadelphia .....	September 14, 1908..	September 15, 1905.
Walter Morris.....	Pittsburg .....	August 31, 1909....	September 1, 1906.
Francis J. Fairman.....	Pittsburg .....	March 11, 1909.....	March 12, 1906.
Thomas J. Hunt.....	Philadelphia .....	May 7, 1908.....	May 8, 1905.
F. S. MacWilkie.....	Philadelphia .....	May 21, 1908.....	May 22, 1905.
RHODE ISLAND.			
Gilman E. Jopp.....	Providence .....	July 29, 1907.....	July 30, 1904.

# LAWS OF 1907.

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1	An act to amend section thirty-six (36) of the code, relative to the publication of acts of the General Assembly. Approved March 15, A. D. 1907.....	S. F. 208	1
2	An act to amend the law as it appears in sections sixty-five (65) and twenty-six hundred and twenty-seven (2627) of the supplement to the code, and to amend sections eighty-seven (87), ninety-nine (99) and one hundred and sixteen (116) of the code, relating to the compensation of the secretary to the governor, the deputy superintendent of public instruction, the deputy secretary of state, the deputy auditor of state and the deputy treasurer of state, also to amend sections two hundred and five (205), twenty-one hundred and twenty-one (2120) and twenty-five hundred and eighty-five (2585) of the code, in reference to deputy clerk of the supreme court, [secretary of the board of railroad commislsioners and secretary of the pharmacy commission.] Approved April 6, A. D. 1907.....	H. F. 168	2
3	An act to amend sections three (3) and four (4) of chapter three (3) of the acts of the Thirty-first General Assembly, relating to printing, blinding and distribution of state reports and documents. Approved April 10, A. D. 1907....	S. F. 275	3
4	An act to amend the law as it appears in section one hundred thirty-six (136) of the supplement to the code, fixing the manner of distribution of the report of the academy of sciences. Approved April 2, A. D. 1907.....	S. F. 276	4
5	An act to amend sections one hundred and fifty-six (156) and one hundred and fifty-seven (157) of the code, relating to the election and duties of the secretary of the executive council and defining the duties of said secretary, and to amend sections thirteen hundred and seventy-eight (1378) and thirteen hundred and eighty-two (1382) of the code. Approved April 5, A. D. 1907.....	H. F. 333	4
6	An act to amend the law as it appears in sections one hundred and sixty-eight (168) twenty-six hundred and twenty-nine (2629) and twenty-six hundred and thirty-four-a (2634-a) of the supplement to the code, section twenty-six hundred and thirty-one (2631) of the code, and in chapter two (2) of title thirteen (XIII) of the code and code supplement and amendments thereto and chapter one hundred and twenty-two (122) of the acts of the Thirty-first General Assembly, defining the duties, fixing the compensation and providing for the supplies and printing and providing for the payment of the expenses of the educational board of examiners, its secretary and employes. Approved April 4, A. D. 1907.....	S. F. 160	6

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Chap.	Title.	Engrossed Bill.	Page.
7	An act additional to and amendatory of chapter eleven (11) of the laws of the Thirtieth General Assembly, entitled, "An act enlarging the powers of the district court, and to regulate the treatment and control of dependent, neglected and delinquent children. (Additional to chapter five (5) of title three (III) of the code, relating to the district court.)" Approved March 27, A. D. 1907.....	S. F. 181	7
8	An act to amend the law as it appears in section two hundred fifty-five (255) of the supplement to the code, and section one (1) of chapter ten (10), laws of the Thirty-first General Assembly, relating to superior courts. Approved March 14, A. D. 1907.....	S. F. 175	8
9	An act to amend section two hundred eighty-one (281) of the code, relative to the practice of law by judges of courts of record. Approved April 13, A. D. 1907.....	H. F. 475	9
10	An act to amend section three hundred and eight (308) of the supplement to the code as amended by chapter eleven (11), acts of the Thirty-first General Assembly, relating to the compensation of county attorneys. Approved April 6, A. D. 1907.....	H. F. 130	9
11	An act to amend section three hundred ten (310) of the supplement to the code relating to qualification for admission to the bar. Approved April 4, A. D. 1907.....	H. F. 408	10
12	An act to provide for the preparation of new jury lists where, for any cause, a lawfully constituted grand jury or petit jury cannot be obtained, or lawfully qualified talesmen cannot be selected under the law from those persons who are returned by the election officers to serve as jurors. [Additional to chapter eleven (11) of title three (III) of the code, relating to jurors.] Approved March 21, A. D., 1907.....	H. F. 104	10
13	An act to repeal sections three hundred and seventy-three (373), three hundred and seventy-four (374), three hundred and seventy-five (375) and three hundred and seventy-six (376) of the code in relation to notaries public and enact substitutes therefor; also to amend section sixty-eight (68) of the code, in relation to the registration of commissions. Approved April 13, A. D. 1907.....	H. F. 303	11
14	An act to repeal section four hundred and twelve (412) of the code, and to enact a substitute therefor, relating to the time of holding meetings of the board of supervisors. Approved April 5, A. D. 1907.....	H. F. 42	12
15	An act to amend section four hundred twenty-two (422) of the code, relative to the power of boards of supervisors, and granting additional powers. Approved February 28, A. D. 1907.....	H. F. 131	13
16	An act to amend the law as it appears in sections two (2) and three (3), chapter fourteen (14), acts of the Thirty-first General Assembly, granting township trustees power to contract for use of public libraries. Approved March 28, A. D. 1907.....	S. F. 164	13
17	An act to amend the law as it appears in section four hundred twenty-two (422) of the code, and section sixteen hundred sixty (1660) of the code, relating to the purchase of land for county fair societies. Approved March 27, A. D. 1907.....	H. F. 1	13
18	An act to amend section four hundred thirty-two (432) of the code, pertaining to meetings of the soldiers' relief commission. Approved March 20, A. D. 1907.....	H. F. 150	14
19	An act to amend section four hundred forty-eight (448) of the code, relating to borrowing money for the erection of public buildings in counties having population of forty thousand or over. Approved March 20, A. D. 1907.....	S. F. 300	15

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Chap.	Title.	Engrossed Bill.	Page.
20	An act to repeal sections four hundred fifty-eight (458) and four hundred fifty-nine (459) of the code and to enact a substitute therefor, relating to taxation of dogs and injuries to domestic animals. Approved April 1, A. D. 1907.	H. F. 207	15
21	An act to repeal section four hundred sixty-nine (469) of the code, and enact a substitute therefor, providing for the compensation of county supervisors. Approved March 15, A. D. 1907.	H. F. 43	16
22	An act to amend section one (1), chapter twenty-one (21) of the acts of the Thirtieth General Assembly, relating to the compensation of county recorders. Approved April 10, A. D. 1907.	S. F. 198	17
23	An act to amend section five hundred twenty (520) of the code, in relation to the examination of witnesses by the coroner, and to provide for a reporter to be appointed by the coroner at inquests or investigations, and making provision for the payment thereof. Approved March 12, A. D. 1907.	H. F. 81	18
24	An act to provide an uniform system of books, blanks, records, vouchers, receipts, etc., for the use of county auditors, county treasurers and clerks of the district court. [Additional to chapter nine (9) of title four (IV) of the code, relating to duties of county officers.] Approved April 4, A. D. 1907.	S. F. 277	19
25	An act to amend section five hundred and ninety-one (591) of the code, relative to compensation of township clerks. Approved March 15, A. D. 1907.	S. F. 103	19
26	An act relating to the organization and officers of cities and towns, amending sections six hundred and forty-one (641), six hundred and fifty-five (655), eight hundred and sixty-seven (867), eight hundred and seventy-one (871) and eight hundred and seventy-three (873) of the code, and the law as it appears in section six hundred and sixty-one (661), of the supplement to the code and repealing sections six hundred and forty-six (646), six hundred and forty-seven (647), six hundred and forty-eight (648), six hundred and forty-nine (649), six hundred and fifty-one (651), six hundred and fifty-two (652), six hundred and fifty-seven (657) and eight hundred and sixty-five (865) of the code, and the law as it appears in section six hundred and forty-five (645), and paragraph five (5) of section six hundred and fifty-eight (658), of the supplement to the code and enacting substitutes therefor, and amending chapters two (2), and nine (9) title five (V) of the code, and of the law as it appears in the supplement to the code, and providing for the appointment of a board of public works and defining its duty and providing a penalty for the violation of the provisions of this act. Approved March 29, A. D. 1907.	S. F. 111	20
27	An act providing that section six hundred fifty-four (654) of the supplement to the code, and section six hundred seventy-two (672) of the code, relating to the appointment and compensation of police matrons, be made applicable to special charter cities. Approved February 23, A. D. 1907.	S. F. 58	23
28	An act to amend subdivision sixteen (16) of section six hundred and sixty-eight (668) of the code, in relation to the duties of city council and amending said subdivision sixteen (16) and making the same apply to cities of the second class. Approved March 26, A. D. 1907.	S. F. 290	24

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29	An act to amend the law as it appears in sections six hundred and seventy-nine-a (679-a), six hundred and seventy-nine-f (679-f), six hundred and seventy-nine-g (679-g) and six hundred and seventy-nine-h (679-h) of the supplement to the code, relating to board of police and fire commissioners in certain cities of the first class, and cities under special charter, and providing for the taking effect thereof. Approved April 2, A. D. 1907.	S. F. 215	24
30	An act authorizing towns and cities, including cities under special charter, to appropriate money to pay dues in the League of Iowa Municipalities, and to pay the actual expense of delegates to the meetings of such league. Additional to chapter three (3), title five (V) of the code. Approved April 1, A. D. 1907.	H. F. 278	25
31	An act to amend section seven hundred (700) of the supplement to the code, relating to the licensing and regulation of keepers of intelligence or employment offices. Approved March 12, A. D. 1907.	H. F. 164	26
32	An act granting to cities and towns power to regulate, define, tax, license and prohibit public dance halls, skating rinks, fortune-tellers, palmists, and clairvoyants, and to license and regulate the construction of bill-boards and to tax owners or persons maintaining the same. [Additional to the law as it appears in section seven hundred (700) of the supplement to the code.] Approved April 4, A. D. 1907.	S. F. 347	26
33	An act authorizing the board of trustees of free public libraries to unite with any local county historical association for the preservation and protection of articles of a historical or educational nature gathered by such association and to expend money for the proper care of such collection. [Additional to the law as it appears in section seven hundred and twenty-nine (729) of the supplement to the code.] Approved March 27, A. D. 1907.	S. F. 228	26
34	An act authorizing cities having a population of fifty thousand (50,000) or over to erect a city hall, to purchase the necessary ground therefor, and to levy a special tax for the purpose of paying for the same, and repealing chapter twenty seven (27) of the laws of the Thirtieth General Assembly. Approved April 10, A. D. 1907.	H. F. 468	27
35	An act to amend the law as it appears in chapter twenty-two (22) of the laws of the Thirty-first General Assembly, relating to the construction and maintenance of hospitals. Approved April 2, A. D. 1907.	H. F. 298	28
36	An act authorizing cities of the first class to levy taxes for the purpose of paying for building and reconstruction of bridges and for the issuance of bonds or certificates against such levies. [Additional to section seven hundred and fifty-eight (758) of the code.] Approved April 1, A. D. 1907.	S. F. 194	28
37	An act to amend section seven hundred sixty-eight (768) of the code, relating to vestibules on street cars for the protection of employes operating such cars. Approved March 20, A. D. 1907.	S. F. 192	29
38	An act to amend [repeal] section seven hundred seventy-one (771) of the law as it appears in the supplement to the code and section one (1) chapter twenty-nine (29) of the acts of the Thirtieth General Assembly, [and enact substitutes therefor] relating to the construction of viaducts. Approved April 1, A. D. 1907.	H. F. 156	29
39	An act to amend section seven hundred seventy-six (776) of the code, relating to the publication of notices of questions submitted to the voters of cities and incorporated towns. Approved March 15, A. D. 1907.	H. F. 204	30

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Chap.	Title.	Engrossed Bill.	Page.
40	An act providing for special assessment for sidewalk and street improvements in cities and towns upon the right of way of any railroad company fronting or abutting upon a street, highway, avenue, alley, public ground, wharf, landing or market place the same as upon any land or lot therein and providing for the collection thereof. [Additional to chapters six (6) and seven (7) of title five (V) of the code.] Approved March 27, A. D. 1907.....	S. F. 205	31
41	An act to provide for sewer outlets and purifying plants and the levy of a tax therefor in cities of the second class and towns. [Additional to chapter seven (7) of title five (V) of the code, relating to street improvements, sewers and special assessments.] Approved March 26, A. D. 1907...	S. F. 262	31
42	An act to amend title five (V), chapter nine (9) of the code and amendments thereto relating to park commissioners, [repealing sections eight hundred and fifty (850) to eight hundred and sixty-two (862) inclusive, of the code and supplement to the code and amendments thereto, and enacting substitutes therefor.] Approved April 13, A. D. 1907 .....	H. F. 411	32
43	An act to amend the law as it appears in section eight hundred and fifty-two (852) of the supplement to the code as amended by chapter thirty-four (34) of the laws of the Thirtieth General Assembly, authorizing the levy of an additional tax of one mill on the dollar on all taxable property for park purposes, relating to park commissioners, their powers and duties. Approved April 1, A. D. 1907...	S. F. 341	34
44	An act amendatory of and additional to section nine hundred twelve (912) of the code, in relation to the issuance of certificates or bonds in anticipation of special taxes by towns. Approved March 12, A. D. 1907.....	S. F. 195	35
45	An act to amend section nine hundred and fifty-five (955) of the code, relating to the establishment, erection, purchase, lease, maintenance or operation of certain public utilities, and the granting of franchises for the same, so as to include heating plants. Approved March 26, A. D. 1907 .....	S. F. 249	35
46	An act to repeal the law as it appears in section nine hundred and fifty-five-a (955-a) of the supplement to the code, relating to compensation of water-works trustees in special charter cities having a population of thirty thousand (30,000) or more. Approved February 23, A. D. 1907 .....	S. F. 120	36
47	An act to amend chapter fourteen (14) of title five (V) of the code, relating to the management of waterworks in special charter cities having a population of thirty-five thousand (35,000) or more, and all acts or parts of acts in so far as they conflict with this act shall not be applicable to any such cities. Approved February 28, A. D. 1907 .....	S. F. 119	36
48	An act to provide for the government of certain cities, and the adoption thereof by special election. "Additional to title five (V) of the code." Approved March 29, A. D. 1907 .....	S. F. 212	38
49	An act to amend the law as it appears in chapter thirty-seven (37) of the acts of the Thirty-first General Assembly, relating to the special election of township officers in newly created townships. Approved March 20, A. D. 1907.....	H. F. 27	49
50	An act to amend title six (VI), chapter three (3) of the code, relating to elections. Approved April 13, A. D. 1907.....	H. F. 477	50

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51	An act providing for the nomination, by political parties, or organizations, of candidates for various offices, and the election of delegates to conventions of said political parties or organizations, and the election of party committeemen, by a primary election, and for the holding of conventions by such political parties or organizations, providing penalties for the violations thereof, and repealing chapter forty (40), laws of the Thirtieth General Assembly, and chapters forty-five (45) and forty-six (46) laws of the Thirty-first General Assembly, relating to primary elections. Approved April 4, A. D. 1907.....	S. F. 280	51
52	An act to repeal section eleven hundred and sixty-four (1164) of the code in relation to recording abstracts of votes in the office of the secretary of state, and to enact a substitute therefor. Approved March 27, A. D. 1907.....	H. F. 279	64
53	An act providing that chapter eight (8) of title six (VI) of the code, relating to removal of municipal officers, be made applicable to special charter cities. Approved February 22, A. D. 1907.....	S. F. 121	65
54	An act to amend section thirteen hundred and four (1304) of the code, relating to exemptions from taxation. Approved April 1, A. D. 1907.....	H. F. 202	65
55	An act to amend the law, as the same appears in section thirteen hundred and four-a (1304-a) of the supplement to the code, relating to the exemption of property from taxation. Approved March 27, A. D. 1907.....	H. F. 73	65
56	An act amending section thirteen hundred and thirty-three (1333) of the code supplement, in relation to taxes paid by insurance companies other than those organized under the laws of the state of Iowa. Approved April 4, A. D. 1907.....	S. F. 239	66
57	An act to amend the law as it appears in section thirteen hundred and thirty-three-d (1333-d) supplement to the code, relating to state tax on gross receipts of insurance corporations and associations. Approved March 27, A. D. 1907.....	S. F. 10	66
58	An act to repeal section thirteen hundred and forty-six-d (1346-d) of the supplement to the code relating to the assessment of express companies for taxation, and to enact a substitute therefor. Approved April 13, A. D. 1907.....	S. F. 349	66
59	An act to repeal chapter forty-eight (48), acts of the Thirtieth General Assembly, relating to the vocation of peddlers, defining the term peddlers, so as to include transient merchants and itinerant vendors selling by sample or by taking orders for immediate or future delivery, and to enact a substitute therefor. Approved April 5, A. D. 1907.....	S. F. 201	68
60	An act to amend section thirteen hundred seventy-three (1373) of the code, relating to the correction of erroneous assessments. Approved April 6, A. D. 1907.....	H. F. 171	68
61	An act relating to the assignment of certificates of purchase at tax sales, and providing for the issuance of duplicate certificates of purchase in case of loss or destruction of original, amending section one thousand four hundred thirty-two (1432) of the code, repealing section one thousand four hundred thirty-three (1433) of the code and enacting a substitute therefor. Approved March 19, A. D. 1907.....	S. F. 54	69
62	An act additional to title seven (VII), chapter two (2), of the code, authorizing county treasurers to commence and prosecute ordinary actions at law for the enforcement of tax liens, and the collection of taxes in addition to all the other remedies now provided by law for the collection of taxes and for the issuance of a writ of attachment in certain cases without bond for the purpose of enforcing the payment of taxes whether due or not due, and collecting the same. Approved April 10, A. D. 1907.....	S. F. 61	70



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63	An act to repeal section fourteen hundred and sixty (1460) of the code, relating to the statement by the auditor of state of the county treasurer's account with the treasurer of state. Approved April 13, A. D. 1907.....	S. F. 315	71
64	An act to repeal section fourteen hundred and eighty-three (1483) of the code relating to roads and highways, and to enact a substitute therefor. Approved April 1, A. D. 1907 .....	H. F. 342	72
65	An act giving certain powers to the board of supervisors in relation to the alteration or straightening of highways, and to prevent the encroachment of streams thereon, and to condemn land necessary for said purposes. [Additional to chapter one (1) of title eight (VIII) of the code.] Approved April 1, A. D. 1907.....	H. F. 376	71
66.	An act authorizing the board of supervisors to grant to municipalities the use of the public highway for the laying of water mains and pipes, and fixing the liability for damages arising from the construction thereof. [Additional to chapter one (1) of title eight (VIII) of the code.] Approved April 13, A. D. 1907.....	S. F. 308	72
67.	An act to amend the law as it appears in section one thousand five hundred and thirty (1530) of the supplement to the code, relating to county road fund and how it is to be paid out. Approved April 13, A. D. 1907.....	H. F. 404	72
68	An act to amend sections two (2), four (4) and five (5) of chapter fifty-three (53) of the acts of the Thirtieth General Assembly, in regard to motor vehicles. Approved March 19, A. D. 1907.....	S. F. 206	73
69	An act to authorize and direct boards of supervisors in the state of Iowa in counties adjoining and bordering upon the state line to meet the authorities in control and charge of the public highways in adjoining counties of other states and agree upon and assign the portion or part of each public highway upon the state line between such states to be kept in repair by the authorities in the state of Iowa and such other states. [Additional to chapter two (2) of title eight (VIII) of the code.] Approved April 13, A. D. 1907.....	S. F. 361	73
70	An act to amend the law as it appears in section sixteen hundred and ten (1610) of the supplement to the code in relation to corporations for pecuniary profit. Approved April 6, A. D. 1907.....	H. F. 287	74
71	An act to amend the law as it appears in chapter one (1), title nine (IX) of the code, relating to corporations for pecuniary profit. Approved April 4, A. D. 1907.....	S. F. 109	75
72	An act to prohibit the making or publishing of false or exaggerated statements or publications of or concerning the affairs, pecuniary condition or property of any corporation, or joint stock association, which said statements or publications are intended to give or shall have a tendency to give a less or greater apparent value to the shares, bonds or property, or any part thereof, of said corporation or joint stock association than the said shares, bonds or property shall really and in fact possess, and providing a penalty therefor. [Additional to chapter one (1) of title nine (IX) of the code.] Approved March 26, A. D. 1907 .....	S. F. 171	76
73	An act prohibiting any corporation doing business within the state or any officer, agent or representative thereof acting for such corporation, from giving or contributing any money, property, labor or thing of value, to any member of any political committee, party or employe thereof, or to any candidate for any office, for campaign expenses or political purpose whatsoever, or to any person, partnership		

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	or corporation for the purpose of influencing or causing said person, partnership or corporation to influence any elector of the state to vote for or against any candidate for public office or candidate for nomination for any public office or to any public officer for the purpose of influencing his official action. And prohibiting any member of any political committee, party or employe thereof, or any candidate for any office from soliciting, requesting or knowingly receiving any such contribution from any corporation for campaign expenses or political purpose whatsoever, and providing a penalty for the violation thereof. [Additional to chapter one (1) of title nine (IX) of the code.] Approved March 26, A. D. 1907.....	S. F. 38	76
74	An act regulating the election or appointment of the directors or other persons by whom the affairs of corporations organized on the stock plan for transacting the business of life or fire insurance companies are to be conducted, so as to secure proportionate representation to minority stockholders, and providing for the election of directors, nominated by a minority of the stockholders; additional to chapters one (1), four (4), six (6), seven (7) and eight (8) of title nine (IX) of the code. Approved March 26, A. D. 1907.....	S. F. 50	77
75	An act to amend the law as it appears in section one thousand seven hundred and forty-three (1743) of the supplement to the code, relative to the removal of goods and merchandise covered by insurance. Approved March 23, A. D. 1907.....	H. F. 345	78
76	An act providing for a uniform policy to be used by all fire insurance companies doing business in the state of Iowa. [Additional to chapter four (4) of title nine (IX) of the code.] Approved April 13, A. D. 1907.....	H. F. 49	79
77	An act to regulate the soliciting and using of proxies by insurance companies. [Additional to chapters four (4), five (5), six (6), seven (7) and eight (8) of title nine (IX) of the code.] Approved April 4, A. D. 1907.....	H. F. 360	83
78	An act to amend the law which appears as chapter fifty-six (56), acts of the Thirtieth General Assembly, relating to examination of insurance companies. Approved February 9, A. D. 1907.....	H. F. 2	84
79	An act relating to the capital stock of insurance companies, providing the conditions under which such companies shall operate upon the stock plan, prohibiting the advertising of an authorized capital, and providing penalties for the violation hereof. [Additional to chapters four (4) and six (6) of title nine (IX) of the code.] Approved April 4, A. D. 1907.....	S. F. 42	84
80	An act to repeal chapter five (5) of title nine (IX) of the code and enact a substitute therefor. [And to repeal section seventeen hundred and fifty-nine (1759) of the code as amended, and sections seventeen hundred and sixty (1760) to seventeen hundred and sixty-seven (1767), inclusive, of the code, relating to mutual assessment associations.] Approved April 13, A. D. 1907.....	S. F. 20	85
81	An act to amend section seventeen hundred and sixty-eight (1768) of the code, relating to life insurance companies. Approved March 27, A. D. 1907.....	H. F. 239	89
82	An act amending section seventeen hundred ninety-four (1794) of the code, relative to fraternal accident associations. Approved February 9, A. D. 1907.....	H. F. 32	90
88	An act to provide a method whereby assessment life associations may be reincorporated as legal reserve life insurance companies. [Additional to chapter seven (7) of title nine (IX) of the code.] Approved March 21, A. D. 1907.....	H. F. 48	90

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84	An act regulating disbursements of domestic life insurance companies. [Additional to chapter eight (8) of title nine (IX) of the code.] Approved March 12, A. D. 1907.....	H. F. 47	91
85	An act to prohibit misrepresentations by life insurance companies. [Additional to chapter eight (8) of title nine (IX) of the code.] Approved March 28, A. D. 1907.....	H. F. 275	92
86	An act relating to rates of fraternal beneficiary societies. [Additional to chapter nine (9) of title nine (IX) of the code.] Approved March 15, A. D. 1907.....	H. F. 50	93
87	An act to permit fraternal beneficiary societies, orders or associations to purchase and own real estate; to erect a building thereon and to occupy and rent the same. [Additional to chapter nine (9) of title nine (IX) of the code.] Approved April 4, A. D. 1907.....	S. F. 267	94
88	An act to provide for the investment of the funds of fraternal beneficiary societies, orders or associations. [Additional to chapter nine (9) of title nine (IX) of the code.] Approved February 14, A. D. 1907.....	S. F. 22	94
89	An act to amend Senate File No. 22, as passed by the Thirty-second General Assembly February 8, 1907, and approved February 14, 1907, providing for the investment of funds of fraternal beneficiary societies, orders or associations. Approved March 26, A. D. 1907.....	S. F. 261	95
90	An act limiting the indebtedness of state and savings banks and repealing section eighteen hundred and fifty-five (1855) of the code. Approved April 3, A. D. 1907.....	S. F. 74	96
91	An act to repeal section eighteen hundred sixty-nine (1869) of the code relating to pay of, and loans to, officers of state and savings banks and to enact a substitute therefor. Approved March 23, A. D. 1907.....	H. F. 107	96
92	An act to amend section eighteen hundred and seventy-three (1873) of the code relating to publication of reports of banks. Approved March 12, A. D. 1907.....	S. F. 184	97
93	An act to amend section five (5) of chapter eighty-three (83) of the acts of the Thirty-first General Assembly, section nineteen hundred and eighty-six (1986) of the code as amended by section six (6) of chapter eighty-three (83) of the acts of the Thirty-first General Assembly, and section nineteen hundred and eighty-five (1985) of the code, and to amend chapter two (2) of title ten (X) of the code, relating to United States levees, as amended by chapter eighty-three (83) of the laws of the Thirty-first General Assembly, to promote the public health, convenience and welfare, by leveeing, ditching and draining the lands of the state, and providing for the assessment and collection of the costs and expenses of the same, and issuing improvement certificates, or issuing and selling bonds therefor. Approved March 19, A. D. 1907.....	S. F. 104	97
94	An act to amend the law as it appears in chapter sixty-eight (68), acts of the Thirtieth General Assembly, and in chapter eighty-five (85) of the acts of the Thirty-first General Assembly in relation to levees, ditches, drains and water-courses. Approved March 19, A. D. 1907.....	S. F. 8	98
95	An act amendatory of the law as it appears in chapter sixty-eight (68) of the Thirtieth General Assembly and amendatory acts of the Thirty-first General Assembly, relating to levees, ditches, drains and water-courses and amending sections two (2), fourteen (14), eighteen (18), and nineteen (19), of said chapter, and providing for the place where ditches and drains shall be located; how appeals shall be tried in appellate courts; for the employment of counsel to represent the drainage district in appellate courts; for the crossing of railroad rights of way;		

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	for the building of culverts and bridges at the place of crossing and payment of the cost thereof; for the assessment of benefits, and making the provisions of this act applicable to chapter two (2), title ten (X) of the code. Approved March 28, A. D. 1907.....	S. F. 37	100
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111	An act to repeal sections two thousand one hundred and fifty-three (2153) and two thousand one hundred and fifty-five (2155) of the code, relating to joint freight rates over two or more connecting lines of railway between points within this state, and relating to the power and duties of the board of railroad commissioners, and to enact substitutes therefor. Approved March 28, A. D. 1907.....	H. F. 282	113
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113	An act providing for scales and the weighing of commodities transported in carload lots, and furnishing certificates of weight by common carriers and providing penalties for the violation of this act, in addition to chapter seven (7), title ten (X) of the code. Approved April 6, A. D. 1907.....	S. F. 237	117
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130	An act prohibiting the storage and transportation of powder into coal mines while miners or other employes are working therein. [Additional to chapter nine (9) of title twelve (XII) of the code.] Approved April 13, A. D. 1907.....	S. F. 81	129
131	An act requiring manufacturers and dealers to label white lead, paints, mixed paints, and similar compounds, and linseed oil; defining linseed oil and boiled linseed oil; and fixing penalties for its violation; and repealing sections two thousand five hundred and ten-a (2510-a), two thousand five hundred and ten-b (2510-b), two thousand five hundred and ten-c (2510-c), two thousand five hundred and ten-d (2510-d) and two thousand five hundred and ten-e (2510-e) of the supplement to the code; and vesting the execution and enforcement of this act in the state food and dairy commissioner. Approved April 1, A. D. 1907.....	S. F. 19	130

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139	An act to provide for the examination and regulation of graduate nurses. Also to regulate the practice of nursing by graduate nurses and to provide a penalty for the violation thereof. [Additional to chapter sixteen (16) of title twelve (XII) of the code, relating to the state board of health.] Approved March 12, A. D. 1907.....	S. F. 78	137
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223	An act providing for the compilation of a roster of Iowa soldiers, sailors and marines in the War with Mexico and the War of the Rebellion, the Spanish-American and Philippine wars, including military service in the Spirit Lake expedition, and other service against the Indians; providing the manner of its publication, distribution and sale and making an appropriation therefor. Approved April 10, A. D. 1907.....	H. F. 79	226
224	An act making an additional appropriation to pay the remainder of the expenses of the members of the Iowa Shiloh Battlefield Monument Commission, the Iowa Lookout Mountain and Missionary Ridge Monument Commission, the Iowa Vicksburg Park Monument Commission, and the Iowa Andersonville Prison Monument Commission, upon their joint visit to dedicate the monuments erected by the state of Iowa upon southern battlefields and at Andersonville. Approved March 12, A. D. 1907.....	S. F. 158	227
225	An act to provide for the purchase of legislative references to and indexes of current legislation and making an appropriation therefor. Approved February 22, A. D. 1907..	S. F. 49	227
226	An act providing for placing a statue in bronze of James Harlan, Ex-Senator of Iowa, in the national statuary hall in the capitol building at Washington, D. C., and appropriating money to pay therefor. Approved March 20, A. D. 1907.....	S. F. 183	228
227	An act directing the custodian of public buildings and property to prepare a case for the reception of flags carried by Iowa regiments during the Spanish-American war, and making appropriation therefor. Approved March 26, A. D. 1907.....	S. F. 245	229
228	An act making an appropriation to defray the expenses of the inaugural ceremonies. Approved February 16, A. D. 1907.....	H. F. 119	229
229	An act making appropriation for the purchase of twenty thousand (20,000) railroad commissioners' official maps to be distributed by the members of the General Assembly and railroad commissioners. Approved February 8, A. D. 1907.	S. F. 32	230
230	An act to reimburse George S. Mornin and Guy A. Feely for expenses incurred in the election contest from the Sixty-sixth Representative District of Iowa, and to pay sundry persons for services, per diem, mileage, and expenses rendered and incurred in connection with said election contest. Approved April 10, A. D. 1907.....	H. F. 484	230
231	An act to reimburse the widow and heirs of the late J. W. Cliff for expenses incurred by him in his contest for the office of secretary of the Senate of the Twenty-fourth General Assembly. Approved April 13, A. D. 1907.....	S. F. 252	231
232	An act appropriating money to J. H. Cownie, Jr., R. R. McCutcheon and F. M. Hubbell, as trustees, to reimburse them for the funds advanced and used in the purchase of a tract of land for the state as an addition to the state fair grounds. Approved April 4, A. D. 1907.....	H. F. 101	232
233	An act to indemnify D. H. Fiester for personal injury sustained by him while employed at the hospital for the insane at Independence, Iowa. Approved April 13, A. D. 1907.....	H. F. 350	232
234	An act to reimburse S. B. Humbert for services rendered as superintendent of construction of the monuments at Lookout Mountain and one at either end of Missionary Ridge and to make an appropriation therefor. Approved April 10, A. D. 1907.....	S. F. 226	233

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235	An act to indemnify C. T. Jones for money paid out by him in contesting a civil action instituted against him by the state of Iowa. Approved April 13, A. D. 1907.....	S. F. 301	234
236	An act appropriating the sum of one hundred fifty-one dollars and ninety cents (\$151.90) to be paid to W. J. McAhren in settlement of a claim against the state of Iowa, arising by reason of the efforts of the said W. J. McAhren to extradite one H. S. Green. Approved April 13, A. D. 1907.....	S. F. 334	234
237	An act to reimburse John F. Riggs, superintendent of public instruction, for sums paid out by him on account of the state educational board of examiners. Approved February 23, A. D. 1907.....	H. F. 201	235
238	An act to indemnify Charles H. Tribby for damages caused by sewage from the state hospital for insane at Mount Pleasant, Iowa. Approved March 30, A. D. 1907.....	H. F. 143	236
239	An act to pay sundry persons named in this bill, for material and labor furnished by them in the erection of the medical hospital of the Iowa State University, erected in eighteen hundred and ninety-seven (1897.) Approved April 4, A. D. 1907.....	S. F. 73	236

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240	An act to enable the state of Iowa to sell and dispose of certain unclaimed lands within the former channel of the Des Moines river and formed by accretions in consequence of the changes of the channel of such river. Approved May 9, A. D. 1907.....	S. F. 364	238
241	An act to authorize the sale of the southwest quarter ( $\frac{1}{4}$ ) of section twenty-seven (27), township seventy-eight (78) north, range twenty-four (24) west of the fifth (5th) principal meridian, known as the camp ground of the Iowa National Guard, and to use the proceeds of the sale, or so much thereof as may be necessary, in the purchase and improvement of another camp ground for the said guard. Approved April 10, A. D. 1907.....	S. F. 351	240
242	An act authorizing any Interurban or other railway company to acquire a right of way for an Interurban or other railway over and across the lands of the Iowa state hospital for the insane at Mount Pleasant, Henry county, Iowa, and authorizing the executive council to fix the terms and conditions thereof. Approved April 13, A. D. 1907.....	S. F. 355	240
243	An act for the relief of the grantees of Jacob W. Applegate, and for the purpose of having a patent issued in the name of S. S. Judge for a certain tract of land. Approved February 22, A. D. 1907.....	S. F. 87	241
244	An act to confirm the title of F. C. Lovrein in a strip of land on section fifteen (15), township ninety-three (93) north, range thirty-four (34) west of the fifth principal meridian, lying between the true south boundary line and the meandered south boundary line of Rat Lake in said section; and authorizing the executive council to quit claim said strip to him. Approved March 12, A. D. 1907.....	S. F. 9	243
245	An act for the relief of the grantees of James Seby Parsons, and for the purpose of having a patent issued in the name of Cornelis De Geest for a certain tract of land. Approved April 4, A. D. 1907.....	H. F. 429	244
246	An act to release and convey to Mary A. T. Sanders all right, title and interest of the state of Iowa in or to the following described real estate, to-wit: A strip of land situated in west end of lot three (3), in section three (3), township seventy-nine (79) north, range six (6) west of the fifth		

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247	An act to legalize the making of certain plats made by the county auditors of Iowa or by the county surveyor for the owner, and the recording of the same by the county recorders of Iowa and to legalize the descriptions of land in all instruments, conveyances and incumbrances referring thereto. Approved February 28, A. D. 1907.....	H. F. 211	248
248	An act to legalize conveyances of real estate by executors, administrators, and guardians in this or foreign states. Approved April 3, A. D. 1907.....	H. F. 145	249
249	An act to legalize certain acknowledgments and administrations of oaths. Approved March 12, A. D. 1907.....	H. F. 114	249
250	An act to legalize the actions of certain homes for destitute or unfortunate women and orphaned or abandoned children in certain cases and the amendment of articles of incorporation thereof. Approved April 10, A. D. 1907...	S. F. 348	250
251	An act to legalize the action of the independent school district of Star No. 6 of Center township, Wapello county, Iowa, and of the independent school district of Ottumwa, Iowa, consolidating the former with and merging it in the latter. Approved March 28, A. D. 1907.....	H. F. 453	251
252	An act to validate and legalize the consolidation of the Dunleith and Dubuque Bridge Company, a corporation created under the laws of the state of Illinois, with the Dunleith and Dubuque Bridge Company, a corporation created under the laws of the state of Iowa, and validating and legalizing all rights and franchises exercised under said consolidation by said Iowa corporation, and all corporate acts and proceedings of the said Iowa corporation since the consolidation of the said Illinois corporation with it. Approved February 28, A. D. 1907.....	S. F. 60	252
253	An act to legalize certain actions of the board of supervisors of Appanoose county, Iowa, relating to drainage district No. one (1) of said county and the issuance of bonds for the payment of the expenses, costs, costs of construction and fees. Approved March 12, A. D. 1907.....	S. F. 64	253
254	An act to legalize the submission to the electors of Chickasaw county, Iowa, the question, viz.: "Shall the board of supervisors of Chickasaw county, Iowa, be empowered to expend and appropriate a sum not to exceed twenty-five thousand dollars (\$25,000) for the erection of a poor house for Chickasaw county, Iowa?" Approved February 23, A. D. 1907.....	H. F. 242	254
255	An act to legalize the acts and resolutions passed by the board of supervisors of Van Buren county, Iowa, making a final settlement with H. L. McGrew, county treasurer of said county, and releasing said H. L. McGrew and his bondsmen from liability on account of loss by reason of the deposit of county and other funds in the private banking house of E. H. Skinner & Co. Approved February 28, A. D. 1907.....	S. F. 62	255



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256	An act to legalize the acts and proceedings of the city council of the city of Anamosa, Iowa, relative to the construction of permanent sidewalks; and relative to the change of grade of a certain street. Approved February 22, A. D. 1907 .....	S. F. 46	257
257	An act to legalize the acts of the town council of Bayard, Guthrie county, Iowa, the votes of the electors thereof, and irregularities in a certain election held on March 25, 1907, thereby. Approved April 10, A. D. 1907.....	H. F. 483	259
258	An act to legalize the acts of the city council of Bedford, Taylor county, Iowa, in the adoption of the "revised ordinances" of said city and establishing a permanent grade and annexation of territory thereto. Approved March 27, A. D. 1907.....	H. F. 197	260
259	An act to legalize the election of the town council of the incorporated town of Belmond, Wright county, Iowa, and all the acts thereof during the last ten (10) years. Approved April 10, A. D. 1907.....	S. F. 370	261
260	An act to legalize the incorporation of the town of Bridgewater, Iowa, the election of its officers, the passage of its ordinances and resolutions and acts done by the city council in the adoption and enforcement of its ordinances and resolutions. Approved March 28, A. D. 1907.....	H. F. 251	262
261	An act to legalize the annexation of certain territory to the city of Centerville, Appanoose county, Iowa, and the election of officers by said city as enlarged. Approved April 4, A. D. 1907.....	H. F. 473	263
262	An act to legalize the incorporation of the town of Clutier, Tama county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the officials of said town while acting as such. Approved April 1, A. D. 1907.....	H. F. 294	264
263	An act to legalize the acts done and the ordinances passed by the town council of Dexter, Dallas county, Iowa. Approved April 5, A. D. 1907.....	H. F. 444	265
264	An act to legalize the incorporation of the town of Garwin, Tama county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the officials of said town while acting as such. Approved April 1, A. D. 1907.....	H. F. 380	265
265	An act to legalize the incorporation of the town of Granger, Dallas county, Iowa, the election of its officers, the passage of all its ordinances and resolutions and all acts done by the town council of said town. Approved February 28, A. D. 1907.....	H. F. 245	266
266	An act to legalize the special election of the town of Greenfield, Iowa, held September 10, 1906, for erection of water works or sewers, and voting bonds therefor. Approved February 16, A. D. 1907.....	H. F. 21	267
267	An act to legalize the incorporation of the town of Humboldt (formerly Springvale), Humboldt county, Iowa, the election of its officers, the passage, adoption and recording of its ordinances and resolutions, and all acts done by the council of said town. Approved March 27, A. D. 1907 .....	H. F. 420	268
268	An act to legalize the plat and dedication of the College Addition (commonly known as First College Addition), the Second College Addition, Lathrop's Addition and Johnson's Addition to the incorporated town of Humboldt (formerly Springvale), Humboldt county, Iowa. Approved April 10, A. D. 1907.....	H. F. 464	269

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270	An act to legalize the incorporation of the town of Linden, Dallas county, Iowa, the election of its officers, the passage, adoption and record of all of its ordinances, resolutions and rules, and all acts done by the council of said town. Approved February 28, A. D., 1907.	H. F. 283	271
271	An act to legal the plat of W. O. Lee's addition to Macksburg, Iowa. Approved April 2, A. D., 1907.	S. F. 274	272
272	An act to legalize the orders, acts, proceedings and resolutions passed by the council of the town of Milford, Dickinson county, Iowa, in connection with submitting the proposition of granting a franchise to the Midland Telephone Company at the municipal election. Approved April 13, A. D., 1907.	H. F. 491	273
273	An act to legalize certain ordinances and official acts of the town council of Mondamin, Harrison county, Iowa. Approved March 27, A. D. 1907.	S. F. 314	274
274	An act to legal the ordinances and amendments to ordinances passed by the town council of Nodaway, Iowa, and to legalize all official acts of the town officials of Nodaway, Iowa, acting as such officials. Approved April 2, A. D., 1907.	S. F. 343	275
275	An act legalizing the acts and proceedings of the city council of the city of Oelwein, Iowa, in purchasing grounds for park and appropriating money from the park fund in partial payment of the same, and any and all acts of the city treasurer of said city in the payment of warrants drawn on the park fund by the city clerk of said city. Approved April 10, A. D., 1907.	S. F. 372	276
276	An act to legalize the corporation of the town of Prairieburg, Linn county, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town. Approved April 10, A. D., 1907.	H. F. 470	277
277	An act legalizing an ordinance of the city council of the city of Red Oak Junction (now Red Oak), Iowa, passed February fifth, A. D., nineteen hundred, granting to the Red Oak Gas Light Company the use of the streets of Red Oak Junction (now Red Oak), Iowa, with certain conditional rights and privileges, for the purpose of erecting, purchasing, owning and maintaining a gas works system in said city. Approved March 19, A. D., 1907.	S. F. 283	278
278	An act to legalize the adoption of all ordinances, resolutions and rules enacted by the council of the town of Stockport, Van Buren county, Iowa, and all acts done by the council of said town. Approved March 27, A. D., 1907.	H. F. 401	279
279	An act to legalize certain ordinances and amendments to the ordinances passed by the city council of Tama, Tama county, Iowa, and to legalize all the official acts of the city officials of Tama, Tama county, Iowa, acting as such under said ordinances and amendments. Approved April 10, A. D. 1907.	S. F. 326	280

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LAWS  
OF THE  
Thirty-Second General Assembly,  
OF THE  
STATE OF IOWA,

PASSED AT THE REGULAR SESSION THEREOF, AT DES MOINES, THE CAPITAL  
OF THE STATE, BEGUN ON THE FOURTEENTH DAY OF JANUARY, AND  
ENDED ON THE NINTH DAY OF APRIL, A. D. 1907, IN THE  
SIXTY-FIRST YEAR OF THE STATE.

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GENERAL LAWS.

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CHAPTER 1.

PUBLICATION OF THE ACTS OF THE GENERAL ASSEMBLY.

S. F. 208.

AN ACT to amend section thirty-six (36) of the code, relative to the publication of acts  
of the General Assembly.

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

SECTION 1. **Secretary of state may designate other papers.** That section thirty-six (36) of the code be amended by inserting after the comma following the word "government," in the third line of said section, the following: "and in case either or both of the papers named in the act should fail or decline to publish said act as required therein, the secretary of state may designate another paper or papers in which publication shall be made."

SEC. 2. **In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in two newspapers of general circulation, to be designated by the secretary of state.

Approved March 15, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Daily News, March 16, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 2.

## COMPENSATION OF THE SECRETARY TO THE GOVERNOR AND DEPUTY STATE OFFICERS.

H. F. 168.

AN ACT to amend the law as it appears in sections sixty-five (65) and twenty-six hundred and twenty-seven (2627) of the supplement to the code, and to amend sections eighty-seven (87), ninety-nine (99) and one hundred and sixteen (116) of the code, relating to the compensation of the secretary to the governor, the deputy superintendent of public instruction, the deputy secretary of state, the deputy auditor of state and the deputy treasurer of state, also to amend sections two hundred and five (205), twenty-one hundred and twenty-one (2121) and twenty-five hundred and eighty-five (2585) of the code, in reference to deputy clerk of the supreme court, [secretary of the board of railroad commissioners and secretary of the pharmacy commission.]

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

**SECTION 1. Secretary to the governor.** That the law as it appears in section sixty-five (65) of the supplement to the code be amended by striking out the words "fifteen hundred" in the second line and inserting the words "eighteen hundred" in lieu thereof.

**SEC. 2. Deputy secretary of state.** That section eighty-seven (87) of the code be amended by striking out the words "fifteen hundred" in the eleventh line and inserting the words "eighteen hundred" in lieu thereof.

**SEC. 3. Deputy auditor of state.** That section ninety-nine (99) of the code be amended by striking out the words "fifteen hundred" in the eleventh line and inserting the words "eighteen hundred" in lieu thereof.

**SEC. 4. Deputy treasurer of state.** That section one hundred and sixteen (116) of the code be amended by striking out the words "fifteen hundred" in the eleventh and twelfth lines and inserting the words "eighteen hundred" in lieu thereof.

**SEC. 5. Deputy superintendent of public instruction.** That the law as it appears in section 2627 of the supplement to the code be amended by striking out the words "fifteen hundred" in the third line thereof, and inserting the words "eighteen hundred" in lieu thereof.

**SEC. 6. Deputy clerk of supreme court.** That section two hundred five (205) of the code be amended by striking out the words "fifteen hundred" in the fourth line and inserting the words "eighteen hundred" in lieu thereof.

**SEC. 7. Secretary of board of railroad commissioners.** That section twenty-one hundred and twenty-one (2121) of the code be amended by striking out the word "fifteen" in the fourth line and inserting the word "eighteen" in lieu thereof.

**SEC. 8. Secretary of pharmacy commission.** That section two thousand five hundred and eighty-five (2585) of the code be amended by striking out the word "fifteen" in the last line of said section, and inserting the word "eighteen" in lieu thereof.

**SEC. 9. In effect.** This act, being deemed of immediate importance, shall be in force from and after its publication in the Register and Leader and Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved April 6, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, April 8, 1907, and the Register and Leader, April 9, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 3.

## PRINTING, BINDING AND DISTRIBUTION OF STATE REPORTS AND DOCUMENTS.

S. F. 275.

AN ACT to amend sections three (3) and four (4) of chapter three (3) of the acts of the Thirty-first General Assembly, relating to printing, binding and distribution of state reports and documents.

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

**SECTION 1. Reports—number of copies to be printed.** That section three (3) of chapter three (3) of the acts of the Thirty-first General Assembly be amended by inserting after the semicolon (;) following the word "cloth" in the nineteenth line the words "of the annual report of the geological survey three thousand copies, of which twenty-two hundred copies shall be bound in cloth;" that said section be further amended by inserting, after the comma following the word "oils" in the twenty first line in said section, the words "of the state dairy commissioners' report four thousand copies, to be bound in paper covers;" that said section be further amended by inserting the words "or otherwise" after the word "herein" in the twenty-fifth line of said section; that said section be further amended by striking out the word "two" in the twenty-second line and inserting in lieu thereof the word "four".

**SEC. 2. Distribution of reports.** That paragraph one (1) of section four (4) of said chapter three (3), acts of the Thirty-first General Assembly be amended by striking out of the fifth line thereof the words "upon special calls made therefor" and insert in lieu thereof the following, "the remaining copies to be distributed upon the requisition of the reporting officer or department under the provisions of chapter five (5), acts of the Thirtieth General Assembly. The entire edition of the reports of the geological survey shall be distributed only upon requisition of the state geologist."

**SEC. 3. Distribution of documents.** That paragraph three (3) of section four (4) of said chapter three (3), acts of the Thirty-first General Assembly be amended by inserting after the semicolon (;) following the word "library" and before the word "the" in the seventeenth line the words "one copy to each public library and one copy to each college library within the state;" and by striking out of the eighteenth line the words "to be disposed of at his discretion" and to insert in lieu thereof the words "for distribution under the provisions of chapter five (5), acts of the Thirtieth General Assembly."

**SEC. 4. 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 Register and Leader and Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 15, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 4.

## DISTRIBUTION OF THE REPORT OF THE ACADEMY OF SCIENCES.

S. F. 276.

AN ACT to amend the law as it appears in section one hundred thirty-six (136) of the supplement to the code, fixing the manner of distribution of the report of the academy of sciences.

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

SECTION 1. **How distributed.** That the law as it appears in section one hundred thirty-six (136) of the supplement to the code be, and the same is hereby, amended by striking out in the ninth and tenth lines of said section the word "two" in each of said lines and insert in lieu thereof in each of said lines the word "one". Also substitute the word copy for the word copies in the tenth and eleventh lines of said section one hundred thirty-six (136).

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

Approved April 2, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 4, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 5.

## SECRETARY OF EXECUTIVE COUNCIL.

H. F. 333.

AN ACT to amend sections one hundred and fifty-six (156) and one hundred and fifty-seven (157) of the code, relating to the election and duties of the secretary of the executive council and defining the duties of said secretary, and to amend sections thirteen hundred and seventy-eight (1378) and thirteen hundred and eighty-two (1382) of the code.

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

SECTION 1. **Repealed—secretary, how chosen.** That section one hundred and fifty-six (156) of the code be, and hereby is, repealed and the following enacted in lieu thereof:

"The executive council shall choose a secretary who shall hold office during its pleasure."

SEC. 2. **Repealed—duties.** That section one hundred and fifty-seven (157) of the code be, and hereby is, repealed and the following enacted in lieu thereof:

"The secretary of the executive council shall perform the following duties and such others as are now or may hereafter be prescribed by law or directed by the executive council:

1. *Record of proceedings—certified statements.* He shall keep a complete record of the proceedings of the executive council and of the state board of review and shall, upon the completion of the work of said board of review, immediately transmit to the auditor of state a certified statement of the per-



centage to be added to or deducted from the valuation of each kind or class of property in the several counties of the state, and, to each county auditor of the state a like statement for his county.

2. *Assessment record.* He shall keep an assessment record, wherein shall be recorded the detailed proceedings relating to, and all valuations and assessments of properties made, taxes levied and levies determined by the executive council and shall certify to the several county auditors all property assessments and levies so made by the executive council, that by law are required to be certified to the said county auditors.

3. *Register of claims.* He shall keep a register of all claims required by law to be approved by the executive council, upon which register shall be shown the name of each claimant or in the case of pay rolls the name of the department or where there are several claimants the first name on the list, the amount claimed and the amount allowed with the date of the allowance and a citation of the statute under which the same is allowed.

4. *System of accounts.* He shall keep the following systems of accounts:

(a) A system of ledger accounts with all appropriations against which the executive council is, by law, authorized to audit claims;

(b) Accounts showing in detail all items of printing materials delivered by the state to the printer and all credits due said printer for the materials used in printing done for the state;

(c) A stock book record and ledger accounts of all supplies and postage received and issued by the supply department;

(d) Such further accounts as may be prescribed by the executive council.

5. *Vouchers and forms.* He shall prepare and maintain, under the direction of the executive council the following systems of vouchers and forms:

(a) For the various claims required to be approved by the executive council;

(b) For the requisitions for supplies for state officers and members of the General Assembly and paper for the state printer and contractors;

(c) For official orders for printing done by the state printer and contractors;

(d) For vouchers between the state printer, state binder, contractors and the state for printing or binding done for the state;

(e) For forms for the expense reports to be made by state officers to the executive council;

(f) For forms for reports of railways, express, equipment and sleeping car, telegraph, telephone and all other companies required by law to report to the executive council;

(g) All vouchers or forms that may be prescribed by the executive council.

6. *Report for publication in Iowa Official Register.* He shall, on or before the 15th day of January in each odd numbered year, prepare a report of the doings of the executive council for the two preceding calendar years; which report shall include a statement of the assessments of railroads, sleeping and dining cars, express companies' property, equipment cars and telegraph property by companies or lines; the aggregate assessment of telephone properties by classes; the official canvass of the votes cast at the last general election; a statement of the cities and towns the class of which may have been changed; and a classified and condensed statement of the expenditures made or approved by the executive council and a condensed statement of all other acts of the said council that are of general interest. This report so made and approved by the executive council shall be published in the Iowa Official Register.

7. *Biennial report of itemized expenses.* He shall, under the direction of the executive council, compile and have published, as required by law, the

biennial reports of the itemized expenses of all state officers, boards and commissions.

8. *Annual assessment reports.* He shall, under the direction of the executive council, annually compile and have printed, detailed reports of the assessment of railways; sleeping, dining and equipment cars; express properties, telegraph and telephone properties.

9. *Supplies, postage and printing.* He shall have charge of the supplies, postage and printing papers purchased for state uses and shall account for the same.

10. *Bond.* He shall give a bond to the state, in an amount to be determined and approved by the executive council, for the faithful discharge of his duties."

SEC. 3. **Auditor of state relieved of certain duties—acts in conflict repealed.** That section thirteen hundred and seventy-eight (1378) of the code be, and is hereby, amended by striking out the words, "shall be the clerk of the board and" following the word "state" in the third line of said section; that section thirteen hundred and eighty-two (1382) of the code be amended by striking out all of that part of the first sentence after the word "August" in the third line thereof and that all statutes in conflict with any of the provisions of this act be, and are hereby, amended so as not to be in conflict with the provisions of this act.

Approved April 5, A. D. 1907.

## CHAPTER 6.

### BOARD OF EDUCATIONAL EXAMINERS.

S. F. 100.

AN ACT to amend the law as it appears in sections one hundred and sixty-eight (168), twenty-six hundred and twenty-nine (2629) and twenty-six hundred and thirty-four-a (2634-a) of the supplement to the code, section twenty-six hundred and thirty-one (2631) of the code, and in chapter two (2) of title thirteen (XIII) of the code and code supplement and amendments thereto and chapter one hundred and twenty-two (122) of the acts of the Thirty-first General Assembly, defining the duties, fixing the compensation and providing for the supplies and printing and providing for the payment of the expenses of the educational board of examiners, its secretary and employes.

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

SECTION 1. **Supplies and postage.** That the law as it appears in section one hundred and sixty eight (168) of the supplement to the code, be, and the same is hereby, amended by inserting after the comma following the word "commission" and before the word "and" in the tenth line of said section the words "the educational board of examiners."

SEC. 2. **Examinations of teachers—by whom conducted.** That section twenty-six hundred twenty-nine (2629) of the supplement to the code be and the same is hereby amended by striking out all after the word "teachers" in the third line and before the word "all" in the fifth line, and inserting in lieu thereof the following: "to be conducted by a member or the secretary of the board or by such qualified person or persons as the board may select."

SEC. 3. **Fees.** That section twenty-six hundred thirty-one (2631) of the code be, and the same is hereby, amended by striking out the word "three" in the eighth line and inserting in lieu thereof the word "two"; also by striking out all after the period in the ninth line and inserting in lieu thereof the following: "All moneys obtained from this source shall be paid into the state treasury."

**SEC. 4. Repealed—compensation—secretary—employees—salaries.** That section twenty-six hundred thirty-four-a (2634-a) of the supplement to the code be, and the same is hereby, repealed and the following enacted in lieu thereof:

"Each member of the board shall receive for the time actually employed in such service, his actual necessary expenses, and those not salaried officers or employes of the state or any institution thereof shall be paid in addition, three (\$3.00) dollars per day. The board shall have power to employ a secretary and prescribe his duties. He shall receive a salary not exceeding one hundred (\$100.00) dollars per month and actual necessary expenses while engaged in the performance of his duties at places other than the capitol. The board shall have power to employ such persons as are necessary to assist in examinations and in reading answer papers and for clerical work and other necessary assistance. Persons so employed shall receive, not to exceed fifty cents per hour for the time actually employed and actual traveling expenses to and from the place where their services are required. All expenditures authorized to be made under the provisions of chapter two (2) of title thirteen (XIII) of the code and of the supplement to the code and amendments thereto and under the provisions of chapter one hundred twenty-two (122), acts of the Thirty-first General Assembly and under the provisions of this act shall be certified by the chairman of the educational board of examiners to the executive council for payment. If found correct the executive council shall cause same to be paid from any funds paid into the state treasury under the provisions of section twenty-six hundred thirty-one (2631) of the code and chapter one hundred twenty-two, (122), acts of the Thirty-first General Assembly and amendments thereto."

**SEC. 5. Printing.** This act shall be construed as giving legal authority to the educational board of examiners to obtain all the necessary printing for the performance of their duties, as required by law, in the same manner as the printing is provided for state officers.

**SEC. 6. In effect.** This act, being deemed of immediate importance, shall be in force and take effect after its publication in the Register and Leader and Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

Approved April 4, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, April 5, 1907, and the Register and Leader, April 6, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 7.

### TREATMENT AND CONTROL OF DEPENDENT, NEGLECTED AND DELINQUENT CHILDREN.

S. F. 181.

AN ACT additional to and amendatory of chapter eleven (11), of the laws of the Thirtieth General Assembly, entitled, "An act enlarging the powers of the district court, and to regulate the treatment and control of dependent, neglected and delinquent children. (Additional to chapter five (5) of title three (III) of the code, relating to the district court.)"

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

**SECTION 1. Detention home and school in certain counties.** In any county of this state, having a population of more than fifty thousand (50,000), it shall be the duty of the board of supervisors to provide and maintain, separate, apart and outside the enclosure of any jail or police station, a suitable detention home and school for dependent, neglected and delinquent children.

**SEC. 2. Probation officers—compensation.** That section six (6) of chapter eleven (11) of the acts of the Thirtieth (30th) General Assembly be and hereby is amended by striking out the period after the words "public treasury" in the fourth (4th) line thereof and inserting in lieu thereof a semicolon, and following said semicolon insert the following words and figures, "provided, however, that the district court, in any county of this state having a population of more than fifty thousand (50,000), may designate and appoint not to exceed two (2) persons, of good character and special fitness, to serve as probation officers during the pleasure of the court, who are hereby vested with all of the powers and authority of sheriffs in and about the discharge of their duties as probation officers, and who shall each receive a compensation, to be fixed by the court, not to exceed seventy-five dollars (\$75) per month. Any probation officer, provided for by this section, when performing the duties of his office under the order of the juvenile court or a judge thereof, shall be allowed such necessary expenses as may be authorized by the judge of said juvenile court, and the same shall be paid out of the county treasury as other court costs."

**SEC. 3. Tax for enforcement purposes.** For the purpose of providing for the enforcement of this act in all its parts the board of supervisors may levy a tax each year, in the counties of this state to which this act is applicable, not to exceed one (1) mill on the dollar in any year, in addition to the taxes which they are now authorized to levy.

**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 Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved March 27, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, March 29, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 8.

### SUPERIOR COURTS.

S. F. 175.

AN ACT to amend the law as it appears in section two hundred fifty-five (255) of the supplement to the code, and section one (1) of chapter ten (10), laws of the Thirty-first General Assembly, relating to superior courts.

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

**SECTION 1. Establishment in certain cities.** That the law as it appears in section two hundred fifty-five (255) of the supplement to the code be, and the same is hereby amended by striking out the word "five" in the second line thereof, and inserting in lieu thereof the word "four".

**SEC. 2. Election of judges.** That the law as it appears in chapter ten (10), section one (1) of the laws of the Thirty-first General Assembly be and the same is hereby amended by inserting "or city" in line six (6) between the word "general" and "election".

**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 Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved March 14, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, March 14, 1907, and the Register and Leader, March 15, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 9.

## PRACTICE OF LAW BY JUDGES OF POLICE COURTS.

H. F. 475.

AN ACT to amend section two hundred eighty-one (281) of the code, relative to the practice of law by judges of courts of record.

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

**SECTION 1. Practice in civil matters permitted.** That section two hundred eighty-one of the code be and the same is hereby amended by adding to said section after the period following the word "state" in the last line thereof, the words "but nothing contained in this section shall be construed to prohibit judges of police courts from the practice as attorneys and counselors at law in civil matters."

Approved April 13, A. D. 1907.

## CHAPTER 10.

## COMPENSATION OF COUNTY ATTORNEYS.

H. F. 120.

AN ACT to amend section three hundred and eight (308) of the supplement to the code as amended by chapter eleven (11), acts of the Thirty-first General Assembly, relating to the compensation of county attorneys.

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

**SECTION 1. Compensation.** That section three hundred and eight (308) of the supplement to the code as amended by chapter eleven (11), acts of the Thirty-first General Assembly be amended by striking out the first fifteen (15) lines of said section down to and including the word "dollars" in said fifteenth (15th) line, and inserting in lieu thereof, the following:

"County attorneys shall be allowed an annual salary, in counties having a population less than fifteen thousand (15,000), nine hundred dollars (\$900); in counties of fifteen thousand (15,000) and under 25,000, one thousand dollars (\$1,000); in counties of 25,000 and under 35,000, twelve hundred fifty dollars (\$1,250); in counties of 35,000 and under 45,000, fifteen hundred dollars (\$1,500); in counties of 45,000 and under 55,000, seventeen hundred fifty dollars (\$1,750); in counties of 55,000 and under 65,000, two thousand dollars (\$2,000); and in all counties of 65,000 and over, twenty-five hundred dollars (\$2,500); provided, that in counties having a population exceeding 30,000 and under 35,000 the board of supervisors may pay not to exceed fifteen hundred dollars (\$1,500) annually, and in counties having a population exceeding 40,000 and under 45,000 the board of supervisors may pay not to exceed seventeen hundred and fifty dollars (\$1,750) annually."

**SEC. 2. When effective.** The provisions of this act shall become operative and be in force and effect on and after the fourth day of July, 1907.

Approved April 6, A. D. 1907.

## CHAPTER 11.

## ADMISSION TO THE BAR.

H. F. 408.

AN ACT to amend section three hundred ten (310) of the supplement to the code relating to qualification for admission to the bar.

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

**SECTION 1. Qualifications.** That section three hundred ten (310) of the supplement to the code be, and the same is hereby, amended by striking out of the last line of said section the word "three" and inserting in lieu thereof the word "four".

**SEC. 2. When effective.** This act shall take effect, and be in force on and after July 1, 1909.

Approved April 4, A. D. 1907.

## CHAPTER 12.

## NEW JURY LISTS.

H. F. 104.

AN ACT to provide for the preparation of new jury lists where, for any cause, a lawfully constituted grand jury or petit jury cannot be obtained, or lawfully qualified talesmen cannot be selected under the law from those persons who are returned by the election officers to serve as jurors. [Additional to chapter eleven (11) of title three (III) of the code, relating to jurors.]

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

**SECTION. 1. District court to order lists prepared.** Wherever it has been or hereafter shall be found or determined by the district court in any county that, for any cause, the lawfully constituted grand jury or a like petit jury has not or cannot be obtained by drawing from the names returned by the election officers to the county auditor to serve as jurors, or that lawfully qualified talesmen cannot be selected by drawing from the list of names, or that the term for which such lists were drawn has expired, the said court may order the board of supervisors of said county to prepare lists of names of persons having the qualifications required by law for grand jurors, petit jurors and talesmen. The court ordering shall fix the time of meeting of said board of supervisors therefor and shall prescribe the time and manner of notice thereof to be given the several members of such board. Said notice may be served by any person and proof of service shall be the same as that of original notice.

**SEC. 2. Supervisors to prepare lists—meeting.** It is hereby made the duty of the members of said board of supervisors to obey the order of the district court made in accordance with the authority granted it in section one (1) hereof, and they are hereby empowered and authorized to hold a meeting of said board for the said purpose and the preparation of jury lists by said board at said meeting shall have precedence over all other business.

**SEC. 3. Apportionment.** The names to be drawn for grand jurors, petit jurors and talesmen shall be the number now required by law: they shall be apportioned among the several voting precincts by the county auditor as required by law, and such apportionment shall be certified by the auditor to the board of supervisors.

**SEC. 4. Names selected—lists certified—filed with county auditor.** In preparing such lists the board of supervisors shall select the names from the qualified electors from the several precincts as shown by the poll lists of the last preceding general election, selecting for grand jury, petit jury and talesmen lists, the number in each precinct shown by the auditor's apportionment provided for in this act. Such lists shall be separately certified by the board of supervisors, in substance and in form, as election officers are now required to certify lists returned by them and the lists shall be filed with the county auditor and recorded by him in the proper record, and shall stand as the regular jury list for the county for the year in which it is selected and shall be used therefor and juries chosen therefrom, in all respects except as to time of selection of list and panel and summoning of the jurors, as is now provided by law; the time of selection of list and panel and summoning of the jurors to be under the order of the court.

**SEC. 5. In effect.** This act, being deemed of immediate importance, shall take effect and be in force immediately upon its publication in the Register and Leader, and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved March 21, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, March 22, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 13.

### NOTARIES PUBLIC.

H. F. 303.

AN ACT to repeal sections three hundred and seventy-three (373), three hundred and seventy-four (374), three hundred and seventy-five (375) and three hundred and seventy-six (376) of the code in relation to notaries public and enact substitutes therefor: also to amend section sixty-eight (68) of the code, in relation to the registration of commissions.

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

**SECTION 1. Repealed—appointment—commissions expire—notice.** That section three hundred and seventy-three (373) of the code be repealed and the following enacted in lieu thereof:

"The governor may appoint and commission one or more notaries public in each county and may at any time revoke such appointment. The commission of all notaries public heretofore or hereafter issued prior to the fourth day of July, A. D. 1909, shall expire on that day, and commissions subsequently issued shall be for no longer period than three years, and all such commissions shall expire on the fourth day of July in the same year. The governor shall, on or before the first day of May, A. D. 1909, and every three years thereafter, notify each notary when his commission will expire, sending such notice by mail and accompanying the notice with a blank application for re-appointment and a blank bond."

**SEC. 2. Repealed—conditions.** That section three hundred and seventy-four (374) of the code be repealed and the following enacted in lieu thereof:

"Before any such commission is delivered to the person appointed, he shall:

"1. Procure a seal on which shall be engraved the words 'Notarial Seal' and 'Iowa', with his surname at length and at least the initials of his christian name;

"2. Execute a bond to the state of Iowa in the sum of five hundred dollars conditioned for the true and faithful execution of the duties of his office, which bond, when secured by personal surety, shall be approved by the clerk of the district court of the county of his residence; all other bonds shall be approved by the governor.

"3. Write on said bond, or a paper attached thereto, his signature and place thereon a distinct impression of official seal;

"4. File such bond with attached papers, if any, in the office of the governor;

"5. Remit to the governor the fee required by law.

"When the governor is satisfied that the foregoing requirements have been fully complied with, he shall execute and deliver a commission to the person appointed."

**SEC. 3. Repealed—certificate of appointment filed with clerk.** That section three hundred and seventy-five (375) of the code be repealed and the following enacted in lieu thereof:

"When the governor delivers a commission to the person appointed, he or his secretary shall make a certificate of such appointment and forward the same to the clerk of the district court of the proper county, who shall file and preserve the same in his office, and it shall be deemed sufficient evidence to enable such clerk to certify that the person so commissioned is a notary public during the time such commission is in force."

**SEC. 4. Repealed—revocation—notice.** That section three hundred and seventy-six (376) of the code be repealed and the following enacted in lieu thereof:

"Should the commission of any person appointed notary public be revoked by the governor, he shall immediately notify such person and also the clerk of the district court of the proper county, through the mail."

**SEC. 5. Registration of notarial commissions.** That section sixty-eight of the code be amended as follows: strike out the period at the end of said section, insert a semicolon in lieu thereof and the following in addition thereto: "provided, however, that notarial commissions shall be registered only in the office of the governor."

Approved April 13, A. D. 1907.

## CHAPTER 14.

### MEETINGS OF BOARD OF SUPERVISORS.

H. F. 42.

AN ACT to repeal section four hundred and twelve (412) of the code, and to enact a substitute therefor, relating to the time of holding meetings of the board of supervisors.

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

**SECTION 1. Repealed—meetings.** That section four hundred and twelve (412) of the code be and the same is hereby repealed and the following enacted in lieu thereof:

"The members of the board of supervisors shall meet at the county seat of their respective counties on the second secular day in January and on the first Monday in April and June and the second Monday in September in each year, and on the first Monday in November in the odd numbered years, and on the first Monday after the general election in the even numbered years, and shall hold such special meetings as are provided by law."

Approved April 5, A. D. 1907.



## CHAPTER 15.

## POWERS OF BOARDS OF SUPERVISORS.

H. F. 131.

AN ACT to amend section four hundred twenty-two (422) of the code, relative to the power of boards of supervisors, and granting additional powers.

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

**SECTION 1. Use of county lands for ornamental or art purposes.** That paragraph nine (9) of section four hundred and twenty-two (422) of the code be, and the same is hereby amended by adding thereto the following:

“And to permit any person, persons, or corporation to use any portion of the lands owned by the county for ornamental or art purposes, or for the erection of any monument or fountain under such restrictions and regulations as the board of supervisors may from time to time enact, provided that such use does not interfere with the use for which such real estate was originally acquired by the county.”

Approved February 28, A. D. 1907.

## CHAPTER 16.

## POWERS OF TOWNSHIP TRUSTEES.

S. F. 164.

AN ACT to amend the law as it appears in sections two (2) and three (3), chapter fourteen (14), acts of the Thirty-first General Assembly, granting township trustees power to contract for use of public libraries.

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

**SECTION 1. Certain provisions repealed.** That the law as it appears in sections two (2) and three (3), chapter fourteen (14) of the acts of the Thirty-first General Assembly, be amended as follows: strike out all of section two (2) and all after the word “meeting” in line six of section three to, and including the comma before the word “levy” in line nine [eight].

**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 Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved March 28, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, March 30, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 17.

## PURCHASE OF LAND FOR COUNTY FAIR SOCIETIES.

H. F. 1.

AN ACT to amend the law as it appears in section four hundred twenty-two (422) of the code, and section sixteen hundred sixty (1660) of the code, relating to the purchase of land for county fair societies.

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

**SECTION 1. Supervisors empowered to make purchase.** That section four hundred twenty-two (422) of the code be and the same is hereby amended by adding thereto as sub-division twenty-four (24) the following:

"24. To purchase real estate for county fairs. The title of such real estate to be in the name of the county."

**SEC. 2. Question submitted—notice—title in county—control.** Section sixteen hundred sixty (1660) of the code is hereby amended by adding thereto the following:

"The board of supervisors are further authorized to purchase real estate for county fair purposes, in sums exceeding one thousand dollars (\$1,000.00), providing however, that the board of supervisors shall first have submitted to the legal voters of the county a proposition therefor, and voted for by a majority of all persons voting for and against such proposition at a general or special election; notice to be given as provided in section four hundred twenty-three (423) of the supplement to the code. And the board of supervisors shall not exceed in the purchase of such real estate, the amount so voted for. The title of such real estate when purchased to be taken in the name of the county, and the board of supervisors shall place such real estate under the control and management of an incorporated county fair society, as long as an annual county fair is maintained by such corporation on said real estate. And said corporation is authorized to erect and maintain buildings and make such other improvements on said real estate as is necessary, but the county shall not be liable for such improvements, or the expenditures therefor. The right of such county fair society to the control and management of said real estate may be terminated by the board of supervisors whenever well conducted agricultural fairs are not annually held thereon."

**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 Register and Leader and Des Moines Capital, newspapers published at Des Moines, Iowa.

Approved March 27, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, March 29, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 18.

### SOLDIERS' RELIEF COMMISSION.

H. F. 150.

AN ACT to amend section four hundred thirty-two (432) of the code, pertaining to meetings of the soldiers' relief commission.

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

**SECTION 1. Meetings.** That section four hundred and thirty-two (432) of the code be and the same is hereby amended by striking out the word "first" in the second line of said section and inserting in lieu thereof the word "second".

Approved March 20, A. D. 1907.

## CHAPTER 19.

## BORROWING MONEY FOR ERECTION OF PUBLIC BUILDINGS IN CERTAIN COUNTIES.

S. F. 300.

AN ACT to amend section four hundred forty-eight (448) of the code, relating to borrowing money for the erection of public buildings in counties having population of forty thousand or over.

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

**SECTION 1. Made applicable to certain counties.** That section four hundred forty-eight (448) of the code be and the same is hereby amended as follows: By striking out the word "forty" as it appears in the fifth line of said section and inserting in lieu thereof the words "twenty-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 Register and Leader and the Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved March 20, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, March 22, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 20.

## TAXATION OF DOGS AND INJURIES TO DOMESTIC ANIMALS.

H. F. 207.

AN ACT to repeal sections four hundred fifty-eight (458) and four hundred fifty-nine (459) of the code and to enact a substitute therefor relating to taxation of dogs and injuries to domestic animals.

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

**SECTION 1. Repealed—supervisors to tax dogs.** Sections four hundred and fifty-eight (458) and four hundred fifty-nine (459) of the code are hereby repealed and the following is enacted in lieu thereof:

"The board of supervisors of each county shall at its September session, each year, when levying other taxes, levy a tax of one dollar (\$1.00) on each male and spayed female and three dollars (\$3.00) on each female dog listed by the assessor, which shall constitute a special fund to be disposed of as provided for in this act."

**SEC. 2. County auditor to prepare assessor's book.** It shall be the duty of each county auditor to provide suitable columns properly headed in the assessor's book to carry out the provisions of this act.

**SEC. 3. Domestic animal fund.** The treasurer of each county may, if not otherwise used, upon the taking effect of this act transfer all taxes collected on dogs during the year nineteen hundred and six and subsequent years to a separate fund to be known as the Domestic Animal Fund, and hereafter on receiving the tax books for the collection of other taxes shall collect the tax herein provided for as other taxes are collected and keep the same as a separate fund to be known as the Domestic Animal Fund.

**SEC. 4. Injuries to domestic animals—claims for damages—how allowed and paid.** Any person damaged by the killing or injury of any domestic ani-

mal or fowl by dog, dogs or wolves may present to the board of supervisors of the county in which such killing or injury occurred, a detailed statement and account of such killing or injury, stating the amount of damage claimed therefor and verified by affidavit such claim to be filed with the county auditor not later than ten (10) days from the time such killing or injury occurred or was known to the owner or his agent. Claims filed as herein provided shall be heard by the board of supervisors at the first regular session after the filing thereof or at such time as the board of supervisors may determine upon, and the same may be established by affidavit if less than ten dollars (\$10) in amount, if more than ten dollars (\$10) to be established by oral proof or affidavit as may be determined or required by board of supervisors. No claim shall be allowed where it is shown that the injury and damage complained of was caused by a dog or dogs owned or controlled by the claimant. The board shall hear and determine said claims as soon as practicable after they are filed, and shall allow the same or such portion thereof as they may deem just, and shall find and enter of record the value of each animal killed or the amount of damage done thereto, and shall authorize the auditor to issue warrants for not exceeding seventy-five per cent (75) of the amount of damages thus found, the same to be paid by the county treasurer out of the Domestic Animal Fund, and if disallowed they shall so enter it upon their record.

**Sec. 5. Warrants—how drawn and paid—balance.** The county auditor shall on the first day of July, 1907, and on the first day of January and July of each year thereafter furnish an itemized statement to the county treasurer of all warrants that have been issued for the six (6) months preceding such date as provided herein, and the treasurer shall on or before the tenth (10) day of each of said months pay said warrants issued by the auditor, as aforesaid, out of the Domestic Animal Fund, provided, however, that if such fund is then insufficient to pay said warrants in full he shall pay on each pro rata, and provided further, that no claim shall be allowed under the provisions of this act for any damages sustained for animals killed or damaged prior to the taking effect of this act. When the balance in the Domestic Animal Fund after paying the warrants issued thereto, as hereinbefore provided exceeds the sum of five hundred dollars (\$500.00) the board of supervisors may transfer the excess to the general county fund.

**Sec. 6. In effect.** This act shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved April 1, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, April 2, 1907, and the Register and Leader, April 3, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 21.

### COMPENSATION OF COUNTY SUPERVISORS.

H. F. 43.

AN ACT to repeal section four hundred sixty-nine (469) of the code, and enact a substitute therefor, providing for the compensation of county supervisors.

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

**SECTION 1. Repealed—compensation.** That section four hundred sixty-nine (469) of the code be, and the same is hereby repealed, and the following enacted in lieu thereof:

"The members of the board of supervisors shall receive four dollars per day each for each day actually in session, and three dollars per day exclusive of mileage when not in session but employed on committee service, and five cents per mile for every mile traveled in going to and from the regular, special and adjourned sessions thereof and in going to and from the place of performing committee service. But in counties having a population of ten thousand or less they shall not receive compensation for session service of more than thirty days in the year; in counties having population of more than ten and less than twenty-three thousand, for not more than forty-five days of such service in a year; in counties having a population of twenty-three and not over forty thousand, for not over fifty-five days of such service in a year; in counties having a population of forty and not over sixty thousand, for not more than sixty-five days of such service in a year; in counties having a population of sixty and not over eighty thousand, for not more than seventy-five days of such service in a year; in counties having a population of eighty and not over ninety thousand, for not more than ninety days of such service in a year; in counties having a population of over ninety thousand for not more than one hundred days of such service in a year. The time spent by the board of supervisors as a ditch or drainage board and in considering drainage matters whether as a single board or jointly with one or more other boards, shall not be counted in computing the number of days which any board has been in session, but the members of the board shall be entitled to compensation at the same rate for the time spent in ditch and drainage matters in addition to the compensation allowed as hereinbefore set forth, but in no case shall said board be allowed more than fifty days additional time in one year for time spent in drainage matters. If on the same day the board acts both as a county board and also for the purpose of considering drainage matters, the board shall be paid for one day only, and from the general fund or drainage fund as the board may order."

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

Approved March 15, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, March 16, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 22.

### COMPENSATION OF COUNTY RECORDERS.

S. F. 196.

AN ACT to amend section one (1), chapter twenty-one (21) of the acts of the Thirtieth General Assembly, relating to the compensation of county recorders.

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

SECTION 1. **Compensation.** That the law, as it appears in section one (1), chapter twenty-one (21) of the acts of the Thirtieth General Assembly, be and the same, is hereby amended by striking out all the words in said section following the word "of" in the sixth line of said section and inserting in lieu thereof words as follows: "the sum of twelve hundred dollars, (\$1,200) per annum in counties having a population of less than twenty-five thou-

sand, (25,000) and fifteen hundred dollars (\$1,500) in counties having a population of over twenty-five thousand (25,000), and less than thirty-five thousand (35,000), and sixteen hundred dollars (\$1,600) in counties having a population of over thirty-five thousand (35,000), and less than fifty thousand (50,000), and eighteen hundred dollars (\$1,800) in counties having a population of over fifty thousand (50,000) and less than sixty thousand (60,000), and two thousand dollars (\$2,000) in counties having a population of sixty thousand (60,000) or over."

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

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 11, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 23.

### APPOINTMENT OF SHORTHAND REPORTER BY CORONER.

H. F. 81.

AN ACT to amend section five hundred twenty (520) of the code, in relation to the examination of witnesses by the coroner, and to provide for a reporter to be appointed by the coroner at inquests or investigations, and making provision for the payment thereof.

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

SECTION 1. **Shorthand reporter—compensation.** That section five hundred and twenty (520) of the code be and is hereby amended by adding after the word "case" in the seventh line thereof the following words and figures, to wit: "For the purpose of preserving the testimony of such witnesses, and all the acts and doings of the coroner and jury, the coroner may appoint a shorthand reporter at a compensation of not to exceed fifty cents (50c) per hour, for time actually employed in any inquest or investigation, and for extending the notes, and when such reports are extended into longhand by the said shorthand reporter and certified to by the coroner and said reporter to the effect that they contain a full, true and complete report of all proceedings, they shall be the official record of the said inquest or investigation. The said shorthand reporter shall before entering upon his duties as such reporter, take an oath to be administered by the coroner, that he will faithfully take down in shorthand the evidence as it is given by the witnesses at such inquest or investigation, and that he will correctly extend the same into longhand."

Approved March 12, A. D. 1907.

## CHAPTER 24.

## UNIFORM SYSTEM OF ACCOUNTS FOR CERTAIN COUNTY OFFICERS.

S. F. 277.

AN ACT to provide an uniform system of books, blanks, records, vouchers, receipts, etc., for the use of county auditors, county treasurers and clerks of the district court. [Additional to chapter nine (9) of title four (IV) of the code, relating to duties of county officers.]

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

**SECTION 1. Auditor of state to prescribe system of accounts—advisory committee.** The auditor of state is hereby authorized and directed to formulate and prescribe a system of books, blanks, records, vouchers, receipts, etc., for the use of county auditors, county treasurers and clerks of the district court, which system shall be adopted and used by all county auditors, county treasurers and clerks of the district court of the state from and after January 1, 1908. To assist in the preparation of the forms above contemplated, the auditor of state is hereby authorized to appoint a committee of not less than five nor more than seven persons, each of whom shall have had at least one term's experience either as county auditor, county treasurer or clerk of the district court, or who shall be [an] expert accountant. The committee thus appointed shall serve without compensation except that the necessary traveling, hotel and other expenses of the members for a period of not more than thirty (30) days shall be paid by the state and the auditor of state is hereby authorized to draw warrants upon the treasurer of state for the payment of such expenses upon receipt of vouchers therefor properly filed with and approved by the executive council.

**Sec. 2. Forms furnished—expenses—how paid.** The auditor of state, shall as soon as practicable after the same have been prepared, furnish each county auditor, county treasurer and clerk of the district court with a complete set of all forms prescribed under the provisions of this act pertaining to the affairs of his office and the expense thereof shall be paid in the same manner as other like expenses of the office of the auditor of state.

Approved April 4, A. D. 1907.

## CHAPTER 25.

## COMPENSATION OF TOWNSHIP CLERKS.

S. F. 103.

AN ACT to amend section five hundred and ninety-one (591) of the code, relative to compensation of township clerks.

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

**SECTION 1. Compensation.** That section five hundred and ninety-one (591) of the code is hereby amended by striking out the word "five" in the third line of paragraph two (2) of said section and inserting in lieu thereof the word "two".

Approved March 15, A. D. 1907.

## CHAPTER 26.

## ORGANIZATION AND OFFICERS OF CITIES AND TOWNS.

S. F. 111.

AN ACT relating to the organization and officers of cities and towns, amending sections six hundred and forty-one (641), six hundred and fifty-five (655), eight hundred and sixty-seven (867), eight hundred and seventy-one (871) and eight hundred and seventy-three (873) of the code, and the law as it appears in section six hundred and sixty-one (661) of the supplement to the code and repealing sections six hundred and forty-six (646), six hundred and forty-seven (647), six hundred and forty-eight (648), six hundred and forty-nine (649), six hundred and fifty-one (651), six hundred and fifty-two (652), six hundred and fifty-seven (657) and eight hundred and sixty-five (865) of the code, and the law as it appears in section six hundred and forty-five (645), and paragraph five (5) of section six hundred and fifty-eight (658), of the supplement to the code and enacting substitutes therefor, and amending chapters two (2), and nine (9) title five (V) of the code, and of the law as it appears in the supplement to the code, and providing for the appointment of a board of public works and defining its duty and providing a penalty for the violation of the provisions of this act.

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

**SECTION 1. Number of wards in cities of second class.** That section six hundred and forty-one (641) of the code be amended by striking out the word "seven" in the seventh line thereof, and inserting in lieu thereof the word "five" and by striking out the word "three" in the eighth line thereof and inserting in lieu thereof the word "two".

**SEC. 2. Repealed—council—how composed.** That section 645 of the supplement to the code be repealed and the following enacted in lieu thereof:

"City and town councils shall be composed as follows: In cities, two councilmen at large and one councilman from each ward; in towns, five councilmen at large."

**SEC. 3. Repealed—election of councilmen—terms of office.** That section six hundred and forty-six (646) of the code be repealed and the following enacted in lieu thereof:

"On the organization of a city or town or on its re-organization after the change of its class, or at the first regular municipal election hereafter, a council shall be elected as follows, except that in those cities of the second class that elect a mayor in odd numbered years, the term of those councilmen and officers expiring in 1908, is extended one year; in those cities of the second class that elect a mayor in even numbered years, the term of those councilmen and officers expiring in 1909, is extended one year; and at the municipal election at which a mayor is elected in 1909 or 1910, as the case may be, the council shall be elected in accordance with the provisions of this act: By the election of two councilmen at large, but if any city embraces within its limits the whole or part of two or more townships, two of which contain one thousand or more electors, only one of the councilmen at large shall be chosen from any one township. There shall also be elected at the same time one councilman from each ward, who shall be chosen by the electors residing within the limits thereof. Thereafter, the successors of such councilmen at large and ward councilmen and officers shall be chosen at the regular biennial elections and shall hold office for two years. In towns in which a mayor is elected in the even numbered years the officers and councilmen shall be elected under the provisions of this act in the year 1910, and the councilmen and officers to be elected in 1908 shall be elected for a term of two years, and the term of councilmen and officers whose terms expire in 1909 shall be extended one year. In towns in which a mayor is elected in



odd numbered years the officers and councilmen shall be elected under the provisions of this act in 1911, and the councilmen and officers to be elected in 1908 shall be elected for a term of three years. The councilmen and officers to be elected in 1909 shall be elected for two years, and the term of councilmen and officers whose term expires in 1910 shall be extended one year. All town offices elected in 1910 or 1911, as the case may be, and thereafter under the provisions of this act, shall be elected for the term of two years."

**SEC. 4. Repealed—elective officers in cities of first class.** That section six hundred and forty-seven (647) of the code be repealed and the following enacted in lieu thereof:

"In all cities of the first class there shall be elected biennially a mayor, solicitor, treasurer, auditor, city engineer, assessor, and in cities where there is no superior court a police judge."

**SEC. 5. Repealed—elective officers in cities of second class.** That section six hundred and forty-eight (648) of the code is hereby repealed and the following enacted in lieu thereof:

"In cities of the second class there shall be elected biennially a mayor, solicitor, treasurer and assessor, except that in cities of four thousand population or less, the solicitor shall be appointed by the council."

**SEC. 6. Repealed—elective officers in towns.** That section six hundred and forty-nine (649) of the code is hereby repealed and the following enacted in lieu thereof:

"In towns there shall be elected biennially, a mayor, treasurer and assessor."

**SEC. 7. Repealed—officers appointed by council.** That section six hundred and fifty-one (651) of the code is hereby repealed and the following enacted in lieu thereof:

"In all cities and towns, the council, at its first meeting after the biennial election, shall appoint a clerk; and in cities of four thousand population or less, shall appoint a solicitor."

**SEC. 8. Repealed—officers appointed by the mayor.** That section six hundred and fifty-two (652) of the code is hereby repealed and the following enacted in lieu thereof:

"The officers to be appointed by the mayor shall be as follows:

"1. The mayor of each city or town shall appoint a health physician, street commissioner and a marshal who shall be ex-officio chief of police, and may also appoint one or more deputy marshals. In cities and towns he shall appoint as many policemen as the council, by general ordinance, shall direct, and such officers shall hold their positions during the pleasure of the mayor. He shall also appoint such officers as shall be provided by ordinance. He may also, in cases of emergency, appoint such number of special policemen as he may think proper, reporting such special appointment to the council at its next regular meeting. All such special appointments to continue in force until such meetings, unless sooner terminated by the mayor. In cities having a board of police and fire commission, policemen shall be appointed as provided in the act creating such board.

"2. In cities of the first class, he shall appoint when deemed necessary, a wharf master. If there is a board of public works, such board shall appoint the street commissioner."

**SEC. 9. Other officers.** That section six hundred and fifty-five (655) of the code be amended by striking out the words "the election at any regular municipal election or for" in the second line thereof and inserting after the word "appointment" in the third line thereof the words "by the mayor".

**SEC. 10. Repealed—removal of appointive officers.** That section six hundred and fifty-seven (657) of the code be repealed and the following enacted in lieu thereof:

"All persons appointed to office in any city or town may be removed by the officer or body making the appointment, but every such removal shall be by written order which shall give the reasons therefor and be filed with the city clerk."

**SEC. 11. Repealed—mayor—presiding officer.** That paragraph five (5) of section six hundred and fifty-eight (658) of the supplement to the code be repealed and the following enacted in lieu thereof:

"He shall be the presiding officer of the council with the right to vote only in case of a tie."

**SEC. 12. Deputy assessors.** That section six hundred and sixty-one (661) of the supplement to the code be amended by striking out the words "such appointment to be confirmed by the council" in the fourth line thereof.

**SEC. 13. Board of public works.** In any city having a population of thirty thousand or more the council may by ordinance establish a board of public works and in cities having a population of fifty thousand or more, there is hereby created a board of public works. Such board of public works shall consist of two members residents of the city, to be appointed by the mayor, and upon the establishment of said board one member shall be appointed for two years, and one for three years, and their successors shall be appointed for three years. The members shall hold office until their successors are appointed and qualified. The mayor shall have the power to remove any member of the board of public works for cause at any time. Vacancies shall be filled by the mayor. No member of the council or city official shall be a member of such board. The provisions of this section shall not affect the terms of those now constituting the board of public works in those cities in which a board of public works has heretofore been established by ordinance, but the successors to such members shall be appointed under the provisions of this act.

**SEC. 14. Repealed—consultation with city engineer.** Section 865 of the code is hereby repealed and the following enacted in lieu thereof:

"The board shall consult the city engineer regarding the plans and specifications and the advisability of doing or making contemplated improvements or work, and he shall from time to time furnish it with estimates of the cost of material and plans and specifications for any work to be ordered or advertised to be done, and report to the board whether such improvement or work is made and completed according to contract. Whenever the members of the board of public works are unable to agree upon any matter which is before it for decision including the appointing of agents and employes, the city engineer shall decide such matter or appointment, and his decision shall be the decision of the board of public works. Such decision shall be rendered in writing and shall be filed in the office of the board of public works and when so filed shall have the force and effect of a finding or determination by the board of public works."

**SEC. 15. Contracts.** Section 867 of the code is hereby amended by striking out all of such section after the word "used" in the twelfth line thereof.

**SEC. 16. Claims approved by board.** Section 871 of the code is hereby amended by adding thereto the following:

"No claim for any work done or material furnished in the construction of any public improvement shall be allowed by the council unless the same has first been approved by the board of public works."

**SEC. 17. Appointing powers.** Section 873 of the code is hereby amended by striking out the words "subject to the approval of the council" in the second line thereof, and by striking out all of the said section after the word "work" in the third line thereof.

**SEC. 18. Executive powers and duties.** All executive functions, powers and duties in cities and towns shall be exercised and performed by the mayor and other elective and appointive officers and boards as provided by law, and neither the council nor the members thereof shall exercise any executive function unless expressly conferred by law.

**SEC. 19. Officers not to be interested in contracts—free passes or franks.** No officer, including members of the city council shall be interested, directly or indirectly in any contract or job of work or material or the profits thereof or services to be furnished or performed for the city or town. No such officer shall accept or receive, directly or indirectly, from any person, firm or corporation operating within the said city or town, any railway, inter-urban railway, street railway, gas works, water works, electric light or power plants, telegraph line or telephone exchange or other business using a public franchise, any frank, free pass or ticket or other service upon terms more favorable than is granted to the public generally, except where, by franchise granted by the municipality to any such person or corporation, any officers of said municipality are granted such privileges as part of such franchise, and except that members of the police and fire departments of any city or town shall be carried without charge. Any violation of the provision of this section shall be a misdemeanor.

**SEC. 20. In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its passage and its publication in the Register and Leader and the Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved March 29, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, and the Des Moines Capital, March 30, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 27.

### POLICE MATRONS IN SPECIAL CHARTER CITIES.

S. F. 58.

AN ACT providing that section six hundred fifty-four (654) of the supplement to the code, and section six hundred seventy-two (672) of the code, relating to the appointment and compensation of police matrons, be made applicable to special charter cities.

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

**SECTION 1. Police matrons—appointment—compensation.** The provisions of the law as it appears in section six hundred fifty-four (654) of the supplement to the code, and section six hundred seventy-two (672) of the code, are also made applicable to cities acting under special charters.

Approved February 23, A. D. 1907.

## CHAPTER 28.

## APPROPRIATIONS IN CITIES OF THE SECOND CLASS.

S. F. 290.

AN ACT to amend subdivision sixteen (16) of section six hundred and sixty-eight (668) of the code, in relation to the duties of city council and amending said subdivision sixteen (16) and making the same apply to cities of the second class.

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

**SECTION 1. Appropriations.** That sub-division sixteen (16) of section six hundred and sixty-eight (668) of the code be amended by inserting after the word "first" in the first line of said sub-division the words "and second".

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

Approved March 26, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, March 27, 1907, and the Register and Leader, March 28, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 29.

## BOARD OF POLICE AND FIRE COMMISSIONERS.

S. F. 215.

AN ACT to amend the law as it appears in sections six hundred and seventy-nine-a (679-a), six hundred and seventy-nine-f (679-f), six hundred and seventy-nine-g (679-g) and six hundred and seventy-nine-h (679-h) of the supplement to the code, relating to board of police and fire commissioners in certain cities of the first class, and cities under special charter, and providing for the taking effect thereof.

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

**SECTION 1. Certain cities included.** The law as it appears in section six hundred seventy-nine-a (679-a) of the supplement to the code is hereby amended by striking out the words [word] "sixty" in the last line thereof and inserting in lieu thereof the words [word] "twenty". And the law as it appears in section six hundred seventy-nine-(a) of the supplement to the code, is hereby amended by inserting after the word "class", in line two of said section six hundred seventy-nine-(a) of the supplement to the code the words "and cities under special charter".

**SEC. 2. Chief of fire department—appointment.** The law as it appears in section six hundred seventy-nine-f (679-f) of the supplement to the code is hereby amended by striking out the words "elected by the city council" in the fifth line thereof and inserting in lieu thereof the following: "appointed by the board of police and fire commissioners".

**SEC. 3. Appointments—how and by whom made.** The law as it appears in section six hundred and seventy-nine-g (679-g) of the supplement to the code is hereby amended so that the same shall read as follows: "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."

**SEC. 4. Chief of fire department—removal.** The law as it appears in section six hundred seventy-nine-h (679-h) of the supplement to the code is

hereby amended by striking out the word "except" after the word "firemen", in line two (2) thereof, and by inserting in lieu thereof the word "including".

**SEC. 5. Present officers continued in office.** The present chief of the fire department and the members of the police and fire department of each of the cities affected by this act, and the acts of which it is amendatory, other than the chief of police shall be continued in their present positions without further appointment or examination subject, however, to all rules and regulations adopted for the government of said departments under this act and the provisions of chapter thirty-one (31), acts of the Twenty-ninth (29th) General Assembly.

**SEC. 6. 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 Register and Leader and the Des Moines Capital, daily newspapers published in the city of Des Moines, Iowa.

Approved April 2, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 4, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 30.

### CITIES AND TOWNS TO MAKE APPROPRIATION FOR DUES IN LEAGUE OF IOWA MUNICIPALITIES.

H. F. 278.

AN ACT authorizing towns and cities, including cities under special charter, to appropriate money to pay dues in the League of Iowa Municipalities, and to pay the actual expense of delegates to the meetings of such league. Additional to chapter three (3), title five (V) of the code.

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

**SECTION 1. Appropriation authorized—purposes.** Cities and towns, including cities under special charter, may by resolution appropriate money out of the general fund to pay a membership fee and dues in the League of Iowa Municipalities not to exceed annually five dollars for each one thousand population or fraction thereof of such city or town or city under special charter, and to pay the actual expenses of not more than two delegates to the meetings of such league.

**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 Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved April 1, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, April 2, 1907, and the Register and Leader, April 3, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 31.

## KEEPERS OF INTELLIGENCE OR EMPLOYMENT OFFICES.

H. F. 164.

AN ACT to amend section seven hundred (700) of the supplement to the code, relating to the licensing and regulation of keepers of intelligence or employment offices.

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

**SECTION 1. Regulation—license.** That section seven hundred (700) of the supplement to the code be and the same is hereby amended by changing the period after the word "engines" in the last line to a semicolon, and adding thereto the following:

"To license and regulate all keepers of intelligence or employment offices, bureaus and agencies, as well as all persons doing the business of seeking employment for others, or procuring or furnishing employers for others, or giving information whereby employes or employers may be obtained."

Approved March 12, A. D. 1907.

## CHAPTER 32.

## PUBLIC DANCE HALLS, SKATING RINKS, FORTUNE-TELLERS, CLAIRVOYANTS AND BILL-BOARDS.

S. F. 347.

AN ACT granting to cities and towns power to regulate, define, tax, license and prohibit public dance halls, skating rinks, fortune-tellers, palmists, and clairvoyants, and to license and regulate the construction of bill-boards and to tax owners or persons maintaining the same. [Additional to the law as it appears in section seven hundred (700) of the supplement to the code.]

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

**SECTION 1. Public dance halls, etc.—regulation—license.** Cities and towns shall have power to regulate, define, tax, license or prohibit public dance halls, skating rinks, fortune-tellers, palmists, and clairvoyants.

**SEC. 2. Bill-boards—regulation—license.** Cities and towns shall have the power to regulate the construction and location of bill-boards and the power to license and tax the owners thereof or persons maintaining the same.

Approved April 4, A. D. 1907.

## CHAPTER 33.

## PRESERVATION OF ARTICLES OF A HISTORICAL OR EDUCATIONAL NATURE.

S. F. 228.

AN ACT authorizing the board of trustees of free public libraries to unite with any local county historical association for the preservation and protection of articles of a historical or educational nature gathered by such association and to expend money for the proper care of such collection. [Additional to the law as it appears in section seven hundred and twenty-nine (729) of the supplement to the code.]

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

**SECTION 1. Powers of library trustees.** Whenever a local county historical association shall be formed in any county having a free public library, the

trustees of such library are hereby authorized to unite with such historical association and to set apart the necessary room and to care for such articles as may come into the possession of said association; said trustees are also authorized to purchase necessary receptacles and materials for the preservation and protection of such articles as are in their judgment of a historical and educational nature and pay for the same out of the library fund.

Approved March 27, A. D. 1907.

## CHAPTER 34.

### CONSTRUCTION OF CITY HALL IN CERTAIN CITIES.

H. F. 468.

**AN ACT** authorizing cities having a population of fifty thousand (50,000) or over to erect a city hall, to purchase the necessary ground therefor, and to levy a special tax for the purpose of paying for the same, and repealing chapter twenty-seven (27) of the laws of the Thirtieth General Assembly.

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

**SECTION 1. City hall.** Cities having a population of fifty (50) thousand or over shall have the power to erect a city hall and to purchase the ground therefor.

**SEC. 2. Special tax.** For the purpose of paying for the construction of such building and the purchase price of such ground, such cities shall have the power to levy upon all the property within the corporate limits of such cities and towns subject to taxation for said purposes in addition to all other taxes now provided by law, a special tax not exceeding in any one year two mills on the dollar for a period of years not exceeding twenty.

**SEC. 3. Bonds.** Any city desiring to construct such a building or to purchase ground therefor may issue bonds in anticipation of the special tax authorized in the preceding section. Such bonds shall be known as city hall bonds and shall be issued and sold in accordance with the provisions of chapter 12 of title V of the code of Iowa, and acts amendatory thereto. In issuing such bonds, the city council may cause portions of said bonds to become due at different, definite periods, but none of such bonds so issued shall be due and payable in less than five (5) or more than twenty (20) years from date.

**SEC. 4. Question submitted.** No building shall be erected under the provisions of this act unless a majority of the legal voters voting thereon vote in favor of the same at a general city election or at a special election.

**SEC. 5. Notice—form.** The question provided in the preceding section to be submitted may be ordered by the city council submitted to a vote at a general city election or at one specially called for that purpose. Notice of such election shall be given by publication in two newspapers published in said city once each week for not less than four consecutive weeks, and the election shall be held not less than seven nor more than ten days after the completion of such publication. The question to be submitted shall be in the following form:

Shall the city of.....erect a city hall at a cost not exceeding \$.....

SEC. 6. **Repealed.** Chapter 27 of the acts of the 30th General Assembly and all other acts or parts of acts inconsistent herewith are hereby repealed.

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

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 13, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 35.

### CITY HOSPITALS.

H. F. 296.

AN ACT to amend the law as it appears in chapter twenty-two (22) of the laws of the Thirty-first General Assembly, relating to the construction and maintenance of hospitals.

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

SECTION 1. **Authorized in certain cities.** That the law as it appears in chapter twenty-two (22) of the acts of the Thirty-first General Assembly be and the same is hereby amended by striking out the words "twelve thousand five hundred" in the second line of the first section and also the words "twelve thousand five hundred" in the sixth line of the third section and inserting the words "five thousand" both in the first and in the third sections in lieu thereof.

Approved April 2, A. D. 1907.

## CHAPTER 36.

### LEVY OF BRIDGE TAXES IN CITIES OF FIRST CLASS.

S. F. 194.

AN ACT authorizing cities of the first class to levy taxes for the purpose of paying for building and reconstruction of bridges and for the issuance of bonds or certificates against such levies. [Additional to section seven hundred and fifty-eight (758) of the code.]

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

SECTION 1. **Bridge tax—levy authorized.** When the whole or any part of the cost of building or reconstruction of any bridge by a city of the first class shall be ordered paid from the city bridge fund, to be levied upon all the property within any such city, it shall have the power, after the completion of the work, by ordinance or resolution, to levy at any one time the whole or any part of the cost of such improvement upon all of the taxable property within such city and determine the whole percentage of tax necessary to pay the same, and the percentage to be paid each year, not exceeding two-thirds of the maximum annual limit of the tax such city may levy for a bridge fund, and the number of years, not exceeding twenty-five, given for the maturity of each installment thereof, but no part of such costs shall be levied against property owned by the city, county, state or the United States. Certificates of such levy shall be filed with the auditor of the county or counties



in which said city is located, setting forth the amount or percentage and maturity of said tax, or each installment thereof, upon the assessed valuation of all the property in said city, certified as correct by the city clerk or auditor, and thereupon said tax shall be placed upon the tax lists of the proper county or counties.

SEC. 2. **Bridge certificates or bonds.** Any such city may anticipate the collection of taxes authorized to be levied for a city bridge fund and for that purpose may issue bridge certificates or bonds with interest coupons, and the provisions of chapter twelve (12), title five (5), of the code shall be operative as to such certificates, bonds and coupons in-so-far as they may be applicable.

SEC. 3. **How paid.** Said certificates, bonds and interest thereon shall be secured by said assessments and levies and shall be payable only out of the funds derived from such levies and pledged to the payment of the same, and no certificates or bonds shall be issued in excess of taxes authorized and levied to secure the payment of the same. It shall be the duty of such city to collect such funds, with interest thereon, and to hold the same separate and apart in trust for the payment of said certificates, bonds and interest and to apply the proceeds of said funds pledged for that purpose to the payment of said certificates, bonds and interest.

Approved April 1, A. D. 1907.

## CHAPTER 37.

### VESTIBULES ON STREET CARS.

S. F. 192.

AN ACT to amend section seven hundred sixty-eight (768) of the code, relating to vestibules on street cars for the protection of employes operating such cars.

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

SECTION 1. **Front platform inclosed on all sides.** That section seven hundred sixty-eight (768) of the code be, and the same is hereby amended by striking therefrom the figures "1898," in the first line thereof, and inserting in lieu thereof the figures "1907", and by striking therefrom the word "three" in the fifth line thereof, and inserting in lieu thereof the word "all".

Approved March 20, A. D. 1907.

## CHAPTER 38.

### CONSTRUCTION OF VIADUCTS.

H. F. 156.

AN ACT to amend [repeal] section seven hundred seventy-one (771) of the law as it appears in the supplement to the code and section one (1) chapter twenty-nine (29) of the acts of the Thirtieth General Assembly, [and enact substitutes therefor] relating to the construction of viaducts.

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

SECTION 1. **Assessment of damages.** That section seven hundred seventy-one (771) of the code supplement is hereby repealed and the following enacted in lieu thereof:

“When a viaduct shall be by ordinance declared necessary for the safety and protection of the public, the council shall provide for appraising, assessing and determining the damages which may be caused to any property by reason of the construction of the same and its approaches. The proceedings for such purpose shall be the same as are provided in case of taking private property for works of internal improvement, and the damages assessed shall be paid by the city out of the general bridge fund, or in cities having a population of twelve thousand or over from any other fund or funds legally available therefor.”

SEC. 2. **Viaduct fund.** That section one (1) of chapter twenty-nine (29) of the acts of the Thirtieth General Assembly is hereby repealed and the following enacted in lieu thereof:

“In cities having a population of twelve thousand or over, where a viaduct is required to be constructed, and the plans therefor have been approved, and there are no available funds in the general bridge fund, or any fund or funds of said city which may be legally used for the payment of such damages, such city may levy an annual tax not exceeding two mills on the dollar for the purpose of creating a fund to be known as a “viaduct fund”, for the payment of damages caused to property by reason of the construction of such viaduct and approaches thereto.”

Approved April 1, A. D. 1907.

## CHAPTER 39.

### PUBLICATION OF NOTICES OF QUESTIONS SUBMITTED TO THE VOTERS OF CITIES AND TOWNS.

H. F. 204.

AN ACT to amend section seven hundred seventy-six (776) of the code, relating to the publication of notices 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. **Notice—how published.** That section seven hundred seventy-six (776) of the code be, and the same is hereby amended by inserting after the word “weeks” in the thirteenth 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 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, and by publication for four consecutive weeks in a newspaper of general circulation in the county.”

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

Approved March 15, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, March 16, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 40.

## SPECIAL ASSESSMENTS FOR SIDEWALKS AND STREET IMPROVEMENTS IN CITIES AND TOWNS.

S. F. 205.

AN ACT providing for special assessments for sidewalk and street improvements in cities and towns upon the right of way of any railroad company fronting or abutting upon a street, highway, avenue, alley, public ground, wharf, landing or market place the same as upon any land or lot therein and providing for the collection thereof. [Additional to chapters six (6) and seven (7) of title five (V) of the code.]

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

SECTION 1. **Railroad right of way subject to special assessments.** That the right of way of any railroad company fronting or abutting upon a street, highway, avenue, alley, public ground, wharf, landing or market place within the limits of any city or town shall be subject to special assessments for sidewalks and street improvements authorized to be made under the provisions of chapters six (6) and seven (7) title five (5) of the code and amendatory acts thereto the same as any land or lot therein, and any special assessment made against any railroad right of way under any of the provisions of said chapters six (6) and seven (7) title five (5) of the code shall be a debt due personally from the railroad company owning or leasing such right of way, and unless the same is paid by such railroad company as a special assessment it may be collected in the name of the city or town levying such assessment in any court having jurisdiction.

Approved March 27, A. D. 1907.

## CHAPTER 41.

## SEWER OUTLETS AND PURIFYING PLANTS.

S. F. 202.

AN ACT to provide for sewer outlets and purifying plants and the levy of a tax therefor in cities of the second class and towns. [Additional to chapter seven (7) of title five (V) of the code, relating to street improvements, sewers and special assessments.]

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

SECTION 1. **Tax levy authorized.** Cities of the second class, and towns, shall have the power to levy annually a tax not exceeding three mills on the dollar to be used solely for the purpose of constructing outlets and purifying plants for sewers. The levy made under this act shall not be considered a part of the levy made for a sewer fund under the provisions of paragraph three (3) of section eight hundred ninety-four of the supplement to the code.

Approved March 26, A. D. 1907.

## CHAPTER 42.

## PARK COMMISSIONERS.

H. F. 411.

AN ACT to amend title five (V), chapter nine (9) of the code and amendments thereto relating to park commissioners, [repealing sections eight hundred and fifty (850) to eight hundred and sixty-two (862) inclusive, of the code and supplement to the code and amendments thereto, and enacting substitutes therefor].

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

**SECTION 1. Repealed.** That sections 850 to 862 of the code inclusive and sections 850 to 862 of the supplement of the code inclusive and amendments thereto, be repealed and the following enacted in lieu thereof:

**SEC. 2. Park commissioners—election.** There shall be elected at the regular municipal election in each city containing a population of forty thousand or over, and all other cities and towns may, by ordinance provide for the election of three park commissioners whose terms of office shall be six years, one to be elected at each regular municipal election but at the first election three shall be elected and hold their offices respectively for two, four and six years, their respective terms to be decided by lot and their successors shall be elected for the full term of six years, provided however that in all cities and towns not now having park commissioners the ordinance establishing such park commissioners shall not be in force until it has been submitted to the voters at a special or regular municipal election and approved by a majority of the votes cast at such election.

**SEC. 3. Qualification—organization—treasurer—compensation.** The commissioners shall, within ten days after their election, qualify by taking the oath of office and organize as a board by the election of one of their number as chairman and one as secretary, but each commissioner, before he enters upon the duties of his office, shall give a bond with sureties to be approved by the council, in the penal sum of one thousand dollars, conditioned for the faithful discharge of his office. The city treasurer shall be the treasurer of said board and pay out all moneys under the control of the board as ordered on orders signed by the chairman and secretary, but shall receive no compensation for his services as such treasurer. Each of the commissioners shall receive such salary as shall be fixed by the city council, not to exceed in the aggregate annually ten dollars for each one thousand population or fraction thereof according to the last state or federal census. Said compensation to be paid out of the park fund.

**SEC. 4. Tax certified.** The board shall on or before the first day of August of each year, determine and fix the amount or rate not exceeding two mills on the dollar in all cities and towns on the valuation of such city or town to be levied, collected and appropriated for the ensuing year, for park purposes, and shall cause the same to be certified to the city or town council, which shall levy such tax or so much thereof as it may deem necessary to promote park interests, and certify the per cent thereof to the county auditor, and the other taxes for said year. In cities having a population of over twenty-five thousand said board is further authorized in its discretion to certify to the county auditor in the year 1907, and cause to be collected an additional tax for park purposes of one mill on the dollar on all taxable property of the city, but the power to levy such additional tax shall cease at the end of the year above specified.

**SEC. 5. Park fund—how expended.** No money of this fund shall be appropriated or expended for any purpose except as provided in this chapter.

Such fund may be used in purchasing or acquiring real estate for park purposes including streets or highways to connect one park with another or to connect a park with streets or highways or for other purposes necessary and incident to the establishment and maintenance of parks and paving streets adjacent thereto and for the purpose of improving and maintaining the same and defraying the necessary expenses connected therewith, including the compensation of the board, its officers and employes and when any annual tax or part thereof has been pledged for the payment of any bonds or the interest thereon, such tax or part thereof shall be devoted to no other purpose. For the payment of one or more park policemen to be recommended by the board and appointed by the mayor. For the purpose of paying for the necessary lights as fixed by the park board and paying for such water supply as may be necessary in such parks.

**SEC. 6. Acquisition of real estate—powers of board.** Said park board may acquire real estate within or without the city for park purposes, by donation, purchase or condemnation and take the title to the same in the name of the board in trust for the public and hold the same exempt from taxation. It may sell, subject to the approval of the city council, exchange or lease any real estate acquired by it which shall be found unfit or not desirable for park purposes; shall keep a report of all transactions; shall have exclusive control of all parks and pleasure grounds acquired by it or of any other ground owned by the city and set apart for like purposes and may make contracts, sue and be sued, but shall incur no indebtedness in excess of the amount of taxes already levied and available for the payment thereof except bonds hereby authorized. It shall make an annual detailed report of the amounts of money expended and the purposes for which used, to the council at the regular April meeting, and such annual statement shall be published as part of the annual municipal report. For the purpose of paying for real estate it may issue bonds for such sums and amounts as found necessary but the aggregate annual interest of all bonds issued by it and at any time outstanding shall not exceed one-fifth of the amount of the annual tax authorized by this chapter.

**SEC. 7. Bonds—lien on property—mortgage.** Bonds issued under the provisions of this chapter shall be a lien upon all of the real estate acquired by the commissioners therewith or with the proceeds thereof and such bonds or proceeds shall be used for the purchase of real estate only. The board shall have the power to mortgage any real estate purchased by such proceeds to a trustee for the purpose of securing the payment of said bonds and after the issuance there shall be pledged for the payment of the interest thereon such amount of the annual tax levied by virtue of this chapter as shall be necessary to make such payment, and the residue of said tax may be used by the board for the payment of such bonds, for the purchase of real estate or improvement of the park and pleasure grounds of the city.

**SEC. 8. Jurisdiction.** The jurisdiction of such board shall extend over all lands used for parks within or 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. Any person who shall, except by the authority of such commissioners, cut, break or deface any tree or shrub growing in such park or parks, or any avenue thereto, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars or imprisonment in the county jail not exceeding thirty days.

**SEC. 9. Rules and regulations.** The board may in writing prescribe rules and regulations for the government of the parks or public grounds under their control and persons resorting thereto, which rules and regulations shall be in

force when entered in the record of the proceedings of the board, and a copy thereof signed by the commissioners has been posted at each gate or principal entrance to any such park or public grounds, and a wilful violation thereof shall be a misdemeanor, punishable by a fine not exceeding one hundred dollars or imprisonment in the county jail not exceeding thirty days.

**SEC. 10. City engineer—poles and wires on park grounds.** The board shall be entitled to the services of the city engineer, when requested, without expense to it. It shall have the power to regulate or forbid the erection of poles or the stretching of wire for electric light, street railway, or other corporations or persons in such parks or in or along streets, highways or over public places laid out or controlled by it.

**SEC. 11. Park districts—condemnation of property.** Where any such city shall contain more than one organized township, at least one commissioner shall be a resident of each of said townships, and unless all of the commissioners shall agree upon the location of one park for a whole city, each township shall constitute a separate park district, and the proceeds of any bonds shall be apportioned to and expended in each district, in proportion to the tax levied thereon, and all funds received from taxes collected shall be expended in the same manner. If said board and the owners of any property desired by it for park purposes cannot agree as to the price to be paid therefor, it may cause the same to be condemned in the manner provided for taking land for municipal purposes.

**SEC. 12. Appropriation for park purposes.** In cities and towns not having a park board the council may appropriate each year not exceeding five per cent of the general fund for the improvement and maintenance of public parks.

**SEC. 13. 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.

**SEC. 14. Existing contracts and bonds.** Nothing in this act shall be construed to affect any contracts heretofore entered into by any park board or any bonds issued by such boards but all such contracts shall be carried out and all such boards [bonds] shall be paid under the terms thereof.

**SEC. 15. Acts in conflict repealed—tenure of office.** All acts or parts of acts inconsistent with the provisions of this act are hereby repealed, but nothing in this act shall be construed as affecting the tenure of office of park commissioners heretofore elected in cities or towns heretofore having a park commission.

Approved April 13, A. D. 1907.

## CHAPTER 43.\*

### LEVY OF ADDITIONAL TAX FOR PARK PURPOSES.

S. F. 341.

AN ACT to amend the law as it appears in section eight hundred and fifty-two (852) of the supplement to the code as amended by chapter thirty-four (34) of the laws of the Thirtieth General Assembly, authorizing the levy of an additional tax of one mill on the dollar on all taxable property for park purposes, relating to park commissioners, their powers and duties.

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

**SECTION 1. Additional tax in certain cities.** That the law as it appears in section eight hundred fifty-two (852) of the supplement to the code

\*NOTE—Section eight hundred and fifty-two (852), which this act amended, was repealed by the preceding act, known as chapter 42. Section four (4) of the said chapter is the substitute enacted for section eight hundred and fifty-two (852.)

as amended by chapter 34 acts of the 30th General Assembly, be and the same is hereby amended by striking out from said section eight hundred fifty-two (852) the following words in the last clause in said section: "but the power to levy such additional tax shall cease at the end of the four years above specified" and by adding and inserting in lieu thereof, "and said board is further authorized after the expiration of the period for which it is authorized to levy, certify and collect said additional tax, as provided by chapter 34, acts of the 30th General Assembly to continue to levy, certify and collect said additional tax in the years 1908, 1909, 1910, and 1911."

Approved April 1, A. D. 1907.

## CHAPTER 44.

### ISSUANCE OF BONDS IN ANTICIPATION OF SPECIAL TAXES BY TOWNS.

S. F. 196.

AN ACT amendatory of and additional to section nine hundred twelve (912) of the code, in relation to the issuance of certificates or bonds in anticipation of special taxes by towns.

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

**SECTION 1. Made applicable to towns.** All provisions of section nine hundred twelve (912) of the code, granting to cities the power to issue certificates or bonds in anticipation of special taxes, shall be applicable, and is hereby made to apply to towns.

**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 Register and Leader and the Des Moines Capital, newspapers published at Des Moines, Iowa.

Approved March 12, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, March 14, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 45.

### ESTABLISHMENT AND OPERATION OF HEATING PLANTS IN SPECIAL CHARTER CITIES.

S. F. 249.

AN ACT to amend section nine hundred and fifty-five (955) of the code, relating to the establishment, erection, purchase, lease, maintenance or operation of certain public utilities, and the granting of franchises for the same, so as to include heating plants.

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

**SECTION 1. Heating plants included.** Section nine hundred and fifty-five (955) of the code is hereby amended by inserting after the word "limits" in the third line of said section and before the word "water" the words "heating plants," with comma.

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

Approved March 26, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, March 27, 1907, and the Register and Leader, March 28, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 46.

### COMPENSATION OF WATER-WORKS TRUSTEES IN SPECIAL CHARTER CITIES.

S. F. 120.

AN ACT to repeal the law as it appears in section nine hundred and fifty-five-A (955-A) of the supplement to the code, relating to compensation of water-works trustees in special charter cities having a population of thirty thousand (30,000) or more.

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

**SECTION 1. Repealed.** The law as it appears in section nine hundred and fifty-five-A, (955-A) of the supplement to the code is hereby repealed.

**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 Register & Leader and Des Moines Capital, newspapers published at Des Moines, Iowa.

Approved February 23, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, February 27, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 47.

### MANAGEMENT OF WATER-WORKS IN CERTAIN SPECIAL CHARTER CITIES.

S. F. 119.

AN ACT to amend chapter fourteen (14) of title five (V) of the code, relating to the management of water-works in special charter cities having a population of thirty-five thousand (35,000) or more, and all acts or parts of acts in so far as they conflict with this act shall not be applicable to any such cities.

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

**SECTION 1. Board of water-works trustees.** That the water-works now owned by such special charter cities having a population of thirty-five thousand (35,000) or more shall be managed and operated by a board of water-works trustees, which shall be composed of three resident electors, appointed by the mayor of any such city. Upon the taking effect of this act, one of such trustees shall be appointed for a term of one year, another for a term of two years, and the remaining trustee for a term of three years, and thereafter each such trustee shall be appointed for a term of three years. Said trustees shall receive no compensation whatever for their duties as such. All vacancies occurring on said board, occasioned by death, resignation, removal or otherwise, shall be filled by appointment to be made by the mayor of said city for the unexpired term. Each trustee upon qualifying shall execute and furnish the



city an official bond, in the sum of five thousand dollars (\$5,000), for the faithful performance of his duties, which bond, if sufficient, shall be approved by the city council and filed with the city recorder and by him kept in his office and recorded in a book kept for that purpose, and the expense of such bonds shall be paid by the city treasurer, upon the order of the trustees, out of the water-works funds. Any of such trustees may be removed from office for cause under the provisions of chapter eight (8) of title six (VI) of the code, and in addition thereto, the mayor may, for like cause after hearing, remove any of such trustees.

**SEC. 2. Superintendent—employees—duties of board.** The said board of trustees shall employ an efficient superintendent, and such other employes as may be necessary and proper, for the operation and betterment of such works, for the collection of water rentals, and for the conduct of the business incident to the operation thereof. The said board of trustees shall require of the superintendent, and of the other employes as they may deem proper, good and sufficient bonds, the amount thereof to be fixed and approved by said board, for the faithful performance of their duties, which bonds shall run in the name of the city and be filed with the city recorder and by him kept in his office and recorded in a book kept for that purpose. All money collected by the board of water-works trustees shall be deposited at least daily by them with the city treasurer; and all money so deposited and all tax money received by the city treasurer from any source, levied and collected for and on account of the water-works, shall be kept by the city treasurer as a separate and distinct fund, for which funds the city treasurer shall be liable upon his official bond the same as for other funds received by him as such treasurer. Such moneys shall be paid out by the city treasurer only on the written order of the board of water-works trustees, who shall have full and absolute control of the application and disbursement thereof for the purposes prescribed by law, including the payment of all indebtedness arising in the maintenance, operation, betterment, and extension of said water-works; and said board of water-works' trustees shall make no payment of any kind whatsoever, except by written order on the city treasurer. For the operation, betterment, and improvement of such works, said board of trustees may incur obligations, and to pay therefor may anticipate the revenues of such works for a period not to exceed one year, unless the city council shall by tax levy make provision for the payment thereof. The board of trustees shall fix uniform water-rates and make and enforce proper rules and regulations for the collection of water-rentals and the supplying of good water service, and shall furnish the city council a schedule of such water rates and duplicate of such rules and regulations for publication as part of the proceedings of the city council. Such board of trustees shall each three months furnish the city council an itemized statement of all receipts and expenditures during such period, including all current liabilities and outstanding accounts, and also, complete annual statements, in the form of a balance sheet, which shall include all assets and liabilities; and, at least annually, and oftener if they see fit report the general condition and needs of the water-works plant; and such quarterly and annual statements and such reports shall when so furnished, be at once published as a part of the proceedings of the city council. Said board of trustees shall keep a book wherein a record shall be entered and kept of their proceedings, and which proceedings, duly attested, shall be at once published in two of the official newspapers of any such city. All books, vouchers, and records of said trustees in anywise relating to the water-works shall be open to the inspection and examination of any resident of said city.

**SEC. 3. Cities affected—terms of office of acting trustees.** All the provisions of this act shall be held and construed as applying to cities acting under

special charters having a population of thirty-five thousand (35,000) or more as shown by the last state census; and all acts or parts of acts in conflict with this act shall not be applicable to any such cities in so far as they relate to the future management of water-works; and upon the taking effect of this act and the appointment of trustees hereunder, the terms of office of any and all water-works trustees now acting in any such city shall at once cease.

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

Approved February 28, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, March 2, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 48.

### GOVERNMENT OF CERTAIN CITIES.

115 N. N. 177.

S. F. 212.

AN ACT to provide for the government of certain cities, and the adoption thereof by special election. "Additional to title five (V) of the code."

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

SECTION 1. **Cities affected.** That any city of the first class, or with special charter, now or hereafter having a population of twenty-five thousand or over, as shown by the last preceding state census, may become organized as a city under the provisions of this act by proceeding as hereinafter provided.

SEC. 2. **Petition—question submitted—result certified—election of officers.** Upon petition of electors equal in number to twenty-five per centum of the votes cast for all candidates for mayor at the last preceding city election of any such city, the mayor shall by proclamation, submit the question of organizing as a city under this act at a special election to be held at a time specified therein, and within two months after said petition is filed. If said plan is not adopted at the special election called, the question of adopting said plan shall not be re-submitted to the voters of said city for adoption, within two years thereafter and then the question to adopt shall be re-submitted upon the presentation of a petition signed by electors equal in number to twenty-five per centum of the votes cast for all candidates for mayor at the last preceding general city election. At such election, the proposition to be submitted shall be, "Shall the proposition to organize the city of (name the city), under chapter (naming the chapter containing this act) of the acts of the 32nd General Assembly, be adopted?" and the election thereupon shall be conducted, the vote canvassed, and the result declared in the same manner as provided by law in respect to other city elections. If the majority of the votes cast shall be in favor thereof, the city shall thereupon proceed to the election of a mayor and four (4) councilmen, as hereinafter provided. Immediately after such proposition is adopted, the mayor shall transmit to the governor, to the secretary of state, and to the county auditor, each a certificate stating that such proposition was adopted. At the next regular city election after the adoption of such proposition, there shall be elected a mayor and four (4) councilmen. In the event however, that the next regular city election does not occur within one year after such special election, the mayor shall, within ten days after such special election, by proclamation, call a special

election for the election of a mayor and four councilmen, sixty days' notice thereof being given in such call; such election in either case to be conducted as hereinafter provided.

**SEC. 3. Statutes applicable—existing ordinances, resolutions, etc.** All laws governing cities of the first class and not inconsistent with the provisions of this act, and sections 955, 956, 959, 964, 989, 1000, 1023, and 1053 of the code now applicable to special charter cities and not inconsistent with the provisions of this act, shall apply to and govern cities organized under this act. All by-laws, ordinances and resolutions lawfully passed and in force in any such city under its former organization shall remain in force until altered or repealed by the council elected under the provisions of this act. The territorial limits of such city shall remain the same as under its former organization and all rights and property of every description which were vested in any such city under its former organization, shall vest in the same under the organization herein contemplated, and no right or liability either in favor of or against it, existing at the time, and no suit or prosecution of any kind shall be affected by such change, unless otherwise provided for in this act.

**SEC. 4. Elective officers—vacancies—terms of office.** In every such city there shall be elected at the regular biennial municipal election, a mayor and four councilmen. If any vacancy occurs in any such office the remaining members of said council shall appoint a person to fill such vacancy during the balance of the unexpired term. Said officers shall be nominated and elected at large. Said officers shall qualify and their terms of office shall begin on the first Monday after their election. The terms of office of the mayor and councilmen or aldermen in such city in office at the beginning of the terms of office of the mayor and councilmen first elected under the provisions of this act shall then cease and determine, and the terms of office of all other appointive officers in force in such city, except as hereinafter provided, shall cease and determine as soon as the council shall by resolution declare.

**SEC. 5. Candidates—how nominated—primary election—ballot—canvass of vote—result published—municipal election.** Candidates to be voted for at all general municipal elections at which a mayor and four councilmen are to be elected under the provisions of this act shall be nominated by a primary election, and no other names shall be placed upon the general ballot except those selected in the manner hereinafter prescribed. The primary election for such nomination shall be held on the second Monday preceding the general municipal election. The judges of election appointed for the general municipal election shall be the judges of the primary election, and it shall be held at the same place, so far as possible, and the polls shall be opened and closed at the same hours, with the same clerks as are required for said general municipal election. Any person desiring to become a candidate for mayor or councilman shall, at least ten days prior to said primary election, file with the said clerk a statement of such candidacy, in substantially the following form:

STATE OF IOWA, }  
 ..... COUNTY. } ss.

I (—), being first duly sworn, say that I reside at ..... street, city of ..... county of ..... state of Iowa; that I am a qualified voter therein; that I am a candidate for nomination to the office of (mayor or councilman) to be voted upon at the primary election to be held on the .....Monday of ..... 19.... and I hereby request that my name

be printed upon the official primary ballot for nomination by such primary election for such office.

(Signed).....

Subscribed and sworn to (or affirmed) before me by ..... on this .... day of ..... 19....

(Signed).....

and shall at the same time file therewith the petition of at least twenty-five qualified voters requesting such candidacy. Each petition shall be verified by one or more persons as to the qualifications and residence, with street number, of each of the persons so signing the said petition, and the said petition shall be in substantially the following form:

PETITION ACCOMPANYING NOMINATING STATEMENT.

The undersigned, duly qualified electors of the city of ..... and residing at the places set opposite our respective names hereto, do hereby request that the name of (name of candidate) be placed on the ballot as a candidate for nomination for (name of office) at the primary election to be held in such city on the ..... Monday of ..... 19.... We further state that we know him to be a qualified elector of said city and a man of good moral character and qualified in our judgment for the duties of such office.

Names of Qualified Electors	Number	Street

Immediately upon the expiration of the time of filing the statements and petitions for candidacies, the said city clerk shall cause to be published for three successive days in all the daily newspapers published in the city, in proper form, the names of the persons as they are to appear upon the primary ballot, and if there be no daily newspaper, then in two issues of any other newspapers that may be published in said city; and the said clerk shall thereupon cause the primary ballots to be printed, authenticated with a fac simile of his signature. Upon the said ballot the names of the candidates for mayor, arranged alphabetically, shall first be placed, with a square at the left of each name, and immediately below the words, "Vote for one." Following these names, likewise arranged in alphabetical order, shall appear the names of the candidates for councilmen, with a square at the left of each name, and below the names of such candidates shall appear the words, "Vote for four." The ballots shall be printed upon plain, substantial white paper, and shall be headed:

CANDIDATES FOR NOMINATION FOR MAYOR AND COUNCILMEN OF ..... CITY AT THE PRIMARY ELECTION.

but shall have no party designation or mark whatever. The ballots shall be in substantially the following form:

(Place a cross in the square preceding the names of the parties you favor as candidates for the respective positions.)

## OFFICIAL PRIMARY BALLOT.

CANDIDATES FOR NOMINATION FOR MAYOR AND COUNCILMEN OF ..... CITY  
AT THE PRIMARY ELECTION.

For Mayor

(Name of candidate)  
(Vote for one.)

For Councilman

(Name of candidate)  
(Vote for four.)

Official ballot attest  
(Signature.)

.....  
City Clerk.

Having caused said ballots to be printed, the said city clerk shall cause to be delivered at each polling-place a number of said ballots equal to twice the number of votes cast in such polling precinct at the last general municipal election for mayor. The persons who are qualified to vote at the general municipal election shall be qualified to vote at such primary election, and challenges can be made by not more than two persons, to be appointed at the time of opening the polls by the judges of election; and the law applicable to challenges at a general municipal election shall be applicable to challenges made at such primary election. Judges of election shall, immediately upon the closing of the polls, count the ballots and ascertain the number of votes cast in such precinct for each of the candidates, and make return thereof to the city clerk, upon proper blanks to be furnished by the said clerk, within six hours of the closing of the polls. On the day following the said primary election, the said city clerk shall canvass said returns so received from all the polling precincts, and shall make and publish in all the newspapers of said city, at least once, the result thereof. Said canvass by the city clerk shall be publicly made. The two candidates receiving the highest number of votes for mayor shall be the candidates, and the only candidates, whose names shall be placed upon the ballot for mayor at the next succeeding general municipal election, and the eight candidates receiving the highest number of votes for councilman, or all such candidates if less than eight, shall be the candidates and the only candidates whose names shall be placed upon the ballot for councilman at such municipal election. All electors of cities under this act who by the laws governing cities of the first class and cities acting under special charter would be entitled to vote for the election of officers at any general municipal election in such cities, shall be qualified to vote at all elections under this act; and the ballot at such general municipal election shall be in the same general form as for such primary election, so far as applicable, and in all elections in such city the election precincts, voting places, method of conducting election, canvassing the votes and announcing the results, shall be the same as by law provided for election of officers in such cities, so far as the same are applicable and not inconsistent with the provisions of this act.

**SEC. 5-A. Services for hire—penalty.** Any person who shall agree to perform any services in the interest of any candidate for any office provided in this act, in consideration of any money or other valuable thing for such services performed in the interest of any candidate, shall be punished by a

fine not exceeding three hundred dollars (\$300), or be imprisoned in the county jail not exceeding thirty (30) days.

**Sec. 5-B. Bribery and illegal voting—penalty.** Any person offering to give a bribe, either in money or other consideration, to any elector for the purpose of influencing his vote at any election provided in this act, or any elector entitled to vote at any such election receiving and accepting such bribe or other consideration; any person making false answer to any of the provisions of this act relative to his qualifications to vote at said election; any person wilfully voting or offering to vote at such election who has not been a resident of this state for six months next preceding said election, or who is not twenty-one years of age, or is not a citizen of the United States; or knowing himself not to be a qualified elector of such precinct where he offers to vote; any person knowingly procuring, aiding or abetting any violation hereof shall be deemed guilty of a misdemeanor and upon conviction shall be fined a sum not less than one hundred dollars (\$100), nor more than five hundred dollars (\$500), and be imprisoned in the county jail not less than ten (10) nor more than ninety (90) days.

**Sec. 6. Council—quorum—mayor to preside.** Every such city shall be governed by a council, consisting of the mayor and four councilmen, chosen as provided in this act, each of whom shall have the right to vote on all questions coming before the council. Three members of the council shall constitute a quorum, and the affirmative vote of three members shall be necessary to adopt any motion, resolution or ordinance, or pass any measure, unless a greater number is provided for in this act. Upon every vote the yeas and nays shall be called and recorded, and every motion, resolution or ordinance shall be reduced to writing and read before the vote is taken thereon. The mayor shall preside at all meetings of the council; he shall have no power to veto any measure, but every resolution or ordinance passed by the council must be signed by the mayor, or by two councilmen, and be recorded, before the same shall be in force.

**Sec. 7. Council—powers and duties—departments.** The council shall have and possess and the council and its members shall exercise all executive, legislative and judicial powers and duties now had, possessed and exercised by the mayor, city council, board of public works, park commissioners, board of police and fire commissioners, board of water-works trustees, board of library trustees, solicitor, assessor, treasurer, auditor, city engineer, and other executive and administrative officers in cities of the first class and cities acting under special charter. The executive and administrative powers, authority and duties in such cities shall be distributed into and among five departments, as follows:

1. Department of public affairs.
2. Department of accounts and finances.
3. Department of public safety.
4. Department of streets and public improvements.
5. Department of parks and public property.

The council shall determine the powers and duties to be performed by, and assign them to the appropriate department; shall prescribe the powers and duties of officers and employes; may assign particular officers and employes to one or more of the departments; may require an officer or employe to perform duties in two or more departments; and may make such other rules and regulations as may be necessary or proper for the efficient and economical conduct of the business of the city.

**Sec. 8. Department superintendents—officers and assistants.** The mayor shall be superintendent of the department of public affairs, and the council shall at the first regular meeting after election of its members designate by majority vote one councilman to be superintendent of the department of

accounts and finances; one to be superintendent of the department of public safety; one to be superintendent of the department of streets and public improvements; and one to be superintendent of the department of parks and public property; but such designation shall be changed whenever it appears that the public service would be benefited thereby. The council shall, at said first meeting, or as soon as practicable thereafter, elect by majority vote the following officers: A city clerk, solicitor, assessor, treasurer, auditor, civil engineer, city physician, marshal, chief of fire department, market master, street commissioner, three library trustees, and such other officers and assistants as shall be provided for by ordinance and necessary to the proper and efficient conduct of the affairs of the city; and shall appoint a police judge in those cities not having a superior court. Any officer or assistant elected or appointed by the council may be removed from office at any time by vote of a majority of the members of the council, except as otherwise provided for in this act.

**SEC. 9. Power to create and discontinue offices.** The council shall have power from time to time to create, fill and discontinue offices and employments other than herein prescribed, according to their judgment of the needs of the city; and may by majority vote of all the members remove any such officer or employe, except as otherwise provided for in this act; and may by resolution or otherwise prescribe, limit or change the compensation of such officers or employes.

**SEC. 10. Office in city hall—salaries.** The mayor and council shall have an office at the city hall, and their total compensation shall be as follows: In cities having by the last preceding state or national census from 25,000 to 40,000 people, the annual salary of the mayor shall be \$2,500, and of each councilman \$1,800. In cities having by such census from 40,000 to 60,000 people, the mayor's annual salary shall be \$3,000, and that of each councilman \$2,500; and in cities having by such census over 60,000 population, the mayor's annual salary shall be \$3,500, and that of each councilman \$3,000. Such salaries shall be payable in equal monthly installments. Any increase in salary occasioned under the provisions of this scale by increase in population in any city shall commence with the month next after the official publication of the census showing such increase therein. Every other officer or assistant shall receive such salary or compensation as the council shall by ordinance provide, payable in equal monthly installments. The salary or compensation of all other employes of such city shall be fixed by the council and shall be payable monthly or at such shorter periods as the council shall determine.

**SEC. 11. Meetings—president of council—vice-president.** Regular meetings of the council shall be held on the first Monday after the election of councilmen, and thereafter at least once each month. The council shall provide by ordinance for the time of holding regular meetings, and special meetings may be called from time to time by the mayor or two councilmen. All meetings of the council, whether regular or special, at which any person not a city officer is admitted, shall be open to the public. The mayor shall be president of the council and preside at its meetings, and shall supervise all departments and report to the council for its action all matters requiring attention in either. The superintendent of the department of accounts and finances shall be vice-president of the council, and in case of vacancy in the office of mayor, or the absence or inability of the mayor, shall perform the duties of mayor.

**SEC. 12. Ordinances and resolutions—franchises.** Every ordinance or resolution appropriating money or ordering any street improvement or sewer, or making or authorizing the making of any contract, or granting any franchise or right to occupy or use the streets, highways, bridges or public places

in the city for any purpose, shall be complete in the form in which it is finally passed, and remain on file with the city clerk for public inspection at least one week before the final passage or adoption thereof. No franchise or right to occupy or use the streets, highways, bridges or public places in any such city shall be granted, renewed or extended, except by ordinance, and every franchise or grant for interurban or street railways, gas or water-works, electric light or power plants, heating plants, telegraph or telephone systems, or other public service utilities within said city, must be authorized or approved by a majority of the electors voting thereon at a general or special election as provided in section 776 of the code.

**SEC. 13. Officers and employes—what prohibited.** No officer or employe elected or appointed in any such city shall be interested, directly or indirectly, in any contract or job for work or materials, or the profits thereof, or services to be furnished or performed for the city; and no such officer or employe shall be interested, directly or indirectly, in any contract or job for work or materials, or the profits thereof, or services to be furnished or performed for any person, firm or corporation operating interurban railway, street railway, gas works, water-works, electric light or power plant, heating plant, telegraph line, telephone exchange, or other public utility within the territorial limits of said city. No such officer or employe shall accept or receive, directly or indirectly, from any person, firm or corporation operating within the territorial limits of said city, any interurban railway, street railway, gas works, water works, electric light or power plant, heating plant, telegraph line or telephone exchange, or other business using or operating under a public franchise, any frank, free pass, free ticket or free service, or accept or receive, directly or indirectly, from any such person, firm or corporation, any other service upon terms more favorable than is granted to the public generally. Any violation of the provisions of this section shall be a misdemeanor, and every such contract or agreement shall be void. Such prohibition of free transportation shall not apply to policemen or firemen in uniform; nor shall any free service to city officials heretofore provided by any franchise or ordinance be affected by this section. Any officer or employe of such city who, by solicitation or otherwise, shall exert his influence directly or indirectly to influence other officers or employes of such city to adopt his political views or to favor any particular person or candidate for office, or who shall in any manner contribute money, labor, or other valuable thing to any person for election purposes, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding three hundred dollars (\$300) or by imprisonment in the county jail not exceeding thirty (30) days.

**Sec. 14. Civil service commissioners—duties—powers of council.** Immediately after organizing, the council shall by ordinance appoint three civil service commissioners, who shall hold office, one until the first Monday in April in the second year after his appointment, one until the first Monday in April of the fourth year after his appointment, and one until the first Monday in April of the sixth year after his appointment. Each succeeding council shall, as soon as practicable after organizing, appoint one commissioner for six years, who shall take the place of the commissioner whose term of office expires. The chairman of the commission for each biennial period shall be the member whose term first expires. No person while on the said commission shall hold or be a candidate for any office of public trust. Two of said members shall constitute a quorum to transact business. The commissioners must be citizens of Iowa, and residents of the city for more than three years next preceding their appointment. The council may remove any of said commissioners during their term of office for cause, four councilmen voting in



favor of such removal, and shall fill any vacancy that may occur in said commission for the unexpired term. The city council shall provide suitable rooms in which the said civil service commission may hold its meetings. They shall have a clerk, who shall keep a record of all its meetings, such city to supply the said commission with all necessary equipment to properly attend to such business.

(a) *Oath of office.* 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, and to obey the laws, and to aim to secure and maintain an honest and efficient force, free from partisan distinction or control, and to perform the duties of his office to the best of his ability.

(b) *Examinations—results certified.* Said commission shall, on the first Monday of April and October of each year, or oftener if it shall be deemed necessary, under such rules and regulations as may be prescribed by the council, hold examinations for the purpose of determining the qualifications of applicants for positions, which examinations shall be practical and shall fairly test the fitness of the persons examined to discharge the duties of the position to which they seek to be appointed. Said commission shall, as soon as possible after such examination, certify to the council double the number of persons necessary to fill vacancies, who, according to its records, have the highest standing for the positions they seek to fill as a result of such examination, and all vacancies which occur, that come under the civil service, prior to the date of the next regular examination, shall be filled from said list so certified; provided, however, that should the list for any cause be reduced to less than three for any division, then the council or the head of the proper department may temporarily fill a vacancy, but not to exceed thirty days.

(c) *Removals and discharges—appeal.* All persons subject to such civil service examination shall be subject to removal from office or employment by the council for misconduct or failure to perform their duties under such rules and regulations as it may adopt, and the chief of police, chief of the fire department, or any superintendent or foreman in charge of municipal work, may peremptorily suspend or discharge any subordinate then under his direction for neglect of duty or disobedience of orders, but shall, within twenty-four hours thereafter, report such suspension or discharge, and the reason therefor, to the superintendent of his department, who shall thereupon affirm or revoke such discharge or suspension according to the facts. Such employe (or the officer discharging or suspending him) may, within five days of such ruling, appeal therefrom to the council, which shall fully hear and determine the matter.

(d) *Witnesses—annual report—rules and regulations.* The council shall have the power to enforce the attendance of witnesses, the production of books and papers, and power to administer oaths in the same manner and with like effect, and under the same penalties, as in the case of magistrates exercising criminal or civil jurisdiction under the statutes of Iowa. Said commissioners shall make annual report to the council, and it may require a special report from said commission at any time; and said council may prescribe such rules and regulations for the proper conduct of the business of the said commission as shall be found expedient and advisable, including restrictions on appointment, promotions, removals for cause, roster of employes, certification of records to the auditor, and restrictions on payment to persons improperly employed.

(e) *Penalties.* The council of such city shall have power to pass ordinances imposing suitable penalties for the punishment of persons violating any of the provisions of this act relating to the civil service commission.

(f) *Officers and employes affected.* The provisions of this section shall apply to all appointive officers and employes of such city, except those especially named in section 8 of this act, commissioners of any kind (laborers whose occupation requires no special skill or fitness), election officials, and mayor's secretary and assistant solicitor, where such officers are appointed; provided, however, that existing employes heretofore appointed, or employed after competitive examination, or for long service under the provisions of chapter 31, acts of the 29th General Assembly, and subsequent amendments thereto, shall retain their positions without further examination unless removed for cause. All officers and employes in any such city shall be elected or appointed with reference to their qualifications and fitness, and for the good of the public service, and without reference to their political faith or party affiliations. It shall be unlawful for any candidate for office, or any officer in any such city, directly or indirectly, to give or promise any person or persons any office, position, employment, benefit, or anything of value, for the purpose of influencing or obtaining the political support, aid or vote of any person or persons. Every elective officer in any such city shall, within thirty days after qualifying, file with the city clerk, and publish at least once in a daily newspaper of general circulation, his sworn statement of all his election and campaign expenses, and by whom such funds were contributed. Any violation of the provisions of this section shall be a misdemeanor and be a ground for removal from office.

**Sec. 15. Monthly itemized statement—annual examination.** The council shall each month print in pamphlet form a detailed itemized statement of all receipts and expenses of the city and a summary of its proceedings during the preceding month, and furnish printed copies thereof to the state library, the city library, the daily newspapers of the city, and to persons who shall apply therefor at the office of the city clerk. At the end of each year the council shall cause a full and complete examination of all the books and accounts of the city to be made by competent accountants, and shall publish the result of such examination in the manner above provided for publication of statements of monthly expenditures.

**Sec. 16. Appropriations.** If, at the beginning of the term of office of the first council elected in such city under the provisions of this act, the appropriations for the expenditures of the city government for the current fiscal year have been made, said council shall have power, by ordinance, to revise, repeal or change said appropriations and to make additional appropriations.

**Sec. 17. Terms defined.** In the construction of this act the following rules shall be observed, unless such construction would be inconsistent with the manifest intent, or repugnant to the context of the statute:

1. The words "councilman" or "alderman" shall be construed to mean "councilman" when applied to cities under this act.

2. When an office or officer is named in any law referred to in this act, it shall, when applied to cities under this act, be construed to mean the office or officer having the same functions or duties under the provisions of this act, or under ordinances passed under authority thereof.

3. The word "franchise" shall include every special privilege in the streets, highways and public places of the city, whether granted by the state or the city, which does not belong to citizens generally by common right.

4. The word "electors" shall be construed to mean persons qualified to vote for elective offices at regular municipal elections.

**Sec. 18. Removal of elective officers—procedure—election of successors.** The holder of any elective office may be removed at any time by the electors qualified to vote for a successor of such incumbent. The procedure to effect the removal of an incumbent of an elective office shall be as follows: A peti-

tion signed by electors entitled to vote for a successor to the incumbent sought to be removed, equal in number to at least twenty-five per centum of the entire vote for all candidates for the office of mayor cast at the last preceding general municipal election, demanding an election of a successor of the person sought to be removed, shall be filed with the city clerk, which petition shall contain a general statement of the grounds for which the removal is sought. The signatures to the petition need not all be appended to one paper, but each signer shall add to his signature his place of residence, giving the street and number. One of the signers of each such paper shall make oath before an officer competent to administer oaths that the statements therein made are true as he believes, and that each signature to the paper appended is the genuine signature of the person whose name it purports to be. Within ten days from the date of filing such petition the city clerk shall examine and from the voters' register ascertain whether or not said petition is signed by the requisite number of qualified electors, and, if necessary, the council shall allow him extra help for that purpose; and he shall attach to said petition his certificate, showing the result of said examination. If by the clerk's certificate the petition is shown to be insufficient, it may be amended within ten days from the date of said certificate. The clerk shall, within ten days after such amendment, make like examination of the amended petition, and if his certificate shall show the same to be insufficient, it shall be returned to the person filing the same; without prejudice, however, to the filing of a new petition to the same effect. If the petition shall be deemed to be sufficient, the clerk shall submit the same to the council without delay. If the petition shall be found to be sufficient, the council shall order and fix a date for holding the said election, not less than thirty days or more than forty days from the date of the clerk's certificate to the council that a sufficient petition is filed. The council shall make or cause to be made publication of notice and all arrangements for holding such election, and the same shall be conducted, returned and the result thereof declared, in all respects as are other city elections. The successor of any officer so removed shall hold office during the unexpired term of his predecessor. Any person sought to be removed may be a candidate to succeed himself, and unless he requests otherwise in writing, the clerk shall place his name on the official ballot without nomination. In any such removal election, the candidate receiving the highest number of votes shall be declared elected. At such election if some other person than the incumbent receives the highest number of votes, the incumbent shall thereupon be deemed removed from the office upon qualification of his successor. In case the party who receives the highest number of votes should fail to qualify within ten days after receiving notification of election, the office shall be deemed vacant. If the incumbent receives the highest number of votes, he shall continue in office. The said method of removal shall be cumulative and additional to the methods heretofore provided by law.

**SEC. 19. Petitions for ordinances—adoption or submission—how repealed or amended.** Any proposed ordinance may be submitted to the council by petition signed by electors of the city equal in number to the percentage hereinafter required. The signatures, verification, authentication, inspection, certification, amendment and submission of such petition shall be the same as provided for petitions under section 18 hereof. If the petition accompanying the proposed ordinance be signed by electors equal in number to twenty-five per centum of the votes cast for all candidates for mayor at the last preceding general election, and contains a request that the said ordinance be submitted to a vote of the people if not passed by the council, such council shall either (a) Pass said ordinance without alteration within twenty days after attachment of the clerk's certificate to the accompanying petition, or

(b) Forthwith after the clerk shall attach to the petition accompanying such ordinance his certificate of sufficiency, the council shall call a special election, unless a general municipal election is fixed within ninety days thereafter, and at such special or general municipal election, if one is so fixed, such ordinance shall be submitted without alteration to the vote of the electors of said city. But if the petition is signed by not less than ten nor more than twenty-five per centum of the electors, as above defined, then the council shall, within twenty days, pass said ordinance without change, or submit the same at the next general city election occurring not more than thirty days after the clerk's certificate of sufficiency is attached to said petition. The ballots used when voting upon said ordinance shall contain these words: "For the ordinance" (stating the nature of the proposed ordinance), and "Against the ordinance" (stating the nature of the proposed ordinance). If a majority of the qualified electors voting on the proposed ordinance shall vote in favor thereof, such ordinance shall thereupon become a valid and binding ordinance of the city; and any ordinance proposed by petition, or which shall be adopted by a vote of the people, cannot be repealed or amended except by a vote of the people. Any number of proposed ordinances may be voted upon at the same election, in accordance with the provisions of this section; but there shall not be more than one special election in any period of six months for such purpose. The council may submit a proposition for the repeal of any such ordinance, or for amendments thereto, to be voted upon at any succeeding general city election; and should such proposition so submitted receive a majority of the votes cast thereon at such election, such ordinance shall thereby be repealed or amended accordingly. Whenever any ordinance or proposition is required by this act to be submitted to the voters of the city at any election, the city clerk shall cause such ordinance or proposition to be published once in each of the daily newspapers published in said city; such publication to be not more than twenty or less than five days before the submission of such proposition or ordinance to be voted on.

**SEC. 20. Ordinances—when effective—petitions of protest.** No ordinance passed by the council, except when otherwise required by the general laws of the state or by the provisions of this act, except an ordinance for the immediate preservation of the public peace, health or safety, which contains a statement of its urgency and is passed by a two-thirds vote of the council, shall go into effect before ten days from the time of its final passage; and if during said ten days a petition signed by electors of the city equal in number to at least twenty-five per centum of the entire vote cast for all candidates for mayor at the last preceding general municipal election at which a mayor was elected, protesting against the passage of such ordinance, be presented to the council, the same shall thereupon be suspended from going into operation, and it shall be the duty of the council to reconsider such ordinance; and if the same is not entirely repealed, the council shall submit the ordinance, as is provided by sub-section b of section 19 of this act, to the vote of the electors of the city, either at the general election or at a special municipal election to be called for that purpose; and such ordinance shall not go into effect or become operative unless a majority of the qualified electors voting on the same shall vote in favor thereof. Said petition shall be in all respects in accordance with the provisions of said section 19 except as to the percentage of signers, and be examined and certified to by the clerk in all respects as is therein provided.

**SEC. 21. Abandonment of commission plan of government—procedure.** Any city which shall have operated for more than six years under the provisions of this act may abandon such organization hereunder, and accept the provisions of the general law of the state then applicable to cities of its popu-

lation, or if now organized under special charter may resume said special charter by proceeding as follows: Upon the petition of not less than twenty-five per centum of the electors of such city a special election shall be called, at which the following proposition only shall be submitted:

"Shall the city of (name of city) abandon its organization under chapter . . . . . of the acts of the Thirty-second General Assembly, and become a city under the general law governing cities of like population or if now organized under special charter shall resume said special charter?"

If the majority of the votes cast at such special election be in favor of such proposition, the officers elected at the next succeeding biennial election shall be those then prescribed by the general law of the state for cities of like population, and upon the qualification of such officers such city shall become a city under such general law of the state; but such change shall not in any manner or degree affect the property, rights or liabilities of any nature of such city, but shall merely extend to such change in its form of government. The sufficiency of such petition shall be determined, the election ordered and conducted, and the results declared, generally as provided by section 18 of this act, in so far as the provisions thereof are applicable.

SEC. 22. **Petitions.** Petitions provided for in this act shall be signed by none but legal voters of the city. Each petition shall contain, in addition to the names of the petitioners, the street and house number in which the petitioner resides, his age and length of residence in the city. It shall also be accompanied by the affidavit of one or more legal voters of the city stating that the signers thereof were, at the time of signing, legal voters of said city and the number of signers at the time the affidavit was made.

SEC. 23. **In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register & Leader and Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved March 29, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 1, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 49.

### ELECTION OF TOWNSHIP OFFICERS IN NEWLY CREATED TOWNSHIPS.

H. F. 27.

AN ACT to amend the law as it appears in chapter thirty-seven (37) of the acts of the Thirty-first General Assembly, relating to the special election of township officers in newly created townships.

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

SECTION 1. **Township officers—how elected.** Chapter thirty-seven (37) of the acts of the Thirty-first General Assembly is hereby amended by adding thereto the following as section three (3):

"At any time when a new township has been created in a year in which no general election is held by law, the county board of supervisors of the county affected, shall call a special election for the election of three trustees and other township officers of the new township, which officers shall continue in office until their successors are elected and qualified."

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 Tribune, pub-

lished at Fairfield, Iowa, and the Des Moines Capital, published at Des Moines, Iowa.

Approved March 20, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, March 22, 1907, and the Fairfield Tribune, March 27, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 50.

### ELECTION EXPENSES.

H. F. 477.

AN ACT to amend title six (VI), chapter three (3) of the code, relating to elections.

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

**SECTION 1. Amended.** That title six (6), chapter three (3) of the code be and the same is hereby amended by adding the following sections thereto:

**SEC. 2. Candidates to make sworn statement of election expenses—where filed.** Every candidate for any office to be voted for at any primary, municipal or general election shall, within ten days after the holding of such primary, municipal or general election, file a true, correct, detailed, sworn statement showing each and all sums of money or other things of value disbursed, expended or promised directly or indirectly by him, and to the best of his knowledge and belief by any other person or persons in his behalf for the purpose of aiding or securing his nomination or election. If the person be a candidate for a municipal or a county office, such statement shall be filed with the county auditor; if for a state office, or any other office to be voted for by the electors of more than one county, such statement shall be filed with the secretary of state. Such statement shall show the dates, amounts, and from whom such sums of money or other things of value were received; and the dates, amounts, purposes and to whom paid or disbursed, and shall include the assessment of any person, committee, or organization in charge of the campaign of such candidate.

**SEC. 3. Testimony—immunity from prosecution.** In prosecutions under this act, no witness shall be excused from giving testimony on the ground that his testimony would tend to render him criminally liable or expose him to public ignominy, but any matter so elicited shall not be used against him, and said witness shall not be prosecuted for any crime connected with or growing out of the act on which the prosecution is based in the cause in which his evidence is used for the state, under the provisions of this section.

**SEC. 4. Statements by committee chairmen.** The chairman of each party central committee for the state, district or county, shall file a statement of receipts and expenditures within ten days after the general election. The chairmen of state and district central committees shall file said statements with the secretary of state; and the chairmen of county central committees, with the county auditor. Such statements shall contain all the information required to be filed by candidates as set forth in section two (2) of this act, and in addition thereto shall state the amounts or balances remaining on hand. The person filing the same shall make oath that it is a full, true and correct statement.

**SEC. 5. Statements open to public inspection.** The statements provided for in this act shall be open at all times to the inspection of the public, and

remain on file and become a part of the permanent records in the office where filed.

**SEC. 6. Treating near the polls.** It shall be the duty of the judges and clerks of all municipal, general and primary elections to prohibit the placing, keeping, and giving to the voters, by any person of any cigars, food or other refreshments or treats, in or about the polling place.

**SEC. 7. Penalty.** Any person violating any of the provisions of the last five preceding sections shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars (\$50) nor more than three hundred dollars (\$300), or by imprisonment in the county jail not less than thirty (30) days nor more than six (6) months.

Approved April 13, A. D. 1907.

## CHAPTER 51.

### PRIMARY ELECTIONS.

S. F. 230.

AN ACT providing for the nomination, by political parties, or organizations, of candidates for various offices, and the election of delegates to conventions of said political parties or organizations, and the election of party committeemen, by a primary election, and for the holding of conventions by such political parties or organizations, providing penalties for the violations thereof, and repealing chapter forty (40), laws of the Thirtieth General Assembly, and chapters forty-five (45) and forty-six (46), laws of the Thirty-first General Assembly, relating to primary elections.

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

**SECTION 1. Primary elections authorized—offices affected.** That from and after the passage of this act the candidates of political parties for all offices which under the law are filled by the direct vote of the voters of this state at the general election in November, (except candidates for the office of judge of the supreme, district and superior courts), for the office of senator in the congress of the United States, and for the office of elector of the president and vice-president of the United States, shall be nominated by a primary election, and delegates to the county conventions of said political parties or organizations and party county committeemen shall be elected at said primary election, at the times and in the manner hereinafter provided. The provisions of chapters three (3) and four (4), title six (6), and chapter eight (8), title twenty-four (24), of the code, shall apply so far as applicable to all such primary elections, the same as general elections, except as hereinafter provided. The vote upon candidates for the office of senator in the congress of the United States shall be for the sole purpose of ascertaining the sentiment of the voters in the respective parties.

**SEC. 2. Primary election defined.** The term "primary election" as used in this act shall be construed to apply to an election by the members of various political parties for the purpose of placing in nomination candidates for public office, for selecting delegates to conventions, and for the selection of party committeemen.

**SEC. 3. Political party defined.** The title "political party" shall mean a party which, at the last preceding general election, cast for its candidate for governor at least two per centum of the total vote cast at said election, provided that such other political organizations as may, under sections 1098 and 1099 of the code nominate and certify candidates and have their names placed upon the ballot for the November election, shall have the right so to do in the manner and under the conditions therein prescribed.

**SEC. 4. When held.** The primary election herein provided for shall consist of an election by all political parties and shall be held at the usual voting places of the several precincts on the first Tuesday after the first Monday in June, in the year nineteen hundred eight, and biennially thereafter, for the nomination of candidates for such offices as are to be filled at the general election in November next ensuing, (except candidates for the office of judge of the supreme, district and superior courts), for senator in the congress of the United States in the next year preceding the filling of that office by the general assembly, and for the electors of the president and vice-president of the United States, in the year in which a president and vice-president are to be elected.

**SEC. 5. Judges and clerks—how selected—oath—expenses.** The judges and clerks of all primary elections under this act shall be made up and selected and appointed in the same manner as for the general election held in November, and they shall take the same oath and the judges are hereby authorized to administer oaths as hereinafter provided. Vacancies shall be filled as provided for the judges and clerks of the general election, and their compensation shall be the same. The expenses of said primary election shall be paid one-half by the county in which the said primary election is held, and one-half by the state. The board of supervisors of each county shall audit the entire expense and certify the same to the executive council, which shall thereupon order a warrant for one-half the amount to be delivered to the county, which shall thereupon pay the entire amount.

**SEC. 6. Australian ballot—polls open—ballots.** The Australian ballot system as now used in this state, except as hereinafter provided, shall be used at said primary election in all precincts. The voter shall in all cases mark the ballot in the square before the name of each person for whom he desires to vote. In cities where registration is required by law, the polls shall be open from 7:00 a. m. to 8:00 p. m., and in all other precincts from 1:00 p. m. to 8:00 p. m. The elector voting at said primary election shall be allowed to vote for candidates for nomination on the ticket of only one political party, and that shall be the party with which he is registered as affiliated. The endorsement of the judges of election and the fac simile of the auditor's signature shall appear upon the ballots as provided by law for the ballots used for the November election. The voter shall return the ballot folded to one of the judges of election who shall deposit it in the ballot box. If any primary elector write upon his ticket the name of any person who is a candidate for the same office upon some other party ticket than that upon which his name shall be so written, such ballot shall be so counted for such person only as a candidate of the party upon whose ballot his name is written, and shall in no case be counted for such person as a candidate upon any other ticket. In case the person is nominated upon more than one ticket, he shall forthwith file with the proper officer a written declaration indicating the party designation under which his name is to be printed on the official ballot for the general election following such primary election.

**SEC. 7. First declaration of party affiliation—record.** At the primary election to be held in June in the year nineteen hundred eight any person shall be entitled to participate therein who is a qualified elector in such precinct at the time of said primary election, and when the voter seeks to pass the guard-rail he shall indicate the party ballot he desires and one of the judges of the primary election board shall give him such primary ballot, (unless challenged, and if so challenged, then only in the event that the challenge is determined in favor of the voter), and such person shall thereupon be allowed to vote. The voter's selection shall constitute his declaration of party affiliation, and it shall be the duty of the primary election board to



record his name and check his declaration of party affiliation on the poll books used by the clerks of the primary election board, and said list properly certified to by said primary election board shall be returned to the county auditor for preservation. Copies of the names and party entries on such list together with the changes of party affiliation as hereinafter provided, arranged alphabetically by surnames, shall be used at subsequent primaries for determining with what party the voter has been enrolled, and no voter enrolled under the provisions of this act shall be allowed to receive the ballot of any political party except that with which he is enrolled, but he may change his enrollment as hereinafter provided. The county auditor shall prepare for each voting precinct two of the above mentioned lists duly certified by him, and taken from the poll books of the last preceding primary election, which he shall deliver to the succeeding primary election boards in the year nineteen hundred ten and biennially thereafter, at least one day prior to the day of the primary election, and which list together with the poll books of the primary election shall be returned to the said auditor in good condition within twenty-four hours after the primary election, to be preserved by him.

**SEC. 8. Change of affiliation—first voter—removal.** Any person who has thus declared his party affiliation shall thereafter be listed on the poll books as a member of that political party, and such person while a resident of the same voting precinct need not declare his party affiliation at succeeding primary elections unless he desires to change his party affiliation. Any elector, who, having declared his party affiliation, desires to change the same, may, not less than ten days prior to the date of any primary election, file a written declaration with the county auditor stating his change of party affiliation, and the auditor shall enter a record of such change on the poll books of the last preceding primary election in the proper column opposite the voter's name and on the voting list. Any elector whose party affiliation has for any reason not been registered or any elector who has changed his residence to another precinct, or a first voter or citizen of this state casting his first vote in this state shall be entitled to vote at any subsequent primary election in the same manner and upon the same terms as provided in section seven (7) of this act, and the clerks of the primary election shall record his party affiliation and the county auditor shall add his name to the alphabetical lists for use in subsequent primary elections as provided for in section seven (7) of this act.

**SEC. 9. Challengers—affidavit.** Each political party shall be entitled to have two party challengers present at each polling place, to be appointed by the respective party committeemen. Any judge or clerk of the primary election or any party challenger may challenge any voter upon the grounds mentioned in section eleven hundred fifteen (1115) of the code and such challenge shall be determined as there provided. Any elector whose party affiliation has been recorded as provided by this act and who desires to change his party affiliation on the primary election day, shall be subject to challenge. If the person challenged insists that he is entitled to vote the ticket of the political party to which he has transferred his political affiliation and the challenge is not withdrawn, one of the judges shall tender to him the following oath: "You do solemnly swear (or affirm) that you have in good faith changed your party affiliation to and desire to be a member of the . . . . . party." And if he take such oath he shall thereupon be given a ticket of such political party and the clerks of the primary election shall change his enrollment of party affiliation accordingly.

**SEC. 10. Nomination papers—candidates—affidavit.** No candidate for an elective county office shall have his name printed upon the official primary ballot of his party unless at least thirty days prior to the day fixed for holding the primary election a nomination paper shall have been filed in his be-

half in the office of the county auditor; and no candidate for nomination for an elective state office, or for representative in the congress of the United States, or member of the general assembly, shall have his name printed upon the official primary ballot of his party unless at least forty days prior to such primary election a nomination paper shall have been filed in his behalf in the office of the secretary of state; and no member of a political party desiring or intending to be a candidate for the office of senator in the congress of the United States, or a candidate for the office of elector of the president and vice-president of the United States, shall have his name printed upon the official primary ballot of his party in any election precinct unless at least forty days prior to such primary election a nomination paper shall have been filed in his behalf in the office of the secretary of state. A candidate for an office to be filled by the voters of any sub-division of a county shall not be required to file any nomination paper or papers. All nomination papers shall be in substantially the following form:

"I, the undersigned, a qualified elector of .....county, and state of Iowa, and a member of the .....party, hereby nominate..... of .....county, state of Iowa, who has affiliated with and is a member of the.....party, as a candidate for the office of.....to be voted for at the primary election to be held in June, 19....", and shall consist of sheets of uniform size about 8½ by 13 inches. No signatures shall be counted unless they are on sheets each having such form written or printed at the top thereof. Each signer of a nomination paper shall sign but one such nomination paper for the same office, except where more than one officer is to be elected to the same office, in which case he may sign as many nomination papers as there are officers to be elected, and only one candidate shall be petitioned for or nominated in the same nomination paper. Each signer of a nomination paper shall add his residence with street and number, if any, and the date of signing. For all nominations, all signers of each separate part of a nomination paper shall reside in the same county. When more than any sheet is used for any nomination paper, the sheets shall be laid one upon the other and neatly, evenly, and securely fastened together before filing, and shall be considered as one nomination paper only. A nomination paper, when filed, shall not be withdrawn nor added to, nor any signature thereon revoked. The affidavit of a qualified elector shall be appended to each such nomination paper, or papers, if more than one for any candidate, stating that he is personally acquainted with all the persons who have signed the same; that he knows them to be electors of that county and believes them to be affiliated with the party named therein; that he knows that they signed the same with full knowledge of the contents thereof; that their respective residences are truly stated therein; and that each signer signed the same on the date stated opposite his name, but such affidavit shall not be made by the candidate. Each and every candidate shall make and file his affidavit stating that he is eligible to the office for the township, county, district or state in which he is and will be a bona fide candidate for nomination for said office, and shall file such affidavit with the said nomination paper or papers, when such paper or papers are required. If no such paper or papers are required, then he shall file such affidavit alone, with the county auditor, at least thirty days prior to such primary election, and the filing of such affidavit shall entitle such candidate to have his name printed on the official primary ballot of his party. Such affidavit shall be in form and substance as follows:

"I,.....being duly sworn, say that I reside at..... street, (city or town) of ..... county of ..... in the state of Iowa; that I am eligible to the office for which I am a candidate, and that the political party with which I affiliate is the ..... party; that I am a ..... and

a candidate for nomination to the office of ..... to be made at the primary election to be held in June, 19...., and hereby request that my name be printed upon the official primary ballot as provided by law, as a candidate of the ..... party. I furthermore declare that if I am nominated and elected I will qualify as such officer.

(Signed) .....

Subscribed and sworn to (or affirmed) before me.....by.....on this ..... day of ....., 19....

The nomination papers above required shall be signed as follows:

(1). If for a state office, United States senator, or elector at large, by at least one per centum of the voters of the party (as shown by the returns of the last general election) of such candidates, in each of at least ten counties of the state, and in the aggregate not less than one-half of one per centum of the total vote of his party in the state, as shown by the last general election.

(2). If for a representative in congress, district elector, or senator in the general assembly in districts composed of more than one county, by at least two per centum of the voters of his party, as shown by the last general election, in at least one-half of the counties of the district, and in the aggregate not less than one per centum of the total vote of his party in such district, as shown by the last general election.

(3). If for an office to be filled by the voters of the county, by at least two per centum of the party vote in the county, as shown by the last general election.

In each of the above cases, the vote to be taken for the purpose of computing the percentage shall be the vote cast for the head of the ticket.

SEC. 11. Blank nomination papers. The secretary of state shall cause to be printed and keep on hand a sufficient quantity of nomination paper blanks in form as provided for in this act and shall furnish the same on application to any qualified elector in the state desiring to petition for the nomination of any candidate, or to a person who intends to be a candidate, for any office whose nomination paper is required to be filed in his office; and the county auditor of each county shall likewise cause to be printed and keep on hand a sufficient quantity of such nomination paper blanks and furnish the same on application to any qualified elector in his county desiring to petition for the nomination of any candidate, or to a person who intends to be a candidate, for any office whose nomination paper is required to be filed in his office.

SEC. 12. Nominations certified to county auditor—notice published. At least thirty days before any such primary election, the secretary of state shall transmit to each county auditor a certified list containing the name and post-office address of each person for whom a nomination paper has been filed in his office, in accordance with the provisions of section ten of this act and entitled to be voted for at such primary election by the voters of such county, together with a designation of the office for which he is a candidate, and the party from which he seeks a nomination. Such auditor shall forthwith upon receipt thereof, publish, under the proper party designation, the title of each office to be filled, the names and addresses of all persons for whom proper nomination papers have been duly filed, both in his own office and in the office of the secretary of state, giving the name and address of each, the date of the primary, the hours during which the polls will be open, and that the primary will be held in the regular polling place in each precinct. It shall be the duty of the said auditor to publish said notice once each week for two consecutive

weeks prior to the said primary election. He shall also forthwith mail four copies of such notice to each city, town, and township clerk of the county, who shall immediately post three of said copies in three public places in each precinct of his township, town or city, designating therein the location of the polling booth in each election precinct. Every publication required in this act shall be made in at least two and not to exceed four newspapers of general circulation in such county. One of such newspapers shall represent the political party which cast the largest vote in such county at the last preceding general election, and one of such newspapers shall represent the political party which cast the next largest vote in such county at said general election. In any case where the publication of a notice can not be made as hereinbefore required, it may be made in any newspaper having a general circulation in the county in which the notice is required to be published.

SEC. 13. **Printing.** The names of the candidates of each political party for nomination for the several offices and blank spaces for delegates to the county convention and for party committeemen shall be printed in black ink on separate sheets of paper uniform in color, quality, texture and size, with the name of the political party printed at the head of said ballots, which ballots shall be prepared by the county auditor in the same manner as for a general election. The names of candidates on all primary election ballots shall be arranged alphabetically according to surnames for each office.

SEC. 14. **Ballot—form.** The official primary election ballot shall be prepared, arranged and printed substantially in the following form:

.....PRIMARY ELECTION BALLOT  
(Name of Party)  
of  
.....Township or Precinct, .....Ward, City or Town  
of....., County of....., State of Iowa.  
Primary election held on the.....day of June, 19...

FOR UNITED STATES SENATOR.  
(Vote for one.)

- William K. Brown
- J. R. Wayne
- .....

FOR GOVERNOR.  
(Vote for one.)

- Howard Collins
- William Longley
- .....

(Followed by other elective state and district officers in order.)

FOR COUNTY AUDITOR.  
(Vote for one.)

- William Strong
- Robert Thompson
- .....

(Followed by other elective county officers in order.)

FOR DELEGATES TO COUNTY CONVENTION.  
(Vote for ....)

- .....
- .....
- .....
- .....
- .....

FOR TOWNSHIP CLERK.  
(Vote for one.)

- John H. Black
- Joseph Raymond
- .....

FOR TOWNSHIP TRUSTEES.  
(Vote for two.)

- Clarence Foster
- William Jones
- H. S. Wilson
- .....

(Followed by other elective township officers in order.)

FOR PARTY COMMITTEEMAN.  
(Vote for one.)

- .....

SEC. 15. **Sample ballots.** The county auditor of each county shall, at least fifteen days preceding the primary election, cause to be printed sample ballots of each political party and the words, "SAMPLE BALLOT" shall be printed near the top of each of such ballots in large capital letters, and immediately thereafter shall mail one of such sample ballots to each candidate who is entitled to have his name printed on the official primary ballot of any party in any precinct in his county to the postoffice address of such candidate as given in his nomination paper, or affidavit, as the case may be, filed in the auditor's office, or as certified to him by the secretary of state, and one to the chairman of the county central committee, if any, of each political party in his county to his usual postoffice address as known to the auditor, or as ascertained by him; and such auditor shall correct any errors and omissions brought to his knowledge prior to the printing of the official ballots.

SEC. 16. **Supplies—poll books.** All necessary election supplies, including poll books as provided by law, for the general election, together with a sufficient number of official primary ballots of each party, shall be furnished for the primary election board for each precinct by the county auditor, and such poll books shall contain blank spaces for the names of the candidates of the several parties for the different offices to be written in, and blank spaces for entering by the clerks the names of the electors voting at said primary election; and upon the pages provided for entering the names of said voters there

shall be ruled spaces for the listing of the names of said voters and for the designation of the party ticket voted by said elector in manner and form substantially as follows:

No.	Name	Repub- lican	Dem- ocrat	Prohibi- tionist	Socialist
1	James Smith.....	X			
2	Tom Jones.....		X		
3	Dan Brown.....			X	
4	George White.....				X

It shall be the duty of the clerks of the primary election when entering the name of a voter to place in the poll books a cross thus (X) in the column designating the party ticket which was given to said voter upon his application for a ticket.

**SEC. 17. Ballots counted—returns.** Upon the closing of the polls the clerks and judges shall immediately open the ballot box and proceed to take therefrom the ballots. Said officers shall count the number of ballots cast for each party, at the same time bunching the tickets cast for each party, in separate piles. As soon as the clerks and judges shall have sorted the ballots of each party, separately, they shall take the tally sheets provided in the poll books and shall count all the ballots for each party separately until the count is completed, and shall certify to the number of votes cast for each candidate for each office upon the ticket of each party. After all have been counted and certified to by the clerks and judges, they shall seal the ballots cast by each of the parties in separate envelopes, on the outside of which shall be printed or written the names of that party's candidates for the different offices, and opposite each candidate's name shall be placed the number of votes cast for such candidate in said precinct, and then seal the envelopes containing the votes of the different political parties, in one large envelope, on the outside of which, or on a paper attached thereto, shall be printed or written, in perpendicular columns, the names of the several political parties with the names of the candidates for the different offices under their respective party headings, and opposite each candidate's name shall be placed the number of votes cast for such candidate in said precinct, and at the bottom the total vote cast by each political party in said precinct, and such envelopes shall be returned to the county auditor, who shall carefully preserve the same in said condition and deliver them to the county board of canvassers. But any elector of the county shall have the right, before the day fixed for canvassing the returns, to ascertain the vote cast for any candidate in any precinct in the county, as shown on the outside of the large envelope. Said judges of election shall deliver the returns so made, together with the poll books, including tally sheets and certificates of the judges and clerks written thereon, to the county auditor within twenty-four hours after the primary election has closed; and if the returns from any precinct be not so delivered within the said time, the county auditor shall forthwith send a messenger for any such missing returns, and said messenger shall be paid, as provided by law, for the general election.

**SEC. 18. Recount of ballots.** Any candidate, whose name appears upon the official primary ballot of any voting precinct, may require the board of supervisors of the county in which such precinct is situated to recount the ballots cast in any such precinct, at the time fixed for canvassing the returns of

the judges of election, by filing with the county auditor not later than the day before such meeting, a showing, duly sworn to by any such candidate, that fraud was committed, or error or mistake was made, in counting or returning the votes cast in any such precinct. The showing must be specific and from it there must appear reasonable ground to believe that a recount of the ballots would produce a result different from the returns made by the judges. If such showing is made to the satisfaction of the board, thereupon the board shall recount the ballots cast in any such precinct, as to all candidates, including persons voted for for delegates and party committeemen; and make up a new return which in all subsequent proceedings shall be substituted for the returns of the judges of election for the precinct. The action of the board shall be final and no other contest of any kind shall be permitted. If a recount of the ballots of any precinct produces a result different from the returns of the judges with respect to delegates or party committeeman, the county auditor shall make or correct his certified list thereof to the chairmen of the respective party central committees for the county accordingly. The term "candidate" as used in this section shall include and apply to persons voted for for delegates and party committeeman.

**SEC. 19. Canvass by board of supervisors—certificates.** On Tuesday next following the primary election in June, the board of supervisors shall meet, open, and canvass the returns from each voting precinct in the county, and make abstracts thereof, stating in words written at length the number of ballots cast in the county by each political party, separately, for each office, the name of each person voted for and the number of votes given to each person for each different office and shall sign and certify thereto and file the same with the county auditor. Such canvass and certificate shall be final as to all candidates for nomination to any elective county office or office of a subdivision of a county; and the candidate or candidates of each political party for each office to be filled by the voters of any subdivision of a county having received the highest number of votes shall be duly and legally nominated as the candidate of his party for such office; and the candidate or candidates of each political party for each office to be filled by the voters of a county having received the highest number of votes, and not less than thirty-five per centum of all the votes cast by the party for such office, shall be duly and legally nominated as the candidate of his party for such office; and each candidate so nominated shall be entitled to have his name printed on the official ballot to be voted for at the general election without other certificate, and the board shall prepare and certify a list of the candidates of each party so nominated, separately, and deliver to the chairman of each party central committee for the county a copy of the list of candidates nominated by the party he represents; and shall also prepare, certify and deliver to such chairman a list of the offices to be filled by the voters of a county for which no candidate of his party was nominated, together with the names of the candidates for each of such offices voted for at the primary election and the number of votes received by each of such candidates.

**SEC. 20. Abstracts forwarded to secretary of state.** The county board of canvassers shall also make a separate abstract of the canvass as to the following offices and certify to the same and forthwith forward it to the secretary of state, viz.:

United States senator,  
Electors of the president and vice-president of the United States,  
All state offices,  
Representative in congress,  
Senators and representatives in the general assembly.

**SEC. 21. County returns filed.** When the canvass is concluded, the board shall deliver the original returns to the auditor, who shall file the same and record each of the abstracts above mentioned in the election book.

**SEC. 22. Canvass by state board—certificates.** On the second Monday after the June primary election, the executive council shall meet as a canvassing board, and open and canvass the abstract returns received from each county in the state. If returns are not received from all the counties, the secretary of state shall immediately send a messenger after the abstract returns and the board may adjourn from day to day until they are received. The board shall make an abstract of its canvass, stating in words written at length, the number of ballots cast by each political party, separately, for each office designated in section twenty hereof, the names of all the persons voted for, and the number of votes received by each person for each office, and shall sign and certify thereto. Such canvass and certificates shall be final as to all candidates named therein; and the candidate of each political party for each office to be filled by vote of the people, having received the highest number of votes in the state or district of the state, as the case may be, provided he received not less than thirty-five per centum of all the votes cast by the party for such office, shall be duly and legally nominated as the candidate of his party for such office and entitled to have his name printed on the official ballot to be voted at the general election without other certificate; and the board shall prepare and certify a list of the candidates of each party so nominated, separately, and deliver to the chairman of each party central committee for the state a copy of the list of candidates nominated by the party he represents; and shall also forthwith prepare a certificate as to each office, separately, for which no candidate was nominated, together with the names of the several candidates for each of such offices voted for at the primary election and the number of votes received by each of such candidates and send such certificate to the chairman of the party central committee for the state, in case of offices to be filled by the voters of the entire state, and to the chairman of the party central committee for a district of the state, if known, in case of offices to be filled by the voters of any such district of the state composed of more than one county, and to the county auditor of each county in any such district, and to the county auditor and the chairman of the party central committee for the county, in case any such district is composed of one county.

**SEC. 23. State returns filed—nominations certified to county auditor.** When the canvass is concluded, the board shall deliver the original abstract returns to the secretary of state, who shall file the same in his office and record the abstracts of the canvass of the state board and certificates attached thereto in the book kept by him known as the election book; and not less than fifteen days before the general election he shall certify to the auditor of each county, under separate party headings, the name of each person nominated as shown by the official canvass made by the executive council, or as certified to him by the proper persons when any person has been nominated by a convention, his place of residence, the office to which he is nominated, and the order in which the tickets of the several political parties shall appear on the official ballot. Should a vacancy in the nominations occur and be filled after such certificate has been forwarded, a like certificate shall at once be made and sent to the proper officer together with a statement showing the reason for its subsequent issue.

**SEC. 24. Tie vote—vacancies.** In case of a tie vote resulting in no nomination for any office, or election of delegates or party committeeman, the tie shall forthwith be determined by lot by the board of canvassers, or judges of election, as the case may be. Vacancies occurring after the holding of any pri-



mary election occasioned by death, withdrawal or change of residence of any candidate, or from any other cause, shall be filled by the party committee for the county, district, or state, as the case may be, representing the party in which the vacancy nomination occurs.

**SEC. 25. County convention—delegates—committeemen.** In each county there shall be held in each year in which a general election in November is to take place a county convention of each political party. Said county convention shall be composed of delegates elected at the last preceding primary election, and shall be held on the third Saturday following the primary election, convening at 11:00 o'clock a. m. The number of delegates from each voting precinct shall be determined by a ratio adopted by the respective party county central committees, and shall be thus determined and a statement designating the number from each voting precinct in the county filed in the office of the county auditor at least thirty days before the primary election; if not so done, the auditor shall fix the number. The requisite number of names of candidates of his choice for delegates to the county convention to which each precinct is entitled shall be written, or pasted with uniform white pasters, on the blank lines upon the ballot by the voter while in the booth, or by some one designated by a voter unable to write, after the ballots are received and before they are deposited, and the requisite number of persons from each precinct who receive the highest number of votes shall be the delegates from the precinct to the county convention. One member of the county central committee for each political party from each precinct shall be elected in the same manner in which delegates are selected. His term of office shall begin on the day of the county convention and immediately following the adjournment thereof and shall continue for two years and until his successor is elected and qualified, unless such committeeman shall be removed by the county central committee for inattention to the duties of his position, incompetency or failure to support the ticket nominated by the party which elected him to such position. Returns shall be made by the judges of election respecting delegates and members of the county central committee in the same manner as for other offices, except that the judges of election shall canvass the returns as to delegates and members of the county central committee, and certify the result to the auditor with the returns. The auditor shall, immediately after such returns are filed, notify the delegates and members of the county central committee who have thus been elected, of their election, and of the time and place of holding the county convention, and shall on the second Thursday following the primary election, deliver a certified list thereof to the chairmen of the respective party central committees for the county. When the delegates, or a majority thereof, thus elected shall have assembled in the county convention at the time herein prescribed and at the county seat the convention shall be called to order by the chairman of the county central committee, who shall present the certified list of delegates and members of the county central committee, and a list of the offices for which no nomination was made at the primary election. If any precinct shall not be fully represented the delegates present from such precinct shall cast the full vote thereof, but there shall be no proxies. The said county convention shall make nominations of candidates for the party for any office to be filled by the voters of a county when no candidate for such office has been nominated at the preceding primary election, as shown by the canvass of the returns provided for in section 19 of this act, and shall nominate candidates for the office of judge of the district court in counties comprising one judicial district of the state, and shall select delegates to the next ensuing state and district conventions of that year upon such ratio of representation as may be determined by the party organization for the state, district or districts of the

state, as the case may be, but no delegates shall be so selected to any of the district conventions referred to in section 26 of this act, except judicial conventions, unless a call therefor has been issued as therein provided. The said county convention shall also elect a member of the party central committee for the senatorial, judicial, and congressional districts composed of more than one county.

**SEC. 26. District convention.** In any senatorial, judicial, or congressional district composed of more than one county, in any year in which a senator in the General Assembly, a judge of the district court, or a representative in the congress of the United States, is to be elected, a senatorial or congressional convention may be held, and a judicial convention shall be held by each political party participating in the primary election of that year. Not less than ten days and not more than sixty days before the day fixed for holding the county convention a call for such senatorial, judicial and congressional convention to be held shall be issued by the party central committee for any such district and published in at least one newspaper of general circulation of each county composing any such district and which call shall state among other things the number of delegates each county of the district shall be entitled to and the time and place of holding the convention. Any such call shall be signed by the chairman of the party central committee for any such district, and be filed by him with the county auditor not less than five days before the county convention and the county auditor shall attach a true copy thereof to the certified list of delegates required to be delivered by him to the chairmen of the respective party county central committees. In case no nomination was made in the primary election for the office of senator in the General Assembly in any district composed of more than one county, or for the office of representative in congress of the United States, as shown by the certificate issued by the state board of canvassers provided for in this act, then in any such district the chairman of the party central committee therefor shall forthwith issue such call for a convention in such district and deliver the same to the county auditor of each county in the district and in such case said call need not be published. No such district convention shall be held earlier than the first Thursday or later than the fifth Thursday following the county convention. The convention when organized shall make nominations of candidates for the party for any such district office when no candidate for such office has been nominated at the preceding primary election as shown by the canvass of the votes provided for in section twenty-two hereof. The organization of and procedure in any such district convention shall be the same as in the state convention. Such district conventions may adopt party platforms and transact such other business as may properly be brought before them.

**SEC. 27. State convention—state central committee.** A state convention of each political party, composed of delegates chosen in the manner herein provided, shall be held not earlier than the third Thursday and not later than the fifth Thursday following the primary election in the year nineteen hundred eight, and biennially thereafter, convening at such time and place as may be determined upon by the party organization. The convention shall be called to order by the chairman of the state central committee, who shall thereupon present the list of delegates, as certified by the various county conventions, and effect a temporary organization. If any county shall not be fully represented, the delegates present from such county shall cast the full vote thereof, but there shall be no proxies. Such convention when permanently organized shall formulate and adopt the state platform of the party it represents, and shall make nominations of candidates for the party for any state office to be filled by the voters of the entire state when no candidate for such office has

been nominated at the preceding primary election as shown by the canvass of the returns provided for in section twenty-two hereof; and shall nominate candidates for the office of judge of the supreme court. It shall also elect a state central committee consisting of not less than one member from each congressional district and transact such other business as may properly be brought before it. The state central committee elected at said state convention may organize at pleasure for political work as is usual and customary with such committees and shall continue to act until succeeded by another committee duly elected.

**SEC. 28. Existing party committees.** The regularly organized political committees of each party as at present or hereafter constituted may continue to act until supplanted by the committees elected under the provisions of this act.

**SEC. 29. Nomination by petition.** Nothing contained in this act shall be construed so as to prohibit nomination of candidates for office by petition as now authorized by law; but no person so nominated shall be permitted to use the name of any political party authorized or entitled under this act to nominate a ticket by primary vote or that has nominated a ticket by primary vote under the provisions of this act.

**SEC. 30. Special elections.** This act shall not apply to special elections to fill vacancies.

**SEC. 31. Misconduct of election officials—penalty.** Any party committeeman or any primary election or other public officer upon whom a duty is imposed by this act or by acts herein made applicable to primary elections, who shall wilfully neglect to perform any such duty, or who shall wilfully perform it in such a way as to hinder the objects thereof, or shall disclose to anyone, except as may be ordered by any court of justice, the contents of any ballot or any part thereof, as to the manner in which the same may have been voted, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment in the penitentiary not to exceed five years, or by both such fine and imprisonment.

**SEC. 32. Services for hire—penalty.** Any person who shall agree to perform any services in the interest of any candidate in consideration of any money or other valuable thing, or who shall accept any money or other valuable thing for such services performed in the interest of any candidate, or any person paying or offering to pay or giving or offering to give money or other valuable things for such services, shall be punished by a fine of not more than three hundred dollars, or by imprisonment in the county jail not exceeding ninety days. But nothing herein shall be construed to prohibit any person from making contracts in good faith for the announcement of his candidacy in the newspapers and for securing the names of voters required to file preliminary nomination papers and the payment of any reasonable compensation for such services.

**SEC. 33. Bribery—illegal voting—penalty.** Any person offering or giving a bribe, either in money or other consideration, to any elector for the purpose of influencing his vote at any primary election, or any elector entitled to vote at such primary election receiving and accepting such bribe; any person making false answer to any of the provisions of this act relative to his qualifications and party affiliations; any person wilfully voting or offering to vote at a primary election who has not been a resident of this state for six months next preceding said primary election; or who, at the primary election is not twenty-one years of age, or is not a citizen of the United States; or knowing himself not to be a qualified elector of such precinct where he offers to vote; or any person violating any of the provisions of this act, or of any provisions of

the code as may be hereto applied, and any person knowingly procuring, aiding or abetting such violation, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than one hundred dollars nor more than five hundred dollars, or be imprisoned in the county jail not less than thirty days nor more than six months.

**Sec. 34. Repealed.** Chapter forty (40) of the laws of the Thirtieth General Assembly, relating to primary elections; and chapters forty-five (45) and forty-six (46) of the laws of the Thirty-first General Assembly, relating to primary elections, are hereby repealed.

**Sec. 35. Primary elections in certain cities.** The provisions of this act shall, so far as applicable, govern the nominations of candidates by political parties for all offices to be filled by a direct vote of the people in cities of the first class and cities acting under a special charter having a population of over fifteen thousand, except all such special charter cities and cities of the first class as have by vote of the people adopted a plan of municipal government which specifically provides for a non-partisan primary election. The duties devolving upon the county auditor, by the foregoing provisions of this act, shall, in municipal elections, devolve upon the city auditor and the duties devolving upon the board of supervisors by the foregoing provisions of this act, devolve upon the city council which shall meet to perform said duties within two days next following the primary election. The date of the municipal primary election shall be the last Monday in February of each year in which a municipal election is held in said cities, after the year 1907, and the percentage of voters signing petitions required for printing the name of a candidate upon the official primary ballot shall be the same as is required of a candidate for a county office and shall be based upon the vote cast for mayor by the respective parties in the preceding city election. The names of candidates for ward aldermen, for city precinct committeemen and for delegates to the city convention, shall not be printed upon the official primary ballot but in each case a blank line or lines shall be provided therefor. A plurality shall nominate the party candidate for alderman and a plurality shall elect the precinct committeemen and delegates to the city convention. The entire expense of conducting a primary election provided for in this section shall be audited by the city council and paid by the city. This section shall not be held to repeal any law which provides for the adoption of a plan of municipal government by vote of the people and which embraces a non-partisan primary election.

Approved April 4, A. D. 1907.

## CHAPTER 52.

### RECORD OF ABSTRACTS OF VOTES.

H. F. 279.

AN ACT to repeal section eleven hundred and sixty-four (1164) of the code in relation to recording abstracts of votes in the office of the secretary of state, and to enact a substitute therefor.

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

**SECTION 1. State election book.** That section eleven hundred and sixty-four (1164) of the code is hereby repealed and the following enacted in lieu thereof:

“The secretary of state shall file the abstracts when received and shall have the same bound in book form to be kept by him as a record of the result of said state election, to be known as the state election book.”

Approved March 27, A. D. 1907.

## CHAPTER 53.

## REMOVAL OF MUNICIPAL OFFICERS.

S. F. 121.

AN ACT providing that chapter eight (8) of title six (VI) of the code, relating to removal of municipal officers, be made applicable to special charter cities.

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

SECTION 1. **Made applicable to special charter cities.** The provisions of chapter eight (8) of title six (6) of the code are also made applicable to cities acting 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 Register and Leader and Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved February 22, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, February 26, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 54.

## EXEMPTION OF PROPERTY FROM TAXATION.

H. F. 202.

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

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

SECTION 1. **Certain real estate owned by educational institutions.** That section thirteen hundred and four (1304) of the code be and the same is hereby amended by adding after the semicolon following the word, "incorporation" in the last line of paragraph two of said section, the following: "Provided, however, that real estate owned by an educational institution of this state, as part of its endowment fund, shall not be taxed."

Approved April 1, A. D. 1907.

## CHAPTER 55.

## EXEMPTION OF PROPERTY FROM TAXATION.

H. F. 73.

AN ACT to amend the law, as the same appears in section thirteen hundred and four-a (1304-a) of the supplement to the code, relating to the exemption of property from taxation.

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

SECTION 1. **Property of beet sugar factories.** That the law, as it appears in section thirteen hundred and four-a (1304-a) of the supplement to the code, be and the same is hereby amended by striking out the figures "1910" in the second line of said section, and by inserting in lieu thereof the figures "1917".

Approved March 27, A. D. 1907.

## CHAPTER 56.

## TAXATION OF FOREIGN FIRE INSURANCE COMPANIES.

S. F. 239.

AN ACT amending section thirteen hundred and thirty-three (1333) of the code supplement, in relation to taxes paid by insurance companies other than those organized under the laws of the state of Iowa.

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

**SECTION 1. State tax—deductions authorized.** That section thirteen hundred and thirty-three (1333) of the code supplement be, and the same is hereby amended, by striking out the period at the end of said section and inserting in lieu thereof a semicolon, and by adding thereto the following:

“Provided, however, that companies doing a fire insurance business may deduct from the gross amount of premiums received, the amount of premiums returned upon cancelled policies issued upon property situated in this state.”

Approved April 4, A. D. 1907.

## CHAPTER 57.

## TAXATION OF DOMESTIC FIRE INSURANCE CORPORATIONS AND ASSOCIATIONS.

S. F. 10.

AN ACT to amend the law as it appears in section thirteen hundred and thirty-three-d (1333-d) supplement to the code, relating to state tax on gross receipts of insurance corporations and associations.

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

**SECTION 1. State tax—deductions authorized.** That the law as it appears in section 1333-d supplement to the code be and the same is hereby amended by adding thereto the following:

“Provided that fire insurance companies organized under the provisions of chapter four (4) of title nine (IX) of the code shall only be required to pay to the treasurer of state a sum equivalent to one per centum upon the gross receipts from premiums, assessments, fees and promissory obligations for business done within this state, including all insurance upon property situated in the state, after deducting the amount actually paid for losses on property located within the state and the amount returned upon cancelled policies and rejected applications covering property situated within this state.”

Approved March 27, A. D. 1907.

## CHAPTER 58.

## ASSESSMENT OF EXPRESS COMPANIES FOR TAXATION.

S. F. 349.

AN ACT to repeal section thirteen hundred and forty-six-d (1346-d) of the supplement to the code relating to the assessment of express companies for taxation, and to enact a substitute therefor.

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

**SECTION 1. Repealed—actual value—how ascertained.** That section 1346-d of the supplement to the code be repealed and the following enacted in lieu thereof:

“The executive council shall first ascertain the actual value of the entire property owned by said company, from said statements or otherwise, for that purpose taking the aggregate market value of all shares of capital stock, in case said shares have a market value, and in case they have none taking the actual value thereof or of the capital of said company, in whatever manner the same is divided, in case no shares of capital stock have been issued; provided, however, that in case the whole or any portion of the property of said company shall be encumbered by a mortgage or mortgages, such council shall ascertain the actual value of such property by adding to the market value or the aggregate shares of stock or to the value of the capital, in case there shall be no such shares, the aggregate amount of the market or cash value of such mortgage or mortgages, and the result shall be deemed and treated as the actual value of the property of such company. The executive council shall, for the purpose of ascertaining the actual value of the property within the state of Iowa, next ascertain from such statements or otherwise the actual value of the property, both real and personal, owned by the company, and which is used exclusively outside the general business of the company, and also the actual value of that part of its property, if any, without the state which cannot lawfully be considered in determining the mileage value of its routes; and the aggregate of such values shall be deducted from the entire actual value of the property as above ascertained. The executive council shall next ascertain and deduct the actual value of the sea or ocean routes of any such company, and in ascertaining the same may take into consideration the earnings, both gross and net, per mile, of such sea or ocean routes, as compared with the earnings, gross and net, of the land routes of such company or may ascertain their value in any other practicable manner, and may require that the reports heretofore provided for shall show such earnings. Thereupon the executive council shall ascertain the actual value of the property of such company within the state of Iowa, and for that purpose may take into consideration the proportional value of the company's property without and within the state, and shall take as a basis of valuation of the company's property in this state the proportion of the whole aggregate value of the property of said company, as above ascertained, after making the deductions above provided for which the length of the routes within the state of Iowa bears to the whole length of the routes of such company other than sea or ocean routes, and such amount so ascertained shall be considered and taken to be the entire actual value of the property of such company within the state of Iowa. 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 the real estate, buildings, machinery, appliances, and personal property not used exclusively in the conduct of the business within the state that are subject to local taxation within the counties, townships, and other assessment districts as hereinbefore described in the sixth item of section one of this act.”

Approved April 13, A. D. 1907.

## CHAPTER 59.

## PEDDLERS.

S. F. 201.

AN ACT to repeal chapter forty-eight (48), acts of the Thirtieth General Assembly, relating to the vocation of peddlers, defining the term peddlers, so as to include transient merchants and itinerant vendors selling by sample or by taking orders for immediate or future delivery, and to enact a substitute therefor.

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

**SECTION 1. Repealed—peddlers—amount of tax.** That chapter forty-eight (48) acts of the Thirtieth General Assembly, be and the same is hereby repealed and the following is enacted in lieu thereof:

“Peddlers plying their vocation in any county in this state outside of a city or incorporated town, shall pay an annual county tax of twenty-five dollars for each pack peddler or hawkers on foot, fifty dollars for each one horse conveyance, and seventy-five dollars for each two-horse conveyance. Such tax shall be paid to the county treasurer, who shall issue to the person making such payment duplicate receipts therefor and upon presentation of one of same to the county auditor, he shall issue to the person presenting such receipt a license which shall not be transferable authorizing such person to ply the vocation of a peddler in such county for the term of one year from the date thereof. The word ‘peddlers’ under the provisions of this act, and wherever found in the code, shall be held to include and apply to all transient merchants and itinerant vendors selling by sample or by taking orders, whether for immediate or future delivery. The provisions of this act shall not be construed to apply to persons selling at wholesale to merchants, nor to transient vendors of drugs, nor to persons running a huckster wagon, or selling and distributing fresh meats, fish, fruit, or vegetables, nor to persons selling their own work or production either by themselves or employes.”

**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 Register and Leader and the Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved April 5, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 6, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 60.

## CORRECTION OF ERRONEOUS ASSESSMENTS.

H. F. 171.

AN ACT to amend section thirteen hundred seventy-three (1373) of the code, relating to the correction of erroneous assessments.

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

**SECTION 1. Complaint to board of review—appeal.** Section thirteen hundred and seventy-three (1373) of the code is amended by adding thereto the following:

“Any officer of a county, city, town, township or school district interested or a taxpayer thereof may in like manner make complaint before said board of



review in respect to the assessment of any property in the township, city or town and an appeal from the action of the board of review in fixing the amount of assessment on any property concerning which such complaint is made, may be taken by any of such aforementioned officers. Such appeal is in addition to the appeal allowed to the person whose property is assessed and shall be taken in the name of the county, city, town, township or school district interested and tried in the same manner, except that the notice of appeal shall also be served upon the owner of the property concerning which the complaint is made and affected thereby or person required to return said property for assessment. Upon trial of any appeal from the action of the board of review fixing the amount of assessment upon any property concerning which complaint is made, the court may increase, decrease or affirm the amount of the assessment appealed from."

**SEC. 2. Pending litigation.** The provisions of this act shall not apply to pending litigation.

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

Approved April 6, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, April 9, 1907, and the Register and Leader, April 10, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 61.

### CERTIFICATES OF PURCHASE AT TAX SALES.

S. F. 54.

AN ACT relating to the assignment of certificates of purchase at tax sales, and providing for the issuance of duplicate certificates of purchase in case of loss or destruction of original, amending section one thousand four hundred thirty-two (1432) of the code, repealing section one thousand four hundred thirty-three (1433) of the code and enacting a substitute therefor.

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

**SECTION 1. Duplicates issued—when.** Section one thousand four hundred thirty-two (1432) of the code is hereby amended by adding thereto, after the word "described", being the last word of said section, the following:

"And in case of loss of said certificate of purchase, the owner thereof, as appears on record, may, by filing an affidavit of such loss or destruction with the county treasurer, receive a duplicate thereof, which shall take the place of the original certificate and have the same force and effect in law and be subject to the same rules and regulations."

**SEC. 2. Repealed—assignment.** Section one thousand four hundred thirty-three (1433) of the code is hereby repealed and the following is enacted in lieu thereof:

"The certificate of purchase shall be assignable by endorsement and entry in the register of tax sales in the office of county treasurer of the county from which said certificate issued, and when such assignment is so entered in the register of tax sales in the treasurer's office, it shall vest, in the assignee or his legal representatives, all the right and title of the assignor. The statement in the treasurer's deed of the fact of the assignment shall be presumptive evidence 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 Register and Leader and the Des Moines Capital, newspapers published at Des Moines, Iowa.  
Approved March 19, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, March 21, 1907, and the Register and Leader, March 22, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 62.

### COLLECTION OF TAXES.

S. F. 61.

AN ACT additional to title seven (VII), chapter two (2), of the code, authorizing county treasurers to commence and prosecute ordinary actions at law for the enforcement of tax liens, and the collection of taxes in addition to all the other remedies now provided by law for the collection of taxes and for the issuance of a writ of attachment in certain cases without bond for the purpose of enforcing the payment of taxes whether due or not due, and collecting the same.

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

**SECTION 1. Actions authorized.** In addition to all other remedies and proceedings now provided by law for the collection of taxes on personal property, the county treasurer is hereby authorized to bring or cause an ordinary suit at law to be commenced and prosecuted in his name for the use and benefit of the county for the collection of taxes from any person, persons, firm or corporation as shown by the tax list in his office, and the same shall be in all respects commenced, tried and prosecuted to final judgment the same as provided by the code for ordinary actions.

**SEC. 2. Statutes applicable—writ of attachment—damages.** All the provisions of chapters one (1) and two (2) of title nineteen (19) of the code and acts amendatory thereto, are hereby made applicable to any proceedings instituted by a county treasurer under the provisions of section one (1) hereof, and a writ of attachment shall be issued upon the county treasurer complying with the provisions of said chapter, for taxes, whether due or not due, except that no bond shall be required from the treasurer or county in such cases, but the county shall be liable for damages, only, as provided by section thirty-eight hundred eighty-seven (3887) of the code.

**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 Register and Leader and the Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 13, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 63.

## STATEMENT OF COUNTY TREASURER'S ACCOUNT WITH THE TREASURER OF STATE.

S. F. 315.

AN ACT to repeal section fourteen hundred and sixty (1460) of the code, relating to the statement by the auditor of state of the county treasurer's account with the treasurer of state.

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

SECTION 1. **Repealed.** That section fourteen hundred and sixty (1460) of the code, relating to the statement by the auditor of state of the county treasurer's account with the treasurer of state, be and the same is hereby repealed.

Approved April 13, A. D. 1907.

## CHAPTER 64.

## ROADS AND HIGHWAYS.

H. F. 342.

AN ACT to repeal section fourteen hundred and eighty-three (1483) of the code relating to roads and highways, and to enact a substitute therefor.

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

SECTION 1. **Width of roads.** That section fourteen hundred and eighty-three (1483) of the code, be and the same is hereby repealed, and the following enacted in lieu thereof:

"Roads hereafter established, unless otherwise fixed by the board, shall be at least sixty-six feet wide, and in no case less than forty; within these limits they may be increased or diminished in width, altered in direction, or vacated, by pursuing the course prescribed in this chapter; provided, however, that said board may locate and establish consent roads, at its discretion, at a minimum width of not less than thirty feet."

Approved April 1, A. D. 1907.

## CHAPTER 65.

## ENCROACHMENT OF STREAMS ON PUBLIC HIGHWAYS.

H. F. 376.

AN ACT giving certain powers to the board of supervisors in relation to the alteration or straightening of highways, and to prevent the encroachment of streams thereon, and to condemn land necessary for said purposes. [Additional to chapter one (1) of title eight (VIII) of the code.]

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

SECTION 1. **Purchase or condemnation of land.** The board of supervisors at any regular meeting shall have the power to purchase or provide for the condemnation of, pay for out of the county bridge fund, enter upon and take any land necessary for the purpose of preventing the encroachment of a navigable or non-navigable stream on a public highway, and for the purpose of straightening or altering a public highway when any such stream has en-

croached thereon, or some other condition in the highway exists that would, in the judgment of the board, render it necessary or advisable to straighten or alter the same, and the proceedings for condemnation of land as contemplated in this act shall be in accordance with the provisions relating to taking private property for works of internal improvement.

Approved April 1, A. D. 1907.

## CHAPTER 66.

### LAYING OF WATER MAINS AND PIPES ON PUBLIC HIGHWAY.

S. F. 308.

AN ACT authorizing the board of supervisors to grant to municipalities the use of the public highway for the laying of water mains and pipes, and fixing the liability for damages arising from the construction thereof. [Additional to chapter one (1) of title eight (VIII) of the code.]

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

**SECTION 1. Supervisors may grant use of highway—damages.** Upon application to the board of supervisors of any county by any municipality for permission to construct its water mains and lay its pipes in the public highway from such municipality to its reservoir, the said board may grant the same upon condition that it shall not in any manner interfere with the public travel. The applicant shall be responsible for all damages that may arise from such construction, or from the same not being kept in repair.

Approved April 13, A. D. 1907.

## CHAPTER 67.

### COUNTY ROAD FUND.

H. F. 404.

AN ACT to amend the law as it appears in section one thousand five hundred and thirty (1530) of the supplement to the code, relating to county road fund and how it is to be paid out.

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

**SECTION 1. Road tools or machinery.** That the law as it appears in section one thousand five hundred and thirty (1530) of the supplement to the code be and the same is hereby amended by inserting after the word "board" and before the word "for" in line seven, the following words: "for the purchase of road tools or machinery or"; and by inserting between the words "town" and "shall" in the tenth line of said section the words, "except such pro rata share as may have been expended by the board for the purchase of road tools or machinery".

Approved April 13, A. D. 1907.

## CHAPTER 68.

## MOTOR VEHICLES.

S. F. 206.

AN ACT to amend sections two (2), four (4) and five (5) of chapter fifty-three (53) of the acts of the Thirtieth General Assembly, in regard to motor vehicles.

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

**SECTION 1. Registration fee.** That section two (2) of chapter fifty-three (53) of the acts of the Thirtieth General Assembly be amended by striking out the last sentence of said section and inserting the following in lieu thereof: "The filing and registration fee shall be five (5) dollars, payable to the secretary of state."

**SEC. 2. Fee for re-registration.** That section four (4) of said chapter fifty-three (53) of the acts of the Thirtieth General Assembly be amended by inserting after the word "state" and before the word "and" in the second line of said section, the following:—"accompanied by the fee required in section two (2) of this act".

**SEC. 3. Dealer's demonstration number—annual fee.** That section five (5) of said chapter fifty-three (53) of the acts of the Thirtieth General Assembly be amended by adding the following thereto:

"Every dealer in motor vehicles may have issued to him by the secretary of state, a dealer's number, to be registered as such, which number, and also the number displayed on the back of the motor vehicle as provided in section six of this chapter, shall be preceded by the capital letter 'D', which number may, be temporarily used upon any motor vehicle owned by said dealer, or kept and exhibited for sale by him, when demonstrating its use on the public streets or highways, and not in use for hire. Every motor vehicle kept for hire shall have a separate, individual, registered number the same as if kept by the owner for private use. Every dealer in motor vehicles is hereby required to apply to the secretary of state on or before the first day of July of each year for a dealer's number and a dealer's permit to use the same, the annual fee for which shall be ten (10) dollars, payable to the secretary of state when the number and permit are applied for; provided, however, that a dealer may if he chooses register each motor vehicle in his possession separately and individually, in which event he shall not be required to take out a dealer's number. The same number may be re-assigned to the same dealer, but shall not be transferable to any other person, firm or company."

Approved March 19, A. D. 1907.

## CHAPTER 69.

## REPAIR OF STATE LINE ROADS.

S. F. 261.

AN ACT to authorize and direct boards of supervisors in the state of Iowa in counties adjoining and bordering upon the state line to meet the authorities in control and charge of the public highways in adjoining counties of other states and agree upon and assign the portion or part of each public highway upon the state line between such states to be kept in repair by the authorities in the state of Iowa and such other states. [Additional to chapter two (2) of title eight (VIII) of the code.]

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

**SECTION 1. Supervisors to apportion work.** The boards of supervisors of the various counties of the state of Iowa bordering upon the state line are

hereby authorized to meet the authorities in control and charge of the public highways in the adjoining counties of other states and agree upon and assign the portion or part of each public highway upon the state line between such states to be kept in repair by the authorities in the state of Iowa and such other states.

Approved April 13, A. D. 1907.

## CHAPTER 70.

### CORPORATIONS FOR PECUNIARY PROFIT.

H. F. 287.

AN ACT to amend the law as it appears in section sixteen hundred and ten (1610) of the supplement to the code in-relation to corporations for pecuniary profit.

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

**SECTION 1. Approval of articles of incorporation.** That the law as it appears in section sixteen hundred and ten (1610) of the supplement to the code be, and the same is hereby amended by adding thereto the following:

“When articles of incorporation are presented to the secretary of state for the purpose of being filed, if he is satisfied that they are in proper form to meet the requirements of law, that their object is a lawful one and not against public policy, that their plan for doing business, if any be provided for, is honest and lawful, he shall file them; but if he is of the opinion that they are not in proper form to meet the requirements of law, or that their object is an unlawful one, or against public policy, or that their plan for doing business is dishonest or unlawful, he shall refuse to file them. Should a question of doubt arise as to the legality of the articles, he shall submit them to the attorney general whose duty it shall be to forthwith examine and return them with an opinion in writing touching the point or points concerning which inquiry has been made of him. If such opinion is in favor of the legality of the articles, and no other objections are apparent, they shall then, upon payment of the proper fee, be filed and otherwise dealt with as the law provides. If, however, such opinion be against their legality they shall not be filed. Upon the rejection of any articles of incorporation by the secretary of state, except for the reason that they have been held by the attorney general to be illegal, they shall, if the person or persons presenting them so request, be submitted to the executive council, which shall, as soon as practicable, consider the said articles and if the council determines that the articles are in proper form, of honest purpose, not against public policy, nor otherwise objectionable, it shall so advise the secretary of state in writing, whereupon he shall, upon the payment of the proper fees, file the same and proceed otherwise as the law directs; but if the council sustains the previous action of the secretary of state in rejecting said articles, such decision by the council shall be reported to the secretary of state in writing, and he shall then return said articles to the person or persons presenting them with such explanation as shall be proper in the case. Nothing in this act shall be construed as repealing or modifying any statute now in force in respect to the approval of articles of incorporation relating to insurance companies, building and loan associations or investment companies.”

**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

Register and Leader and Des Moines Daily News, newspapers published at Des Moines, Iowa.

Approved April 6, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Daily News, April 9, 1907, and the Register and Leader, April 10, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 71.

### CORPORATIONS FOR PECUNIARY PROFIT.

S. F. 109.

AN ACT to amend the law as it appears in chapter one (1), title nine (IX) of the code, relating to corporation for pecuniary profit.

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

**SECTION 1. Capital stock—how issued—executive council to fix value.** That from and after the passage of this act no corporation organized under the laws of the state of Iowa, except building and loan associations as defined and provided for in chapter thirteen (13), title (9) of the code, shall issue any capital stock or any certificate or certificates of shares of capital stock, or any substitute therefor, until the corporation has received the par value thereof. If it is proposed to pay for said capital stock in property or in any other thing than money, the corporation proposing the same must, before issuing capital stock in any form, apply to the executive council of the state of Iowa for leave so to do. Such application shall state the amount of capital stock proposed to be issued for a consideration other than money, and set forth specifically the property or other thing to be received in payment for such stock. Thereupon, it shall be the duty of the executive council to make investigation, under such rules as it may prescribe, and to ascertain the real value of the property or other thing which the corporation is to receive for the stock; and shall enter its finding, fixing the value at which the corporation may receive the same in payment for capital stock; and no corporation shall issue capital stock for the said property or thing in a greater amount than the value so fixed and determined by the executive council.

**SEC. 2. Certificate filed with secretary of state.** It shall be the duty of every corporation to file a certificate under oath with the secretary of state, within ten (10) days after the issuance of any capital stock, stating the date of issue, the amount issued, the sum received therefor, if payment be made in money, or the property or thing taken, if such be the method of payment.

**SEC. 3. Cancellation of stock.** The capital stock of any corporation issued in violation of the terms and provisions hereof shall be void, and in a suit brought by the attorney general on behalf of the state of Iowa in any court having jurisdiction, a decree of cancellation shall be entered; and if the corporation has received any money or thing of value for the said stock, it shall remain the property of the corporation for the benefit of the remaining stockholders.

**SEC. 4. Dissolution of corporation.** Any corporation violating the provisions hereof shall, upon the application of the attorney general, in behalf of the state, made to any court of competent jurisdiction, be dissolved, its affairs wound up, and its assets distributed among the stockholders other than those who have received the stock so unlawfully issued.

**SEC. 5. Penalty.** Any officer, agent or representative of a corporation who violates any of the provisions hereof shall, upon conviction, be fined not less than two hundred (200) dollars nor more than one thousand (1,000) dollars, and be imprisoned in the county jail for not less than thirty (30) days nor more than six (6) months.

Approved April 4, A. D. 1907.

## CHAPTER 72.

### FALSE STATEMENTS CONCERNING PECUNIARY CONDITION OF CORPORATIONS.

S. F. 171.

**AN ACT** to prohibit the making or publishing of false or exaggerated statements or publications of or concerning the affairs, pecuniary condition or property of any corporation, or joint stock association, which said statements or publications are intended to give or shall have a tendency to give a less or greater apparent value to the shares, bonds or property, or any part thereof, of said corporation or joint stock association than the said shares, bonds or property shall really and in fact possess, and providing a penalty therefor. [Additional to chapter one (1) of title nine (IX) of the code.]

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

**SECTION 1. False statements—penalty.** Every director, officer or agent of any corporation or joint-stock association, who knowingly concurs in making, publishing or posting, either generally or privately to the stockholders or other persons, any written report, exhibit, or statement of its affairs or pecuniary condition, or book or notice containing any material statement which is false, or any untrue or willfully or fraudulently exaggerated report, prospectus, account, statement of operations, values, business, profits, expenditures, or prospects, or any other paper or document intended to produce or give, or having a tendency to produce or give, the shares of stock in such corporation a greater value or a less apparent or market value than they really possess, is guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the penitentiary not to exceed one year, or by imprisonment in the county jail not to exceed six months or a fine not exceeding five hundred dollars.

Approved March 26, A. D. 1907.

## CHAPTER 73.

### POLITICAL CONTRIBUTIONS BY CORPORATIONS.

S. F. 88.

**AN ACT** prohibiting any corporation doing business within the state or any officer, agent or representative thereof acting for such corporation, from giving or contributing any money, property, labor or thing of value, to any member of any political committee, party or employe thereof, or to any candidate for any office, for campaign expenses or political purpose whatsoever, or to any person, partnership or corporation for the purpose of influencing or causing said person, partnership or corporation to influence any elector of the state to vote for or against any candidate for public office or candidate for nomination for any public office or to any public officer for the purpose of influencing his official action. And prohibiting any member of any political committee, party or employe thereof, or any candidate for any office from soliciting, requesting or knowingly receiving any such contribution from any corporation for campaign expenses or political



purpose whatsoever, and providing a penalty for the violation thereof. [Additional to chapter one (1) of title nine (IX) of the code.]

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

**SECTION 1. Political contributions by corporations prohibited.** It shall be unlawful for any corporation doing business within the state, or any officer, agent or representative thereof acting for such corporation, to give or contribute any money, property, labor or thing of value, directly or indirectly, to any member of any political committee, political party, or employe or representative thereof, or to any candidate for any public office or candidate for nomination to any public office or to the representative of such candidate, for campaign expenses or for any political purpose whatsoever, or to any person partnership or corporation for the purpose of influencing or causing such person, partnership or corporation to influence any elector of the state to vote for or against any candidate for public office or for nomination for public office or to any public officer for the purpose of influencing his official action, but nothing in this act shall be construed to restrain or abridge the liberty of the press or prohibit the consideration and discussion therein of candidacies, nominations, public officers or political questions.

**SEC. 2. Solicitation from corporations prohibited.** It shall be unlawful for any member of any political committee, political party, or employe or representative thereof, or candidate for any office or the representative of such candidate, to solicit, request or knowingly receive from any corporation or any officer, agent or representative thereof, any money, property or thing of value belonging to such corporation, for campaign expenses or for any political purpose whatsoever.

**SEC. 3. Testimony—immunity from prosecution.** No person, and no agent or officer of any corporation within the purview of this act shall be privileged from testifying in relation to any thing herein prohibited; and no person having so testified shall be liable to any prosecution or punishment for any offense concerning which he is required to give his testimony, provided that he shall not be exempted from prosecution and punishment for perjury committed in so testifying.

**SEC. 4. Penalty.** Any person convicted of a violation of any of the provisions of this act shall be punished by imprisonment in the county jail not less than six months or more than one year and in the discretion of the court, by fine not exceeding one thousand dollars (\$1000.00).

Approved March 26, A. D. 1907.

#### CHAPTER 74.

##### PROPORTIONATE REPRESENTATION TO MINORITY STOCKHOLDERS OF INSURANCE CORPORATIONS.

S. F. 50.

AN ACT regulating the election or appointment of the directors or other persons by whom the affairs of corporations organized on the stock plan for transacting the business of life or fire insurance companies are to be conducted, so as to secure proportionate representation to minority stockholders, and providing for the election of directors, nominated by a minority of the stockholders; additional to chapters one (1), four (4), six (6), seven (7) and eight (8) of title nine (IX) of the code.

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

**SECTION 1. Proportionate representation.** From and after the taking effect of this act, the holder or holders, jointly or severally, of not less than one-

fifth but less than a majority of the shares of the capital stock of corporations organized on the stock plan under the laws of this state for transacting the business of life or fire insurance, shall be entitled to nominate to be elected or appointed, as the case may be, directors or other persons performing the functions of directors by whom, according to the articles of incorporation of such corporations its affairs are to be conducted. In the event such nomination shall be made, there shall be elected or appointed to the extent that the total number to be elected or appointed is divisible, such proportionate number from the persons so nominated as the shares of stock held by persons making such nominations bear to the whole number of shares issued; provided the holder or holders of the minority shares of stock shall only be entitled to one-fifth (1-5) (disregarding fractions) of the total number of directors to be elected for each one-fifth (1-5) of the entire capital stock of such corporation so held by them; and provided further that this act shall not be construed to prevent the holders of a majority of the stock of any such corporation from electing the majority of its directors. Vacancies occurring from time to time shall be filled so as to preserve and secure to such minority and majority stockholders proportionate representation as above provided.

**SEC. 2. Articles of incorporation.** All such existing corporations shall by amendment to their articles of incorporation, approved by the auditor of state, provide for the nomination, election or appointment, of the directors or other persons by whom its affairs are to be conducted, in conformity with the provisions of this act, and the articles of incorporation of all such incorporations hereafter organized shall contain like provisions.

**SEC. 3. In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after the date of its publication in the Register & Leader and in the Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved March 26, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, March 27, 1907, and the Register and Leader, March 28, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 75.

### REMOVAL OF GOODS AND MERCHANDISE COVERED BY INSURANCE.

H. F. 345.

AN ACT to amend the law as it appears in section one thousand seven hundred and forty-three (1743) of the supplement to the code, relative to the removal of goods and merchandise covered by insurance.

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

**SECTION 1. Removal without consent invalidates policy.** That the law as it appears in section one thousand seven hundred and forty-three (1743) of the supplement to the code, be and the same is hereby amended by striking out the word "removal" and the comma following in the fourteenth (14th) line of said section.

Approved March 23, A. D. 1907.

## CHAPTER 76.

## IOWA STANDARD FIRE INSURANCE POLICY.

H. F. 48.

AN ACT providing for a uniform policy to be used by all fire insurance companies doing business in the state of Iowa. [Additional to chapter four (4) of title nine (IX) of the code.]

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

SECTION 1. **Additions, riders and clauses permitted.** It shall be unlawful for any insurance company to issue any policy of fire insurance upon any property in this state other or different from the standard form of fire insurance policy herein set forth, except,

I. It may print in its policy its name, location, date of incorporation, amount of its paid up capital stock, (if a stock company), names of its officers and agents, the number and date of the policy, the amount (under dollar mark) for which it is issued, and if issued through an agent the words: "This policy shall not be valid until countersigned by the duly authorized agent of this company at ....."

II. It may use in or upon its policy forms or slips of the description, location and specifications of the property insured, together with permits upon such conditions not in conflict with the provisions of law, as may be agreed upon, for the use or storage of electricity, gasoline, explosives, or other extra hazardous products or materials; for repairs or improvements; for the operation or ceasing to operate; and for the vacancy of the premises; and permits for hazards other than those specifically mentioned above; also a mortgagee's or loss payable clause, and other permits or riders, not in conflict with law.

III. It may also by written or printed clause upon such conditions not in conflict with the provisions of law as may be agreed upon, provide that a policy shall cover any loss or damage caused by lightning, tornadoes, cyclones, hail or windstorms not exceeding the sum insured or the interest of the insured in the property; provided, if there shall be other valid insurance on such property whereby the same is insured against loss by lightning, tornadoes, cyclones, hail or windstorms, said company shall be liable only pro rate with such other valid and collectible insurance for any such loss by lightning, tornadoes, cyclones, hail or wind storms.

IV. Any company incorporated in this state, or authorized to do business herein, shall print in its policy or attach thereto any provision which such company is required by law to insert in its policies or attach thereto, not included in the provisions of this policy, but such provisions shall be printed apart from the other conditions and agreements of this policy and under a separate title as follows: "Provisions required by law to be stated in the policy of insurance."

V. It shall print upon its policy issued in compliance with the preceding provisions of this act, the words: IOWA STANDARD FIRE INSURANCE POLICY.

SEC. 2. **Standard fire insurance policy—form.** The policy shall be plainly printed, and no part thereof shall be in type smaller than brevier; the conditions thereof shall be printed in double column form with numbered lines, and such policy shall be in terms and conditions as follows:

I. In consideration of the stipulations herein named and of ..... dollars, does insure ..... for the term of ..... from

the ..... day of ..... 19.... at noon, (standard time), to the ..... day of of ..... 19.... at noon, (standard time), against all direct loss or damage by fire, except as hereinafter provided, to an amount not exceeding ..... dollars, to the following described property, while located and contained as described herein, and not elsewhere, to wit:

.....  
It is hereby agreed that the insured may obtain \$..... additional insurance in companies authorized to do business in the state of Iowa.

II. This company shall not be liable beyond the actual cash value of the property covered by this policy at the time any loss or damage occurs, and said liability shall in no event exceed what it would cost the insured to repair or replace the property lost or damaged with material of like kind and quality. The sum for which this company is liable pursuant to this policy, shall be payable forty days after due notice and proofs of loss have been received by this company in accordance with law.

III. This policy shall be void if the insured has concealed or misrepresented any material fact or circumstance concerning this insurance or the subject thereof.

IV. Unless otherwise provided by agreement of this company this policy shall be void:

(a) If the insured now has or shall hereafter procure any other contract of insurance valid or invalid on the property covered in whole or in part by this policy; or

(b) If the subject of insurance be a manufacturing establishment, and it cease to be operated for more than ten consecutive days; or

(c) If the building herein described, whether intended for occupancy by the owner or tenant be or become vacant or unoccupied and so remain for ten consecutive days; or

(d) If the interest of the insured be other than unconditional and sole ownership; or

(e) If the subject of insurance be a building on ground not owned by the insured; or

(f) If any change other than by death of the insured whether by legal proceedings, judgment, voluntary act of the insured or otherwise, take place in the interest, title, possession or use of the subject of insurance, if such change in the possession or use makes the risk more hazardous; or

(g) If the subject of insurance or a part thereof (as to the part so encumbered) be or become encumbered by lien, mortgage or otherwise created by voluntary act of the insured or within his control; or

(h) If the property insured or any part thereof (as to the part so removed) be removed to any other building or location than that specified in the policy; or

(i) If this policy be assigned before loss.

V. Unless otherwise provided by agreement of this company, this policy shall be void:

(a) If the subject of insurance be a manufacturing establishment, and it be operated in whole or in part at night later than 10 o'clock; or

(b) If the hazard be increased by any means within the knowledge of the insured; or

(c) If mechanics be employed in building altering or repairing the within described premises for more than fifteen days at any one time; or

(d) If illuminating gas or vapor be generated in any building covered hereby, or on any premises adjacent thereto for use upon the insured premises; or

(e) If there be kept, used, or allowed on the within described premises benzine, benzole, dynamite, ether, fireworks, gasoline, Greek fire, gunpowder, exceeding twenty-five pounds in quantity, naphtha, nitroglycerine, or other explosives, phosphorous, calcium carbide, petroleum or any of its products of greater inflammability than kerosene of lawful standard, which last named article may be used for lights and kept for sale according to law, in quantities not exceeding five barrels; or

(f) If the insured permits the property which is the subject of insurance, or any part thereof, to be used for any unlawful purpose.

Provided that nothing contained in paragraph five herein shall operate to avoid this policy in any case, if the insured shall establish that the failure to observe and comply with such provisions and conditions did not contribute to the loss.

VI. This company shall not be liable for loss caused directly or indirectly by invasion, insurrection, riot, civil war, or military or usurped power, or by theft, or by neglect of the insured to use all reasonable means to save and preserve the property during and after a fire, or when the property is endangered by fire in neighboring premises; or (unless fire ensues, and, in that event, for damage by fire only) by explosion of any kind or by lightning; but liability for direct damage by lightning may be assumed by specific agreement.

VII. This company shall not be liable for loss or damage to any property covered by this policy if the insured shall fail to pay any written obligation given to the company for the premium or any assessment or installment of premium when due; provided the company shall have given the insured notice as required by law. Upon payment and acceptance by the company of the delinquent premium, assessment or installment of premium before loss occurs, or after loss, if the company shall have had notice thereof and accepts such payment, this policy shall be revived and in full force according to its terms.

VIII. If a building or any part thereof fall, except as the result of fire, all insurance by this policy on such building, or its contents, shall immediately cease.

IX. This company shall not be liable for loss to accounts, bills, currency, deeds, evidences of debt, money, notes or securities; nor, unless liability is specifically assumed thereon, for loss to awnings, bullion, casts, curiosities, drawings, dies, implements, jewels, manuscripts, medals, models, patterns, pictures, scientific apparatus, signs, store or office furniture or fixtures, sculpture, plate glass, frescoes or decorations; or property held in storage or for repairs; nor, beyond the actual value destroyed by fire for loss occasioned by ordinance or law regulating construction or repairs of buildings, or by interruption of business, manufacturing processes or otherwise.

X. Any application, survey, plan, or description of property signed by the insured and referred to in this policy shall, when a copy is attached hereto, be a part of this contract, and shall be held to be a representation and not a warranty.

XI. This policy shall be cancelled at any time at the request of the insured; or by the company by giving five days notice of such cancellation either by registered letter directed to the insured at his last known address, or by personal written notice. If this policy shall be cancelled as hereinbefore provided, or becomes void or cease, the premium having been actually paid, the unearned portion shall be returned on surrender of this policy or last renewal, this company retaining the customary short rates; except that when

this policy is cancelled by this company by giving notice it shall retain only the pro rate premium.

XII. If, with the consent of this company, an interest under this policy shall exist in favor of a mortgagee or of any person or corporation having an interest in the subject of insurance other than the interest of the insured as described herein, the provisions and conditions hereinbefore contained shall apply in the manner expressed in such provisions and conditions of insurance relating to such interest, as shall be agreed upon by the company.

XIII. If property covered by this insurance is so endangered by fire as to require removal to a place of safety, and is so removed, that part of this policy in excess of its proportion of any loss and of the value of property remaining in the original location, shall, for the ensuing five days only, cover the property so removed in the new location; if removed to more than one location, such excess of this policy shall cover therein for such five days in the proportion that the value in any one new location bears to the value in all such new locations; but this company shall not in any case of removal, whether to one or more locations, be liable beyond the proportion that the amount hereby insured shall bear to the total valid and collectible insurance on the whole property at the time of fire, whether the same cover in new location or not.

XIV. If loss occur the insured shall as soon as practicable after he ascertains the fact of such loss, give notice in writing thereof to the company, protect the property from further damage, forthwith separate the damaged and undamaged personal property, and put it in the best possible order, and shall, within sixty days from date of loss, furnish this company with notice thereof in writing accompanied by affidavit stating the facts as to how the loss occurred and the extent thereof, so far as such facts are within his knowledge.

XV. The insured, as often as reasonably required, shall exhibit to any person designated by this company, all that remains of any property herein described as to which a claim for loss or damage is made, and submit to examination under oath by any person named by this company, and subscribe the same, and, as often as reasonably required, shall produce for examination all books of account, bills, invoices, and other vouchers, or certified copies thereof, if originals be lost, at such reasonable place as may be designated by this company or its representatives, and shall permit extracts and copies thereof to be made; provided, however, that this company shall not be held to have waived any of the provisions or conditions of this policy or any forfeiture thereof by any examination or investigation herein provided for.

XVI. This company shall not be liable under this policy for a greater proportion of any loss on the described property, or for loss by and expense of removal from premises endangered by fire, than the amount hereby insured shall bear to the whole amount of valid and collectible insurance covering such property.

XVII. No suit or action on this policy, for the recovery of any claim thereon, shall be sustainable in any court of law or equity, unless commenced within twelve months next after the right of action for the loss accrues.

XVIII. Wherever in this policy the word "insured" occurs, it shall be held to include the legal representative of the insured, and wherever the word "loss", occurs, it shall be deemed the equivalent of "loss or damage".

XIX. This policy is issued and accepted subject to the foregoing stipulations and conditions, together with such other provisions, agreements, or conditions now or hereafter specifically authorized by law as may be endorsed hereon or added hereto.

In witness whereof, this company has executed and attested these presents.

.....  
Secretary.

.....  
President.

Countersigned at ..... this ..... day of ..... 19....

.....  
Agent.

**SEC. 3. Violations—penalty.** Any insurance company, its officers or agents, or either of them, violating any of the provisions of this act, by issuing, delivering or offering to issue or deliver any policy of fire insurance on property in this state other or different from the standard form, herein provided for, shall be guilty of a misdemeanor, and upon complaint made by the auditor of state, or by any citizen of this state, shall, upon conviction thereof, be punished by a fine of not less than fifty dollars nor more than one hundred dollars for the first offense, and not less than one hundred dollars nor more than two hundred dollars for each subsequent offense, but any policy so issued or delivered shall, nevertheless, be binding upon the company issuing or delivering the same, and such company shall, until the payment of such fine, be disqualified from doing any insurance business in this state; but any policy so issued or delivered shall, nevertheless, be binding upon the company issuing or delivering the same.

**SEC. 4. Existing statutes—waiver in interest of insured.** Nothing contained in this act nor any provisions or conditions in the standard form of policy provided for herein, shall be deemed to repeal or in any way modify any existing statutes nor to prevent any insurance company issuing such policy, from waiving any of the provisions or conditions contained therein, if the waiver of such provisions or conditions shall be in the interest of the insured.

Approved April 13, A. D. 1907.

## CHAPTER 77.

### SOLICITATION AND USE OF PROXIES BY INSURANCE COMPANIES.

H. F. 300.

AN ACT to regulate the soliciting and using of proxies by insurance companies. [Additional to chapters four (4), five (5), six (6), seven (7) and eight (8) of title nine (IX) of the code.]

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

**SECTION 1. Voting by proxies—conditions.** Any insurance company or association organized under the laws of this state, may provide in its articles of incorporation, that its members or stockholders may vote by proxies, voluntarily given, upon all matters of business coming before the stated or called meetings of the stockholders or members, including the election of directors. No proxy shall be valid unless signed and executed within two months prior to such meeting or election for which said proxy was given, and such proxy shall be limited to thirty days subsequent to the date of such meeting or election, and may be revoked at any time by the policy holder or stockholder who executed the said proxy. All proxies shall be filed with the company at least one day prior to an election at which they are to be used.

**SEC. 2. Solicitation by agents—expenditure of funds.** Soliciting of proxies by an agent of the company either for personal use or for the use of officers of the company or association, or for any other persons, is forbidden. Nor shall any of the funds of a company or association be expended in procuring proxies.

**SEC. 3. Penalty.** Any violation of this act shall be deemed a misdemeanor and punishable accordingly.

Approved April 4, A. D. 1907.

## CHAPTER 78.

### EXAMINATION OF INSURANCE COMPANIES.

#### H. F. 2.

AN ACT to amend the law which appears as chapter fifty-six (56), acts of the Thirtieth General Assembly, relating to examination of insurance companies.

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

**SECTION 1. Compensation of insurance examiner.** That the law which appears as chapter fifty-six (56) acts of the Thirtieth General Assembly, be and the same is hereby amended by striking out of line four (4) of section three (3) of said chapter, the word "two" and inserting in lieu thereof the word "three".

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

Approved February 9, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, February 12, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 79.

### INSURANCE COMPANIES ORGANIZED UPON THE STOCK PLAN.

#### S. F. 42.

AN ACT relating to the capital stock of insurance companies, providing the conditions under which such companies shall operate upon the stock plan, prohibiting the advertising of an authorized capital, and providing penalties for the violation hereof. [Additional to chapters four (4) and six (6) of title nine (IX) of the code.]

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

**SECTION 1. Capital stock—minimum amount.** From and after the taking effect of this act, no insurance company shall be incorporated to transact business upon the stock plan, whether life insurance or insurance other than life, with less than one hundred thousand dollars (\$100,000) capital, the entire amount of which shall be fully paid up in cash and invested as provided by law. No part of the capital referred to, shall be loaned to any officer or stockholder of the company.



**SEC. 2. Companies heretofore organized.** The certificate of authority of any company heretofore organized and transacting business on the stock plan shall not be renewed after January 1st, 1910, unless said company shall have, at said time, at least one hundred thousand dollars (\$100,000) of capital stock; at least fifty thousand dollars (\$50,000) of which shall be paid up in cash and invested according to law. The remainder of said capital may be represented by stock notes payable to the company on demand of its board of directors and said notes shall be deposited with the auditor of state subject to his approval. But no increase of the capital stock of any company shall hereafter be made unless the amount of said increase is paid up in cash.

**SEC. 3. May not advertise authorized capital.** No insurance company shall, after the taking effect of this act, be permitted to advertise or publish an authorized capital, or to represent in any manner itself as possessed of any greater capital than that actually paid up and invested as above provided.

**SEC. 4. Penalty.** Any person, firm or corporation violating any of the provisions of this act, or failing to comply with any of its provisions, shall be subjected to the penalties provided in section four of chapter fifty-six, acts of the Thirtieth General Assembly.

Approved April 4, A. D. 1907.

## CHAPTER 80.

### MUTUAL ASSESSMENT ASSOCIATIONS.

S. F. 20.

AN ACT to repeal chapter five (5) of title nine (IX) of the code and enact a substitute therefor. [And to repeal section seventeen hundred and fifty-nine (1759) of the code as amended, and sections seventeen hundred and sixty (1760) to seventeen hundred and sixty-seven (1767), inclusive, of the code, relating to mutual assessment associations.]

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

**SECTION 1. Repealed—organization—purposes.** That chapter five (5) of title IX (9) of the code be repealed and the following enacted in lieu thereof:

Any number of persons may, without regard to the provisions of the preceding chapter, enter into contracts with each other for the insurance from loss or damage by fire, tornadoes, lightning, hailstorms, cyclones or windstorms and to insure plate glass against breakage from accident, but such associations of persons shall in no case insure any property not owned by one of their own number, except such school and church property as may be situated within the territory in which they do business and the reinsurance of the risks of similar associations. Associations organizing for the purpose of transacting business under the provisions of this chapter shall incorporate under the provisions of chapter one (1) of title IX (9) of the code.

Risks or hazards above mentioned shall be classified as follows:

1. Fire and lightning.
2. Tornadoes, cyclones and windstorms.
3. Hailstorms.
4. Plate glass.

**Sec. 2. County and state associations.** Any association incorporated under the laws of this state for the purpose of furnishing insurance as provided for in this chapter, doing business only within the county in which

is situated the town or city named in its articles of incorporation as its principal place of business, or the counties contiguous thereto, shall, for the purposes of this chapter, be deemed a county mutual assessment association; all other associations operating hereunder shall, for the purposes of this chapter, be deemed state mutual assessment associations.

**Sec. 3. Conditions of authorization.** No state mutual assessment association shall issue any policies until at least one hundred and twenty-five (125) applications have been received in any class as shown by section one (1) hereof, representing the following amount of insurance: Classes 1, 2 and 3, two hundred and fifty thousand dollars (\$250,000.00). Class 4, one hundred thousand dollars (\$100,000.00), and no county mutual assessment association shall issue any policies until applications for insurance to the amount of fifty thousand dollars (\$50,000.00), representing at least fifty (50) applicants, have been received. Neither shall any association issue any policies of insurance until its articles of incorporation and form of policy shall have been submitted to, and approved by, the auditor of state, nor until he has satisfied himself that the association has, in good faith, applications representing the number of applicants and the amount of insurance above required and has issued to the association a certificate authorizing it to transact an insurance business.

**Sec. 4. Annual report.** Each association doing business under the provisions of this chapter shall, annually, in the month of January, report to the auditor of state, upon blanks furnished by him the following facts:

- 1st. The name, place of doing business, date of commencement and objects of the association.
- 2d. Names and postoffice addresses of president, secretary and treasurer.
- 3d. Amount of risks in force at beginning of year.
- 4th. Amount of risks written during the year.
- 5th. Amount of risks expired and cancelled during the year.
- 6th. Amount of risks in force at the end of the year.
- 7th. The amount of receipts from assessments during the year.
- 8th. The receipts from other sources.
- 9th. Amount paid for losses during the year.
- 10th. Amount paid to agents for services during the year.
- 11th. Amount paid to officers during the year, specifying amount paid each.
- 12th. Amount paid to employes during the year.
- 13th. Amount of other expenses.
- 14th. Amount of losses adjusted and due.
- 15th. Amount of losses adjusted and not due.
- 16th. Amount and number of claims reported but not adjusted.
- 17th. Number and amount of claims resisted and in litigation.
- 18th. Cost per thousand during the year.
- 19th. Average cost per thousand during the past five years. Provided that state mutual assessment insurance associations shall, in addition to the foregoing, report the following facts.
- 20th. The value of real estate owned by the association.
- 21st. The amount of cash on hand and deposited in bank to the credit of the association, and in what bank deposited.
- 22d. The amount of cash in hands of agents and in course of transmission.
- 23d. The amount of loans secured by first mortgage on real estate, with the rate of interest thereon.
- 24th. The amount of all other loans and bonds, and how secured, with the rate of interest thereon.
- 25th. The amount of interest on investments actually due and unpaid.

- 26th. The amount of all other securities and their value.
- 27th. The amount which the association is required by law to hold as a reinsurance reserve.
- 28th. The amount due officers and employes.
- 29th. The amount due agents.
- 30th. The amount due banks or other creditors and the security given therefor.
- 31st. All other claims against the association.
- 32d. The largest amount insured in any one risk.
- 33d. The amount reinsured and names of companies and associations carrying such reinsurance, and such other information as the auditor of state may deem necessary for the purpose of ascertaining the true condition of the association. The report herein contemplated shall be made as of December 31st of each year, and verified by the oath of the president or vice-president and secretary of the association.

**SEC. 5. Publication of report.** The report referred to in the preceding section shall be tabulated by the auditor of state and published by him in the annual report on insurance, one copy of which shall be sent to each association. The county associations, the state associations and those doing an exclusive tornado and an exclusive hailstorm insurance business shall be separately classified.

**SEC. 6. Fees—certificates.** Such associations shall pay the same fees for annual reports and annual certificates of authority as are required to be paid by domestic companies organized and doing business under the preceding chapter, which certificate shall expire March 1st of the year following the date of its issue.

**SEC. 7. Inquiries by auditor.** The auditor of state may address inquiries to any association in relation to its doings and condition and any association so addressed shall promptly reply thereto in writing.

**SEC. 8. Fees and assessments.** Such associations may collect a policy and survey fees and such assessments, provided for in their articles of incorporation and by-laws, as are required to pay losses and necessary expenses incurred in the conduct of their business. State mutual fire insurance associations shall provide for and maintain a reinsurance reserve as hereinafter designated. No state mutual association shall collect assessments for more than one year in advance where such assessments exceed three (3) mills on each dollar of insurance in force.

**SEC. 9. Reinsurance reserve.** From and after the taking effect of this act, all state mutual fire insurance associations operating under the provisions of this chapter, except such associations as confine their business exclusively to farm and dwelling property, churches and schoolhouses, shall, annually, set aside and maintain as a reinsurance reserve an amount equal to ten (10) per cent of the receipts from assessments during the year until the total amount thus accumulated shall equal forty (40) per cent, but not to exceed fifty (50) per cent of the amount of one annual assessment at the basis rate charged for such insurance on all policies in force. The reserve thus accumulated may be used for the payment of losses and expenses and when so used shall be restored and maintained by the collection of assessments as hereinafter provided.

**SEC. 10. Maximum liability of members.** Every association contemplated by the preceding section shall provide in its by-laws and specify in its policies the maximum liability of its members to the association. Such liability shall not be less than a sum equal to the basis rate charged by the association for insurance nor greater than a sum equal three times such basis rate. The

maximum liability of the member shall be plainly and legibly stated in each policy. Whenever reductions shall be made in the liability of members such reduction shall apply proportionately to all policies in force.

**SEC. 11. Assessments when assets are insufficient.** Whenever the assets of any association required to maintain a reinsurance reserve are insufficient for the payment of losses and expenses, it shall make an assessment for the required amount ratably upon its members liable therefor, and whenever by reason of depreciation, loss or otherwise, the net assets of any association required to maintain a reinsurance reserve, after providing for other debts, are less than the required reserve, the deficiency shall be restored by assessment as above provided.

**SEC. 12. Assessments when association is insolvent.** Whenever the board of directors or the auditor of state shall ascertain that any association is insolvent, such board, or upon its failure so to do, the auditor of state may direct an assessment ratably upon all members liable therefor in such amount as may be necessary as follows:

1st. It shall be determined what amount each policy-holder should pay or receive in case he desires to withdraw from the association.

2d. What further sum each policy-holder should pay to reinsure his policy with some other solvent association.

The board of directors shall forthwith cause written notice and demand of payment to be served personally or by mail upon each policy-holder liable therefor. The notice of assessment shall show separately the amount required to be paid in case of withdrawal and the amount required to be paid where withdrawal or cancellation is not desired. The amount due under the assessment shall be payable at the home office of the association within thirty (30) days after date of the notice, but the insured may elect whether to pay the amount called for in case of withdrawal is desired or the amount called for where it is desired that the insurance shall be continued and his policy shall be cancelled or continued according to such payment. In case of state mutual assessment associations if, within sixty (60) days after the assessment is made, it shall appear that the amount of insurance remaining in force is less than the amounts required by section three (3) hereof the reinsurance reserve of such policies as are in force shall be used to reinsure such policies in some solvent association or at the option of the policy-holder contributing the same shall be returned to him and the association shall continue only for the purpose of adjusting its affairs and closing up its business.

**SEC. 13. Cancellation of policies.** Any policy of insurance issued by any association operating under the provisions of this chapter may be cancelled by the association giving five (5) days written notice thereof to the insured, or if the insured shall demand in writing or in person, of the association, the cancellation of his policy, the association shall immediately advise him, by letter to address named, the amount, if any, due, as his pro-rata share of losses and expenses incurred since date of his policy. Upon surrender of his policy and payment of all sums due, his membership shall cease, provided, that during the months of June, July and August, hail insurance policies may be cancelled only at the option of the officers of the association carrying the risk. Upon the expiration or cancellation of any policy of insurance issued under the provisions of this act, all obligations to the association having been paid, the members shall be entitled to and shall be paid by the association a sum equal to at least seventy-five per cent, (75%) of the unexpended portion of the amount contributed by him to the reinsurance reserve.

**SEC. 14. State associations—bonds of officers.** Any state mutual assessment association contemplated by this chapter, before being authorized to do

business in this state, shall require its secretary and treasurer to give bond to the association in such sum as the directors shall deem sufficient, not less, however, than ten thousand dollars (\$10,000.00) for each office, which bond after being approved by the president of the association and by the auditor of state, shall be deposited with the auditor of state as security for the faithful performance of the duties of the secretary and treasurer in handling the funds of the association. Should the auditor of state consider the surety on said bonds, or the amount thereof, insufficient he may require additional security, or an increase in the amount of the bond. If such additional security or increase be not furnished within thirty (30) days after notice thereof, the auditor of state may revoke the certificate of authority of the association.

SEC. 15. **Annual meetings.** The annual meetings of the members of associations transacting business under the provisions of this chapter shall be held at the home office of the association, except as hereinafter provided. Such associations as confine their membership to persons of one occupation, which persons maintain a state organization and hold annual meetings thereof, may for the purpose of electing directors and changing or amending their articles of incorporation and by-laws, hold their annual meetings at the same time and place as the annual meeting of the members of the occupation to which the association confines its membership, provided, that until such time as the articles of incorporation of the association provide for the holding of meetings as above contemplated other than at the home office of the association twenty (20) days' notice of the time and place of the holding of said meetings shall be given to all members of the association.

SEC. 16. **Repealed.** Section seventeen hundred fifty-nine (1759) of the code as amended and sections seventeen hundred sixty (1760) to seventeen hundred and sixty-seven (1767) inclusive, are hereby repealed.

Approved April 13, A. D. 1907.

## CHAPTER 81.

### APPROVAL OF ARTICLES OF INCORPORATION OF LIFE INSURANCE COMPANIES.

H. F. 239.

AN ACT to amend section seventeen hundred and sixty-eight (1768) of the code, relating to life insurance companies.

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

SECTION 1. **Approval of articles of incorporation.** That section seventeen hundred and sixty-eight (1768) of the code be and the same is hereby amended by adding thereto the following:

"Before any such company shall be permitted to incorporate under the laws of this state, it shall present its articles of incorporation to the auditor of state and the attorney general and have the same by them approved. Such articles shall show the name, location of principal place of business, object, amount of capital, if a stock company, and shall contain such other provisions as may be necessary to a full understanding of the nature of the business to be transacted and the plan upon which the same is to be conducted. All amendments to such articles and amendments hereafter made to the articles of incorporation of companies already organized under the laws of this state shall be approved in like manner."

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

Approved March 27, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, March 29, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 82.

### FOREIGN FRATERNAL ACCIDENT INSURANCE ASSOCIATIONS.

H. F. 32.

AN ACT amending section seventeen hundred ninety-four (1794) of the code, relative to fraternal accident associations.

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

**SECTION 1. Authority to transact business.** That section seventeen hundred ninety-four (1794) of the code be and the same is hereby amended by adding thereto the following:

“The provisions of this section shall apply to fraternal beneficiary associations doing exclusively an accident insurance business, and upon compliance with the provisions of this chapter, and the provisions of chapter eight of title nine of the code, so far as the same are applicable, such associations may be authorized to transact business within this state.”

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

Approved February 9, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, February 12, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 83.

### ASSESSMENT LIFE ASSOCIATIONS.

H. F. 48.

AN ACT to provide a method whereby assessment life associations may be reincorporated as legal reserve life insurance companies. [Additional to chapter seven (7) of title nine (IX) of the code.]

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

**SECTION 1. Future organization or authorization prohibited—valuation of policies of existing associations.** No life insurance company or association, other than fraternal beneficiary associations, which issues contracts, the performance of which is contingent upon the payment of assessments of call

made upon its members, shall do business within this state except such companies or associations as are now authorized to do business within this state and which shall value their assessment policies or certificates of membership as yearly renewable term policies according to the standard of valuation of life insurance policies prescribed by the laws of this state.

**SEC. 2. Reincorporation as legal reserve company.** Any existing domestic assessment company or association may, with the written consent of the auditor of state, upon a majority vote of its trustees or directors, amend its articles of incorporation and by-laws in such manner as to transform itself into a legal reserve or level premium company, and upon so doing and upon procuring from the auditor of state a certificate of authority, as prescribed by law, to transact business in this state as a legal reserve or level premium company, shall incur the obligations and enjoy the benefits thereof, the same as though originally thus incorporated, and such corporation, under its charter as thus amended, shall be a continuation of such original corporation, and the officers thereof shall serve through their respective terms as provided in the original charter, but their successors shall be elected and serve as in such amended articles provided; but such amendment or re-incorporation shall not affect existing suits, rights or contracts. Any assessment company re-incorporated to transact life insurance business, shall value its assessment policies or certificates as yearly renewable term policies according to the standard of valuation of life insurance policies prescribed by the laws of this state.

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

Approved March 21, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, March 23, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 84.

### DISBURSEMENTS OF DOMESTIC LIFE INSURANCE COMPANIES.

H. F. 47.

AN ACT regulating disbursements of domestic life insurance companies. [Additional to chapter eight (8) of title nine (IX) of the code.]

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

**SECTION 1. Disbursements—vouchers—affidavit.** No domestic life insurance company shall make any disbursement of one hundred dollars or more unless the same be evidenced by a voucher signed by or on behalf of the person, firm, or corporation receiving the money and correctly describing the consideration for the payment. If the expenditure be for both services and disbursements the voucher shall set forth the services rendered and an itemized statement of the disbursements made. When such voucher cannot be obtained the expenditure shall be evidenced by an affidavit of some officer or agent of said company describing the character and object of the expenditure and stating the reason for not obtaining such voucher.

Approved March 12, A. D. 1907.

**CHAPTER 85.****MISREPRESENTATIONS BY LIFE INSURANCE COMPANIES.**

H. F. 275.

AN ACT to prohibit misrepresentations by life insurance companies. [Additional to chapter eight (8) of title nine (IX) of the code.]

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

**SECTION 1. Misrepresentations prohibited.** No life insurance corporation doing business in this state and no officer, director or agent thereof shall issue, circulate, or use, or cause or permit to be issued, circulated, or used, any estimate, illustration, circular or statement of any sort misrepresenting the terms of any policy issued by it or the benefits or advantages promised thereby, or the dividends or share of surplus to be received thereon, or shall use any title of any policy or class of policies misrepresenting the true nature thereof.

**SEC. 2. Penalty.** Any person violating the provisions of this act, shall be deemed guilty of a misdemeanor and shall be punished accordingly.

Approved March 28, A. D. 1907.



## CHAPTER 86.

## RATES OF FRATERNAL BENEFICIARY ASSOCIATIONS.

H. F. 60.

AN ACT relating to rates of fraternal beneficiary societies. [Additional to chapter nine (9) of title nine (IX) of the code.]

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

SECTION 1. **Mortuary assessment rates.** No fraternal beneficiary society not admitted to transact business within this state prior to the passage of this act, shall be incorporated or given a permit or certificate of authority to transact business within this state, unless it shall first show that the mortuary assessment rates provided for in whatever plan of business it has adopted, are not lower than is indicated as necessary by the following mortality table:

NATIONAL FRATERNAL CONGRESS MORTALITY TABLE.

Age.	Number Living.	Number Dying.	Probability of Dying.	Age.	Number Living.	Number Dying.	Probability of Dying.
20.....	100,000	500	.0050000	60.....	69,801	1,588	.0227504
21.....	99,500	501	.0050352	61.....	68,213	1,681	.0246434
22.....	98,999	502	.0050708	62.....	66,532	1,778	.0287240
23.....	98,497	503	.0051068	63.....	64,754	1,880	.0290330
24.....	97,994	505	.0051535	64.....	62,874	1,985	.0315701
25.....	97,489	507	.0052006	65.....	60,889	2,084	.0343904
26.....	96,982	510	.0052587	66.....	58,795	2,206	.0375202
27.....	96,472	513	.0053176	67.....	56,589	2,308	.0409620
28.....	95,957	517	.0053877	68.....	54,271	2,430	.0447753
29.....	95,442	522	.0054693	69.....	51,841	2,539	.0489767
30.....	94,920	527	.0055520	70.....	49,302	2,645	.0536489
31.....	94,393	533	.0056466	71.....	46,657	2,744	.0588122
32.....	93,860	540	.0057532	72.....	43,913	2,832	.0644912
33.....	93,320	548	.0058723	73.....	41,081	2,909	.0708113
34.....	92,772	557	.0060040	74.....	38,172	2,969	.0777795
35.....	92,215	567	.0061487	75.....	35,203	3,009	.0854957
36.....	91,648	578	.0063067	76.....	32,194	3,026	.0939927
37.....	91,070	591	.0064895	77.....	29,168	3,016	.1031010
38.....	90,479	606	.0066977	78.....	26,152	2,977	.1138345
39.....	89,873	622	.0069209	79.....	23,175	2,905	.1253506
40.....	89,251	640	.0071708	80.....	20,270	2,799	.1380858
41.....	88,611	660	.0074483	81.....	17,471	2,659	.1521951
42.....	87,951	683	.0077657	82.....	14,812	2,485	.1677694
43.....	87,268	708	.0081129	83.....	12,327	2,280	.1849599
44.....	86,568	734	.0084797	84.....	10,047	2,050	.2040410
45.....	85,826	761	.0088668	85.....	7,997	1,800	.2250844
46.....	85,065	790	.0092870	86.....	6,197	1,539	.2483460
47.....	84,275	822	.0097538	87.....	4,658	1,277	.2741520
48.....	83,453	857	.0102693	88.....	3,381	1,023	.3025732
49.....	82,596	894	.0108238	89.....	2,358	788	.3341815
50.....	81,702	935	.0114440	90.....	1,570	579	.3687898
51.....	80,787	981	.0121460	91.....	991	404	.4076690
52.....	79,786	1,029	.0128970	92.....	587	264	.4497445
53.....	78,757	1,083	.0137512	93.....	323	161	.4984520
54.....	77,674	1,140	.0146767	94.....	162	89	.5493827
55.....	76,534	1,202	.0157054	95.....	73	44	.6027397
56.....	75,332	1,270	.0168587	96.....	29	19	.6551724
57.....	74,062	1,342	.0181200	97.....	10	7	.7000000
58.....	72,720	1,418	.0194994	98.....	3	3	1.0000000
59.....	71,302	1,501	.0210513				

Provided, however, that nothing in this act shall be construed to apply to any association organized solely for benevolent purposes and composed wholly of members of any one occupation or guild.

Approved March 15, A. D. 1907.

## CHAPTER 87.

## PURCHASE OF REAL ESTATE FOR HOME OFFICE BY FRATERNAL BENEFICIARY ASSOCIATIONS.

S. F. 267.

AN ACT to permit fraternal beneficiary societies, orders or associations to purchase and own real estate; to erect a building thereon and to occupy and rent the same. [Additional to chapter nine (9) of title nine (IX) of the code.]

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

**SECTION 1. Acquisition of real estate—erection of building—conditions.** Any fraternal beneficiary society, order or association organized under the laws of this state, accumulating money to be held in trust for the purpose of the fulfillment of its certificates or contracts, shall be permitted to invest not to exceed ten per cent (10%) of the aggregate amount of such accumulation in such real estate in this state as is necessary for its accommodation as a home office, and in the purchase or erection of any building for such purpose it may add thereto rooms for rent; provided that before any association shall invest any of its funds in accordance with the provisions of this sub-division it shall first obtain the consent of the executive council. Any company or association so investing its funds shall convey the real estate thus acquired to the auditor of state by deed, such property to be held by him in trust for the benefit of the members of such association, the value thereof to be determined from time to time by the auditor of state. Provided, that nothing in this act shall be construed to permit the officials or board of directors of such society, order or association to make such investment without authority specifically granted by the said society, order or association through its grand or supreme lodge or convention.

Approved April 4, A. D. 1907.

## CHAPTER 88.

## INVESTMENT OF FUNDS OF FRATERNAL BENEFICIARY ASSOCIATIONS.

S. F. 22.

AN ACT to provide for the investment of the funds of fraternal beneficiary societies, orders or associations. [Additional to chapter nine (9) of title nine (IX) of the code.]

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

**SECTION 1. Investment of funds—securities deposited.** Any fraternal beneficiary society, order or association organized under the laws of this state, accumulating money to be held in trust for the purpose of the fulfillment of its certificates or contracts, shall invest such accumulations in the following securities and no other.

1. Bonds of the United States.
2. Bonds of this or of any other state, when such bonds are at or above par.
3. Bonds or other evidences of indebtedness of any county, city, town or school district within the state or any other state, or drainage bonds of any drainage district in the state of Iowa where such bonds or other evidences of indebtedness are issued by authority of and according to law and bearing interest, and are approved by the executive council.

4. Bonds, mortgages and other interest bearing securities being first liens upon real estate within this state or any other state, worth at least double the amount loaned thereon and secured thereby exclusive of improvements, or two and one-half times such amount including the improvements thereon, if such improvements are constructed of brick or stone; but no such improvements shall be considered in estimating the value unless the owner shall contract to keep the same insured in some reliable fire insurance company or companies authorized to do business in the state, during the life of the loan, in a sum at least double the excess of the loan above one-half the value of the ground exclusive of the improvements, the insurance to be made payable in case of loss to the company or association investing its funds, as its interest may appear at the time of loss.

All such securities shall be deposited with the auditor of state subject to his approval, and shall remain with him until withdrawn in accordance with the provisions of this act. Any fraternal beneficiary society, order or association receiving payments or partial payments on any securities deposited with the auditor of state, shall notify him of such fact giving the amount and date of payment within fifteen (15) days after such payment shall have been made. The officers of any society, order or association which fails to report the receipt of payments or partial payments as above provided shall be liable to a fine in double the amount collected and not reported within the time and in the manner above specified. Any society, order or association required to make a deposit with the auditor of state as herein contemplated, shall at the time of making such deposit, designate by what provisions of its articles of incorporation or laws such fund is accumulated and upon making request for withdrawal of any funds shall designate for what purpose such withdrawal is desired. Any society, order or association, may at any time change its securities on deposit by depositing a like amount in other securities of the same character and the auditor of state shall permit a withdrawal of the same upon satisfactory proof in writing filed with him that they are to be used for the purpose for which they were originally deposited. The auditor of state shall have authority to suspend or revoke the certificate of authority of any society, order or association failing to comply with any of the provisions of this act or for violating the same.

Approved February 14, A. D. 1907.

## CHAPTER 89.

### INVESTMENT OF FUNDS OF FRATERNAL BENEFICIARY ASSOCIATIONS.

S. F. 261.

AN ACT to amend Senate File No. 22, as passed by the Thirty-second General Assembly February 8, 1907, and approved February 14, 1907, providing for the investment of funds of fraternal beneficiary societies, orders or associations.

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

SECTION 1. **Certain benevolent associations excepted.** That senate file No. 22, passed by the Thirty-second General Assembly and approved February 14, 1907, be amended by adding thereto the following:

"Nothing in this act shall be construed to apply to any association organized solely for benevolent purposes and composed wholly of members of any one occupation, guild, profession or religious denomination."

Approved March 26, A. D. 1907.

## CHAPTER 90.

## INDEBTEDNESS OF STATE AND SAVINGS BANKS.

S. F. 74.

AN ACT limiting the indebtedness of state and savings banks and repealing section eighteen hundred and fifty-five (1855) of the code.

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

**SECTION 1. Repealed.** Section eighteen hundred and fifty-five (1855) of the code, be, and the same is hereby repealed.

**SEC. 2. Indebtedness.** State and savings banks may contract indebtedness or liability for the following purposes only; for necessary expenses in managing and transacting their business, for deposits, and to pay depositors; provided, that in pursuance to an order of the board of directors previously adopted, other liabilities not in excess of amount equal to the capital stock may be incurred.

**SEC. 3. Acts in conflict repealed.** 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 and be in force from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved April 3, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 4, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 91.

## PAY OF AND LOANS TO OFFICERS OF STATE AND SAVINGS BANKS.

H. F. 107.

AN ACT to repeal section eighteen hundred sixty-nine (1869) of the code relating to pay of, and loans to, officers of state and savings banks and to enact a substitute therefor.

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

**SECTION 1. Repealed—pay of and loan to officers.** That section eighteen hundred sixty-nine of the code be, and the same is, hereby repealed, and the following enacted in lieu thereof:

“Officers of savings and state banks may receive for their services a reasonable compensation, to be fixed from time to time in the by-laws, or by vote of the board of directors, but no director, as such, shall be paid for his services. No officer or employe of the bank shall in any manner, directly or indirectly, use its funds or deposits, or any part thereof, except for the regular business transactions of the bank, and no loan shall be made by it to any of them except upon the express order of the board of directors, made in the absence of the applicant, duly entered in the records of the board proceedings, and only upon the same security as required of others. But the board of directors may, by resolution, duly entered in the records of the board proceedings, authorize loans to directors not holding any other office nor being an employe, not exceeding a maximum sum at any one time, which resolution shall be voted upon in the absence of such director and any such loan shall

be upon the same security as required of others. Any such officer or employe of the bank violating any of the provisions of this section shall be guilty of embezzlement and shall be imprisoned in the penitentiary not exceeding ten years, or fined in a sum not less than the amount embezzled, or by both fine and imprisonment, but nothing in this act shall prevent or defeat the right to recover upon any note or notes given in violation of its provisions."

Approved March 23, A. D. 1907.

## CHAPTER 92.

### PUBLICATION OF REPORTS OF STATE AND SAVINGS BANKS.

S. F. 184.

AN ACT to amend section eighteen hundred and seventy-three (1873) of the code relating to publication of reports of banks.

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

**SECTION 1. Reports—how published.** Amend section eighteen hundred and seventy-three (1873) of the code by inserting between the words "daily" and "or" in lines seven (7) and nine (9) thereof, a comma, and the words "semi-weekly, tri-weekly".

Approved March 12, A. D. 1907.

## CHAPTER 93.

### UNITED STATES LEVEES.

S. F. 104.

AN ACT to amend section five (5) of chapter eighty-three (83) of the acts of the Thirty-first General Assembly, section nineteen hundred and eighty-six (1986) of the code as amended by section six (6) of chapter eighty-three (83) of the acts of the Thirty-first General Assembly, and section nineteen hundred and eighty-five (1985) of the code, and to amend chapter two (2) of title ten (X) of the code, relating to United States levees, as amended by chapter eighty-three (83) of the laws of the Thirty-first General Assembly, to promote the public health, convenience and welfare, by leveeing, ditching and draining the lands of the state, and providing for the assessment and collection of the costs and expenses of the same, and issuing improvement certificates, or issuing and selling bonds therefor.

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

**SECTION 1. Assessment.** Section five (5) of chapter eighty-three (83) of the laws of the Thirty-first General Assembly is hereby amended by striking out the words "two and one-half mills" in the second line and inserting in lieu thereof the following: "shall not exceed fifty mills", and by striking out the period after the word "valuation" in the third line and adding the following: "which said assessment shall be levied at a level rate on the assessable value of the said lands, easements and railroads within the district."

**Sec. 2. Cost of maintaining.** Section nineteen hundred eighty-six (1986) of the code as amended by section six (6) of chapter eighty-three (83) of the laws of the Thirty-first General Assembly, is hereby amended by striking out the words "three mills" and inserting in lieu thereof "fifty mills".

**SEC. 3. Bonds.** That section nineteen hundred eighty-five (1985) of the code be, and the same is, hereby amended by adding the following to said section:

"If the amount of money required for the improvement under the provisions of this chapter cannot be collected in one year, or if the board of supervisors in their discretion deem it advisable that the taxes shall be paid in installments, or in case it becomes necessary to expend an extraordinary sum for the preservation of the levee in case of an emergency, the board of supervisors of the county shall have the power to issue bonds for all which cannot thus be provided for in one year substantially [in] the manner and form as provided in section twenty-eight (28) of chapter sixty-eight (68) of the laws of the Thirtieth General Assembly and acts amendatory thereto, and all acts and proceedings in relation thereto shall conform therewith, except that bonds issued in anticipation of taxes for the maintenance of a levee shall not exceed five years' taxes and shall be due in six years from the date of issue."

**SEC. 4. Claims for repairs.** Whenever a levee or drainage district is organized, the board or boards of supervisors, as the case may be, shall have power and authority to audit and allow claims for money and labor expended in the preservation of said levee prior to and since the organization of the said district; all sums so allowed to be payable from the levee or drainage fund. The said board or boards shall also have full power and authority to make an equitable adjustment of and credit for any taxes paid for repairing the levee where the same has been heretofore levied and collected in any manner by said board or boards of supervisors under any prior proceedings.

**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 Register and Leader and Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved March 19, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, March 21, 1907, and the Register and Leader, March 22, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 94.

### LEVEES, DITCHES, DRAINS AND WATER COURSES.

S. F. 8.

AN ACT to amend the law as it appears in chapter sixty-eight (68), acts of the Thirtieth General Assembly, and in chapter eighty-five (85) of the acts of the Thirty-first General Assembly in relation to levees, ditches, drains and water courses.

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

**SECTION 1. Engineer to examine lands—returns.** That the law as it appears in section two (2), chapter sixty-eight (68), of the acts of the Thirtieth General Assembly is hereby amended by striking out all of said section two (2), after the word "hands", in line sixteen (16) and inserting the following in lieu thereof: "And he shall proceed to examine the lands described in said petition and any other lands which would be benefited by said improvement or necessary in the carrying out of said improvement, and survey and locate such drain or drains, ditch or ditches, improvement or improvements, as may

be practicable and feasible to carry out the purposes of the petition and which will be of public benefit or utility or conducive to public health, convenience or welfare. He shall make return of his proceedings to the county auditor, which returns shall set forth the starting point, the route, the terminus or termini of the said ditch or ditches, drain or drains, or other improvements, together with a plat and profile showing the ditches, drains or other improvements, and the course and length of the drain or drains through each tract of land and the elevation of all lakes, ponds and deep depressions in said district, and the boundary of the proposed district, and the description of each tract of land therein and names of the owners thereof as shown by the transfer books in the auditor's office, together with the probable cost, and such other facts and recommendations as he may deem material. The board of supervisors may at any time recall the appointment of any engineer made under the provisions of this act, if deemed advisable to do so, and select another to act in his place."

**SEC. 2. Notice of hearing—fees and mileage for serving notice.** That section three (3) of said chapter is hereby amended by striking out the period after the word "served" in line fifteen (15) and inserting a comma in lieu thereof and adding thereto the following: "provided, however, no notice shall be served by the auditor upon any of the persons hereinbefore described who shall file with said auditor a statement in writing signed by said party entering his appearance at said hearing and waiving any additional notice. The officer or person serving said notice shall receive five cents per mile for the distance actually traveled and not exceeding five dollars per day of eight hours for making said services."

**SEC. 3. Permanent survey.** That section four (4) of chapter eighty-five (85) of the acts of the Thirty-first General Assembly is hereby amended by adding after the word "located" and before the word "and", in line six (6) of said section the following: "showing the levels and elevations of each forty acre tract of land."

**SEC. 4. Changes in dimensions.** That section eleven (11) of chapter sixty-eight (68) of the acts of the Thirtieth General Assembly is hereby amended by striking out all of said section after the word "recommend" in line eight (8) and adding thereto the following: "provided that all persons whose lands shall be taken or who may be damaged by the said change, shall first have been given like notices and like proceedings had as hereinbefore provided for the establishment of the levee or drainage district."

**SEC. 5. Pumping stations.** That said chapter sixty-eight (68) of the acts of the Thirtieth General Assembly is hereby amended by adding the following thereto:

"The board of supervisors of any county or counties in the state in which a drainage or levee district has been or may hereafter be organized as provided in this act may provide as a part of said drainage system for the establishment and maintenance of a pumping station or stations, when and where the same may be necessary to secure a proper outlet for the drainage of the land comprising the said district and the cost of construction and maintenance of said pumping station or stations shall be levied upon and collected from the lands in the drainage or levee district in the same manner as provided for in the construction and maintenance of ditches or drains or levees in this act."

**SEC. 6. Proceedings under petitions heretofore filed.** That said chapter is hereby further amended by adding thereto the following:

"Whenever any petition has heretofore been filed and any action thereon has been taken by the board of supervisors that is not final, it shall not be necessary that a new petition shall be filed in order to obtain the benefits of

this act, but the board of supervisors are hereby empowered to proceed with the improvement from the point at which legal proceedings thereon were stopped."

**SEC. 7. In effect.** This act, being deemed of immediate importance, shall take effect and be in full force from and after its publication in the Register & Leader and Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved March 19, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital March 21, 1907, and the Register and Leader March 22, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 95.

### LEVEES, DRAINS, DITCHES AND WATER COURSES.

S. F. 87.

AN ACT amendatory of the law as it appears in chapter sixty-eight (68) of the Thirtieth (30) General Assembly and amendatory acts of the Thirty-first (31) General Assembly relating to levees, ditches, drains and water courses and amending sections two (2), fourteen (14), eighteen (18), and nineteen (19), of said chapter, and providing for the place where ditches and drains shall be located; how appeals shall be tried in appellate courts; for the employment of counsel to represent the drainage district in appellate courts; for the crossing of railroad rights of way; for the building of culverts and bridges at the place of crossing and payment of the cost thereof; for the assessment of benefits, and making the provisions of this act applicable to chapter two (2), title ten (X) of the code.

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

**SECTION 1. Location along natural drainage course.** That section two (2) of chapter sixty-eight (68) of the acts of the Thirtieth General Assembly as amended by acts of the Thirty-first General Assembly be and the same is hereby amended by adding to said section at the end thereof the following:

"That the ditches or drains herein provided for shall be surveyed and located along the general course of the natural streams and water courses or in the general course of natural drainage of the lands of said district, having due regard for straightening and shortening of such natural streams, water courses and course of natural drainage. Whenever any such ditch or drain crosses any railroad right of way it shall be located at the place of the natural water way across such right of way, unless said railroad company shall have provided another place in the construction of the road bed for the flow of the water; and if located at the place provided by the railroad company, such company shall be estopped from afterwards objecting to such location on the ground that it is not at the place of the natural water way."

**SEC. 2. Appeals—employment of counsel.** That section fourteen (14) of said chapter be and the same is hereby amended by inserting after the word "damages" and before the word "the" in the fourth line of said section the following:

"The appeal herein provided for shall be tried in the district court as an action in equity and the appearance term shall be the trial term; and when several appeals are taken and pending in the district court by land owners of the same drainage district whose lands have been assessed by the board, the



court may, in its discretion, order the consolidation of such cases, and try the same as one cause of action. When any appeal is taken from any order of the board made in any drainage proceeding coming before it for action, it shall be the duty of the board to employ counsel to represent the interests of the drainage district affected by said appeal on the trial thereof in the appellate courts and the expense thereof shall be paid out of the drainage fund of such district."

**SEC. 3. Establishment and construction across railroad right of way.** That sections eighteen (18) and nineteen (19) of said chapter be amended to read as follows:

"Whenever the board of supervisors shall have established any levee, or drainage district, or change of any natural water course and the levee, ditch, drain or water course as surveyed and located crosses the right of way of any railroad company, the county auditor shall immediately cause to be served upon such railroad company, in the manner provided for the service of original notices, a notice in writing stating the nature of the improvement to be constructed, the place where it will cross the right of way of such company, and the full requirements for its complete construction across such right of way as shown by the plans, specifications, plat and profile of the engineer appointed by the board, and directing such company to construct such improvement according to said plans and specifications at the place designated, across its right of way, and to build and construct or re-build and re-construct the necessary culvert or bridge where any ditch, drain or water course crosses its right of way, so as not to obstruct, impede or interfere with the free flow of the water therein, within thirty days from the time of the service of such notice upon it; and upon receiving said notice it shall be the duty of such railroad company to construct the improvement across its right of way according to the plans and specifications furnished in said notice and to build and construct or re-build and re-construct the necessary culvert or bridge above mentioned and complete the same within the time specified in said notice; if such railroad company shall fail, neglect or refuse to do so within the time fixed in said notice the auditor shall cause the same to be done under the supervision of the engineer in charge of the improvement and such railroad company shall be liable for the cost thereof to be collected by the county in any court having jurisdiction; and the cost of constructing the improvement across the right of way of such company, not including the cost of building and constructing or re-building and re-constructing any necessary culvert or bridge, shall be considered as an element of such company's damages by the appraisers thereof; and the cost of building and constructing or re-building and re-constructing any necessary culvert or bridge shall be borne by such railroad company without reimbursement therefor. The commissioners to assess benefits shall fix and determine the benefits to the property of the railroad company within the levee or drainage district and make return thereof with their regular return. Such special assessment shall be a debt due personally from the railroad company, and unless the same is paid by the railroad company as special assessment, it may be collected in the name of the county in any court having jurisdiction."

**SEC. 4. Statutes applicable.** That the measure of damages for locating, establishing and constructing a levee, ditch, drain or water course across the right of way of any railroad company provided for in section three (3) of this act shall be construed to apply to all cases and proceedings now pending involving such question; and the provisions of this act shall also be applicable to chapter two (2) title ten (10) of the code.

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 Register and Leader and the Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved March 28, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, March 30, 1907, and the Register and Leader, April 2, 1907.

W. C. HAYWARD.  
Secretary of State.

## CHAPTER 96.

### CATTLE GUARDS AT PRIVATE CROSSINGS OF RAILWAYS.

H. F. 385.

AN ACT to amend section two thousand twenty-two (2022) of the code, relating to cattle guards at private crossings of railways.

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

SECTION 1. **Causeway—cattle guards—cross fences.** That section two thousand twenty-two (2022) of the code be amended by striking out all of said section after the word "repair", in the third line thereof and inserting in lieu thereof the following: "a sufficient causeway or other adequate means of crossing the same and one cattle-guard on each side thereof connected by cross fences to the right of way fence on each side of the right of way, at such reasonable place as may be designated by the owner."

Approved April 5, A. D. 1907.

## CHAPTER 97.

### INTERURBAN OR STREET RAILWAY OVER HIGHWAYS.

H. F. 421.

AN ACT to repeal section two thousand and twenty-six (2026) of the supplement to the code, and chapter eighty-seven (87) of the acts of the Thirty-first General Assembly, and to enact a substitute therefor, relating to street railways over highways.

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

SECTION 1. **Repealed—interurban or street railway over highways.** That section two thousand and twenty-six (2026) of the supplement to the code, and chapter eighty-seven (87) of the acts of the Thirty-first General Assembly be and the same are hereby repealed, and the following enacted in lieu thereof:

"Any interurban or street railway, may for the purpose of constructing or extending its line locate, build and operate its road by any power other than steam, over and along any portion of the public road, beyond the limits of any city or town, which is one hundred feet or more wide. It shall as soon as practicable put the road in as good repair as it was before its use for such railway. Boards of supervisors are authorized to accept for road purposes conveyances of land adjoining any such road or part thereof sufficient to increase the same to the width of one hundred feet; but in any county in which

such company desires to operate its line of railway over a road not less than sixty feet in width, for a distance not over two miles, beyond the limits of a city or town, the board of supervisors may grant the right to it to operate its line over said road, not exceeding two miles, under such rules and regulations as said board may prescribe, and may also from time to time make such further reasonable regulations as may be necessary. Where an interurban railway desires to operate its lines along or upon a public highway beyond the limits of any city or town, 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 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 two-thirds 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; but no such written consent signed by any abutting land owner shall be construed to waive any claim for damages he may have on account of the location and construction of such railway upon and along the highway in front of the premises unless expressly so stated therein, and no such written consent shall have the effect to deprive any other abutting land owner of his right to recover damages therefor. And in all cases the location, construction and operation of such interurban railway shall be subject to the provisions of section two thousand twenty-seven (2027) 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 passage and publication in the Register and Leader and in the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved April 13, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 16, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 98.

### AUTOMOBILE RAILWAYS.

H. F. 435.

AN ACT defining, regulating and conferring rights and powers upon automobile railways, additional to chapter four (4), title ten (X) of the code.

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

**SECTION 1. Automobile railway—statutes applicable.** Any system of railway operating cars within the state of Iowa over or upon any track other than steel or iron shall be known as an automobile railway, and shall be a work of internal improvement. The words "railway", "railway company", "railway corporation", "railroad", "railroad company" or "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, automobile railways, and all companies or corporations owning or operating such automobile railways, and all provisions of the code and acts of the General As-

sembly now in force or hereafter enacted affecting railways, railway companies, railway corporations, railroads, railroad companies or railroad corporations, are hereby declared to affect and apply in full force and effect to all automobile railways and to all automobile railway companies owning or operating such automobile railways.

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

Approved April 4, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, April 5, 1907, and the Register and Leader, April 6, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 99.

### CONDITIONAL SALE OR LEASE OF POWER HOUSE AND ELECTRICAL EQUIPMENT.

S. F. 340.

AN ACT amending section two thousand and fifty-one (2051) of the code, relating to the conditional sale or lease of railroad or street railway equipment or rolling stock, so as to provide for the conditional sale or lease of power house and electrical equipment of interurban or street railways or of electric light and power companies or of steam heating companies.

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

SECTION 1. **Power house and electrical equipment.** That section two thousand and fifty-one (2051) of the code be and the same is hereby amended by inserting after the word "stock" in the second line thereof the following words, "or power house, electric or other equipment of street or interurban railways or of electric light and power companies or of steam heating companies, such equipment including engines, boilers, generators, switch boards, transformers, motors and other machinery and appliances;" and by inserting after the word "engine" in the first line of the third sub-division of said section a comma and following said comma the words "stationary engine, boiler, switch board, transformer, motor, other piece of machinery or appliance".

Approved April 4, A. D. 1907.

## CHAPTER 100.

### FENCES CONSTRUCTED BY RAILROAD COMPANIES.

H. F. 63.

AN ACT to repeal section two thousand and fifty-seven (2057) of the code, relating to fences required to be constructed by railroad companies, and enacting a substitute therefor.

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

SECTION 1. **Repealed—fences required.** That section two thousand and fifty-seven (2057) of the code be and the same is hereby repealed, and the following enacted in lieu thereof:

"All railway corporations owning or operating a line of railway within the state shall construct, maintain, and keep in repair a suitable fence of posts and barb wire, or woven wire, or both combined, or posts and boards, or any other fence which the fence viewers shall determine to be equivalent thereto, on each side of the track thereof, so connected with cattle guards at all public road crossings as to prevent cattle, horses, sheep, swine, and other live stock from getting on the railroad tracks. Such tracks shall be fenced within six months after the completion of the same or any part thereof. Such fence, when of barb wire, shall be of five wires; when of barb wire and woven wire, it shall consist of three barb wires above and woven wire not less than twenty-four inches wide at the bottom, or it may consist entirely of woven wire, in which event the woven wire shall be not less than fifty inches wide; all of the above to be securely fastened to posts not more than twenty feet apart, the top of such fences to be not less than fifty-four inches high; or such fences may consist of five boards, securely nailed to posts set not more than eight feet apart, and to be not less than fifty-four inches high, provided, however, that, where such fences are constructed entirely of barb wire, in addition to the above, on the written request of any person owning land abutting such right of way, who has constructed, and is maintaining around his said land, or any part thereof, a hog tight fence on all sides thereof except along such right of way, such railroad corporations shall reinforce such right of way fence with such additional barb or woven wire as is necessary to make it hog tight. Fences repaired or rebuilt shall conform to the foregoing provisions. Nothing in this or the following sections shall be construed to compel a railway company operating a third class line to fence its roads through the land of any farmer or other person who by written agreement with such company waives the fencing thereof."

Approved April 1, A. D. 1907.

## CHAPTER 101.

### ACTIONS AGAINST JOINT CARRIERS.

S. F. 241.

AN ACT to amend section one (1) of chapter eighty-nine (89) of the laws of the Thirty-first General Assembly, relating to actions against joint carriers.

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

**SECTION 1. Place of bringing action.** That section one (1) of chapter eighty-nine (89) of the laws of the Thirty-first General Assembly, be, and the same is hereby amended by striking out the words, "provided that the owner of the property shall reside in such county" in the eleventh and twelfth lines of said section.

Approved April 13, A. D. 1907.

## CHAPTER 102.

## RAILROAD CLASSIFICATION AND PASSENGER RATES.

H. F. 220.

AN ACT to repeal sections two thousand seventy-six (2076) and two thousand seventy-seven (2077) of the code, and to enact substitutes therefor, relative to classification of railroads and passenger transportation charges thereby.

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

SECTION 1. **Repealed—classification of railroads.** That section two thousand seventy-six (2076) of the code is hereby repealed and the following enacted in lieu thereof:

“All railroads of the state shall be classified in accordance with the gross amount of their several annual earnings within the state, per mile, for the preceding year, as follows: Class ‘A’ shall include those whose gross annual earnings per mile shall be four thousand dollars or more; class ‘B’ shall include those whose gross annual earnings per mile shall be three thousand dollars or any sum in excess thereof less than four thousand dollars; class ‘C’ shall include those whose gross annual earnings per mile shall be less than three thousand dollars. In determining the classification of any railroad, the entire railroad property owned or operated by any company shall be considered as a single railroad, and the aggregate gross earnings of the entire railroad within the state shall be divided by the entire mileage owned or operated within the state, to ascertain the gross earnings per mile of such railroad.”

SEC. 2. **Repealed—passenger rates.** That section two thousand seventy-seven (2077) of the code is hereby repealed and the following enacted in lieu thereof:

“All railroad corporations according to their classifications as herein prescribed shall be limited to compensation per mile for the transportation of any person with ordinary baggage not exceeding one hundred and fifty pounds in weight as follows: Class ‘A’, two cents; class ‘B’, two and one-half cents; class ‘C’, three cents; and for children twelve years of age or under, one-half the rate above prescribed, provided, however, that every railroad corporation shall be entitled to charge a fare of not to exceed ten (10) cents for the transportation of each passenger with ordinary baggage for any distance not exceeding five miles. A charge of ten cents may be added to the fare of any passenger when the same is paid upon the cars, if a ticket might have been procured within a reasonable time before the departure of the train, except in those cases where a minimum of ten (10) cents is charged for a distance of less than five miles as above provided.”

Approved February 28, A. D. 1907.

## CHAPTER 103.

## HOURS OF SERVICE OF RAILROAD EMPLOYES.

H. F. 65.

AN ACT to safeguard the traveling public and employes upon railroads by limiting the hours of service of employes thereon, additional to chapter five (5), title ten (10) of the code.

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

SECTION 1. **Hours of service limited—exceptions.** It shall be unlawful for any railway company within the state of Iowa, or any of its officers or agents

to require or permit any employe engaged in or connected with the movement of any rolling stock, engine or train, to remain on duty more than sixteen (16) consecutive hours, or to require or permit any such employe who has been on duty sixteen (16) consecutive hours to perform any further service without having had at least ten hours for rest, or to require or permit any such employe to be on duty at any time to exceed sixteen (16) hours in any consecutive twenty-four (24) hours: provided, however, that this section shall not apply to work performed in the protection of life or property in cases of accident, wreck, or other unavoidable casualty, or prevent train crews from taking a passenger train, or freight train loaded exclusively with live stock or perishable freight, to the next nearest division point upon such railroad; and provided further that it shall not apply to that time necessary for the trainmen to reach a resting place when an accident, wreck, washout, snow blockade or other unavoidable cause has delayed their train; and provided further that this section shall not apply to employes of sleeping car companies.

**SEC. 2. Penalty—investigation—prosecutions.** Any superintendent, train master, train dispatcher, yard master or other official of any railroad in the state of Iowa, violating any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than one hundred dollars (\$100) and not more than five hundred dollars (\$500) for each offense. It shall be the duty of the board of railroad commissioners to receive written statements of violations of this act and when so requested to hold the same without disclosure of the name of the person making such statement, and to investigate each and every complaint filed alleging such violation. The board in making such investigation shall have the power to administer oaths, interrogate witnesses, take testimony, and require the production of books and papers, and must file a report of such investigation in writing with a full statement of its finding to the governor. In all cases of violation of this act, the board of railroad commissioners, through the attorney general, must at once begin the prosecution of all parties against whom evidence of violation is found; but this act shall not be construed to prevent any other person from beginning prosecution for violation hereof.

Approved April 2, A. D. 1907.

## CHAPTER 104.

### TERMINAL FACILITIES FOR INTERURBAN RAILROADS.

H. F. 479.

AN ACT to authorize and require street railways, and interurban railroads operating street railways, to permit interurban railroads to use their tracks and terminal facilities and to furnish power to interurban railroads in cities, and providing for fixing the compensation therefor, and authorizing street railways to furnish power to interurban railroads. [Additional to chapter five (5) of title ten (X) of the code.]

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

**SECTION 1. Street railways to furnish terminal facilities—compensation.** That all persons, firms or corporations now or hereafter owning or operating electric street railways in any city (including cities organized under special charter) or town of this state, are hereby authorized and required to permit the use for interurban business only but not for local street railway business.

of such of their terminals, tracks, poles and wires as are located in the streets, alleys and public places of said cities and towns, and such portions of their tracks, poles and wires as may cross property owned by said street railway companies in such cities and towns, by the passenger and combination baggage cars of interurban railway companies, for the transportation of passengers, mail, express and baggage; and said street railways shall furnish to said interurban railways, electric power for the operation of their cars and the transaction of their said business in said cities and towns, as to said tracks so furnished; but said street railways shall not be required to furnish electric power except during such hours as their street railway cars may be in operation; nor shall they be required to furnish such power where they have not power houses and machinery sufficient therefor; and they shall have the preference in the use of their own tracks and power so that their own cars shall not be delayed in transit; nor shall they be required to furnish car houses or car barns or access thereto. Said interurban railways shall pay a reasonable compensation for the privileges and power that may be furnished them as above mentioned under this act. If an agreement for the use of the facilities so furnished and the compensation for the same cannot be made between the interested parties, the question as to the amount of such compensation and the conditions under which said facilities shall be furnished, used and operated, shall be heard and determined by the board of railroad commissioners of the state of Iowa, on petition to the said board by either party to the controversy, ten days' notice in writing of such petition being served upon the opposite party; and any order entered by said board of railroad commissioners, or court upon appeal, shall be subject to modification or review from time to time, upon notice being given as herein provided.

**SEC. 2. Appeal to district court—commissioner—report—hearing.** Each party to the proceeding shall have the right to appeal to the district court of the county where the street railway in question is located from any order made by the board of railroad commissioners under this act, which appeal shall be taken within twenty days from the date of the order appealed from, and shall be perfected by serving a notice of appeal upon the other parties to such proceeding and filing the same with the secretary of the board of railroad commissioners, and by filing within twenty days from the date of such order, a petition in the said district court, stating the facts and asking the court to determine the matter in controversy. The board of railroad commissioners shall, when such notice of appeal is filed with its secretary, forthwith certify to said district court a transcript of the papers and proceedings before said board, and its order thereon. The court, or a judge thereof, if the petition is filed in vacation, shall thereupon appoint a commissioner to examine into the necessity of such proceeding, and report the facts and his recommendation in such time as the court or judge may direct, and as soon as possible thereafter the court or judge shall appoint a time and place for the hearing of such petition. The proceedings shall be in equity and subject to all the rules of equity practice, except that the court shall require the issues to be made up at the first term after the petition is filed and give the proceeding precedence over other civil business and try the same thereat if possible. The action shall be triable *de novo* upon said appeal, except that the question of compensation for the tracks, poles, wires, terminals and power to be furnished shall first be tried to a jury in the same manner and with the same effect as jury trials in ordinary proceedings, and the jury shall assess, separately, compensation for power to be furnished, on such basis as the court shall direct. No such appeal shall suspend the order appealed from if the interurban railway company on whose behalf said order is made shall file such



bond for the payment of damages and costs as the district court to which such appeal is taken, or a judge thereof, may order and require. In all cases payment of the compensation awarded shall be made or secured to be made as the board of railroad commissioners or court may order and require before the interurban company desiring the use of the same shall be entitled thereto.

**SEC. 3. Power furnished outside of city or town.** Street railroad companies desiring so to do shall be authorized to furnish to interurban railway companies, power for the operation of the cars of interurban railway companies outside of cities and towns, but no street railroad company shall be required to furnish such power.

**SEC. 4. Applicable to interurban railways operating street railways.** This act shall apply to those portions of the terminals, tracks, poles and wires of interurban railway companies which are located in the streets, alleys and public places of cities and towns and which are used by such companies for the transaction of a local street railway business; and where an interurban railway company has heretofore built tracks in a city or town used for street railway purposes it may acquire the use of such tracks, poles and wires as may be necessary to complete a terminal loop for the cars operated on such tracks and for the use of its interurban cars only, under the provisions of this act.

**SEC. 5. Acts in conflict repealed.** All acts and parts of acts in conflict herewith are hereby repealed.

**SEC. 6. Pending litigation.** The provisions of this act shall not affect any pending litigation.

**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 Register & Leader and Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved April 5, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 6, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 105.

### DESTRUCTION OF NOXIOUS WEEDS GROWING ON RAILROAD RIGHT OF WAY.

H. F. 290.

AN ACT for the better protection of farm lands from the infection of foul seeds and to require railroad corporations to cut and burn or otherwise destroy certain noxious weeds growing upon its right of way. [Additional to chapter five (5) of title ten (X) of the code.]

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

**SECTION 1. Destruction of weeds—written notice.** It shall be the duty of every corporation owning or operating a railroad in this state on written notice from the owner, lessee or occupant of any land abutting upon its right of way to cut and burn, or otherwise destroy once each year during the month of July, all cockle burrs, burdock weeds, quack grass and thistles on its right of way adjacent to said land.

**SEC. 2. Penalty.** Any failure to comply with the provisions of this act shall be deemed a misdemeanor and shall be punished accordingly.

**SEC. 3. Enforcement.** It shall be the duty of the county attorneys in the respective counties to enforce the provisions of this act.

Approved March 27, A. D. 1907.

## CHAPTER 106.

## POWERS AND DUTIES OF BOARD OF RAILROAD COMMISSIONERS.

S. F. 11.

AN ACT to repeal section twenty-one hundred thirteen (2113) of the code relating to the powers and duties of the board of railroad commissioners and enacting a substitute therefor.

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

SECTION 1. **Repealed—powers and duties.** That section twenty one hundred thirteen (2113) of the code be and the same is hereby repealed and the following enacted in lieu thereof:

“It shall from time to time carefully examine into and inspect the condition of each railroad, its equipment, and the manner of its conduct and management with regard to the public safety and convenience in the state; make semi-annual examination of its bridges, and report the condition thereof to the company to which they belong; and if found by it unsafe it shall immediately notify the railroad company whose duty it is to put the same in repair, which shall be done by it within ten days after receiving such notice. If any corporation fails to perform this duty the board may forbid and prevent it from running trains over the same while unsafe. And should any railroad or transportation company in this state fail to provide proper shelter for its patrons at stations where two or more tracks are operated, or fail, or refuse to connect by proper switches or tracks with the tracks or lines of other railroad or transportation companies the board may require such railroad or transportation company to provide the same in such manner and upon such conditions as it may determine. When, in the judgment of the board, any railway corporation fails in any respect to comply with the terms of its charter or articles of incorporation or the laws of the state; or when in its judgment any repairs are necessary upon its road; or any addition to its rolling stock, or addition to or change in its stations or station houses, or change in its rates of fare for transporting freight or passengers, or change in the mode of operating its road or conducting its business, is reasonable and expedient in order to promote the security, convenience, and accommodation of the public, the board shall serve a notice upon such corporation, in the manner provided for the service of an original notice in a civil action, which notice shall be signed by its secretary, of the improvements and changes which it finds to be proper; and a report of such proceedings shall be included in its annual report to the governor as provided in the next section; but nothing in this section shall be so construed as relieving any railroad company from its present responsibility or liability for damage to person or property.”

Approved March 27, A. D. 1907.

## CHAPTER 107.

## DUTY OF RAILROADS TO TRANSPORT FREIGHT.

S. F. 306.

AN ACT to amend section two thousand one hundred sixteen (2116) of the code, relating to the duty of railroads.

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

SECTION 1. **Actions—burden of proof.** Section two thousand one hundred sixteen (2116) of the code, is hereby amended by adding thereto the following:

“In any suit or action in court brought against a railroad corporation for the purpose of enforcing rights arising under the provisions of this section, the burden of proving that the provisions of this section have been complied with by such railroad corporation, shall be upon such railroad corporation.”

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 Register and Leader and the Des Moines Capital, newspapers published at Des Moines, Iowa. Approved April 4, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 5, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 108.

### POWERS AND DUTIES OF BOARD OF RAILROAD COMMISSIONERS.

H. F. 408.

AN ACT to enlarge the powers and further define the duties of the board of railroad commissioners. [Additional to chapter six (6) of title ten (X) of the code.]

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

SECTION 1. **Investigation of interstate freight rates.** It is hereby made the duty of the board of railroad commissioners to exercise constant diligence in informing themselves of the rates, charges, rules, and practices of common carriers engaged in the transportation of freight from points in this state to points beyond its limits, and from points in other states to points in this state, also in territory wholly outside this state; and whenever it shall come to the knowledge of the board of railroad commissioners either from their own investigation or by complaint made to them in any manner whatsoever that the rates charged by any common carrier on interstate business are unjust or unreasonable, or that such rates, rules or practices discriminate unjustly against the citizens, industries or interests of this state, or place any of the citizens, industries or interests of this state at an unreasonable disadvantage as compared with those of other states, or are levied or laid in violation of the act to regulate commerce, or in conflict with the rulings, orders or regulations of the interstate commerce commission, it shall be the duty of the board of railroad commissioners to immediately call the attention of the officials of railroads operating in this state to the fact and to urge upon them the propriety of changing such rate or rates, rules or practices.

SEC. 2. **Appeal to interstate commerce commission—prosecutions.** Whenever such rates, rules or practices are not changed or adjusted so as to remove or remedy such discrimination within a reasonable time, it shall be the duty of the board of railroad commissioners, whenever it can legally be done, to present the facts involved in such discrimination to the interstate commerce commission and appeal to it for relief and thereafter, if deemed necessary, by said board of railroad commissioners, they shall prosecute any charge or charges growing out of any such discrimination at the expense of the state, before said interstate commerce commission.

SEC. 3. **Attorney general to assist.** In all work devolving upon the railroad commission they shall receive, upon application, the services of the at-

torney general of this state, and he shall also represent them, whenever called upon to do so, before the interstate commerce commission.

**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 Register and Leader and Des Moines Capital, newspapers published in the city of Des Moines.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, April 15, 1907, and the Register and Leader, April 17, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 109.

### REGULATION OF THE STRINGING OF WIRES OVER RAILROAD TRACKS.

S. F. 285.

AN ACT to protect the safety of railroad employes by regulating the maintaining and stringing of other wires over railroad tracks. [Additional to chapter six (6) of title ten (X) of the code.]

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

**SECTION 1. Railroad commissioners to have supervision.** The railroad commissioners of this state shall have general supervision over any and all wires for transmitting electric current or any other wire whatsoever crossing under or over any track of a railroad in this state.

**SEC. 2. Regulations.** Within thirty (30) days from the taking effect of this act said railroad commissioners shall make regulations prescribing the manner in which such wires shall cross such railroad tracks in this state.

**SEC. 3. Wires must be strung in manner prescribed.** It shall hereafter be unlawful for any corporation or person to place or string any such wire for transmitting electric current or any wire whatsoever across any track of a railroad in this state except in such manner as may be prescribed by the railroad commissioners as provided by this act.

**SEC. 4. Examination of wires already strung.** The board of railroad commissioners shall, as soon as possible after the taking effect of this act, either by personal examination or otherwise, obtain information where the tracks or railroads are crossed by wires strung over said tracks, contrary to or not in compliance with the rules prescribed by the railroad commissioners as contemplated by this act, and shall order such change or changes to be made by the persons or corporations owning or operating such wires as it may deem necessary to make the same comply with said rules and within such reasonable time as it may prescribe.

**SEC. 5. Minimum height.** In case such wires cross over said track, in no case shall said board of railroad commissioners prescribe a less height than twenty-two (22) feet above the top of the rails of any railroad track for any wire.

**SEC. 6. Wires across railroad right of way at highways.** The board of railroad commissioners are hereby authorized to provide for and regulate the crossing of wires over and across railroad rights of way at highways and other places within the state.

**SEC. 7. Penalty—enforcement.** Any person or corporation who string or maintain any wire across any railroad track in this state at a different height or in a different manner from that prescribed by the said board of railroad commissioners shall forfeit and pay to the state of Iowa the sum of one hundred dollars (\$100) for each separate period of ten days during which such wire is so maintained, said forfeiture to be recovered in a civil action brought in any court of competent jurisdiction in the name of the state of Iowa, by the attorney-general, or by the county attorney of the county in which such wire is situated, at the request of the said board of railroad commissioners, and it is hereby made the duty of the said attorney general and county attorney to bring such action forthwith upon being so requested.”

Approved April 6, A. D. 1907.

## CHAPTER 110.

### REPORTS AND INVESTIGATIONS OF ACCIDENTS ON RAILWAYS.

H. F. 318.

AN ACT providing for reports and investigations of accidents on railways. [Additional to chapter six (6) of title ten (X) of the code.]

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

**SECTION 1. Railroad commissioners to investigate accidents—report.** That upon the occurrence of any serious accident upon any railroad within this state, which shall result in personal injury, or loss of life, the corporation operating the road upon which the accident occurred shall give immediate notice thereof to the board of railroad commissioners whose duty it shall be, if they deem it necessary, to investigate the same, and promptly report to the governor the extent of the personal injuries, or loss of life, and whether the same was the result of mismanagement or neglect of the corporation on whose line the injury or loss of life occurred. Provided, that such report shall not be evidence or referred to in any case in any court.

**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 Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved March 27, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, March 29, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 111.

### JOINT FREIGHT RATES.

H. F. 282.

AN ACT to repeal sections two thousand one hundred and fifty-three (2153) and two thousand one hundred and fifty-five (2155) of the code, relating to joint freight rates over two or more connecting lines of railway between points within this state, and relating to the power and duties of the board of railroad commissioners, and to enact substitutes therefor.

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

**SECTION 1. Repealed—joint rates over connecting lines.** That section

two thousand one hundred and fifty-three of the code be and the same is hereby repealed and the following enacted in lieu thereof:

"SECTION 2153. Every owner or consignor of freight to be transported by railway from any point within this state to any other point within this state shall have the right to require that the same shall be transported over two or more connecting lines of railway, to be transferred at the connecting point or points without change of car or cars if in carload lots, and with or without change of car or cars if in less than carload lots, whenever the distance from the place of shipment to destination, both being within this state, is less over two or more connecting lines of railway than it is over a single line of railway, or where the initial line does not reach the place of destination; and it shall be the duty, upon the request of any such owner or consignor of freight, made to the initial company, of such railway companies whose lines so connect, to transport the freight without change of car or cars if the shipment be in a carload lot or lots, and with change of car or cars if it be in less than carload lots, from the place of shipment to destination, whenever the distance from the place of shipment to destination, both being within this state, is less than the distance over a single line, or when the initial line does not reach the point of destination, for a reasonable joint through rate. This section shall apply to interurban railways and their connection with ordinary steam railways."

SEC. 2. **Repealed—schedule of joint rates.** Section two thousand one hundred and fifty-five of the code be and the same is hereby repealed and the following enacted in lieu thereof:

"SECTION 2155. The board of railroad commissioners shall, within ten days after this act takes effect, notify in writing every railway company owning or operating a railway within this state that it will, upon a day named in such notice, which day shall not be more than thirty days after giving said notice, take up for investigation the subject of establishing joint through rates, as herein provided, between the railway lines in this state. It shall also give a similar notice, directed "To whom it may concern", and so publish the same that it will have general circulation throughout the state. All corporations, partnerships and persons interested in the subject may present themselves at the hearing and be heard, under such rules and regulations as the board may prescribe. At the end of the investigation, which shall be carried on with all due diligence, the said board of railroad commissioners shall make and publish a schedule of joint through railway rates for such traffic and on such routes as in its judgment the fair and reasonable conduct of business requires shall be done by carriage over two or more lines of railway, and will promote the interests of the people of this state. In the making thereof, and in changing, revising or adding to the same, the board shall be governed as nearly as may be by the preceding sections of this chapter, and shall take into consideration, among other things, the rates established for shipments within this state for like distances over single lines, the rates charged by the railway companies operating such connecting lines for joint inter-state shipments, and the increased cost, if any, of a joint through shipment as compared with a shipment over a single line for like distances. In establishing such rates for shipments in less than carload lots, in cases where at the connecting point or points in the line of shipment the connecting railways have not and are not required to have a common station or stopping place for loading or unloading freight, the board shall make such lawful regulations as in its judgment will be fair and just respecting the transportation of such freight from the usual unloading place of one railway to the usual loading place of the other. The joint through rates thus established shall be promulgated by mailing a printed copy thereof to each railway

company affected thereby, and shall go into effect within ten days after they are so promulgated; and from and after that time an official printed schedule thereof shall be *prima facie* evidence, in all the courts of this state, that the rates therein fixed are just and reasonable for the joint transportation of such freight between the points and over the lines described therein. The said board shall deliver a printed copy of said schedule to any person making application therefor. The share of any railway company of any joint through rate shall not be construed to fix the charge that it may make for transportation for a similar distance over any part of its line for any single rate shipment or the share of any other joint rate. The board, upon such reasonable notice as it may prescribe, may, upon its own motion or upon the application of any person, firm or corporation interested therein, revise, change or add to any joint through rates fixed or promulgated hereunder; and any such revised, changed or added joint rates shall have the same force and effect as the rate or rates originally established. The said board is empowered to authorize, upon proper hearing, any railway company whose line connects the point of shipment with the point of destination but requires a longer haul than the joint haul over which a joint rate has been established, to charge the joint rate without affecting the charge upon any other part of its line, except that the charge for a like kind of property must not be greater for a shorter than for a longer distance over its railroad, all of the shorter haul being included within the longer. This section shall apply to interurban railways and their connection with ordinary steam railways."

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

Approved March 28, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, March 30, 1907, and the Register and Leader, April 2, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 112.

### FREE TICKETS, PASSES, TRANSPORTATION OR DISCRIMINATING REDUCED RATES.

H. F. 379.

AN ACT to prohibit common carriers of passengers from issuing, furnishing or giving free tickets, free passes, free transportation or discriminating reduced rates, except to certain described persons; to prohibit the acceptance or use of such free tickets, free passes, free transportation or discriminating reduced rates by any except certain described persons; providing a penalty for the violation of the act, also for annual reports and for the repeal of chapter ninety (90), laws of the Thirty-first General Assembly.

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

SECTION 1. **Issuance or acceptance of free passes—what prohibited.** No common carrier of passengers shall, directly or indirectly, issue, furnish or give any free ticket, free pass or free transportation for the carriage or passage of any person within this state except as permitted in the second section hereof. Nor shall any common carrier, in the sale of tickets for transportation at reduced rates, discriminate between persons purchasing the same, except the persons described in the second section of this act. Nor shall any person accept or use any free ticket, free pass or free transporta-

tion except the persons described in said section. The words "free ticket", "free pass", "free transportation" as used in this act shall include any ticket, pass, contract, permit or transportation issued, furnished or given to any person, by any common carrier of passengers, for carriage or passage, for any other consideration than money paid in the usual way at the rate, fare or charge open to all who desire to purchase.

**SEC. 2. What permitted.** The persons to whom free tickets, free passes, free transportation and discriminating reduced rates may be issued, furnished, or given are the following, to-wit: (a) the officers, agents, employes, attorneys, physicians, and surgeons, of such common carriers of passengers whose chief and principal occupation is to render service to common carriers of passengers; (b) to the families of the persons included in sub-division "a" hereof; (c) the general officers of any such common carrier; (d) employes on sleeping cars, express cars, and linemen of telegraph and telephone companies, railway mail service employes, postoffice inspectors, customs inspectors and immigration inspectors, newsboys on trains, baggage agents; (e) persons injured in wrecks and physicians and nurses attending such persons; (f) passengers traveling with the object of providing relief in cases of railroad accident, general epidemic, pestilence, or other calamitous visitation; (g) necessary caretakers of live stock, vegetables and fruit, including return transportation to forwarding station; (h) the officers, agents or regularly accredited representatives of labor organizations, composed wholly of employes of railway companies; (i) inmates of homes for the reform or rescue of the vicious or unfortunate, including those about to enter and those returning home after discharge, and boards of managers, including officers, and superintendents of such homes; (j) superannuated and pensioned employes and members of their families and widows of such members; (k) employes crippled and disabled in the service of a common carrier of passengers; (l) policemen and firemen of any city wearing the insignia of their office within the limits of such city; (m) ministers of religion, traveling secretaries of Railroad Young Men's Christian Associations, inmates of hospitals and charitable and eleemosynary institutions, and persons exclusively engaged in charitable and eleemosynary work; (n) indigent, destitute and homeless persons, while being transported by charitable societies or hospitals, and necessary agents, employes in such transportation; (o) school children to and from public or parochial schools; (p) the state fish and game warden, and his car and necessary assistants therewith, when engaged in the performance of official duties.

In any prosecution under this act if it is claimed that a free ticket, free pass or other transportation was wrongfully issued or given to physicians or surgeons, attorneys, agents, employes, it shall be incumbent upon the defendant to prove the character of the service rendered, or to be rendered. The provisions of this act shall not be construed to prohibit the interchange of passes for the persons to whom free tickets, free passes, or free transportation may be furnished or given under the provisions of this section. Nothing in this act shall operate to repeal the provisions of section two thousand one hundred fifty (2150) of the code so far as said section refers to the members of the national guard, nor shall it operate to repeal section two thousand one hundred fifty-one (2151) of the code. Nothing in this act shall be construed to invalidate any existing contract between a street railway company and a city where a condition of a franchise grant requires the furnishing of transportation to policemen, firemen, and city officers, while in the performance of official duties.

**SEC. 3. Testimony—immunity from prosecution.** No person, within the purview of this act shall be privileged from testifying in relation to anything



herein prohibited, but no person having so testified shall be liable to any prosecution or punishment for any offense concerning which he was required to give his testimony.

**SEC. 4. Penalty.** Any common carrier, its officer, agent or representative, violating any of the provisions of this act shall be fined in a sum not less than one hundred dollars (\$100) and not more than one thousand dollars (\$1,000) for each offense, or in the discretion of the court shall be imprisoned in the county jail for not less than thirty (30) and not more than ninety (90) days; and any person other than the persons excepted in the second section of this act, who accepts or uses any free ticket, free pass or free transportation for carriage or passage within this state shall be subject to a like penalty.

**SEC. 5. Names of free pass beneficiaries reported.** Every common carrier of passengers within the provisions of this act, shall on or before the first day of February of each year, file with the executive council of the state of Iowa, a sworn statement showing the names of all persons within this state to whom, during the preceding calendar year, it issued, furnished or gave a free ticket, free pass, free transportation or a discriminating reduced rate, except wage earners of common carriers in their ordinary employment and families of such wage earners, and disclosing such further information as will enable the council to determine whether the person to whom it was issued, was within the exception of this act.

**SEC. 6. Repealed.** When this act takes effect, it shall repeal chapter ninety (90), laws of the thirty-first general assembly, and all acts and parts of acts inconsistent with this act.

Approved April 10, A. D. 1907.

## CHAPTER 113.

### WEIGHING OF COAL TRANSPORTED IN CAR LOAD LOTS.

S. F. 237.

AN ACT providing for scales and the weighing of commodities transported in carload lots, and furnishing certificates of weight by common carriers and providing penalties for the violation of this act, in addition to chapter seven (7), title ten (X) of the code.

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

**SECTION 1. Amended.** That chapter seven, title ten, of the code, be, and the same is hereby amended by adding thereto the following:

**"SEC. 2. Track scales—where located—weight certificates.** That every person, firm or corporation engaged in operating any railroad within the state of Iowa shall equip the line of its track and thereafter maintain thereon in good order, track scales of sufficient capacity to weigh all carloads of coal that may be transported over the said railroad, and shall weigh the same at the request of any owner, consignor or consignee of such commodities, and furnish written certificates of such weights to such owner, consignor or consignee as hereinafter provided. Such track scales shall be so installed and maintained at all division stations along the line of such railroads within the state of Iowa, and at such other stations as the board of railroad commissioners shall from time to time direct.

**"SEC. 3. Weighing of coal at point where shipment originates.** That every person, firm or corporation engaged in operating any railroad within the state of Iowa, over which coal, in carload lots shall be transported for hire, shall weigh such coal at point where such shipment originates unless covered

by weight agreement between consignor and railway company, provided such point is equipped with track scales. If not so equipped, it shall be weighed at first practicable point en route where track scales are provided. Said person, firm or corporation shall furnish to said shipper a bill of lading showing date and place weighed, also the gross, tare and net weight for each carload of coal so weighed. The tare weight shall be determined by using actual weight of empty car at loading station, provided track scales are maintained at such point.

"SEC. 4. **Weighed at destination upon request—fee.** Such coal shall be weighed at destination upon request of consignee when there are track scales at such point. If not equipped with track scales at such point, then at nearest practicable point en route where such scales are maintained and certificate of weight showing actual gross, tare and net weights, shall be furnished to consignee and settlement of freight charges based on these weights. A reasonable charge of not more than \$1.00 per car, may be made for such weighing on request.

"SEC. 5. **How weighed.** Cars when weighed on track scales shall be uncoupled, clear and unhampered at both ends, carefully weighed by competent weighmen and certificates issued upon request of consignees, showing gross, tare and net weights.

"SEC. 6. **Prima facie evidence.** Certificates mentioned in this act shall be *prima facie* evidence of the facts therein recited in any action arising between consignors and consignees and common carriers.

"SEC. 7. **Penalty.** Any common carrier operating in this state violating any of the provisions of this act by neglecting or refusing to weigh cars or to furnish certificates of weights as herein provided shall be guilty of a misdemeanor and shall be, upon conviction thereof, fined in the sum of not more than one hundred and twenty-five dollars (\$125.00) for each and every violation."

Approved April 6, A. D. 1907.

## CHAPTER 114.

### RECONSIGNMENT TO A NEW DESTINATION OF PROPERTY FORWARDED BY COMMON CARRIERS.

S. F. 234.

AN ACT to authorize the reconsignment without charge to a new destination of property forwarded by a common carrier and to provide for the treatment of the same as an original shipment. [Additional to chapter seven (7) of title ten (X) of the code.]

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

SECTION 1. **Reconsignment without charge.** Upon request of the consignee it shall be the duty of any common carrier of freight to re-consign, re-bill and re-ship from any place of destination within the state to any other place within the state any property in car load lots, whether accompanied by any person or not, brought to said place of destination over its own or other line and treat the same in all respects as an original shipment between such places, provided the charges to first place of destination are paid or secured to the satisfaction of such company.

Approved April 2, A. D. 1907.

## CHAPTER 115.

## SPEED OF CARS OF LIVE STOCK.

S. F. 373.

AN ACT to define the duty of common carriers of freight respecting the speed of cars of live stock, conferring additional powers upon the board of railroad commissioners with relation thereto, and providing for the enforcement of the orders, rulings and regulations of the board. [Additional to chapter seven (7) of title ten (X) of the code.]

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

**SECTION 1. Duty of common carriers of freight.** That it is hereby made the duty of all common carriers of freight within this state to move cars of live stock at the highest practicable speed consistent with reasonable safety, and the reasonable movement of its general traffic.

**SEC. 2. Railroad commissioners to prescribe speed.** In order to enforce the duty prescribed in section one, the board of railroad commissioners shall immediately and from time to time investigate the practice of the common carriers with respect to the movement of live stock; and if it ascertains at any time that the common carriers or any of them are not moving cars of live stock with the proper speed, then upon notice to any such common carrier or carriers, the said board shall prescribe the speed at which and the conditions under which cars of live stock shall be moved within this state by any such carrier or carriers. The order shall specify the time at which it shall go into effect, which shall be as soon as, in the judgment of the board, the carrier or carriers affected can, with reasonable diligence, readjust its or their time tables. The power to prescribe speed and determine conditions for the movement of cars of live stock within this state is hereby expressly conferred upon the said board of railroad commissioners.

**SEC. 3. Enforcement.** Any order, ruling or regulation made by the board under this act shall be enforceable as provided in section two thousand one hundred and nineteen (2119) of the code.

**SEC. 4. In effect.** This act, being deemed of immediate importance, shall take effect upon its publication in the Register and Leader and Des Moines Capital, newspapers published at Des Moines, Iowa.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 13, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 116.

## EXPRESS COMPANIES.

H. F. 302.

AN ACT repealing sections twenty-one hundred and sixty-five (2165) and twenty-one hundred and sixty-six (2166) of the code, and enacting a substitute therefor, pertaining to express companies.

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

**SECTION 1. Repealed.** That sections 2165 and 2166 of the code be and the same are hereby repealed.

**SEC. 2. Subject to regulations.** All express companies operating and doing business in this state are declared to be common carriers, and it shall be the

duty of every such express company or common carrier to transport all property, parcels, money, merchandise, packages, and other things of value which may be offered to them for transportation, at a reasonable charge or rate therefor; and all laws so far as applicable, now in force or hereafter enacted, regulating the transportation of property by railroad companies, shall apply with equal force and effect to express companies.

**SEC. 3. Supervision by railroad commissioners—schedule of joint rates.** The railroad commissioners of this state shall have general supervision of all express companies operating and doing business in this state; and shall inquire into any unjust discrimination, neglect or violation of the laws of this state governing common carriers, by any express company doing business therein, or by the officers, agents or employes thereof; and they shall have power and it shall be their duty, to fix and establish reasonable, fair and just rates of charges including a schedule of maximum joint rates for each kind or class of property, money, parcels, merchandise, packages, and other things to be charged for and received by each express company or carriers by express, separately or conjointly, on all such property, money, parcels, merchandise, packages and other things which by the contract of carriage are to be transported separately or conjointly by such express companies, or carriers by express, doing business over the line of any railroad or other carrier between points wholly within the state of Iowa, which rates or charges shall be made to apply to all such express companies or express carriers, and may be changed or modified by said commissioners from time to time in such manner as may become necessary.

**SEC. 4. Schedule of rates for each company—prima facie evidence.** Within six months from the taking effect of this act it shall be the duty of said railroad commissioners, and they are hereby directed, to prepare and make for each express company doing business in this state a schedule of reasonable maximum charges of rates for transporting property, money, parcels, merchandise, packages, and other things carried by such express company or companies between points wholly within the state of Iowa; and in all actions brought against such common carriers wherein there are involved the charges thereof for the transportation of any property, or any unjust discrimination in relation thereto, the schedules or reasonable maximum rates of charges so made by the railroad commissioners shall be taken as *prima facie* evidence in all courts that the rates fixed therein are reasonable and just maximum rates of charges for which said schedules have been prepared.

**SEC. 5. Printed schedules posted and displayed.** It shall be the duty of every such express company or common carrier engaged in transporting property, money, parcels, merchandise, packages and other things, to print in clear and legible type the schedules of rates for transportation of such property, money, parcels, merchandise, packages, and other things, so made by such railroad commissioners, and shall post in each of its offices or places of business where patrons visit for the purpose of making and receiving shipments, and keep displayed in each office or place of business within convenient access, and for the inspection and use of the public during customary business hours such printed schedule of rates of charges and any amendments thereto, and shall also post and display in similar manner any special rules and regulations which may be promulgated by them or said railroad commissioners for the information of their patrons.

**SEC. 6. Excessive compensation—penalty.** It shall be unlawful for any express company or common carrier to charge, demand, collect or receive a greater compensation for such transportation of property, or for any service in connection therewith between the points named in such schedules than the rates and charges which are specified in the schedules made by said railroad

commissioners and in effect at the time. Any such express company or common carrier, any officer, representative, or agent or any express company, or carrier, who knowingly violates the provisions of this act shall forfeit to the state of Iowa the sum of five hundred dollars for each offense, to be recovered as by law provided.

**SEC. 7. Refusal to transport—liable for damages—penalty.** Each and every express company or carrier by express, as herein defined, doing business within the state of Iowa, shall at all convenient times during the hours of business accept and receive for prompt transportation and shipment destined to points on their own line, or to points on the lines of other express companies operating within the state, or for points beyond said state, all property, parcels, money, merchandise, packages and other things of value which may be offered to them, or either of them, for transportation by the public, and any express company or other common carrier refusing to transport goods as above provided taking the same in the order presented, shall be liable to the party injured for damages sustained by reason of its refusal, and in addition thereto shall be liable to a penalty of not less than five (5) nor more than five hundred (500) dollars, to be recovered in each case by the owner of the goods in any court having jurisdiction in the county where the wrong is done, or where the common carrier resides or has an agent, and each case of refusal shall be construed as a separate offense under this act.

Approved April 1, A. D. 1907.

## CHAPTER 117.

### THE MILITIA.

H. F. 353.

AN ACT to amend the law as it appears in section eighteen (18) of chapter ninety-one (91) of the acts of the Thirty-first General Assembly and to repeal section twelve (12) of chapter seventy-seven (77) of the acts of the Thirtieth General Assembly and section fourteen (14) of chapter ninety-one (91) of the acts of the Thirty-first General Assembly and to enact substitutes therefor and to provide for stoppage of compensation due officers and men of the Iowa National Guard for loss or damage to property issued to them by the state for military purposes.

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

**SECTION 1. Repealed—allowance for postage, supplies, etc.** That section fourteen (14) of chapter ninety-one (91) of the acts of the thirty-first general assembly be, and the same is hereby repealed and the following enacted in lieu thereof:

“There shall be allowed annually to each regimental and company commander the sum of one hundred dollars (\$100) for postage, stationery, issuing orders, making official returns, keeping official records, conducting the correspondence of his office and all other paper work required by orders or regulations, which sum shall be payment in full for said services; and for like purposes to each chief musician of bands the sum of fifty dollars (\$50), and for like purposes to each general inspector of small arms practice, major surgeons and regimental inspectors of small arms practice, the sum of fifty dollars (\$50). All payments to be made semi-annually and in the amounts as herein provided.”

**SEC. 2. Repealed—allowance for company drill—band practice—hospital corps drill.** That section twelve (12) of chapter seventy-seven (77) of the

acts of the Thirtieth General Assembly be and the same is hereby repealed and the following enacted in lieu thereof:

"There shall be allowed annually to each company for miscellaneous military uses not otherwise provided for by the state, not to exceed the sum of five hundred dollars (\$500), the same to be paid semi-annually; companies showing full attendance and actual drill of those present of two hours each week shall be entitled to the full sum of five hundred dollars (\$500), and companies showing lesser attendance at drill shall be paid proportionately, provided that when a company's attendance at drill falls below fifty per cent, it shall be deemed inefficient and forfeit its right to any allowance under this section. And for like purpose and under like requirements to each regimental band the sum of two hundred fifty dollars (\$250), and to each regimental hospital corps under like requirements the sum of one hundred twenty-five dollars (\$125). The same to be paid under such regulations as the commander-in-chief shall prescribe."

**SEC. 3. Annual appropriation.** That section eighteen (18) of chapter ninety-one (91) of the acts of the Thirty-first General Assembly be amended by striking out the word "eighty-two" in the fourth line thereof and inserting in lieu thereof the words "one hundred" and by striking out the figures "\$82,000.00" in the sixth line thereof and inserting in lieu thereof the figures "\$100,000.00".

**SEC. 4. Stoppage of compensation.** Compensation, subject to payment by the state of Iowa, to the officers and enlisted men of the Iowa National Guard for military services shall be subject to stoppage for payment of loss or damage to public property issued them for military uses.

Approved April 13, A. D. 1907.

## CHAPTER 118.

### LEGAL SETTLEMENT OF INSANE PATIENTS.

S. F. 822.

AN ACT to amend section twenty-two hundred and seventy (2270) of the code, relating to settlement of insane patients.

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

**SECTION 1. Settlement in another county.** Section twenty-two hundred and seventy (2270) of the code, be and the same is hereby amended by inserting in line twelve (12) thereof, between the words "given" and "the" the following: "If in either of the above cases the auditor of the county in which it is alleged that the patient has a legal settlement shall find adversely to the decision of the commissioners of the county from which the patient was committed, and said commissioners are unwilling to accept his findings, they shall, through the auditor of their county, forthwith apply to the district court through proper legal proceedings for a determination of the case. Any county whose officials shall fail either in cases now in dispute or disputes which may hereafter arise to apply to the district court as herein provided, within six months from the date of the receipt of notice from the auditor of the county in which it is claimed the patient has a legal settlement shall be liable for the maintenance of said patient. If, upon hearing, the court shall find that the patient has no legal settlement in either of the counties in dispute, the board of control shall at once be notified by the auditor of the county from which the patient was committed, in accordance with the provisions of section one (1) chapter ninety-two (92) acts of the Thirty-first

General Assembly and the proceedings thereafter with reference to said patient shall be as provided in said section."

Approved April 13, A. D. 1907.

## CHAPTER 119.

### COMMITMENT TO AND RELEASE FROM HOSPITAL FOR INEBRIATES.

H. F. 455.

AN ACT to amend chapter eighty (80) of the acts of the Thirtieth General Assembly relating to state hospitals for inebriates and to furnish additional provision in regard to commitments to and release from such hospitals.

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

**SECTION 1. Commitment—release.** That section seven (7) of chapter eighty (80) of the acts of the Thirtieth General Assembly is hereby amended by adding thereto the following:

"Provided that before a person shall be committed to a state hospital for inebriates satisfactory evidence shall be submitted to the trial court or judge showing that the person committed is not of bad repute or of bad character apart from his or her habit for which the commitment is made and that there is reasonable ground for believing that the person if committed will be cured of such habit, and provided further, that the board of control of state institutions may discharge any person committed to a state hospital under the provisions of this act on the recommendation of the superintendent when satisfied that such person will not receive substantial benefit from further hospital treatment."

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

Approved May 8, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, May 9, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 120.

### REGISTRATION AND PUBLICATION OF PEDIGREES.

H. F. 324.

AN ACT to repeal chapter ninety-eight (98), acts of the Thirty-first General Assembly and to enact a substitute therefor, relative to the registration and publication of pedigrees.

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

**SECTION 1. Repealed.** That chapter ninety-eight (98) of the acts of the Thirty-first General Assembly be and the same is hereby repealed and the following enacted in lieu thereof:

"**SEC. 2. Registration of pedigrees—fee.** Any owner or keeper of any stallion kept for public service, or any owner or keeper of any stallion kept for sale, exchange, or transfer, who represents such animal to be pure bred, shall cause the same to be registered in some stud book recognized by the

department of agriculture at Washington, D. C., for the registration of pedigrees, and obtain a certificate of registration of such animal. He shall then forward the same to the secretary of the state board of agriculture of the state of Iowa, whose duty it shall be to examine and pass upon the correctness and genuineness of such certificate filed for enrollment. In making such examination, said secretary shall use as his standard the stud books recognized by the department of agriculture at Washington, D. C., and shall accept as pure bred, any animal registered in any such stud book. And if such registration is found to be correct and genuine, he shall issue a certificate under the seal of the department of agriculture, which certificate shall set forth the name, sex, age and color of the animal, also the volume and page of the stud book in which said animal is registered. For each enrollment and certificate he shall receive the sum of one dollar, which shall accompany the certificate of registration when forwarded for enrollment.

"**SEC. 3. Posting certificate of registration.** Any owner or keeper of a stallion for public service who represents or holds such animal as pure bred, shall place a copy of the certificate of the state board of agriculture on the door or stall of the stable where such animal is usually kept.

"**SEC. 4. Grade stallion.** Any owner or keeper of a stallion kept for public service, for which a state certificate has not been issued, must advertise said horse or horses by having printed handbills, or posters, not less than five by seven inches in size, and said bills or posters must have printed thereon immediately preceding or above the name of the stallion, the words 'grade stallion', in type not smaller than one inch in height, said bills or posters to be posted in a conspicuous manner at all places where the stallion or stallions are kept for public service.

"**SEC. 5. Transfer of certificate—fee.** If the owner of any registered animal shall sell, exchange or transfer the same, and file said certificate, accompanying the same with a fee of fifty cents, with the secretary of the state board of agriculture, who shall, upon receipt of the original state certificate, properly transferred, and the required fee, issue a new certificate to the then new owner of the animal. And all fees provided by this act shall go into the treasury of the department of agriculture.

"**SEC. 6. Publishing false pedigrees—penalty.** Any person who shall fraudulently represent any animal, horse, cattle, sheep or swine to be pure bred, or any person who shall post or publish or cause to be posted or published any false pedigree or certificate, or shall use any stallion for public service, or sell, exchange or transfer any stallion, representing such animal to be pure bred, without first having such animal registered, and obtaining the certificate of the state board of agriculture as hereinbefore provided, or who shall violate any of the provisions of this act, shall be guilty of a misdemeanor, and be punished by a fine of not more than one hundred dollars, or imprisoned in the county jail not exceeding thirty days or by both such fine and imprisonment."

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

Approved March 28, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, March 30, 1907, and the Register and Leader, April 2, 1907.

W. C. HAYWARD  
Secretary of State.



## CHAPTER 121.

## BOUNTY FOR DESTRUCTION OF POCKET GOPHERS.

H. F. 41.

AN ACT to provide for the payment of a bounty for the destruction of pocket gophers.  
[Additional to section twenty-three hundred and forty-eight (2348) of the code.]

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

**SECTION 1. Amount of bounty.** There shall be paid from the general fund of the county a bounty not exceeding ten cents for each pocket gopher caught and killed within the county, provided that the person entitled to such bounty shall make, as hereinafter provided, proof of the destruction of such animal within thirty days after the same was destroyed.

**SEC. 2. Proofs required.** The person catching and killing any such animal shall remove and present to the officers, before whom he makes his proof, both front feet and claws of each animal for which he claims the bounty, and the person claiming the bounty shall furnish written proof, under oath, that each animal for which he claims the bounty was caught and killed within the county against which he presents the claim for bounty, and the board of supervisors may require in addition to the above any other and further proof which it deems necessary and reasonable to show that each animal for which the bounty is claimed was caught and killed within the county against which the claim is presented.

**SEC. 3. To whom presented.** The claws and other proofs required may be presented to the county auditor; and the board of supervisors of each county may appoint registrars or other officers in other parts of the county to whom claws of the animal caught and other proofs of the killing may be presented.

Approved March 15, A. D. 1907.

## CHAPTER 122.

## SALE OR GIFT OF INTOXICATING LIQUORS TO MINORS, INTOXICATED PERSONS OR TO PERSONS IN HABIT OF BECOMING INTOXICATED.

H. F. 476.

AN ACT to repeal the law as it appears in section twenty-four hundred three (2403) of the code, and section twenty-four hundred three (2403) of the supplement to the code, and to enact a substitute therefor, relating to the selling or giving of intoxicating liquors to minors, intoxicated persons, or to persons in the habit of becoming intoxicated.

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

**SECTION 1. Repealed—sale or gift of intoxicating liquors—what prohibited.** The law as it appears in section twenty-four hundred three (2403) of the code, and section twenty-four hundred three (2403) of the supplement to the code, is hereby repealed, and the following enacted in lieu thereof:

“No person by himself, agent or otherwise, shall in any manner procure for, or sell or give any intoxicating liquors to, any minor for any purpose, except upon written order of his parent, guardian, or family physician, or give to or in any manner procure for or sell the same to any intoxicated person, or to one in the habit of becoming intoxicated.”

**SEC. 2. Penalty.** Any person violating any of the provisions of section one hereof shall be guilty of a misdemeanor, and upon conviction thereof

be fined in a sum not less than twenty-five dollars, nor more than two hundred dollars, and costs of prosecution, and shall stand committed to the county jail until such fine and costs are paid.

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

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 13, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 123.

### TAXATION OF PERSONS MAINTAINING AN OFFICE OR PLACE OF BUSINESS WHERE INTOXICATING LIQUORS ARE HELD IN STORE AND PURCHASE PRICE COLLECTED FOR OWNER THEREOF.

S. F. 338.

AN ACT for the regulation and taxation of persons who shall maintain an office or place of business where intoxicating liquors are held in store and the purchase price thereof collected for the owner from those not authorized to sell same or from those to whom they have been conditionally sold. [Additional to chapter six (6) of title twelve (XII) of the code.]

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

**SECTION 1. Annual mulct tax—quarterly installments.** Every person, partnership or corporation that shall engage in the business of holding intoxicating liquors in store and collecting for the owner thereof the purchase price of said liquors from those to whom they have been conditionally sold or from those not authorized by law to sell the same, shall pay to the treasurer of the county where the business is carried on an annual mulct tax of six hundred dollars in quarterly installments on the first day of January, of April, of July, and of October; and such tax shall be paid for each separate office or place where such business is carried on, and all the provisions of the law relating to the levying, collecting and enforcing of what is known as the mulct tax shall apply and govern in the levying and collecting of the tax herein provided for so far as applicable.

**SEC. 2. First quarter payable in advance.** No person, partnership or corporation shall engage in the business described in section one of this act without first paying the tax herein required for the quarter during which such business is carried on; and when the tax is so paid it shall go into the general fund of the county collecting the same.

Approved April 13, A. D. 1907.

## CHAPTER 124.

### SALE OF INTOXICATING LIQUORS NEAR MILITARY RESERVATIONS.

S. F. 330.

AN ACT relating to the sale of intoxicants in the vicinity of military reservations, and providing a penalty for the violation thereof. [Additional to chapter six (6) of title twelve (XII) of the code.]

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

**SECTION 1. Sale of intoxicants near military reservations—penalty.** No person shall open, maintain or conduct any shop or other place for the sale of

wine, beer or any other intoxicating liquors, or sell the same at any place within a distance of one mile from any permanent military post or reservation established by the United States within the state of Iowa; and any person violating the provisions of this section shall be punished by a fine not to exceed fifty dollars for each offense, or by imprisonment in the county jail for a term not to exceed thirty days, or by both such fine and imprisonment.

**SEC. 2. In effect.** This act shall take effect and be enforced immediately upon its publication in the Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 15, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 125.

### FIRE COMPANIES.

H. F. 102.

AN ACT to amend sections twenty-four hundred and sixty-seven (2467) and twenty-four hundred sixty-eight (2468) of the code, relating to fire companies, and providing for a penalty for the violation of said sections.

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

**SECTION 1. Penalty for removal of fire apparatus.** Section twenty-four hundred sixty-seven (2467) of the code is hereby amended by striking out all after the period in the fifth line of said section, and by inserting in lieu thereof the following:

“Any person violating the provisions of this section shall be guilty of a misdemeanor and shall be punished by a fine not exceeding one hundred dollars (\$100.00), or by imprisonment in the county jail not exceeding thirty (30) days.”

**SEC. 2. Penalty for false alarms.** Section twenty-four hundred sixty-eight (2468) of the code is hereby amended by striking out at the beginning of said section the words “If any”, and by inserting in lieu thereof the word “No”. By inserting after the word “persons” in the first line of said section, the word “shall”. By striking out all after the word “cause” in the third line of said section, and by placing a period after the word “cause”, and by adding the following words: “Any person violating the provisions of this section, shall be guilty of a misdemeanor and shall be punished by a fine not exceeding one hundred dollars (\$100.) or by imprisonment in the county jail not exceeding thirty (30) days”.

Approved February 23, A. D. 1907.

## CHAPTER 126.

### COMPENSATION OF COMMISSIONER OF BUREAU OF LABOR STATISTICS AND HIS DEPUTY.

S. F. 350.

AN ACT to amend the law as it appears in section one (1), chapter eighty-five (85), acts of the Thirtieth General Assembly, relating to salary of commissioner of bureau of labor statistics and his deputy.

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

**SECTION 1. Compensation.** That section one (1), chapter eighty-five (85), acts of the Thirtieth General Assembly be and the same is hereby amended by

striking out the word "fifteen" in the fifth line and inserting in lieu thereof the word "eighteen", and by striking out the word "twelve" in the sixth line and inserting the word "fifteen" in lieu 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 Register and Leader and the Des Moines Capital, newspapers published in the city of Des Moines.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 11, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 127.

### EXPENSES OF BUREAU OF LABOR STATISTICS.

H. F. 446.

AN ACT to amend section one (1), chapter eighty-five (85), acts of the Thirtieth General Assembly, relating to the expenses of the Bureau of Labor Statistics.

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

SECTION 1. **Compensation of office clerk.** That section 1, chapter 85, acts of the Thirtieth General Assembly be and the same are [is] hereby amended by striking out in line eight (8) thereof the words "of sixty-five dollars per month" and insert in lieu thereof the following: "to be fixed by the committee on retrenchment and reform".

Approved April 13, A. D. 1907.

## CHAPTER 128.

### EMPLOYMENT OFFICES OR BUREAUS.

H. F. 140.

AN ACT to regulate the conduct of all employment offices or bureaus and provide for the examination of such offices or bureaus, and fixing a penalty for the violation of the provisions thereof. [Additional to chapter eight (8) of title twelve (XII) of the code relative to bureau of labor statistics.]

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

SECTION 1. **Failure to procure employment—fee returned.** Every person, firm or corporation who shall agree or promise, or who shall advertise through the public press, or by letter, to furnish employment or situations to any person or persons, and in pursuance of such advertisement, agreement or promise, shall receive any money, personal property or other valuable thing whatsoever, and who shall fail to procure for such person or persons acceptable situations or employment as agreed upon, within the time stated, or agreed upon, or if no time be specified then within a reasonable time, shall upon demand return all such money, personal property or valuable consideration of whatever character, except an amount not to exceed one dollar to be charged as a filing fee.

SEC. 2. **Copy of application or agreement furnished applicant.** It shall be unlawful for any person, firm or corporation to receive any application for employment from, or enter into any agreement with, any person to furnish or pro-

cure for said person any employment unless there is delivered to any such person making such application or contract at the time of the making thereof a true and full copy of such application or agreement, which application or agreement shall specify the fee or consideration to be paid by the person seeking employment.

**SEC. 3. Division of fees between employment bureau and employer prohibited.** It shall be unlawful for any person, firm or corporation or any person employed or authorized by such person, firm or corporation to hire or discharge employes, to receive any part of any fee or any percentage of wages or any compensation of any kind whatever, that is agreed upon to be paid by any employe of said person, firm or corporation to any employment bureau or agency for services rendered to any such employe in procuring for him employment with said person, firm or corporation.

**SEC. 4. Investigation by labor commissioner.** The commissioner of the bureau of labor statistics, or his deputy, shall have authority to examine at any time the records, books and any papers relating in any way to the conduct of any employment agency or bureau within the state, and must investigate any complaint made against any such employment agency or bureau, and if any violations of law are found he shall at once file or cause to be filed an information against any person, firm or corporation guilty of such violation of law.

**SEC. 5. Penalty.** Any person, firm or corporation violating any of the provisions of this act, or who shall refuse access to records, books or other papers relative to the conduct of such agency or bureau, to any person having authority to examine same, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars (\$100.00), or imprisonment in the county jail not to exceed thirty days.

Approved March 27, A. D. 1907.

## CHAPTER 129.

### SALARIES OF MINE INSPECTORS.

H. F. 141.

AN ACT to amend section twenty-four hundred and eighty-three (2483) of the supplement to the code, relating to salaries of mine inspectors.

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

**SECTION 1. Compensation.** That the law as it appears in section 2483 of the supplement to the code be and the same is hereby amended by striking out of the ninth line the word "fifteen", and inserting in lieu thereof the word "eighteen".

Approved April 4, A. D. 1907.

## CHAPTER 130.

### STORAGE AND TRANSPORTATION OF POWDER IN COAL MINES.

S. F. 81.

AN ACT prohibiting the storage and transportation of powder into coal mines while miners or other employes are working therein. [Additional to chapter nine (9) of title twelve (XII) of the code.]

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

**SECTION 1. Transportation of powder into coal mines.** That no person, firm or corporation, shall be permitted to transport, carry or convey by any

electrical process whatever, any powder or other explosive, into any coal mine where twenty or more persons are employed therein until after the coal miners and other employes have ceased their work and have departed from the mines.

**SEC. 2. Storage of powder—what permitted.** No operator or other person in charge of any coal mine, shall suffer or permit under any circumstances the storing of powder, or other explosives, in any coal mine except as follows: Each miner shall be permitted to have in his separate and individual possession at one time not more than two kegs containing twenty-five pounds of powder each, and other explosives sufficient for one day's use. Such powder, or other explosives, shall be kept by the miner in a wooden or metallic box or boxes securely locked, and said boxes shall be kept at a reasonable distance from the track; nor shall black powder and high explosives be kept in the same box.

**SEC. 3. Supply for following day—where deposited.** It shall not be construed as storing powder, as defined in section two hereof, to deposit the powder, or other explosives, at the end of the electrical or mechanical haulage at the face of the mine for the following day's use; provided, that it is transported, conveyed or deposited in conformity with the provisions of section one hereof.

**SEC. 4. Transportation and delivery—by whom done.** The transportation and delivery of all powder and other explosives in said coal mines shall be done by the operator or by men employed by him for that purpose.

**SEC. 5. Penalty.** Any person, firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined in any sum not exceeding one hundred dollars, or be imprisoned in the county jail not exceeding thirty days.

Approved April 13, A. D. 1907.

## CHAPTER 131.

### PURE PAINTS AND OILS.

S. F. 19.

AN ACT requiring manufacturers and dealers to label white lead, paints, mixed paints, and similar compounds, and linseed oil; defining linseed oil and boiled linseed oil; and fixing penalties for its violation; and repealing sections two thousand five hundred and ten-a (2510-a), two thousand five hundred and ten-b (2510-b), two thousand five hundred and ten-c (2510-c), two thousand five hundred and ten-d (2510-d) and two thousand five hundred and ten-e (2510-e) of the supplement to the code; and vesting the execution and enforcement of this act in the state food and dairy commissioner.

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

**SECTION 1. Duty of manufacturers and dealers.** Every person, firm or corporation who shall expose for sale, or sell, within this state, any white lead, paint, or linseed oil shall accurately label the same as hereinafter required.

**SEC. 2. Paint defined.** The term "paint" as used in this act shall include white lead in oil or any compound intended for the same use, paste or semi-paste, and liquid or mixed paint ready for use, or any compound intended for the same use.

**SEC. 3. Labels.** Labels required by this act shall clearly and distinctly state the name and address of the manufacturer of the article, or the dealer therein, or of the party for whom the same is manufactured and show, with

substantial accuracy, the percentage of each ingredient, both solid and liquid, contained therein (in continuous list with no intervening matter of any kind); provided, that in case of paint other than white paint, the ingredients, other than the coloring material, may be treated as one hundred per cent, in which case it shall be necessary to state the description or trade-name of such coloring matter and state, with substantial accuracy, its chemical analysis. The label shall also state, in case of liquid paints, oils, and other compounds, on packages holding one quart or more, the net measure of contents of each can, package or container. In case of white lead and other paints and compounds, the label shall show on package weighing four pounds or more the net weight of each can, package or container.

**SEC. 4. Flax seed or linseed oil—chemical and temperature tests.** No person, firm or corporation shall manufacture for sale or expose for sale or sell within this state any flax seed or linseed oil, unless the same answers a chemical test for purity recognized in the United States Pharmacopoeia, or any flax seed or linseed oil as "boiled linseed oil" unless the same shall have been put in its manufacture to a temperature of 225 degrees Fahrenheit.

**SEC. 5. Tanks or vessels containing oil to be marked.** No person, firm or corporation shall expose for sale or sell any flax seed or linseed oil, unless it is exposed for sale or sold under its true name, and each tank car, tank, barrel, keg, or vessel containing such oil has distinctly and durably marked thereon the true name of such oil in ordinary bold faced capital letters not less than five lines pica in size, the words "pure linseed oil—raw," "pure linseed oil—boiled" as the case may be and the name and address of the manufacturer thereof.

**SEC. 6. Enforcement—bulletins.** It is hereby made the duty of the state food and dairy commissioner to enforce the provisions of this act. The inspectors, assistants and chemists appointed by the state food and dairy commissioner shall perform the same duties and have the same authority under this act as are prescribed by chapter one hundred and sixty-six (166), laws of the Thirty-first General Assembly. The state food and dairy commissioner shall, from time to time, with the approval of the executive council, publish bulletins, giving the results of inspections and analyses, together with such additional information as he may deem suitable.

**SEC. 7. Penalty.** Whoever shall violate any of the provisions of this act shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding one hundred dollars.

**SEC. 8. Repealed.** Sections two thousand five hundred and ten-a (2510-a), two thousand five hundred and ten-b (2510-b), two thousand five hundred and ten-c (2510-c), two thousand five hundred and ten-d (2510-d) and two thousand five hundred and ten-e (2510-e) of the supplement to the code are hereby repealed.

**SEC. 9. When effective.** This act shall take effect on January 1, 1908.

Approved April 1, A. D. 1907.

AM. PULL TELEPHONE CO.  
NEW LIBRARY.

## CHAPTER 132.

### COMPENSATION OF DEPUTY AND ASSISTANT DAIRY COMMISSIONERS.

S. F. 47.

AN ACT to amend the law as it appears in chapter eighty-eight (88), laws of the Thirtieth General Assembly, relating to compensation of deputy and assistant dairy commissioners.

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

**SECTION 1. Compensation.** That the law as it appears in chapter eighty-eight (88), laws of the Thirtieth General Assembly be and the same is hereby

amended by striking out the word "twelve" in the fifth line thereof, and by inserting the word "fourteen" in lieu thereof, and by striking out the word "twelve" in the eighth line thereof, and inserting the word "fourteen" in lieu 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 Register and Leader and Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 11, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 133.

### STATE VETERINARY SURGEON.

H. F. 128.

AN ACT to amend sections twenty-five hundred and twenty-nine (2529), twenty-five hundred and thirty (2530) and twenty-five hundred and thirty-four (2534) of the code, and to repeal and enact substitutes for sections twenty-five hundred and thirty-three (2533) and twenty-five hundred and thirty-eight (2538) thereof, relating to the state veterinary surgeon.

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

SECTION 1. **Office—postage and supplies.** That section twenty-five hundred and twenty-nine (2529) of the code be and the same is hereby amended by adding thereto the following:

"He shall maintain an office at the capitol in a room assigned for his use by the executive council, and his postage, stationery and office supplies shall be furnished by the state."

SEC. 2. **Experts—secretary.** That section twenty-five hundred and thirty (2530) of the code be and the same is hereby amended by adding thereto the following:

"He may call experts to his assistance when the exigencies of any case demand such action, and may appoint a secretary, who shall receive a salary of seven hundred fifty dollars (\$750) per annum, which shall be paid from the state treasury."

SEC. 3. **Repealed—notice of contagious disease—duty of state veterinary surgeon—assistants.** That section twenty-five hundred and thirty-three (2533) of the code be and the same is hereby repealed and the following enacted in lieu thereof:

"It shall be the duty of all local boards of health in the state, upon the appearance of any contagious or infectious disease among domestic animals, to notify the state veterinary surgeon at once of the existence of such contagious or infectious disease; and it shall be his duty, whenever notified in writing by a majority of any board of supervisors, township trustees, or of any city or town council, whether in session or not, of the existence of, or probable danger from, any contagious or infectious disease among domestic animals, to repair at once to the place designated in such notice, and make an investigation, and take such action as the exigencies of the case may demand. The governor may appoint such assistant state veterinary surgeons as may be deemed advisable, who shall act under the instruction of the state veterinary surgeon, and, when engaged in the discharge of their duties, shall



receive the sum of five dollars (\$5) a day and their actual expenses, which compensation and expenses shall be paid from the state treasury upon itemized and verified accounts, audited and approved by the executive council.

SEC. 4. **Executive council to approve claims for destruction of stock.** That section twenty-five hundred and thirty-four (2534) of the code be and the same is hereby amended by striking out the word "governor" in the fifteenth line of said section, and inserting the words "executive council" in lieu thereof; and by striking out the word "his" in the sixteenth line of said section and inserting the word "their" in lieu thereof.

SEC. 5. **Repealed—compensation of veterinary surgeon—expenses.** That section twenty-five hundred and thirty-eight (2538) of the code be and the same is hereby repealed, and the following enacted as a substitute therefor:

"The state veterinary surgeon shall receive an annual salary of eighteen hundred dollars (\$1800), which shall be paid in equal monthly installments from the state treasury, and shall also receive the actual expenses incurred by him in the discharge of his official duties. All claims for expenses shall be itemized, verified and paid from the state treasury when audited and allowed by the executive council."

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

Approved April 4, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 5, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 134.

### PROTECTION OF MONGOLIAN, RING-NECK, ENGLISH AND CHINESE PHEASANTS.

H. F. 426.

AN ACT to encourage the propagation of Mongolian, Ring-Neck, English and Chinese Pheasants, and to prohibit the killing thereof. [Additional to chapter fifteen (15) of title twelve (XII) of the code.]

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

SECTION 1. **Trapping, shooting or killing of pheasants prohibited.** No person shall trap, shoot, kill or take in any manner, any Mongolian, Ring-neck, English or Chinese pheasants in this state prior to the first day of October, A. D. 1915.

SEC. 2. **Penalty.** Any person violating the provisions of this act shall upon conviction thereof be fined not to exceed one hundred dollars or imprisonment in the county jail not to exceed thirty days.

Approved April 4, A. D. 1907.

## CHAPTER 135.

## REPORTING OF DEATHS.

S. F. 280.

AN ACT to amend the law as it appears in section five (5), chapter one hundred and nine (109) of the laws of the Thirty-first General Assembly, and to require assessors to report "deaths" occurring in their respective districts.

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

SECTION 1. **Assessors to report deaths.** That the law as it appears in section five (5) of chapter one hundred and nine of the acts of the Thirty-first General Assembly be amended by inserting after the word "births" in line four of said section five the words "and deaths".

Approved March 27, A. D. 1907.

## CHAPTER 136.

## REGISTRATION OF BIRTHS AND DEATHS.

H. F. 29.

AN ACT to amend section seven (7) of chapter one hundred and nine (109) of the laws of the Thirty-first (31st) General Assembly, relating to registration of births and deaths.

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

SECTION 1. **Appropriation.** That all of section seven (7), except the word "section" and figure "7" of chapter one hundred and nine (109) of the Thirty-first (31st) General Assembly, be stricken out and the following be inserted in lieu thereof:

"There is hereby appropriated the sum of two thousand (2,000) dollars, annually, or so much thereof as may be necessary, to pay the expense of printing, postage, clerk hire, and such other expenses as may be required. All bills to be itemized, certified to, and approved by the state registrar."

Approved April 4, A. D. 1907.

## CHAPTER 137.

## STATE BOARD OF HEALTH LABORATORY.

S. F. 25.

AN ACT to repeal section three (3) of chapter one hundred and one (101) of the laws of the Thirtieth (30th) General Assembly, and of chapter one hundred and thirteen (113) of the laws of the Thirty-first (31st) General Assembly, relative to establishing and maintaining a state board of health laboratory at Iowa City, and enacting in lieu thereof the following:

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

SECTION 1. **Repealed—appropriation—purposes.** That section three (3) of chapter one hundred and one (101) of the laws of the Thirtieth (30th) General Assembly and of chapter one hundred and thirteen (113) of the laws of the Thirty-first General Assembly be and the same are hereby repealed and the following enacted in lieu thereof:

"There is hereby appropriated out of any money in the state treasury not otherwise appropriated, for the purpose of more perfectly equipping the present bacteriological laboratory at the State University and for the purpose of enabling it to perform the duties hereby imposed, and to provide it with the necessary apparatus and assistants to render the same effective, the sum of six thousand dollars (\$6,000) annually or so much thereof as may be necessary, to be additional salary of the director, the assistants, the expenses of said laboratory as may be necessary by this act, including postage, stationery, and other contingent and miscellaneous expenses which may be incurred in the maintaining of said laboratory and performing the duties required therein by the provision of this act. The director shall receive such additional salary not to exceed twelve hundred (\$1,200) dollars per year as the state board of health may fix. The appropriations hereby provided shall be expended in the manner provided in section two thousand five hundred and seventy-five (2575) of the code."

SEC. 2. **Acts in conflict repealed.** All acts and parts of acts inconsistent with this act are hereby repealed.

Approved March 27, A. D. 1907.

## CHAPTER 138.

### MATERNITY HOSPITALS.

S. F. 55.

AN ACT to prohibit and regulate hospitals, institutions and places, created for or maintained and used as lying-in or maternity hospitals, or hospitals or places for the reception, care and treatment of women in labor. [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. **Erection, establishment or maintenance—permit.** That from and after the taking effect of this act, it shall be unlawful to erect, or establish or maintain, conduct, keep or carry on, or to continue to maintain, keep or carry on, within this state any lying-in or maternity hospital, or any institution or place for the reception, care and treatment of women in labor, or where females may be received, cared for and treated during pregnancy or after delivery, or any hospital wherein women are received, cared for and treated during pregnancy, or after delivery, the proprietor, owner or persons in charge of which, or any person representing them, undertakes to adopt or procure or assist in procuring the adoption or disposal of any child born therein, within two hundred feet of any church building, university, school or other institution of learning, or public park, or in a building situated within 75 feet of premises owned by another. And it shall from and after the taking effect of this act be unlawful to so erect, establish, maintain, conduct, keep or carry on, or continue to keep or carry on elsewhere in this state, any place or places above enumerated, for any such purpose or purposes, without having first obtained a permit in writing, as hereinafter provided. This act shall not apply to general hospitals for the treatment of diseases, obstetrics and surgical cases.

SEC. 2. **Board of health to grant permit.** The state board of health is hereby authorized to grant a permit in writing, to establish, maintain, conduct, keep or carry on such lying-in or maternity hospital, or hospital ward, or institution, or place for the reception, care and treatment of women in labor, for pay, or where females may be received, cared for or treated during

pregnancy or during or after delivery, for pay, at any place within the state, except as prohibited in section one of this act; but only one such permit shall be issued for any one premises.

**SEC. 3. Application—inspection of premises—issuance of permit—fees.** Any person or persons who desire to obtain the permit provided in section two of this act, shall file with the state board of health an application for said permit, naming each person to whom said permit is to be granted, and particularly describing the place or premises to be used for said purposes, and the location thereof; and shall also cause to be filed with said state board of health a statement signed by two regular physicians, holding a certificate, in force, from the state board of medical examiners of this state, to the effect that, to the personal knowledge of each of said physicians, said person, or each of said persons, is of good character and reputation; that he has personally examined the premises described in the application for said permit, and that the same are suitable and properly furnished for the uses described in section one of this act, and that such hospital or ward or other institution or place will be for the public convenience. Upon the filing of such application for a permit, together with said physicians' certificate, the state board of health shall satisfy itself as to the correctness of the matters set forth in said application and physicians' certificate, and shall cause said premises to be inspected, for which inspection a fee of five dollars shall be paid by the person or persons signing such application, and when so satisfied, and upon the payment of a fee of twenty-five dollars by the person or persons applying for said permit to the said state board of health, said state board of health shall issue its permit, particularly naming the person or persons to whom granted, the description and location of the premises to be used, and the purpose or purposes for which said permit is granted, which permit shall continue in force for one year from the date thereof, unless sooner revoked. Said permit may be renewed, from time to time, whenever said state board of health deem it proper so to do, and upon payment to said board of a fee of five dollars for each renewal thereof. Said permit shall not authorize the use of any other place or premises than the one named in said permit or in the renewal thereof. Provided that no fee mentioned in this section should be required of any religious or charitable institution conducting such lying-in or maternity hospital.

**SEC. 4. Register of patients, births and deaths—reports.** The person or persons in charge of the place described in said permit shall keep a true, accurate and complete register of all patients and of all births and deaths occurring upon said premises, giving date of entry of each patient, date of birth and name of each child born on said premises, and the age of all children dying thereon, and the same particulars, as well as the name, so far as known, of any woman patient dying on said premises; and said person or persons in charge of the place described in said permit shall furnish to the officer authorized by law to receive them, all of the particulars required by law to be furnished for the due registration of each birth or death occurring on said premises, except when such particulars have been furnished by the physician in attendance at birth, or attending on the person so dying thereon. The state board of health shall furnish blanks to all permit holders specified in this act and to be filled out and returned to the state board of health within twenty-four hours after the birth or death of any child or death of any woman patient dying on the premises described in such permit, giving date of birth and sex of each child born on said premises and name and age of the mother, and if the true name of the mother cannot be ascertained then the assumed name given by her, and the age and sex of all children dying on said premises. And the state board of health shall keep a

record of same, which record shall be accessible to the members of the state board of health, members of the board of control of state institutions, the attorney general and any county attorney in the state, and to no other person except on order of a court of record.

SEC. 5. **Articles of adoption—record.** The person or persons in charge of the premises described in such permit shall not adopt or dispose of by adoption or procure or assist in the disposal by adoption of any child born thereon, without the articles of adoption being filed as required by law. Within twenty-four hours after the departure, removal or withdrawal from said premises of any child born thereon, or of the body of any such child, the person or persons in charge thereof shall enter upon said register a record of such departure, removal or withdrawal and the name or other description of said child, the name or names and respective residences of the person or persons who took said child or its body, the disposition made of said child or its body, the place to which the same was taken and where the same was left.

SEC. 6. **Inspections—by whom made—report.** Every person in charge of the premises described in any such permit, his servants, employes or agents, shall permit visitation or inspection of said premises, and of the register in this act provided to be kept, to be made at any time, by the state board or local board of health or by any person designated in writing by the state or local board of health for that purpose. It shall be the duty of the local board of health of the city, town or township in which such premises are maintained to inspect such premises at least once in six months; and to file an accurate report of such inspection with the city, town or township clerk of the city, town or township in which such premises are maintained, and that such report shall be preserved as a permanent record.

SEC. 7. **Revocation of permit.** Said permit may be revoked after reasonable notice by the state board of health, and a conviction under the succeeding section of this act shall operate to terminate and revoke said permit.

SEC. 8. **Penalty.** Any person violating any of the provisions of this act or making any false entry on the register required by this act to be kept, shall be guilty of misdemeanor, and shall be punished by a fine of not more than two hundred and fifty dollars, or by confinement in the county jail not more than six months, or by both such fine and imprisonment. And the premises so unlawfully used are hereby declared to be a nuisance, and the same shall be subject to the procedure provided in section twenty-four hundred and five (2405), twenty-four hundred and six (2406) and twenty-four hundred and seven (2407) of the code, as far as applicable thereto.

Approved March 19, A. D. 1907.

## CHAPTER 139.

### THE PRACTICE OF NURSING.

S. F. 78.

AN ACT to provide for the examination and regulation of graduate nurses. Also to regulate the practice of nursing by graduate nurses and to provide a penalty for the violation thereof. [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. **Certificate required.** It shall be unlawful for any person to profess to be a registered nurse without first obtaining from the state board of health a certificate authorizing him or her to practice nursing in this state, except as hereinafter provided.

**SEC. 2. Examining committee—qualifications of applicants—existing practitioners.** At the annual meeting of the state board of health it shall select two physicians from its own membership, and two graduate nurses, residents of this state actively engaged in the practice of nursing, who, together with the secretary of the state board of health, shall constitute the examining committee for the year. The examinations provided for in this act shall be held in the city of Des Moines in July of each year and at such other times and places as the board of health shall direct. All applicants for certificates to practice nursing shall have attained the age of twenty-three (23) years and shall be of good moral character. They shall be graduates of training schools recognized as being in good standing by the state board of health of Iowa and shall have received at least two years' instruction in general hospital practice. After July 1st, 1910, no training school shall be accredited by the state board of health as a school of recognized standing which is not attached to a general hospital, and which does not have a course of study of at least three years. All graduate nurses who are residents of the state and who have been engaged in the practice of nursing prior to the passage of this act shall be granted a certificate without examination upon the payment of the registration fee of five dollars and the same rule shall apply to all nurses who graduate from a recognized school prior to July 1st, 1907. Nurses holding diplomas from hospital training schools of recognized standing upon application to the secretary of the state board of health shall be granted a permit to practice until the first examination of the board following the issuance of the said permit.

**SEC. 3. Examination—fees—certificates—where registered.** After the passage of this act, any person who is not exempt from examination by section two (2) of this act and who shall apply for a certificate to practice nursing shall be examined in the following subjects; elementary hygiene, anatomy, physiology, materia medica, dietetics, and also practical nursing, medical and surgical nursing, obstetrics, nursing of children and the rules and regulations of the state board of health relating to infectious diseases and quarantine and such other subjects as the examining board may require from time to time. Each applicant shall pay the secretary of the state board of health a fee of five dollars (\$5.00). If the examination be satisfactory to three members of said committee it shall so report to the state board of health; if the board find the report and ratings correct, it shall authorize its president and secretary to issue a certificate to the successful candidate for which such candidate shall pay an additional fee of one (\$1.00) dollar. This certificate shall confer upon the holder the right to practice as a registered nurse and be conclusive evidence thereof. The state board of health is empowered to recognize certificates issued to nurses under the laws of other states having substantially similar requirements to those existing in this state, provided, that such states recognize certificates issued by the state of Iowa; then certificates issued by authority of such other states may be deemed sufficient evidence of qualifications of the licentiate without further examination for certificate in this state; the fee for such certificate shall be ten (\$10.00) dollars. The holder of such certificate provided for in this act, shall cause the same to be registered in the office of the county recorder of the county wherein he intends to reside.

**SEC. 4. Unlawful practice.** No person after January 1st, 1908 except one holding a certificate under authority of this act shall advertise to be or assume the title of registered nurse or use the abbreviation R. N. or any other words, letters or figures to indicate that the person using the same is a registered nurse and it shall be unlawful for any graduate nurse to practice nursing as a graduate or registered nurse in the state of Iowa without first having registered under this act.

**Sec. 5. Not applicable to certain nurses.** This act shall not apply to any person nursing the sick with or without pay who does not in any way assume to be a registered or graduate nurse.

**Sec. 6. Refusal to grant certificates—revocation of certificates.** The board of health may refuse to grant, or renew any certificate provided for in this act, to a person otherwise qualified, who obtained said certificate by false or fraudulent representation, or for immoral or unprofessional or dishonorable conduct, or for willful or repeated violation of the rules or regulations of the state board of health; and the board may revoke any certificate issued by it, for any such or similar cause; provided, that before the revocation of any certificate issued under the provisions of this act, the licentiate shall have been afforded an opportunity for a hearing before the board. At least twenty (20) days prior to the date set for such hearing, the secretary of the state board of health shall cause written notice, under registered mail, to be sent to the licentiate at his last known place of residence; said notice shall contain a statement of the charges, and the date and place set for the hearing before the board. If the party thus notified fails to appear, either in person or by counsel, at the time and place designated in said notice, the board may, after receiving satisfactory evidence of the truth of the charges and the proper issuance of the notice, revoke said certificate. If the licentiate appear either in person or by counsel, the board shall proceed with the hearing as herein provided. The board may receive and consider affidavits and oral statements, and shall cause stenographic report of the oral testimony to be taken, which, together with all other papers pertaining thereto, shall be preserved for one year. If five (5) members of the board present at the hearing, are satisfied that the licentiate is guilty of any of the offenses charged, the certificate shall be revoked, for such time as the state board of health may determine.

**Sec. 7. Compensation of examining committee—expenses.** Each member of the examining committee, except the secretary, shall receive for his services out of the funds created by the payment of fees by applicants for examination such compensation as is allowed to the members of the state board of medical examiners for like services and the secretary shall receive his necessary expenses incurred for services which cannot be performed at the capitol. All printing, postage and other contingent expenses, necessarily incurred under the provisions of this act shall be paid from said fund. All expenses incurred under the provisions of this act shall be itemized, verified, and audited and a warrant drawn therefor on the nurses' fund in the same manner as other expenses of the state board of health.

**Sec. 8. Penalty.** Any person who shall knowingly violate any of the provisions of this act, shall be guilty of a misdemeanor and upon conviction thereof, shall be fined a sum not exceeding one hundred (\$100.00) dollars or imprisoned in the county jail not to exceed thirty (30) days.

Approved March 12, A. D. 1907.

## CHAPTER 140.

## THE PRACTICE OF EMBALMING.

H. F. 7.

AN ACT to regulate the transportation of dead bodies, and the practice of embalming, and to provide for examination and license of embalmers, and to provide penalties for violation. [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. Unlawful practice.** It shall be unlawful for any person to embalm or otherwise prepare for transportation by railway or other public conveyance except as hereinafter provided, the dead body of any human being, or to embalm or otherwise prepare any such body, or to practice, or publicly profess to practice the art of embalming without first obtaining, from the state board of health, a license authorizing him to practice embalming in this state.

**SEC. 2. Examining committee—applicants—qualifications.** At the annual meeting of the state board of health, it shall select two physicians from among its own membership, and two licensed embalmers, residents of this state, who, together with the secretary of the state board of health, shall constitute the examining committee for the year. The examinations provided for in his act, shall be held in the city of Des Moines, in July and January of each year and at such other times as the board of health may direct. All applicants for license to practice embalming, shall have attained the age of twenty-one years, and shall have had not less than two years practical experience under a licensed embalmer in this state, or in lieu thereof, shall have had a practical experience of not less than one year under a licensed embalmer, and have completed the regular course of instruction in a school of embalming recognized as being in good standing by the state board of health of Iowa; in addition to all of said requirements, each applicant for an embalmer's license shall have actually embalmed not less than ten bodies, under the supervision of a licensed embalmer, prior to the date of examination. Each applicant for examination shall file with the secretary of the state board of health not later than ten days prior to the date of the next examination, a sworn statement of his age and other qualifications as required by this act, and a certificate of good moral character signed by three responsible citizens, one of whom must be a licensed embalmer personally acquainted with the applicant for at least one year. All applications under this act shall be upon blanks furnished by the state board of health.

**SEC. 3. Examination—license—fee.** After the passage of this act, each applicant for license to practice embalming, shall be examined in the following subjects: anatomy, sanitary science, the care, disinfection, preservation, transportation of and burial, or other final disposition of dead bodies, and the rules and regulations of the state board of health relating to infectious diseases and quarantine; he may also be required to demonstrate his proficiency as an embalmer by operations on a cadaver. The examination papers and oral answers shall, when concluded, be graded upon the scale of one hundred, each applicant first to pay, to the secretary of the state board of health, a fee of five dollars therefor. The average rating required to pass shall be fixed by the board of health prior to the examination. If the examination be satisfactory to three members of the examining committee, it shall so report to the state board of health; if the board find the report and ratings correct, it shall authorize its president and secretary to issue a license to the



successful candidates, for which such candidates shall each pay an additional fee of one dollar. The license, while in force, shall confer upon the holder the right to practice embalming, or to otherwise prepare dead bodies for transportation, burial, or other authorized mode of final disposition, and be conclusive evidence thereof.

**SEC. 4. Licenses renewed annually—licentiates of other states—fees—licenses registered.** Any person now holding an unexpired license from the state board of health as an embalmer, shall be held to be licensed as an embalmer under the terms of this act, but all licenses now in force, or hereafter issued, shall expire on the thirtieth (30th) day of June following the date of issuance of said license. Licenses shall be renewed without examination annually by the state board of health within thirty (30) days after expiration, provided the holder of said license shall make written application to said board, and pay to the secretary thereof the sum of one dollar renewal fee. The state board of health is empowered to recognize licenses issued to embalmers by authorities under the laws of other states having substantially similar requirements to those existing in this state, provided, that such states recognize licenses issued by the Iowa state board of health, then licenses issued by authority of such other states may be deemed sufficient evidence of qualifications of the licentiate without further examination for license in this state; the fee for such license shall be ten dollars. The owner of any license, or renewal, provided for in this act shall cause the same to be registered in the office of the local board of health of each city or town wherein he intends to practice the art of embalming, and no transportation permit shall be issued by the local board to any person not so recorded.

**SEC. 5. Secretary of state board of health to keep record.** The secretary of the state board of health shall keep a record of the names and residence of all persons to whom licenses have been issued, with the official number and date of issuance; a copy of this record, together with such other information as may tend to improve the public service shall be published annually.

**SEC. 6. Refusal to grant licenses—revocation.** The state board of health may refuse to grant, or renew, any license provided for in this act, to a person otherwise qualified, who obtained said license by false or fraudulent representation, or for habitual intoxication, or for immoral or unprofessional or dishonorable conduct, or for wilful or repeated violation of the rules or regulations of the state board of health; and the board may revoke any license, issued by it, for any such or similar cause; provided, that before the revocation of any license issued under the provisions of this act, the licentiate shall have been afforded an opportunity for a hearing before the board. At least ten (10) days prior to the date set for said hearing, the secretary of the state board of health shall cause written notice, under registered mail, to be sent to the licentiate at his last known place of residence; said notice shall contain a statement of the charges, and the date and place set for the hearing before the board. If the party thus notified fails to appear, either in person or by counsel, at the time and place designated in said notice, the board may, after receiving satisfactory evidence of the truth of the charges and the proper issuance of the notice, revoke said license. If the licentiate appear, either in person or by counsel, the board shall proceed with the hearing as herein provided. The board may receive and consider affidavits and oral statements, and shall cause a stenographic report of the oral testimony to be taken, which together with all other papers pertaining thereto shall be preserved for one year. If five (5) members of the board, present at the hearing, are satisfied that the licentiate is guilty of any of the offenses named in this section, the license shall be revoked. After the revocation of a license the licentiate, or holder thereof, shall not practice embalming or any of its branches in this state.

**SEC. 7. Jurisdiction over transportation of dead bodies—rules and regulations.** The state board of health shall have sole jurisdiction over the transportation of all dead bodies and of all methods preparatory thereto, and the said board is hereby authorized to make such rules and regulations, relating thereto, as in its opinion are necessary to subserve and protect the public health; said rules and regulations when made shall be enforced by the secretary of the state board of health.

**SEC. 8. Removal or shipping permit.** It shall be unlawful for any railway agent, express agent, baggage master, conductor, or other person acting as such, to receive the dead body of any person for shipment, or transportation by railway or other public conveyance, to or from any point in this state or to a point outside of this state, unless said body be accompanied by a removal, or shipping permit signed by the health officer of the local board of health, and a certificate, attached to the outside box containing such body, showing the name and official number of the embalmer by whom it was prepared, and the method of preparation employed; provided, that nothing in this act shall be so construed as to prevent the shipment of dead bodies intended for use for anatomical purposes within this state when the same are so designated by the shipper.

**SEC. 9. Compensation of examining committee—expenses.** Each member of the examining committee except the secretary, shall receive for his services, out of the funds created by the payment of fees by applicants for examination or license, and renewals such compensation as is allowed the members of the state board of medical examiners for like services, and the secretary shall receive the sum of twenty-five dollars per month, and his necessary expenses incurred for services which cannot be performed at the capital. All printing, postage, and other contingent office expenses necessarily incurred under the provisions of this act, shall be paid from said fund. Any balance of said funds remaining shall be turned over to the state treasurer for the use of the state. All expenses incurred under the provisions of this act shall be itemized, verified, and audited, and a warrant drawn therefor on the embalmers' fund in the same manner as other expenses of the state board of health.

**SEC. 10. Penalty—enforcement.** Any person who shall knowingly violate any of the provisions of this act, or who shall offer a forged removal, shipping or transportation certificate, or who shall certify falsely as to the preparation of a dead body, or who shall represent himself to be the bona fide owner of a license or renewal when such license or renewal was not regularly issued to him by the state board of health, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not exceeding one hundred dollars, or be imprisoned in the county jail for a period not exceeding thirty days, or both at the discretion of the court. It shall be the duty of the secretary of the state board of health, to see that the provisions of this act are properly administered and enforced throughout the state, and all peace officers and county attorneys shall aid him in their several capacities in the discharge of these duties.

**SEC. 11. Acts in conflict repealed.** All acts or parts of acts in conflict with this act are hereby repealed.

Approved February 23, A. D. 1907.

## CHAPTER 141.

## REVOCATION OF PHYSICIANS' CERTIFICATES.

H. F. 266.

AN ACT to repeal section two thousand five hundred and seventy-eight (2578) of the code and to enact a substitute therefor, relating to the revocation of physicians' certificates.

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

**SECTION 1. Repealed—refusal of certificate or revocation for cause.** That section two thousand five hundred and seventy-eight (2578) of the code be and the same is hereby repealed and the following is enacted in lieu thereof:

“The board of medical examiners may refuse to grant a certificate to any person otherwise qualified and shall revoke any certificate issued by it to any physician, who is not of good moral character, or who solicits professional patronage by agents, or who profits by the acts of those representing themselves to be his agents, or who is guilty of fraudulent representations as to his skill and ability, or who is guilty of gross unprofessional conduct, or for incompetency, or for habitual intoxication or drug habit; or if the certificate has been granted upon false and fraudulent statements as to graduation or length of practice, the board of medical examiners shall, to safeguard the public health, revoke the certificate in the manner hereinafter set forth.

“**SEC. 2. Revocation of certificates—procedure.** Before the revocation of any certificate issued by the state board of medical examiners the licentiate shall have been afforded an opportunity for a hearing before the board. At least twenty (20) days prior to the date set for such a hearing, the secretary of the state board of medical examiners shall cause written notice to be personally served upon the defendant in the manner prescribed for the serving of original notice in civil actions. Said notice shall contain a statement of the charges and the date and place set for the hearing before the board. If the party thus notified fails to appear, either in person or by counsel at the time and place designated in said notice, the board shall, after receiving satisfactory evidence of the truth of the charges and the proper issuance of notice, revoke said certificate. If the licentiate appear either in person or by counsel, the board shall proceed with the hearing as herein provided. The board may receive and consider affidavits and oral statements and shall cause stenographic reports of the oral testimony to be taken, which, together with all other papers pertaining thereto, shall be preserved for two years. If five members of the board, present at the hearing, are satisfied that the licentiate is guilty of any of the offenses charged, the license shall be revoked. After the revocation of a certificate the holder thereof shall not practice medicine, surgery or obstetrics in this state, for such times as the state board of health may determine.

“**SEC. 3. Appeal.** Any person aggrieved by any ruling or order entered under the provisions of this act shall have the right of an appeal to the district court in the county where the alleged offense was committed, upon giving notice to the board of medical examiners of such appeal within twenty days after the entry of such ruling, order, or judgment.”

Approved April 4, A. D. 1907.

## CHAPTER 142.

## PRACTICE OF PHARMACY.

S. F. 157.

AN ACT to repeal section twenty-five hundred ninety-three (2593) of the code, and to enact a substitute therefor, relating to the practice of pharmacy.

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

SECTION 1. **Sale of poisons.** Section twenty-five hundred ninety-three (2593) of the code is hereby repealed, and the following enacted in lieu thereof:

“No persons shall sell at retail any poisons enumerated in the following schedule, to-wit: Acids, hydrochloric, nitric, and sulphuric, arsenic, chloral hydrate, chloroform, ammoniated mercury, atropine, arsenate of copper, aconitine, benzaldehyde, bromine, cyanide of potassium, cobalt, corrosive-sublimate, dionin, ether sulphuric, hyoscyne, morphine, kermes mineral, cantharides, cotton root, croton oil, carbolic acid, digitalis, denatured alcohol, ergot, hydrocyanic acid, nux vomica, opium and its preparations, (excepting those containing less than two grains to the ounce), oils of bitter almonds, savin and pennyroyal, oxalic acid, phosphorus, strychnine and its salts, veratrum, and wood alcohol; without affixing to the bottle, box, or other package containing the poison, a label bearing the name of the article and the word poison distinctly shown, with the name and place of business of the registered pharmacist from whom the article was obtained, nor sell or deliver such poison unless upon due inquiry it be found that the party receiving it is aware of its character and represents it to be used for proper purposes, nor sell or deliver the poisons heretofore enumerated, without entering same in a book kept for that purpose, the date of sale, the name and address of purchaser, the name of the poison, the purpose for which it was represented to be required, and the name of the dispenser, which book shall be open for inspection by the proper authorities and preserved for at least five years, provided that nothing in this section shall apply to the sale of patent medicines, or to drugs used in the filling of prescriptions from physicians, veterinary surgeons or dentists; provided that it shall not be necessary to keep a record in said book of sales of denatured alcohol and wood alcohol, when it is ascertained they are to be used for mechanical purposes; provided however, that nothing herein contained shall be construed to permit or authorize the sale of any of the poisons herein named where the sale thereof is otherwise prohibited or regulated by law. The obtaining of any such poisons by any person under a false name or statement shall be deemed a violation of the provisions of this act. Any person violating any of the provisions of this act shall be adjudged guilty of a misdemeanor and be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment in the county jail not more than thirty days.”

Approved March 27, A. D. 1907.

## CHAPTER 143.

## PRACTICE OF PHARMACY.

S. F. 204.

AN ACT to amend the law as it appears in section two thousand five hundred and ninety-six-a (2596-a) of the supplement to the code, in relation to the sale of cocaine, and restricting the sale of certain other drugs.

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

**SECTION 1. Sale of cocaine and certain drugs.** Section two thousand five hundred ninety-six-a (2596-a) of the supplement to the code is hereby amended by striking out all of said section to the period in the fifth line thereof and inserting in lieu thereof the following, "No person, firm or corporation shall sell, exchange, deliver or have in his possession with intent to sell, exchange or expose or offer for sale or exchange any coca (Erythroxyton Coca), cocaine, alpha or beta eucaine or derivatives of any of them, or any preparation containing coca, cocaine, alpha or beta eucaine or derivatives of any of them, or any cotton root, ergot, oil of tansy, oil of savin or derivatives of any of them, except upon the original written prescription of a registered physician or veterinarian or licensed dentist for medical, dental or veterinary purposes, and no such prescription shall be refilled. Provided that nothing in this act shall prevent the sale thereof to a wholesale or retail dealer in drugs, nor to a registered physician or veterinarian or licensed dentist.

Approved April 4, A. D. 1907.

## CHAPTER 144.

## PRACTICE OF DENTISTRY.

S. F. 236.

AN ACT amendatory to and additional to the law as it appears in section three (3), chapter one hundred sixteen (116), of the laws of the Thirty-first General Assembly of Iowa, relative to the practice of dentistry; and extending the time within which to file licenses issued prior to January 1, 1907, under certain conditions.

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

**SECTION 1. License filed in wrong county office.** That section three (3) of chapter one hundred sixteen (116) acts of the Thirty-first General Assembly, be and the same is hereby amended by adding thereto the following:

"Provided, however, that where a license to practice dentistry has been issued at any time prior to January 1, 1907, under the provisions of chapter nineteen (19) [of title twelve (XII)] of the code, or under the provisions of chapter nineteen (19)-A [of title twelve XII] of the supplement to the code, and the same in good faith, but by mistake, has been filed for record in the office of any other county officer of the proper county except that of the clerk of the district court, then the holder of such license shall be allowed six months from and after the taking effect of this act within which to file the same for record with the clerk of the district court in the county in which he desires to practice dentistry; and from and after the date of said filing the holder of such license shall be authorized to practice dentistry the same as though said license had been originally filed with the proper officer."

**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 Register and Leader and the Des Moines Capital, newspapers published at Des Moines, Iowa.  
Approved April 13, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, April 17, 1907, and the Register and Leader, April 19, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 145.

### ADMISSIONS TO SOLDIERS' HOME.

H. F. 118.

AN ACT to amend section twenty-six hundred and two (2602) of the code, relating to admission of persons to the soldiers' home.

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

**SECTION 1. Admissions—certificate of residence.** That section twenty-six hundred and two (2602) of the code be and the same is hereby amended by adding thereto the following:

“Before admission such person shall file with the officer having charge of such home a certificate signed by the board of supervisors of the county in which such person resides stating that such person is a resident of such county. Such certificate shall be conclusive evidence of the residence of such person in all matters affecting the liability of the county with respect to the expenses of such person in case of insanity or any other cause for which the county may be liable. If the applicant is entitled to admission and is not a resident of the state, a record shall be made thereof on admission. Nothing in this act shall be construed to bar any person from admission who is entitled to such admission under section twenty six hundred and two (2602) of the code.”

Approved March 20, A. D. 1907.

## CHAPTER 146.

### SUPPORT FUND OF SOLDIERS' HOME.

H. F. 348.

AN ACT to amend the law as it appears in section twenty-six hundred and eight (2608) of the supplement to the code, relating to the soldiers' home at Marshalltown.

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

**SECTION 1. Per capita support.** That the law as it appears in section twenty-six hundred and eight (2608) of the supplement to the code, be amended by striking out of the second line of said section the word “fourteen” and by inserting in lieu thereof the word “fifteen”.

Approved April 4, A. D. 1907.

## CHAPTER 147.

## STATE SANATORIUM FOR TREATMENT OF TUBERCULOSIS.

H. F. 338.

AN ACT to amend chapter one hundred twenty (120), laws of the Thirty-first General Assembly, relating to the state sanatorium at Iowa City, further defining the duties of the board of control regarding tuberculosis, and making additional appropriations.

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

**SECTION 1. State sanatorium.** That chapter one hundred twenty (120), laws of the Thirty-first General Assembly be, and the same is hereby amended by striking out the word "sanitarium" wherever said word occurs in said chapter and substituting the word "sanatorium" in lieu thereof.

**SEC. 2. Per capita support.** That section eleven (11), line four (4), of said chapter be, and is hereby amended by striking out the words and figures "twenty dollars (\$20)" and substituting in lieu thereof "thirty dollars (\$30)".

**SEC. 3. Certain provisions repealed.** That section thirteen (13) of said chapter be, and is hereby amended by striking out in lines seven (7) and eight (8) the words "and to collect and disseminate information regarding tuberculosis" as the same occurs therein.

**SEC. 4. Appropriation for collection and dissemination of information.** That said chapter one hundred twenty (120) be, and is hereby amended by striking out the numbers of sections fourteen (14) and fifteen (15) and substituting in lieu thereof the numbers fifteen (15) and sixteen (16) respectively, and by inserting an additional section to be numbered section fourteen (14), said section to be as follows:

"SECTION 14. There is hereby appropriated out of any funds in the state treasury not otherwise appropriated the sum of five thousand dollars (\$5,000) annually, or so much thereof as may be necessary, to be used by the board of control of state institutions for the collection and dissemination of information regarding tuberculosis. Said board of control may arrange exhibits employ lecturers, co-operate with other institutions or organizations or use any means necessary to give to the people of the state a practical knowledge of tuberculosis. Said board of control shall, with the superintendent or such assistance as it may deem advisable, stimulate the organization of, and assist in establishing hospitals or dispensaries or make other provisions, in the various counties or large centers of population, for the treatment of patients in the advanced stages of tuberculosis."

**SEC. 5. Appropriation for completion and equipment.** There is hereby further appropriated the sum of fifty thousand dollars (\$50,000) for the purpose of completing and equipping said sanatorium and in making it ready for use.

**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 Register and Leader and Des Moines Capital, newspapers published at Des Moines, Iowa.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, April 15, 1907, and the Register and Leader, April 16, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 148.

## ISSUANCE OF STATE CERTIFICATES TO GRADUATES OF HIGHER INSTITUTIONS OF LEARNING.

S. F. 207..

AN ACT to empower the state educational board of examiners to issue state certificates to graduates of higher institutions of learning. [Additional to chapter two (2) of title thirteen (XIII) of the code and chapter one hundred and twenty-two (122) of the acts of the Thirty-first General Assembly.]

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

**SECTION 1. Graduates from accredited colleges.** That the state educational board of examiners may accept graduation from the regular and collegiate courses in the state university, state normal schools, and the state college of agriculture and mechanic arts, and from other institutions of higher learning in the state having regular and collegiate courses of equal rank, as evidence that a teacher possesses the scholarship and professional fitness for a state certificate.

**SEC. 2. State certificates granted.** That in all cases where such graduation shows the extent and quality of scholarship that is required by section twenty-six hundred and twenty-nine (2629) of the supplement to the code, and when the teacher possesses a good moral character and satisfies the board of being professionally qualified, there shall be granted by the said board of examiners a state certificate valid for five years to teach in any public school in the state.

**SEC. 3. Renewal.** That at the close of said five years' period upon proof of at least three years' successful teaching experience, the educational board of examiners may renew such state certificate.

Approved April 13, A. D. 1907.

## CHAPTER 149.

## VALIDATION OF TEACHERS CERTIFICATES ISSUED IN OTHER STATES.

S. F. 98.

AN ACT to empower the state educational board of examiners to validate teachers' certificates issued in other states. [Additional to the law as it appears in section twenty-six hundred and thirty-b (2630-b) of the supplement to the code.]

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

**SECTION 1. Validation authorized.** The state educational board of examiners is hereby empowered to validate certificates issued by state departments of education in other states, where such certificates were issued upon evidence of scholarship and experience equivalent to that required for like certificates under the laws of this state.

Approved February 23, A. D. 1907.



## CHAPTER 150.

## VACANCIES ON SCHOOL BOARD.

H. F. 358.

AN ACT to amend section twenty-seven hundred seventy-one (2771) of the supplement to the code, relative to the filling of vacancies on the school board.

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

SECTION 1. **Calling of special election to fill vacancy.** That section twenty-seven hundred seventy-one (2771) of the supplement to the code be and the same is hereby amended by inserting between the word "board" and the word "shall" in line eight (8) the following "or if there be no secretary, the county superintendent", and by inserting a comma (,) between the word "board" in said line eight (8) and the words inserted.

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

Approved April 4, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 5, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 151.

## PERMANENT SCHOOL FUND.

S. F. 152.

AN ACT to repeal sections twenty-eight hundred and fifty-five (2855) of the code supplement, and twenty-eight hundred and nine (2809) of the code and to enact substitutes therefor, and to amend sections twenty-eight hundred and eight (2808) of the code supplement and twenty-eight hundred and fifty (2850) of the code, relating to the handling of the principal and interest of the permanent school fund.

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

SECTION 1. **Repealed—lands bid in—losses—interest—rents.** That section twenty-eight hundred and fifty-five (2855) of the code supplement relating to the permanent school fund, be and the same is hereby repealed and the following enacted in lieu thereof:

"When lands have been bid in by the county for the state under foreclosure of school fund mortgages and the time for redemption has expired a sheriff's deed shall be issued to the state for the use and benefit of the permanent school fund. The county auditor shall thereupon notify the auditor of state who shall give the county credit for the amount of principal in the original notes remaining unpaid. All lands hereafter acquired by the state under foreclosure proceedings shall be re-sold within two years from date of foreclosure and all such lands heretofore acquired shall be re-sold on or before January 1, 1909. Such lands shall be appraised, advertised and sold in the manner provided for the appraisement, advertisement and sale of the sixteenth section or lands selected in lieu thereof. When a re-sale is made the county auditor shall notify the auditor of state who shall thereupon charge the county with the full amount of the re-sale, except that when the lands

are sold for more than the unpaid portion of the principal, the excess shall be applied to reimburse the county for the costs of foreclosure and the interest paid by the county to the state by reason of default of payment of same by the makers of the notes, previous to the time when the right of redemption has expired, not, however, to exceed three years. Any excess over and above the amount of the unpaid portion of the principal, costs of foreclosure and interest on the principal as above provided, shall inure to the state and be credited to the permanent school fund account. If the lands shall be sold for a less amount than the unpaid portion of the principal, the loss shall be sustained by the county, and the board of supervisors shall at once order the amount of such loss transferred from the general fund of the county to the permanent school fund account. County auditors shall, on or before the first day of January of each year, report to the auditor of state the amount of all sales and re-sales made during the year previous, of the sixteenth section, five hundred thousand acres grant, escheat estates, and lands taken under foreclosure of school fund mortgages, and the auditor of state shall charge the same to the counties with interest from the date of such sale or re-sale to January first, at the rate of four and one-half per cent per annum. The auditor of state shall, also, on the first day of January, charge to each county having permanent school funds under its control, interest thereon at the rate of four and one-half per cent per annum for the preceding year, or such part thereof as such funds shall have been in the control of the county, which shall be taken as the whole amount of interest due from each county. All interest collected above the four and one-half per cent charged by the state shall be transferred to the general county fund. If any county fails or refuses to collect the amount of interest due the state, the deficiency shall be paid to the state from the general county fund. Any county delinquent in the payment of interest due the state shall be charged one per cent per month on the amount delinquent until paid. County auditors shall, upon the first day of January of each year, report to the auditor of state the amount of rents collected during the preceding year on unsold school lands and lands taken under foreclosure of school fund mortgages then in the hands of the county treasurer, and the auditor of state shall include the amount so reported in his semi-annual apportionment of interest."

**SEC. 2. Repealed—county auditor to report.** That section twenty-eight hundred and nine (2809) of the code, relating to the school fund, be and the same is hereby repealed and the following enacted in lieu thereof:

"The county auditor, shall on the first Monday in January of each year, forward to the superintendent of public instruction a certificate of the election or appointment and qualification of the county superintendent, and shall also on the first day of January of each year make out and transmit to the auditor of state, in accordance with such forms as said auditor may prescribe, a report of the amount of permanent school fund held by the county and also the amount of interest due prior to January first, still remaining unpaid, and shall file said report with the auditor of state on or before the first day of February."

**SEC. 3. Apportionment of interest and rents.** That section twenty-eight hundred and eight (2808) of the code supplement, relating to the interest on the permanent school fund, be and the same is hereby amended by striking out the words "fourth" and "September" in the second line of said section and inserting in lieu thereof the words "first" and "October"; and also by adding after the word "fund" in the fourth line the words "and rents on unsold school lands", and by adding after the word "entitled" in the fourth line the words "as shown in notice from the auditor of state".

**SEC. 4. Compensation of county auditor.** That section twenty-eight hundred and fifty (2850) of the code, relating to the permanent school fund, be

and the same is hereby amended by adding after the word "services" in the fifteenth line the words "in addition to his salary".

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

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, April 15, 1907, and the Register and Leader, April 16, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 152.

### BONDS OF SCHOOL CORPORATIONS.

S. F. 271.

AN ACT to repeal chapter one hundred and forty (140), laws of the Thirty-first General Assembly, relative to bonds of school corporations, and enacting a substitute therefor.

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

**SECTION 1. Repealed.** That chapter one hundred and forty (140), laws of the Thirty-first General Assembly, be and the same is hereby repealed and the following sections enacted in lieu thereof:

"**SEC. 2. School funding bonds.** The board of directors of any school corporation may issue the bonds of said school corporation to pay any judgment against said school corporation or any indebtedness represented by bonds heretofore lawfully issued. Said bonds shall be known as school funding bonds and shall be authorized by resolution of the board. The proceeds derived from said bonds shall be applied in payment of any such outstanding judgment or bonded indebtedness, or said bonds may be exchanged for outstanding judgments or bonds, par for par.

"**SEC. 3. School building bonds.** For the purpose of borrowing money necessary to erect, complete, equip, furnish or improve a schoolhouse, or to purchase sites therefor, the board of directors of any school corporation, when they have been heretofore, or when they may hereafter be authorized by the voters at the annual meeting or at a special meeting called for that purpose, may issue the negotiable interest bearing bonds of said school corporation; said bonds to be known as school building bonds.

"**SEC. 4. Form—duration—rate of interest—where registered.** All of said 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 run not more than ten years, and may be sooner paid if so nominated in the bond; be in denomination of not more than one thousand dollars (\$1,000) or less than one hundred dollars (\$100) each, to bear a rate of interest not exceeding six (6) per centum per annum, payable semi-annually, to be signed by the president and countersigned by the secretary of the board of directors, and shall not be disposed of for less than par value, nor issued for other purposes than this chapter provides. All of said bonds shall be registered in the office of the county auditor. The expenses of engraving and printing of bonds may be paid out of the contingent fund.

"**SEC. 5. Redemption—treasurer to keep record.** Whenever the amount in the hands of the treasurer, belonging to the funds set aside to pay bonds, is sufficient to redeem one or more of the bonds which by their terms are subject to redemption, he shall give the owner of said bonds thirty (30) days'

written notice of the readiness of the district to pay and the amount it desires to pay. If not presented for payment or redemption within thirty days after the date of such notice, the interest on such bonds shall cease and the amount due thereon shall be set aside for its payment whenever it is presented. All redemptions shall be made in the order of their numbers. The treasurer shall keep a record of the parties to whom the bonds are sold, together with their postoffice addresses, and notice mailed to the address as shown by such record shall be sufficient."

Approved April 4, A. D. 1907.

## CHAPTER 153.

### ACQUISITION OF SCHOOLHOUSE SITES.

H. F. 252.

AN ACT to repeal section twenty-eight hundred fourteen (2814) of the code and enact a substitute therefor relative to the acquisition of school sites.

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

SECTION 1. **Repealed — schoolhouse sites — acquisition.** That section twenty-eight hundred and fourteen (2814) of the code be and the same is hereby repealed and the following enacted as a substitute therefor:

"Any school corporation may take and hold so much real estate as may be required for schoolhouse sites, for the location or construction thereon of schoolhouses, and the convenient use thereof, but not to exceed one acre, exclusive of public highway, except in a city, town, or village it may include one block exclusive of the street or highway as the case may be: or in districts consolidated under the provisions of section twenty-seven hundred ninety-nine (2799) of the code, or chapter one hundred forty-one (141) of the laws of the Thirty-first General Assembly, or in school townships holding not more than two school sites, may consist of not to exceed four acres, for any one site, unless by the owner's consent, which site must be upon some public road already established or procured by the board of directors and shall, except in cities, towns, or villages, be at least thirty rods from the residence of any owner who objects to its being placed nearer, and not in any orchard, garden or public park."

Approved April 5, A. D. 1907.

## CHAPTER 154.

### ENFORCEMENT OF COMPULSORY EDUCATION.

S. F. 302.

AN ACT to amend section twenty-eight hundred and twenty-three-f (2823-f) of the supplement to the code relative to the enforcement of the law for compulsory education.

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

SECTION 1. **Enforcement.** That section twenty-eight hundred twenty-three-f (2823-f) of the supplement to the code be and the same is hereby amended by inserting between the word "district" and the word "within" in line seven (7) the words "or the county superintendent of the county".

Approved April 13, A. D. 1907.

## CHAPTER 155.

## CONSOLIDATION OF SCHOOL DISTRICTS IN CERTAIN CITIES.

S. F. 82.

AN ACT to provide for the consolidation, and change of boundaries of school districts in certain cities of the first class, and other purposes incident thereto. [Additional to chapter fourteen (14) of title thirteen (XIII) of the code.]

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

**SECTION 1. Consolidation authorized.** That in all cities of the first class containing a population of fifty thousand or over, according to any census taken by the authority or under the direction of the state of Iowa or of the United States, all the territory embraced within the corporate limits of any such city may be consolidated into and become one independent school district, known as the independent school district of (naming the city), state of Iowa, in the manner following:

**SEC. 2. Petition—question submitted—consolidation effected—board of directors—officers.** When a written petition, requesting the establishment of a consolidated independent district whose territory shall be co-extensive with that of such city, signed by one hundred voters of such city, is filed with the board of the school corporation, therein having the largest number of voters, it shall be the duty of said board within ten days, to call an election, at which all the voters residing in the proposed district shall be allowed to vote by ballot for or against the proposition, "Shall all the territory within the city of (naming it) be united into one school district?" The board calling said election shall divide the territory within the proposed district into such number of precincts, as the board shall determine, and the judges of election shall make and certify a return of the vote to the secretary of the same board which shall, on the next Monday after the election, canvass the returns made to the secretary, ascertain the result of the election, declare the same and cause a record to be made thereof, and in all other respects, except as inconsistent with the provisions of this act, the election shall be conducted as provided by law for elections in independent school districts in cities of the first class. If a majority of the votes cast at such election is favorable to the proposition, the consolidation and formation of said independent district shall thereby be effected, and the board of directors, treasurer, and other officers of the school corporation then holding office in the district affected by such consolidation having the largest number of voters, shall become the board of directors, treasurer and other officers of such consolidated district, and shall continue to hold their respective offices until the terms for which they were originally elected shall expire. The terms of office of all directors, treasurers and officers of boards in all the other districts affected by this act, lying wholly within such consolidated district and holding office at the time of such consolidation, shall cease and determine, and in case of districts lying partly without such consolidated district, the directors, officers and treasurers shall continue to have authority only over the territory lying within their districts, and without the consolidated district; provided that nothing herein contained shall affect the terms of employment of superintendents, principals, or teachers for the current school year, in which such consolidation may be effected.

**SEC. 3. Taxes.** All taxes previously certified during that year, shall be void so far as the property within the limits of the consolidated independent district is concerned. And all taxes necessary for the new corporation for that year shall be certified and levied as provided in section twenty-seven hundred ninety-six (2796) of the code. All property belonging to districts affected by such consolidation shall become the property of the consolidated

district, except that in case of districts lying partly without such city, the liabilities and assets of such districts shall be equitably apportioned in accordance with chapter one hundred thirty-six (136), section thirteen (13) acts of the Thirty-first (31) General Assembly, but nothing herein contained shall affect the rights of existing creditors.

**Sec. 4. Election expense.** The expense of such election shall be borne by the consolidated district, in case such district shall be formed, otherwise by the separate districts in proportion to the assessed valuation therein within the proposed consolidated district.

**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 Register & Leader and Des Moines Capital, newspapers published at Des Moines, Iowa.

Approved March 13, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, March 15, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 156.

### COMPENSATION AND BONDS OF STATE LIBRARIAN AND ASSISTANTS.

H. F. 407.

AN ACT repealing section two thousand eight hundred eighty-one (2881) of the code, and section two thousand eight hundred eighty-one-f (2881-f) of the supplement to the code, and section six (6) of chapter one hundred fourteen (114) of the acts of the Twenty-eighth General Assembly, relating to employes in the state library, fixing their salaries and providing for their bonds, and enacting a substitute therefor.

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

**SECTION 1. Repealed.** Section two thousand eight hundred eighty-one (2881) of the code, and section two thousand eight hundred eighty-one-f (2881-f) of the supplement to the code, and section six (6) of chapter one hundred fourteen (114) of the acts of the Twenty-eighth General Assembly, are hereby repealed.

**Sec. 2. State librarian—curator—assistant librarian—salaries.** From and after the taking effect of this act the salary of the state librarian shall be the sum of two thousand four hundred dollars (\$2,400) per annum; of the curator of the museum and art gallery the sum of one thousand six hundred dollars (\$1,600) per annum, and of the assistant to librarian the sum of one thousand eight hundred dollars (\$1,800) per annum.

**Sec. 3. Other assistants—salaries.** As assistants (in addition to the curator of the museum and art gallery and the assistant to librarian) the state librarian may employ one first assistant at an annual salary of one thousand one hundred dollars (\$1,100); one second assistant at an annual salary of one thousand dollars (\$1,000); and one third assistant at an annual salary of nine hundred dollars (\$900).

**Sec. 4. Bonds.** The state librarian shall give bond in the sum of five thousand dollars (\$5,000), and the curator of the museum and art gallery and the assistant to librarian shall each give bond in the sum of one thousand dollars (\$1,000), conditioned upon the faithful performance of their respective duties and a full and accurate accounting of all moneys coming into their hands in virtue of their respective offices. Said bonds shall be approved by the board of trustees of the state library and historical department.

**SEC. 5. Salaries, how paid.** The salaries provided for in this act shall be paid in monthly installments out of any money in the state treasury not otherwise appropriated.

**SEC. 6. In effect.** This act shall take effect and be in full force from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 15, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 157.

### PRESERVATION OF PUBLIC ARCHIVES.

S. F. 26.

AN ACT to amend chapter one hundred forty-two (142) laws of the Thirty-first General Assembly, and increasing the appropriation for carrying its purposes into effect.

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

**SECTION 1. Repealed—transfer and delivery of public archives.** That section 2 of said act be repealed and the following enacted in lieu thereof:

“**SEC. 2.** That the several state executive and administrative departments, officers or offices, councils, boards, bureaus and commissioners are hereby authorized to transfer and deliver to the executive council for arrangement, classification, labeling, filing and calendaring, and then to the state library and historical department for preservation such of the public archives as are designated in section one (1) of this act except such as in the judgment of the executive council should be longer retained in the respective offices.”

[**SEC. 2.] Repealed—state library and historical department authorized to receive archives.** That section 3 of said act is hereby repealed, and the following enacted in lieu thereof:

“**SEC. 3.** That the state library and historical department is hereby authorized and directed to receive from the executive council such of the public archives as are designated in section one (1) of this act as rapidly as the same are properly arranged, classified, labeled, filed and calendared.”

[**SEC. 3.] Repealed—appropriation—how expended.** That section 5 of said act is hereby repealed and the following enacted in lieu thereof:

“**SEC. 5.** That for carrying out the purposes of this act there is hereby appropriated out of any moneys in the state treasury not otherwise appropriated the sum of six thousand dollars (\$6,000) annually for two years beginning July 1, 1907, to be expended under the direction of said executive council.”

Approved April 13, A. D. 1907.

CHAPTER 158.

INDEXES KEPT BY COUNTY RECORDERS.

H. F. 414.

AN ACT to repeal section twenty-nine hundred thirty-five (2935) of the code, and to enact a substitute therefor, relating to indexes to be kept by county recorders.

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

SECTION 1. **Repealed—indexes.** That section twenty-nine hundred thirty-five (2935) of the code be and the same is hereby repealed and the following enacted in lieu thereof:

“The recorder must keep index books, the pages of which are so divided as to show in parallel columns:

1. Each grantor;
2. Each grantee;
3. The time when the instrument was filed;
4. The date of the instrument;
5. The nature of the instrument;
6. The book and page where the record thereof may be found;
7. The description of the real estate conveyed;

“Separate index books shall be kept for mortgages and satisfactions or releases of same; one for those containing descriptions of lots, and one for those containing lands; and separate books for other conveyances of real estate; one for lots, and one for lands. Also he shall keep an index book for powers of attorney and affidavits as provided for in section twenty-nine hundred fifty-seven (2957) of the code. All of above indexes to be arranged alphabetically in accordance with section twenty-nine hundred thirty-seven (2937) and indexed inversely in name of grantee, and in case of affidavits each and every affidavit filed for record shall be indexed in appropriately ruled columns as follows:

Affidavit.	Concerning Whom.	Concerning Lands in.							Remarks.
		Lot	Blk.	Addi- tion	Town	Sec.	Twp.	Rng.	

Affiant	Date of Filing.				Date of Instrument.			Where Recorded.	
	Month	Day	Year	Hour	Month	Day	Year	Book	Page
				A. M. P. M.					

Approved April 13, A. D. 1907.



## CHAPTER 159.

## RIGHTS OF PROPERTY AND CONVEYANCE THEREOF.

S. F. 272.

AN ACT additional to and amendatory of the law as it appears in title fourteen (XIV) of the code, relative to rights of property and the conveyance thereof.

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

**SECTION 1. Rule in Shelley's case abolished.** The rule or principle of the common law known as the "rule in Shelley's case" is hereby abolished and is declared not to be a part of the law of this state.

**SEC. 2. Estate not enlarged.** No express devise, bequest or conveyance of an estate for life or other limited estate in real or personal property shall be enlarged or construed to pass any greater estate to the devisee, legatee or grantee thereof by reason of any devise, bequest or conveyance to the heirs, heirs of the body, children, or issue of such devisee, legatee or grantee, provided that the passage of this act shall not in any manner or under any circumstances be so construed as to impair or affect the vested rights of any person in or to any lands or estates acquired prior to the taking effect hereof.

Approved April 13, A. D. 1907.

## CHAPTER 160.

## WAREHOUSE RECEIPTS.

S. F. 244.

AN ACT authorizing persons, firms or corporations engaged in the business of storing goods for profit, to issue warehouse receipts on the goods so stored; to regulate the issuance, negotiation and transfer of such receipts, and to provide punishment for violation of said regulations, and repealing section thirty-one hundred twenty-nine (3129) of the code.

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

**SECTION 1. Persons who may issue receipts.** Warehouse receipts may be issued by any warehouseman.

**SEC. 2. Form of receipts—essential terms.** Warehouse receipts need not be in any particular form, but every such receipt must embody within its written or printed terms—

- (a) The location of the warehouse where the goods are stored,
- (b) The date of issue of the receipt,
- (c) The consecutive number of the receipt,
- (d) A statement whether the goods received will be delivered to the bearer, to a specified person, or to a specified person or his order,
- (e) The rate of storage charges,
- (f) A description of the goods or of the packages containing them,
- (g) The signature of the warehouseman, which may be made by his authorized agent,
- (h) If the receipt is issued for goods of which the warehouseman is owner, either solely or jointly or in common with others, the fact of such ownership, and
- (i) A statement of the amount of advances made and of liabilities incurred for which the warehouseman claims a lien. If the precise amount of such advances made or of such liabilities incurred is, at the time of the issue of the receipt, unknown to the warehouseman or to his agent who issues it, a

statement of the fact that advances have been made or liabilities incurred and the purpose thereof is sufficient.

A warehouseman shall be liable to any person injured thereby, for all damage caused by the omission from a negotiable receipt of any of the terms herein required.

**SEC. 3. Form of receipts—what terms may be inserted.** A warehouseman may insert in a receipt, issued by him, any other terms and conditions, provided that such terms and conditions shall not—

(a) Be contrary to the provisions of this act.

(b) In anywise impair his obligation to exercise that degree of care in the safe-keeping of the goods entrusted to him which a reasonably careful man would exercise in regard to similar goods of his own.

**SEC. 4. Definition of non-negotiable receipt.** A receipt in which it is stated that the goods received will be delivered to the depositor, or to any other specified person, is a non-negotiable receipt.

**SEC. 5. Definition of negotiable receipt.** A receipt in which it is stated that the goods received will be delivered to the bearer, or to the order of any person named in such receipt is a negotiable receipt. No provision shall be inserted in a negotiable receipt that it is non-negotiable. Such provision, if inserted, shall be void.

**SEC. 6. Duplicate receipts must be so marked.** When more than one negotiable receipt is issued for the same goods, the word "duplicate" shall be plainly placed upon the face of every such receipt, except the one first issued. A warehouseman shall be liable for all damage caused by his failure so to do to any one who purchased the subsequent receipt for value supposing it to be an original, even though the purchase be after the delivery of the goods by the warehouseman to the holder of the original receipt.

**SEC. 7. Failure to mark "not negotiable".** A non-negotiable receipt shall have plainly placed upon its face by the warehouseman issuing it "non-negotiable," or "not negotiable." In case of the warehouseman's failure so to do, a holder of the receipt who purchased it for value supposing it to be negotiable, may, at his option, treat such receipt as imposing upon the warehouseman the same liabilities he would have incurred had the receipt been negotiable. This section shall not apply, however, to letters, memoranda, or written acknowledgments of an informal character.

**SEC. 8. Obligation of warehouseman to deliver.** A warehouseman, in the absence of some lawful excuse provided by this act, is bound to deliver the goods upon a demand made either by the holder of a receipt for the goods or by the depositor, if such demand is accompanied with—

(a) An offer to satisfy the warehouseman's lien,

(b) An offer to surrender the receipt if negotiable, with such indorsements as would be necessary for the negotiation of the receipt, and

(c) A readiness and willingness to sign, when the goods are delivered, an acknowledgment that they have been delivered, if such signature is requested by the warehouseman.

In case the warehouseman refuses or fails to deliver the goods in compliance with a demand by the holder or depositor so accompanied, the burden shall be upon the warehouseman to establish the existence of a lawful excuse for such refusal.

**SEC. 9. Justification of warehouseman in delivering.** A warehouseman is justified in delivering the goods, subject to the provisions of the three following sections, to one who is—

(a) The person lawfully entitled to the possession of the goods, or his agent,

(b) A person who is either himself entitled to delivery by the terms of a non-negotiable receipt issued for the goods, or who has written authority from

the person so entitled either indorsed upon the receipt or written upon another paper, or

(c) A person in possession of a negotiable receipt by the terms of which the goods are deliverable to him or order or to bearer, or which has been indorsed to him or in blank by the person to whom delivery was promised by the terms of the receipt or by his mediate or immediate indorsee.

**SEC. 10. Warehouseman's liability for misdelivery.** Where a warehouseman delivers the goods to one who is not in fact lawfully entitled to the possession of them, the warehouseman shall be liable as for conversion to all having a right of property or possession in the goods if he delivered the goods otherwise than as authorized by subdivisions (b) and (c) of the preceding section and though he delivered the goods as authorized by said subdivisions he shall be so liable, if prior to such delivery he had either—

(a) Been requested, by or on behalf of the person lawfully entitled to a right of property or possession in the goods, not to make such delivery, or

(b) Had information that the delivery about to be made was to one not lawfully entitled to the possession of the goods.

**SEC. 11. Negotiable receipt must be cancelled when goods delivered.** Except as provided in section thirty-six (36), where a warehouseman delivers goods for which he had issued a negotiable receipt, the negotiation of which would transfer the right to the possession of the goods, and fails to take up and cancel the receipt, he shall be liable to any one who purchases for value in good faith such receipt, for failure to deliver goods to him, whether such purchaser acquired title to the receipt before or after the delivery of the goods by the warehouseman.

**SEC. 12. Negotiable receipt must be cancelled or marked when part of goods delivered.** Except as provided in section thirty-six (36), where a warehouseman delivers part of the goods for which he had issued a negotiable receipt and fails either to take up and cancel such receipt, or to place plainly upon it a statement of what goods or packages have been delivered he shall be liable, to any one who purchases for value in good faith such receipt, for failure to deliver all the goods specified in the receipt, whether such purchaser acquired title to the receipt before or after the delivery of any portion of the goods by the warehouseman.

**SEC. 13. Altered receipts.** The alteration of a receipt shall not excuse the warehouseman who issued it from any liability if such alteration was—

(a) Immaterial,

(b) Authorized, or

(c) Made without fraudulent intent.

If the alteration was authorized, the warehouseman shall be liable according to the terms of the receipt as altered. If the alteration was unauthorized, but made without fraudulent intent, the warehouseman shall be liable according to the terms of the receipt, as they were before alteration. Material and fraudulent alteration of a receipt shall not excuse the warehouseman who issued it from liability to deliver, according to the terms of the receipt as originally issued, the goods for which it was issued, but shall excuse him from any other liability to the person who made the alteration and to any person who took with notice of the alteration. Any purchaser of the receipt for value without notice of the alteration shall acquire the same rights against the warehouseman which such purchaser would have acquired if the receipt had not been altered at the time of the purchase.

**SEC. 14. Lost or destroyed receipts.** Where a negotiable receipt has been lost or destroyed, a court of competent jurisdiction may order the delivery of the goods upon satisfactory proof of such loss or destruction and upon the giving of a bond with sufficient sureties to be approved by the court to protect the warehouseman from any liability or expense, which he or any person

injured by such delivery may incur by reason of the original receipt remaining outstanding. The court may also in its discretion order the payment of the warehouseman's reasonable costs and counsel fees. The delivery of the goods under an order of the court as provided in this section, shall not relieve the warehouseman from liability to a person to whom the negotiable receipt has been or shall be negotiated for value without notice of the proceedings or of the delivery of the goods.

**SEC. 15. Effect of duplicate receipt.** A receipt upon the face of which the word "duplicate" is plainly placed is a representation and warranty by the warehouseman that such receipt is an accurate copy of an original receipt properly issued and uncanceled at the date of the issue of the duplicate, but shall impose upon him no other liability.

**SEC. 16. Warehouseman cannot set up title in himself.** No title or right to the possession of the goods, on the part of the warehouseman, unless such title or right is derived directly or indirectly from a transfer made by the depositor at the time of or subsequent to the deposit for storage, or from the warehouseman's lien, shall excuse the warehouseman from liability for refusing to deliver the goods according to the terms of the receipt.

**SEC. 17. Interpleader of adverse claimants.** If more than one person claims the title or possession of the goods, the warehouseman may, either as a defense to an action brought against him for non-delivery of the goods, or as an original suit, whichever is appropriate, require all known claimants to interplead.

**SEC. 18. Warehouseman has reasonable time to determine validity of claims.** If some one other than the depositor or person claiming under him has a claim to the title or possession of the goods, and the warehouseman has information of such claim, the warehouseman shall be excused from liability for refusing to deliver the goods, either to the depositor or person claiming under him or to the adverse claimant, until the warehouseman has had a reasonable time to ascertain the validity of the adverse claim or to bring legal proceedings to compel all claimants to interplead.

**SEC. 19. Adverse title is no defense, except as above provided.** Except as provided in the two preceding sections and in sections nine (9) and thirty-six (36), no right or title of a third person shall be a defense to an action brought by the depositor or person claiming under him against the warehouseman for failure to deliver the goods according to the terms of the receipt.

**SEC. 20. Liability for non-existence or misdescription of goods.** A warehouseman shall be liable to the holder of a receipt for damages caused by the non-existence of the goods or by the failure of the goods to correspond with the description thereof in the receipt at the time of its issue. If, however, the goods are described in a receipt merely by a statement of marks or labels upon them, or upon packages containing them, or by a statement that the goods are said to be goods of a certain kind, or that packages containing the goods are said to contain goods of a certain kind, or by words of like purport, such statements, if true, shall not make liable the warehouseman issuing the receipt, although the goods are not of the kind which the marks or labels upon them indicate or of the kind they were said to be by the depositor.

**SEC. 21. Liability for care of goods.** A warehouseman shall be liable for any loss or injury to the goods caused by his failure to exercise such care in regard to them as a reasonably careful owner of similar goods would exercise, but he shall not be liable, in the absence of an agreement to the contrary for any loss or injury to the goods which could not have been avoided by the exercise of such care.

**SEC. 22. Goods must be kept separate.** Except as provided in the following section, a warehouseman shall keep the goods so far separate from goods of other depositors, and from other goods of the same depositor for which a sep-

arate receipt has been issued, as to permit at all times the identification and re-delivery of the goods deposited.

**SEC. 23. Fungible goods may be commingled, if warehouseman authorized.** If authorized by agreement or by custom, a warehouseman may mingle fungible goods with other goods of the same kind and grade. In such case the various depositors of the mingled goods shall own the entire mass in common, and each depositor shall be entitled to such portion thereof as the amount deposited by him bears to the whole.

**SEC. 24. Liability of warehouseman to depositors of commingled goods.** The warehouseman shall be severally liable to each depositor for the care and re-delivery of his share of such mass to the same extent and under the same circumstances as if the goods had been kept separate.

**SEC. 25. Attachment or levy upon goods for which a negotiable receipt has been issued.** If goods are delivered to a warehouseman by the owner or by a person whose act in conveying the title to them to a purchaser in good faith for value would bind the owner, and a negotiable receipt is issued for them, they can not thereafter, while in the possession of the warehouseman, be attached by garnishing or otherwise, or be levied upon under an execution, unless the receipt be first surrendered to the warehouseman, or its negotiation enjoined. The warehouseman shall in no case be compelled to deliver up the actual possession of the goods until the receipt is surrendered to him or impounded by the court.

**SEC. 26. Creditors' remedies to reach negotiable receipts.** A creditor whose debtor is the owner of a negotiable receipt shall be entitled to such aid from courts of appropriate jurisdiction, by injunction and otherwise, in attaching such receipt or in satisfying the claim by means thereof as is allowed at law or in equity, in regard to property which can not readily be attached or levied upon by ordinary legal process.

**SEC. 27. What claims are included in warehouseman's lien.** Subject to the provisions of section thirty (30), a warehouseman shall have a lien on goods deposited or on the proceeds thereof in his hands, for all lawful charges for storage and preservation of the goods; also for all lawful claims for money advanced, interest, insurance, transportation, labor, weighing, coopering and other charges and expenses in relation to such goods; also for all reasonable charges and expenses for notice, and advertisements of sale, and for sale of the goods where default has been made in satisfying the warehouseman's lien.

**SEC. 28. Against what property lien may be enforced.** Subject to the provisions of section thirty (30), a warehouseman's lien may be enforced—

(a) Against all goods, whenever deposited, belonging to the person who is liable as debtor for the claims in regard to which the lien is asserted, and

(b) Against all goods belonging to others which have been deposited at any time by the person who is liable as debtor for the claims in regard to which the lien is asserted, if such person has been so entrusted with the possession of the goods that a pledge of the same by him at the time of the deposit to one who took the goods in good faith for value would have been valid.

**SEC. 29. How lien may be lost.** A warehouseman loses his lien upon goods—

(a) By surrendering possession thereof, or

(b) By refusing to deliver the goods when a demand is made with which he is bound to comply under the provisions of this act.

**SEC. 30. Negotiable receipt must state charges for which lien is claimed.** If a negotiable receipt is issued for goods, the warehouseman shall have no lien thereon, except for charges for storage of those goods subsequent to the date of the receipt, unless the receipt expressly enumerates other charges for which a lien is claimed. In such case there shall be a lien for the charges enumerated so far as they are within the terms of section twenty-seven (27), although

the amount of the charges so enumerated is not stated in the receipt.

**SEC. 31. Warehouseman need not deliver until lien is satisfied.** A warehouseman having a lien valid against the person demanding the goods may refuse to deliver the goods to him until the lien is satisfied.

**SEC. 32. Warehouseman's lien does not preclude other remedies.** Whether a warehouseman has or has not a lien upon the goods, he is entitled to all remedies allowed by law to a creditor against his debtor, for the collection from the depositor of all charges and advances which the depositor has expressly or impliedly contracted with the warehouseman to pay.

**SEC. 33. Satisfaction of lien by sale.** A warehouseman's lien for a claim which has become due may be satisfied as follows:

The warehouseman shall give a written notice to the person on whose account the goods are held, and to any other person known by the warehouseman to claim an interest in the goods. Such notice shall be given by delivery in person or by registered letter addressed to the last known place of business or abode of the person to be notified. The notice shall contain—

(a) An itemized statement of the warehouseman's claim, showing the sum due at the time of the notice and the date or dates when it became due,

(b) A brief description of the goods against which the lien exists,

(c) A demand that the amount of the claim as stated in the notice, and of such further claim as shall accrue, shall be paid on or before a day mentioned, not less than ten days from the delivery of the notice if it is personally delivered, or from the time when the notice should reach its destination, according to the due course of post, if the notice is sent by mail, and

(d) A statement that unless the claim is paid within the time specified the goods will be advertised for sale and sold by auction at a specified time and place.

In accordance with the terms of a notice so given, a sale of the goods by auction may be had to satisfy any valid claim of the warehouseman for which he has a lien on the goods. The sale shall be had in the place where the lien was acquired, or, if such place is manifestly unsuitable for the purpose, at the nearest suitable place. After the time for the payment of the claim specified in the notice to the depositor has elapsed, an advertisement of the sale, describing the goods to be sold, and stating the name of the owner or person on whose account the goods are held, and the time and place of the sale, shall be published once a week for two consecutive weeks in a newspaper published in the place where such sale is to be held. The sale shall not be held less than fifteen days from the time of the first publication. If there is no newspaper published in such place, the advertisement shall be posted at least ten days before such sale in not less than six conspicuous places therein. From the proceeds of such sale the warehouseman shall satisfy his lien, including the reasonable charges of notice, advertisement, and sale. The balance, if any, of such proceeds shall be held by the warehouseman, and delivered on demand to the person to whom he would have been bound to deliver or justified in delivering the goods. At any time before the goods are so sold any person claiming a right of property or possession therein may pay the warehouseman the amount necessary to satisfy his lien and to pay the reasonable expenses and liabilities incurred in serving notices and advertising and preparing for the sale up to the time of such payment. The warehouseman shall deliver the goods to the person making such payment if he is a person entitled, under the provisions of this act, to the possession of the goods on payment of charges thereon. Otherwise the warehouseman shall retain possession of the goods according to the terms of the original contract of deposit.

**SEC. 34. Perishable and hazardous goods.** If goods are of a perishable nature, or by keeping will deteriorate greatly in value, or by their odor, leakage, inflammability, or explosive nature, will be liable to injure other property,

the warehouseman may give such notice to the owner, or to the person in whose name the goods are stored, as is reasonable and possible under the circumstances, to satisfy the lien upon such goods and to remove them from the warehouse, and in the event of the failure of such person to satisfy the lien and to remove the goods within the time so specified, the warehouseman may sell the goods at public or private sale without advertising. If the warehouseman after a reasonable effort is unable to sell such goods, he may dispose of them in a lawful manner, and shall incur no liability by reason thereof. The proceeds of any sale made under the terms of this section shall be disposed of in the same way as the proceeds of sales made under the terms of the preceding section.

**SEC. 35. Other methods of enforcing liens.** The remedy for enforcing a lien herein provided does not preclude any other remedies allowed by law for the enforcement of a lien against personal property nor bar the right to recover so much of the warehouseman's claim as shall not be paid by the proceeds of the sale of the property.

**SEC. 36. Effect of sale.** After the goods have been lawfully sold to satisfy a warehouseman's lien, or have been lawfully sold or disposed of because of their perishable or hazardous nature, the warehouseman shall not thereafter be liable for failure to deliver the goods to the depositor, or owner of the goods, or to a holder of the receipt given for the goods when they were deposited, even if such receipt be negotiable.

**SEC. 37. Negotiation of negotiable receipts by delivery.** A negotiable receipt may be negotiated by delivery—

(a) Where, by the terms of the receipt, the warehouseman undertakes to deliver the goods to the bearer, or

(b) Where, by the terms of the receipt, the warehouseman undertakes to deliver the goods to the order of a specified person, and such person or a subsequent indorsee of the receipt has indorsed it in blank or to bearer.

Where, by the terms of a negotiable receipt, the goods are deliverable to bearer or where a negotiable receipt has been indorsed in blank or to bearer, any holder may indorse the same to himself or to any other specified person, and in such case the receipt shall thereafter be negotiated only by the indorsement of such indorsee.

**SEC. 38. Negotiation of negotiable receipts by indorsement.** A negotiable receipt may be negotiated by the indorsement of the person to whose order the goods are, by the terms of the receipt, deliverable. Such indorsement may be in blank, to bearer or to a specified person. If indorsed to a specified person, it may be again negotiated by the indorsement of such person in blank, to bearer or to another specified person. Subsequent negotiation may be made in like manner.

**SEC. 39. Transfer of receipts.** A receipt which is not in such form that it can be negotiated by delivery may be transferred by the holder by delivery to a purchaser or donee. A non-negotiable receipt can not be negotiated, and the indorsement of such a receipt gives the transferee no additional right.

**SEC. 40. Who may negotiate a receipt.** A negotiable receipt may be negotiated—

(a) By the owner thereof, or

(b) By any person to whom the possession or custody of the receipt has been entrusted by the owner, if, by the terms of the receipt, the warehouseman undertakes to deliver the goods to the order of the person to whom the possession or custody of the receipt has been entrusted, or if at the time of such entrusting the receipt is in such form that it may be negotiated by delivery.

**SEC. 41. Rights of person to whom receipt has been negotiated.** A person to whom a negotiable receipt has been duly negotiated requires [acquires] thereby—

(a) Such title to the goods as the person negotiating the receipt to him had or had ability to convey to a purchaser in good faith for value, and also such title to the goods as the depositor or person to whose order the goods were to be delivered by the terms of the receipt had or had ability to convey to a purchaser in good faith for value, and

(b) The direct obligation of the warehouseman to hold possession of the goods for him according to the terms of the receipt as fully as if the warehouseman had contracted directly with him.

**SEC. 42. Rights of person to whom receipt has been transferred.** A person to whom a receipt has been transferred but not negotiated, acquires thereby, as against the transferor, the title to the goods, subject to the terms of any agreement with the transferor. If the receipt is non-negotiable such person also acquires the right to notify the warehouseman of the transfer to him of such receipt, and thereby to acquire the direct obligation of the warehouseman to hold possession of the goods for him according to the terms of the receipt. Prior to the notification of the warehouseman by the transferor or transferee of a non-negotiable receipt, the title of the transferee to the goods and the right to acquire the obligation of the warehouseman may be defeated by the levy of an attachment or execution upon the goods by a creditor of the transferor, or by a notification to the warehouseman by the transferor or a subsequent purchaser from the transferor of a subsequent sale of the goods by the transferor.

**SEC. 43. Transfer of negotiable receipt without indorsement.** Where a negotiable receipt is transferred for value by delivery, and the indorsement of the transferor is essential for negotiation, the transferee acquires a right against the transferor to compel him to indorse the receipt, unless a contrary intention appears. The negotiation shall take effect as of the time when the indorsement is actually made.

**SEC. 44. Warranties on sale of receipt.** A person who for value negotiates or transfers a receipt by indorsement or delivery, including one who assigns for value a claim secured by a receipt, unless a contrary intention appears warrants—

- (a) That the receipt is genuine,
- (b) That he has a legal right to negotiate or transfer it,
- (c) That he has knowledge of no fact which would impair the validity or worth of the receipt, and
- (d) That he has a right to transfer the title to the goods, and that the goods are merchantable or fit for a particular purpose whenever such warranties would have been implied, if the contract of the parties had been to transfer without a receipt the goods represented thereby.

**SEC. 45. Indorser not a guarantor.** The indorsement of a receipt shall not make the indorser liable for any failure on the part of the warehouseman or previous indorsers of the receipt to fulfill their respective obligations.

**SEC. 46. No warranty implied from accepting payment of debt.** A mortgagee, pledgee or holder for security of a receipt who in good faith demands or receives payment of the debt for which such receipt is security, whether from a party to a draft drawn for such debt or from any other person, shall not by so doing be deemed to represent or to warrant the genuineness of such receipt or the quality or quantity of the goods therein described.

**SEC. 47. When negotiation not impaired by fraud, mistake or duress.** The validity of the negotiation of a receipt is not impaired by the fact that such negotiation was a breach of duty on the part of the person making the negotiation, or by the fact that the owner of the receipt was induced by fraud, mistake, or duress to entrust the possession or custody of the receipt to such person, if the person to whom the receipt was negotiated, or a person



to whom the receipt was subsequently negotiated, paid value therefor, without notice of the breach of duty, or fraud, mistake, or duress.

**SEC. 48. Subsequent negotiation.** Where a person having sold, mortgaged, or pledged goods which are in a warehouse and for which a negotiable receipt has been issued, or having sold, mortgaged, or pledged the negotiable receipt representing such goods, continues in possession of the negotiable receipt, the subsequent negotiation thereof by that person under any sale, or other disposition thereof to any person receiving the same in good faith, for value and without notice of the previous sale, mortgage or pledge, shall have the same effect as if the first purchaser of the goods or receipt had expressly authorized the subsequent negotiation.

**SEC. 49. Negotiation defeats vendor's lien.** Where a negotiable receipt has been issued for goods, no seller's lien or right of stoppage in transitu shall defeat the rights of any purchaser for value in good faith to whom such receipt has been negotiated, whether such negotiation be prior or subsequent to the notification to the warehouseman who issued such receipt of the seller's claim to a lien or right of stoppage in transitu. Nor shall the warehouseman be obliged to deliver or justified in delivering the goods to an unpaid seller unless the receipt is first surrendered for cancellation.

**SEC. 50. Issue of receipt for goods not received.** A warehouseman or any officer, agent, or servant of a warehouseman, who issues or aids in issuing a receipt knowing that the goods for which such receipt is issued have not been actually received by such warehouseman, or are not under his actual control at the time of issuing such receipt, shall be guilty of a felony, and upon conviction shall be punished for each offense by imprisonment in the penitentiary not exceeding five years, or by a fine not exceeding five thousand dollars, or by both.

**SEC. 51. Issue of receipt containing false statement.** A warehouseman, or any officer, agent, or servant of a warehouseman, who fraudulently issues or aids in fraudulently issuing a receipt for goods knowing that it contains any false statement, shall be guilty of a misdemeanor, and upon conviction shall be punished for each offense by imprisonment in the county jail not exceeding one year, or by a fine not exceeding one thousand dollars, or by both.

**SEC. 52. Issue of duplicate receipts not so marked.** A warehouseman, or any officer, agent or servant of a warehouseman, who issues or aids in issuing a duplicate or additional negotiable receipt for goods knowing that a former negotiable receipt for the same goods or any part of them is outstanding and uncanceled, without plainly placing upon the face thereof the word "duplicate," except in the case of a lost or destroyed receipt after proceedings as provided for in section fourteen (14), shall be guilty of a felony, and upon conviction shall be punished for each offense by imprisonment in the penitentiary not exceeding five years, or by a fine not exceeding five thousand dollars, or by both.

**SEC. 53. Issue for warehouseman's goods of receipts which do not state that fact.** Where there are deposited with or held by a warehouseman goods of which he is owner, either solely or jointly or in common with others, such warehouseman, or any of his officers, agents, or servants who, knowing this ownership, issues or aids in issuing a negotiable receipt for such goods which does not state such ownership, shall be guilty of a misdemeanor, and upon conviction shall be punished for each offense by imprisonment in the county jail not exceeding one year, or by a fine not exceeding one thousand dollars, or by both.

**SEC. 54. Delivery of goods without obtaining negotiable receipt.** A warehouseman, or any officer, agent, or servant of a warehouseman who delivers goods out of the possession of such warehouseman knowing that a negotiable

receipt, the negotiating of which would transfer the right to the possession of such goods, is outstanding and uncanceled without obtaining the possession of such receipt at or before the time of such delivery, shall, except in the cases provided for in sections fourteen (14) and thirty-six (36), be found guilty of a misdemeanor and on conviction shall be punished for each offense by imprisonment in the county jail not exceeding one year, or by a fine not exceeding one thousand dollars (\$1,000.00) or by both.

**SEC. 55. Negotiation of receipt for mortgaged goods.** Any person who deposits goods to which he has no title, or upon which there is a lien or mortgage, and who takes for such goods a negotiable receipt which he afterwards negotiates for value with intent to deceive and without disclosing his want of title or the existence of the lien or mortgage shall be guilty of a misdemeanor, and upon conviction shall be punished for each offense by imprisonment in the county jail not exceeding one year, or by a fine not exceeding one thousand dollars, or by both.

**SEC. 56. When rules of common law still applicable.** In any case not provided for in this act, the rules of law and equity, including the law merchant, and in particular the rules relating to the law of principal and agent and to the effect of fraud, misrepresentation, duress or coercion, mistake, bankruptcy, or other invalidating cause, shall govern.

**SEC. 57. Interpretation shall give effect to purpose of uniformity.** This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

**SEC. 58. Definitions.** In this act, unless the context or subject-matter otherwise requires—

“Action” includes counter claim, set-off, and suit in equity.

“Delivery” means voluntary transfer of possession from one person to another.

“Fungible goods” means goods of which any receipt is from its nature or by mercantile custom, treated as the equivalent of any other unit.

“Goods” means chattels or merchandise in storage, or which has been or is about to be stored.

“Holder” of a receipt means a person who has both actual possession of such receipt and a right of property therein.

“Order” means an order by indorsement on the receipt.

“Owner” does not include mortgagee or pledgee.

“Person” includes a corporation or partnership or two or more persons having a joint or common interest.

To “purchase” includes to take as mortgagee or as pledgee.

“Purchaser” includes mortgagee and pledgee.

“Receipt” means a warehouse receipt.

“Value” is any consideration sufficient to support a simple contract. An antecedent or pre-existing obligation, whether for money or not, constitutes value where a receipt is taken either in satisfaction thereof or as security therefor.

“Warehouseman” means a person lawfully engaged in the business of storing goods for profit.

A thing is done “in good faith” within the meaning of this act, when it is in fact done honestly whether it be done negligently or not.

**SEC. 59. Act does not apply to existing receipts.** The provisions of this act do not apply to receipts made and delivered prior to the taking effect of this act.

**SEC. 60. Repealed.** Section thirty-one hundred and twenty-nine (3129) of the code is hereby repealed.

Approved April 1, A. D. 1907.

## CHAPTER 161.

## MARRIAGE OF DIVORCED PERSONS.

H. F. 383.

AN ACT to amend section thirty-one hundred and eighty-one (3181) of the code, relating to divorces and marriages of divorced persons.

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

**SECTION 1. Marriage of divorced persons—what prohibited.** Section thirty-one hundred and eighty-one (3181) of the code is hereby amended by adding thereto after the period following the word "marriage" at the end of said section, the following:

"In every case in which a divorce is decreed, neither party shall marry again within a year from the date of the filing of said decree unless permission to do so is granted by the court in such decree; provided, however, that nothing herein contained shall prevent the persons divorced from re-marrying each other. Any person marrying contrary to the provisions of this act shall be deemed guilty of a misdemeanor and punished accordingly."

Approved March 20, A. D. 1907.

## CHAPTER 162.

## ACTIONS AGAINST MUNICIPAL CORPORATIONS.

H. F. 280.

AN ACT to fix the place of bringing action against municipal corporations in the state of Iowa in all counties where terms of the district court are held in more than one place. [Additional to chapter four (4) of title eighteen (XVIII) of the code.]

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

**SECTION 1. Place of bringing actions.** Actions against municipal corporations including cities organized under special charter in all counties where terms of the district court are held in more than one place must be brought in the county and at the place where terms of the district court are held nearest to where the cause or subject of the action originated.

**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 Register and Leader, a newspaper published in Des Moines, Iowa, and the Evening Democrat, a newspaper published in Fort Madison, Iowa.

Approved March 15, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Evening Democrat, March 16, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 163.

## SERVICE OF ORIGINAL NOTICE UPON MERGED OR CONSOLIDATED RAILWAY CORPORATIONS.

S. F. 69.

AN ACT to amend the law as it appears in section thirty-five hundred and twenty-nine (3529) of the supplement to the code, relating to the service of original notice upon any corporation or person owning or operating any railway, or canal, steamboat or other river craft, or any telegraph, telephone, stage, coach or car line, express company or foreign corporation.

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

**SECTION 1. Service on station, ticket or other agent.** That the law as it appears in section thirty-five hundred and twenty-nine (3529) of the supplement to the code be and the same is hereby amended by adding after the period following the word "county" at the end of said section the following:

"If the action is against any railway corporation which has merged and consolidated its stock, property, franchises and liabilities with that of any other railway corporation, as authorized by section two thousand and thirty-six (2036) of the code, or which has sold or leased its property and franchises to any other railway corporation as authorized by section two thousand and sixty-six (2066) of the code, service of the original notice may be made upon any station, ticket or other agent of the merged, vendee or lessee corporation in the county where the action is brought; if there is no such agent in said county, then, service may be made upon such agent or person in any other county."

**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 Register and Leader and the Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved March 20, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, March 22, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 164.

## PUBLICATION OF ORIGINAL NOTICES AGAINST UNKNOWN DEFENDANTS.

H. F. 463.

AN ACT to amend section three thousand five hundred and forty (3540) of the code, relating to the publication of original notices in actions against unknown defendants.

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

**SECTION 1. Length of publication.** That section three thousand five hundred and forty of the code be and the same is hereby amended by striking out the word "six" in line three of said section and inserting the word "four" in lieu thereof.

Approved April 13, A. D. 1907.

## CHAPTER 165.

## APPEARANCE TERM IN ACTIONS OF MANDAMUS.

S. F. 185.

AN ACT to amend section thirty-six hundred fifty-six (3656) of the code, relating to the appearance term for certain actions.

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

SECTION 1. **Mandamus actions.** That section thirty-six hundred and fifty-six (3656) of the code be, and the same is hereby amended by inserting in line two (2) of said section between the words "for" and "divorce" the following: "mandamus or".

Approved February 23, A. D. 1907.

## CHAPTER 166.

## RECOVERY OF COSTS BY SUCCESSFUL PARTY.

S. F. 231.

AN ACT to amend section thirty-eight hundred and fifty-three (3853) of the code relating to the recovery of costs by the successful against the losing party.

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

SECTION 1. **Mileage costs of witnesses limited.** That section thirty-eight hundred and fifty-three (3853) of the code be amended by striking out the period following the word "party" and before the word "But" in the second line thereof and inserting a semicolon in lieu thereof and adding between said words the following; "the losing party, however, shall not be assessed with the cost of mileage of any witness for a distance of more than seventy miles from the place of trial, unless otherwise ordered by the court at the time of entering judgment."

Approved April 2, A. D. 1907.

## CHAPTER 167.

## EXECUTIONS.

S. F. 162.

AN ACT to amend section three thousand nine hundred fifty-five (3955) of the code, and to provide the issuance of an execution when an outstanding execution is lost or destroyed.

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

SECTION 1. **Lost or destroyed execution—duplicate issued.** Section three thousand nine hundred fifty-five (3955) of the code is hereby amended by adding thereto the following, viz.:

"When the plaintiff in judgment shall file in any court in which a judgment has been entered an affidavit made by himself, his agent or attorney, or by the officer to whom the execution was issued, that an outstanding execution has been lost or destroyed, the clerk of such court may issue a duplicate execution as of the date of the lost execution, which shall have the same force and effect as the original execution, and any levy made under the execution

so lost shall have the same force and effect under the duplicate execution as under the original. When the lost execution shall have expired by limitation and such affidavit is filed, an execution may issue as it might if such lost execution had been duly returned."

Approved April 13, A. D. 1907.

## CHAPTER 168.

### ACTIONS OF MANDAMUS.

H. F. 72.

AN ACT to amend section forty-three hundred and forty-one (4341) of the code relating to actions of mandamus.

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

**SECTION 1. Tried as equitable actions.** That section forty-three hundred and forty-one (4341) of the code be, and the same is hereby amended by adding thereto the following:

"All such actions shall be tried as equitable actions."

Approved February 23, A. D. 1907.

## CHAPTER 169.

### JUSTICES OF THE PEACE AND CONSTABLES.

H. F. 231.

AN ACT to repeal section forty-six hundred (4600) of the code relative to the accounting for fees, and compensation of justices of the peace, and constables, and to enact in lieu thereof the following.

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

**SECTION 1. Repealed.** That section forty-six hundred (4600) of the code, relative to the accounting for fees and compensation of justices of the peace and constables be and the same is hereby repealed and the following enacted in lieu thereof:

"**SEC. 2. Accounting for fees—compensation.** Justices of the peace and constables in townships having a population of twenty-eight thousand, shall pay into the county treasury all criminal fees collected in each year. Justices of the peace and constables in townships having a population of under twenty-eight thousand, shall pay into the county treasury all fees collected in each year in excess of the following sums: In townships having a population of ten thousand and under twenty-eight thousand, justices, one thousand dollars; constables, eight hundred dollars; those having a population of four thousand and under ten; justices, eight hundred dollars; constables, six hundred dollars; in all townships having a population of under four thousand, justices six hundred dollars; constables, five hundred dollars. In townships having a population of twenty-eight thousand or more, justices of the peace and constables shall receive in full compensation for their services performed in criminal cases during the year, the following sums which shall be paid quarterly out of the county treasury. In townships having a population of thirty-five thousand or more, justices, fifteen hundred dollars; constables, twelve hundred dollars; in townships having a population of twenty-eight thousand and under

thirty-five, justices, twelve hundred dollars; constables, one thousand dollars. Justices and constables in all townships having a population of twenty-eight thousand (28,000) and over shall retain such civil fees as may be allowed by the board of supervisors, not to exceed five hundred (\$500) dollars per annum, for expenses of their offices actually incurred, and shall pay into the county treasurer all the balance of the civil fees collected by them.

"**SEC. 3. Annual report to board of supervisors.** All justices of the peace and constables shall under oath make an annual report to the board of supervisors, upon blanks furnished by the county auditor, of all criminal fees taxed and collected during the year, which report shall also show that all criminal fees and fines collectible by law have been received, such annual report to be made on the first Monday in January, and before the annual settlement shall be made, and accompanied with the receipts of the treasurer for all money paid in to him.

"**SEC. 4. Quarterly report to county auditor.** Justices of the peace shall make, under oath, quarterly reports, upon blanks furnished by the county auditor, and shall file same with the county auditor, which reports shall contain a true and correct transcript of all criminal proceedings which have been instituted or adjudicated in their courts, with the names of all attending witnesses and jurors and fees taxed in their favor."

Approved April 13, A. D. 1907.

## CHAPTER 170.

### DESERTION.

S. F. 5.

**AN ACT** defining desertion, providing punishment therefor, and permitting a husband or wife to be a witness in such cases. [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. Desertion defined—penalty.** Every person who shall, without good cause, willfully neglect or refuse to maintain or provide for his wife, she being in a destitute condition, or who shall, without good cause, abandon his or her legitimate or legally adopted child or children under the age of sixteen years, leaving such child or children in a destitute condition, or shall, without good cause, willfully neglect or refuse to provide for such child or children they being in a destitute condition, shall be deemed guilty of desertion and, upon conviction, shall be punished by imprisonment in the penitentiary for not more than one year, or by imprisonment in the county jail for not more than six months.

**SEC. 2. Husband or wife may be witness.** In all prosecutions under this act, the husband or wife shall be a competent witness for the state and may testify to any relevant acts or communications between them, anything in previous statutes to the contrary notwithstanding, provided however that no husband or wife shall be called or compelled to testify against the other under this act except upon consent of such witness.

**SEC. 3. Bond given conditioned on support.** If after arrest and before trial, or after conviction and before sentence, the party so arrested or convicted shall appear before the court in which the case is pending or the conviction had, and enter into a bond to the state of Iowa in a sum to be fixed by the court, which in no event shall exceed the sum of one thousand dollars,

with or without sureties as may be determined by the court, conditioned that such husband will furnish said wife with a necessary and proper home, food, care and clothing, or that such parent will furnish his or her child or children with a necessary and proper home, food, care and clothing, then said court may release the defendant. Said bond shall remain in force so long as the court deems the same necessary; and whenever it shall appear to said court by affidavit or otherwise that such husband or parent is in good faith furnishing his wife, child or children with the necessary and proper home, food, care and clothing, the court may annul the said bond.

**SEC. 4. Failure of undertaking—trial—commitment—release.** Upon failure of said husband or parent to comply with his undertaking he or she may be arrested by the sheriff or other officer upon a warrant issued from the court in which the case is pending or the conviction was had and the court may thereupon order a forfeiture of the undertaking and that the defendant to be tried or committed in execution of the sentence, or for good cause shown may release the defendant upon a new undertaking.

**SEC. 5. Prima facie evidence of willful desertion or neglect.** Proof of the desertion of wife, child or children in destitute or necessitous circumstances or of neglect to furnish such wife, child or children necessary and proper food, clothing or shelter, shall be prima facie evidence that such desertion or neglect was willful.

**SEC. 6. Acts in conflict repealed.** All acts or parts of acts in conflict herewith are hereby repealed or amended, as the case may be, so as to make this act effective.

**SEC. 7. In effect.** This act, being deemed of immediate importance, shall take effect and be in full force from and after its passage, and publication in the Register and Leader, and the Des Moines Capital, daily newspapers published in the city of Des Moines, Iowa.

Approved March 26, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, March 27, 1907, and the Register and Leader, March 28, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 171.

### BURGLARY.

H. F. 856.

AN ACT to punish burglary where explosives have been used. [Additional to chapter three (3) of title twenty-four (XXIV) of the code, relating to offenses against property.]

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

**SECTION 1. Burglary with explosives—penalty.** If any person shall break and enter any building and commit any public offense therein by the use, or with the aid, of nitroglycerin, dynamite, giant powder, gunpowder, or any other explosive material, he shall be imprisoned in the penitentiary not less than 15 years.

Approved April 4, A. D. 1907.



## CHAPTER 172.

## THE WILLFUL TAKING OF STEAM OR STEAM HEAT FROM THE PIPES OF STEAM HEATING COMPANIES.

S. F. 240.

AN ACT to amend chapter one hundred thirty-two (132) of the laws of the Thirtieth General Assembly of Iowa entitled "An act prohibiting the willful taking of any electric current, gas or water from the wires, meters, pipes or any apparatus of any electric light, electric motor, gas or water plant with intent to defraud (additional to chapter five (5), title twenty-four (XXIV) of the code)" by making it applicable to steam heating plants and the taking of steam or steam heat.

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

**SECTION 1. Larceny of steam or steam heat.** Chapter one hundred thirty-two (132) of the laws of the Thirtieth General Assembly of Iowa be and the same is hereby amended by inserting after the word "water" in the third line thereof the words "steam heating," and by inserting after the word "water" in the fourth line thereof the words "steam, steam heat."

Approved March 28, A. D. 1907.

## CHAPTER 173.

## LEWD, IMMORAL AND LASCIVIOUS ACTS.

H. F. 111.

AN ACT to define and punish lewd, immoral and lascivious acts and to provide penalty for the same. [Additional to chapter nine (9) of title twenty-four (XXIV) of the code, relative to offenses against chastity, morality and decency.]

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

**SECTION 1. Lewd, immoral and lascivious acts with children—penalty** Any person over eighteen years of age who shall willfully commit any lewd, immoral or lascivious act upon or with the body or any part or member thereof, of a child of the age of thirteen years, or under, with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires of such person, or of such child, shall be punished by imprisonment in the penitentiary not more than three (3) years, or by imprisonment in the county jail not more than six months, or by fine not exceeding five hundred dollars (\$500.00).

**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 Register and Leader and the Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved March 12, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, March 14, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 174.

## CRUELTY TO ANIMALS.

S. F. 123.

AN ACT to amend section forty-nine hundred and sixty-nine (4969) of the code, providing for the punishment of cruelty to animals.

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

SECTION 1. **Cruelty to animals.** That section forty-nine hundred and sixty-nine (4969) of the code, be and the same is hereby amended so as to read as follows:

"If any person torture, torment, deprive of necessary sustenance, mutilate, overdrive, overload, drive when overloaded, cruelly beat or cruelly kill any animal, or unnecessarily fail to provide the same with proper food, drink, shelter or protection from the weather, or drive or work the same when unfit for labor, or cruelly abandon the same, or carry the same or cause the same to be cruelly carried on any vehicle or otherwise or shall commit any other act or omission by which unjustifiable pain, distress, suffering or death is caused or permitted to any animal or animals whether the acts or omissions herein contemplated be committed either maliciously, willfully or negligently and if any person shall knowingly permit such act or omission or shall cause or procure the same to be done he shall be imprisoned in the county jail not exceeding thirty (30) days, or be fined not exceeding one hundred (100) dollars."

Approved April 4, A. D. 1907.

## CHAPTER 175.

## BUCKET SHOP AND BUCKET SHOPPING.

H. F. 226.

AN ACT defining bucket shop and bucket shopping, making it a crime to maintain and operate the same and providing penalties for so doing. [Additional to chapter nine (9) of 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. **Bucket shop and bucket shopping defined.** That a bucket shop, within the meaning of this act, is defined to be an office, store or other place wherein the proprietor or keeper thereof, or other person or agent, either in his or its own behalf, or as the agent or correspondent of any other person, corporation, association or co-partnership within or without the state, conducts the business of making, or offering to make, contracts, agreements, trades or transactions respecting the purchase or sale, or purchase and sale, of any stocks, grain, provisions, or other commodity, or personal property, wherein both parties thereto, or said proprietor or keeper, contemplate or intend that such contracts, agreements, trades or transactions shall be, or may be closed, adjusted or settled according to, or upon the basis of, the public market quotations of prices made on any board of trade or exchange, upon which the commodities or securities referred to in such contracts, agreements, trades or transactions are dealt in, and without a bona fide transaction on such board of trade or exchange; or wherein both parties, or such keeper or proprietor shall contemplate or intend that such contracts, agreements, trades or transactions shall be, or may be, deemed closed or terminated when the public

market quotations of prices made on such board of trade, or exchange, for the articles or securities named in such contracts, agreements, trades or transactions, shall reach a certain figure; and also any office, store, or other place where the keeper, person or agent, or proprietor thereof, either in his or its own behalf, or as an agent, as aforesaid, therein makes or offers to make, with others, contracts, trades or transactions for the purchase or sale of any such commodity, wherein the parties thereto do not contemplate the actual or bona fide receipt or delivery of such property, but do contemplate a settlement thereof based upon differences in the price at which said property is, or is claimed to be, bought and sold. The said crime shall be complete against any proprietor, person, agent, or keeper thus offering to make any such contracts, trades or transactions, whether such offer is accepted or not. It is the intention of this act to prevent, punish and prohibit, within this state, the business now engaged in and conducted in places commonly known and designated as "bucket shops", and also to include the practice now commonly known as bucket shopping by any person or persons, agent, corporations, associations or co-partnerships, who or which ostensibly carry on the business or occupation of commission merchants or brokers in grain, provisions, cotton, coffee, petroleum, stocks, bonds or other commodities whatsoever.

**SEC. 2. Unlawful to keep or maintain bucket shop—penalty.** It shall be unlawful, and the same is hereby made a felony, for any corporation, association, co-partnership, person, or persons, or agent to keep or cause to be kept, within this state, any such bucket shop; and any corporation, person or persons, or agents whether acting individually or as a member, or as an officer, agent or employe of any corporation, association or co-partnership, who shall keep, maintain, or assist in the keeping and maintaining of any such bucket shop within this state, shall, upon conviction thereof, be fined in a sum not to exceed one thousand dollars or be imprisoned in the penitentiary not exceeding two years; and any person or persons who shall be guilty of a second offense under this statute, in addition to the penalty above prescribed, may, upon conviction, be both fined and imprisoned in the discretion of the court, and if a corporation, it shall be liable to forfeiture of all its rights and privileges as such; and the continuance of such establishment after the first conviction shall be deemed a second offense.

**SEC. 3. Accessory defined—penalty.** Any corporation, association, co-partnership, person or persons or agents who shall communicate, receive, exhibit, or display in any manner, any statements of quotations of the prices of any property mentioned in section one (1) hereof, with a view to any transactions in this act prohibited, shall be deemed an accessory, and upon conviction thereof, shall be fined and punished the same as the principal, and as provided in section two (2) of this act.

**SEC. 4. Statement of purchases or sales furnished on demand.** It shall be the duty of every commission merchant, co-partnership, association, corporation, person or persons, or agent or broker in this state engaged in the business of buying or selling or of buying and selling stocks, grain, provisions or other commodities or personal property for any person, principal, customer or purchaser to furnish upon demand to any customer or principal for whom such commission merchant, broker, co-partnership, corporation, association, person, or persons, or agent has executed any order for the actual purchase or sale of the commodities hereinbefore mentioned, either for immediate or future delivery, a written statement containing the names of the parties from whom such property was bought, or to whom it shall have been sold, as the case may be, the time, when, the place where, and the price at which, the same was either bought or sold; and in case such commission merchant, broker, person or persons, or agent, co-partnership, corporation or association shall refuse promptly to furnish

such statement upon reasonable demand, the fact of such refusal shall be prima facie evidence that such property was not sold or bought in a legitimate manner, but was bought in violation hereof.

**SEC. 5. Existing statutes not affected.** Nothing herein shall be so construed as to change, modify or repeal present and existing laws relating to the subject matter hereof.

**SEC. 6. In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after the date of its publication in the Register and Leader and the Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved April 5, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 6, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 176.

### PURE DRUGS.

S. F. 31.

AN ACT to prevent the adulteration, misbranding and imitation of drugs; and repealing sections four thousand nine hundred and eighty-three (4983), four thousand nine hundred and eighty-five (4985), four thousand nine hundred and eighty-six (4986) and four thousand nine hundred and eighty-eight (4988) of the code, and vesting the execution and enforcement of this act in the pharmacy commissioners.

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

**SECTION 1. Manufacture or sale of adulterated drugs prohibited.** No person, firm or corporation, by himself, officer, servant or agent, or as the officer, servant or agent of any other person, firm or corporation, shall manufacture or introduce into the state or solicit orders for delivery, or sell, exchange, deliver, or have in his possession with the intent to sell, exchange or expose, or offer for sale or exchange, any drug which is adulterated or misbranded within the meaning of this act. Provided, that none of the penalties set forth in this act shall be imposed upon any common carrier for introducing into the state, or having in its possession, any adulterated or misbranded drugs, where the same were received by said carrier for transportation in the ordinary course of its business and without actual knowledge of the adulteration or misbranding thereof.

**SEC. 2. Drug defined.** The term "drug", as used in this act, shall include all medicines and preparations recognized in the United States Pharmacopoeia or National Formulary for internal or external use, and any substance or mixture of substances intended to be used for the cure, mitigation or prevention of disease of either man or other animals, or for the destruction of parasites.

**SEC. 3. Adulteration defined.** For the purposes of this act, a drug shall be deemed to be adulterated:

First. If, when a drug is sold under or by a name recognized in the United States Pharmacopoeia or National Formulary, it differs from the standard of strength, quality or purity as determined by the test laid down in the United States Pharmacopoeia or National Formulary official at the time of investigation: Provided, that no drug defined in the United States Pharmacopoeia or National Formulary shall be deemed to be adulterated under this provision if the standard of strength, quality or purity be plainly stated upon the bottle.

box or other container thereof although the standard may differ from that determined by the test laid down in the United States Pharmacopoeia or National Formulary.

Second. If its strength or purity fall below the professed standard or quality under which it is sold.

SEC. 4. **Misbranded defined.** The term "misbranded," as herein used, shall apply to all drugs the package or label of which shall bear any statement, design or device regarding such article or the ingredients or substances contained therein, which shall be false or misleading in any particular and to any drug which is falsely branded as to state, country or territory in which it is manufactured or produced. For the purposes of this act, a drug shall also be deemed to be misbranded:

First. If it be an imitation of or offered for sale under the name of another article.

Second. If the contents of the package as originally put up shall have been removed in whole or in part and other contents shall have been placed in such package, or if the package shall fail to bear a statement on the label showing the name and the exact quantity or proportion of any alcohol, morphine, opium, heroin, chloroform, cannabis indica, chloral hydrate, acetanilide, or any derivative or preparation of any such substances contained therein. The statement herein required shall be plainly printed upon the outside wrapper and also upon a label affixed to the package in type "eight point caps;" provided, that in case the size of the package will not permit the use of eight point caps, the size of the type may be reduced proportionately. There shall be such a contrast between the color of the label and the color of the ink used in printing the label heretofore required, that the printing thereon shall be easily and plainly legible.

SEC. 5. **Drugs or preparations containing wood or denatured alcohol—sale prohibited.** No person, firm or corporation shall sell, offer, or expose for sale, or have in his possession, any preparation or product intended for use of man or domestic animals, either for internal or external use, or for cosmetic purposes, or for inhalation, or for perfumes, which contains methyl (wood) alcohol, crude or refined, or denatured alcohol.

SEC. 6. **Bulletins.** The pharmacy commissioners shall, from time to time, with the approval of the executive council, issue a printed bulletin, showing the results of inspections, analyses and prosecutions undertaken under this act, together with such general information as may be deemed suitable. Such bulletins shall be printed in such numbers as may be directed by the executive council, and shall be issued to the newspapers of this state and to all interested persons.

SEC. 7. **Enforcement.** It is hereby made the duty of the pharmacy commissioners to enforce the provisions of this act.

SEC. 8. **Penalty.** Any person, firm or corporation, or agent thereof, who refuses to comply, on demand, with any of the requirements of this act, or who shall violate any of its provisions, or who shall obstruct or hinder the said pharmacy commissioners, in the discharge of any duty imposed by this act, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding one hundred dollars.

SEC. 9. **What exempt—prima facie evidence.** All goods purchased or received by either wholesale or retail dealers of this state prior to July first, nineteen hundred and seven (1907) shall be exempt from the provisions of this act to April first, nineteen hundred and nine (1909). The having in possession by any person who manufactures or exposes for sale, any adulterated or misbranded drug, within the meaning of this act, shall be prima facie evidence of having in possession with intent to sell in violation of its provisions:

Provided, that any manufacturer, wholesaler or jobber may keep goods specifically set apart in his stock for sale in other states, which might otherwise be in violation of the provisions of this act.

**Sec. 10. Repealed.** Sections four thousand nine hundred and eighty-three (4983), four thousand nine hundred and eighty-five (4985), four thousand nine hundred and eighty-six (4986) and four thousand nine hundred and eighty-eight (4988) of the code are hereby repealed.

Approved April 6, A. D. 1907.

## CHAPTER 177.

### PURE FOOD.

S. F. 71.

AN ACT to amend the law as it appears in sections seven (7) and eight (8) of chapter one hundred and sixty-six (166) of the acts of the Thirty-first General Assembly, relating to the definition of the term "misbranded" and the method of labeling.

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

**SECTION 1. Misbranded defined.** That the law as it appears in chapter one hundred and sixty-six (166) laws of the Thirty-first General Assembly is hereby amended by striking out all of section seven (7) after the period in the fifth line thereof, and by inserting in lieu thereof the following words and characters:

"The term 'Misbranded' as used herein shall apply to all articles of food, or articles which enter into the composition of food, the package or label of which shall bear any statement, design, or device regarding such article, or the ingredients or substances contained therein which shall be false or misleading in any particular, and to any food product which is falsely branded as to the state, territory, or country in which it is manufactured or produced, or which bears any statement of the weight or measure unless the same be a correct statement of the net weight or measure of the contents."

**Sec. 2. Method of labeling.** That section eight (8) of chapter one hundred and sixty-six (166) laws of the Thirty-first General Assembly is hereby amended by striking out the word "constituents" from the thirty-eighth line thereof, and by inserting in lieu thereof the words "the name and quantity or proportion of each constituent."

Approved February 12, A. D. 1907.

## CHAPTER 178.

### PURE FOOD.

S. F. 318.

AN ACT to amend chapter one hundred and sixty-six (166), laws of the Thirty-first General Assembly, relating to the definition of adulterated foods, and fixing standards for certain food products.

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

**SECTION 1. Repealed.** Chapter one hundred and sixty-six (166), laws of the Thirty-first General Assembly, is hereby amended by striking out all of section nine (9) and inserting in lieu thereof the following:

"**SEC. 9. Labels.** Labels required by this act shall be distinctly printed in the English language in legible type no smaller than eight point heavy gothic caps and shall give, in continuous list with no intervening printed or descriptive matter, the true and correct names of all the constituents of such mixture, compound, combination, imitation or blend, and if artificially colored or preserved, the name of each and every such added substance shall be plainly stated on the label. Such label shall be placed upon the outside of the package and shall contain the name and address of the manufacturer, packer or dealer. There shall be such a contrast between the color of the label and the color of the ink used in printing the label as heretofore provided, that the label shall be easily and plainly legible."

**SEC. 2. Adulteration.** Section eight (8), chapter one hundred and sixty-six (166), laws of the Thirty-first General Assembly, is hereby amended by changing the period after the word "article" in the eleventh line thereof to a comma and adding the following: "or if it does not conform to the standards established by law." Also, by adding, after the word "health" in the thirty-first line thereof, the following: "provided, that vinegar shall be deemed to be adulterated if it contains any added coloring matter;"

**SEC. 3. Food standards.** Chapter one hundred and sixty-six (166), laws of the Thirty-first General Assembly, is hereby amended by adding, at the end of the chapter, the following:

"Section 18. For the purposes of this act, the following standards are hereby established:

*Flavoring Extracts.*

1. *Flavoring extract.* A flavoring extract is a solution in ethyl alcohol of proper strength of the sapid and odorous principles derived from an aromatic plant, or parts of the plant, with or without its coloring matter, and conforms in name to the plant used in its preparation.

2. *Almond extract.* Almond extract is the flavoring extract prepared from oil of bitter almonds, free from hydrocyanic acid, and contains not less than one (1) per cent by volume of oil of bitter almonds.

3. *Anise extract.* Anise extract is the flavoring extract prepared from oil of anise, and contains not less than three (3) per cent by volume of oil of anise.

4. *Celery seed extract.* Celery seed extract is the flavoring extract prepared from celery seed or the oil of celery seed, or both, and contains not less than three-tenths (0.3) per cent by volume of oil of celery seed.

5. *Cassia extract.* Cassia extract is the flavoring extract prepared from oil of cassia and contains not less than two (2) per cent by volume of oil of cassia.

6. *Cinnamon extract.* Cinnamon extract is the flavoring extract prepared from oil of cinnamon, and contains not less than two (2) per cent by volume of oil of cinnamon.

7. *Clove extract.* Clove extract is the flavoring extract prepared from oil of cloves, and contains not less than two (2) per cent by volume of oil of cloves.

8. *Ginger extract.* Ginger extract is the flavoring extract prepared from ginger and contains in each one hundred (100) cubic centimeters, the alcohol-soluble matters from not less than twenty (20) grams of ginger.

9. *Lemon extract.* Lemon extract is the flavoring extract prepared from oil of lemon, or from lemon peel, or both, and contains not less than five (5) per cent by volume of oil of lemon.

10. *Terpeneless extract of lemon.* Terpeneless extract of lemon is the flavoring extract prepared by shaking oil of lemon with dilute alcohol, or by

dissolving terpeneless oil of lemon in dilute alcohol, and contains not less than two-tenths (0.2) per cent by weight of citral derived from oil of lemon.

11. *Nutmeg extract.* Nutmeg extract is the flavoring extract prepared from oil of nutmeg, and contains not less than two (2) per cent by volume of oil of nutmeg.

12. *Orange extract.* Orange extract is the flavoring extract prepared from oil of orange, or from orange peel, or both, and contains not less than five (5) per cent by volume of oil of orange.

13. *Terpeneless extract of orange.* Terpeneless extract of orange is the flavoring extract prepared by shaking oil of orange with dilute alcohol, or by dissolving terpeneless oil of orange in dilute alcohol, and corresponds in flavoring strength to orange extract.

14. *Peppermint extract.* Peppermint extract is the flavoring extract prepared from oil of peppermint, or from peppermint, or both, and contains not less than three (3) per cent by volume of oil of peppermint.

15. *Rose extract.* Rose extract is the flavoring extract prepared from attar of roses, with or without red rose petals, and contains not less than four-tenths (0.4) per cent by volume of attar of roses.

16. *Savory extract.* Savory extract is the flavoring extract prepared from oil of savory, or from savory, or both, and contains not less than thirty-five hundredths (0.35) per cent by volume of oil of savory.

17. *Spearmint extract.* Spearmint extract is the flavoring extract prepared from oil of spearmint, or from spearmint, or both, and contains not less than three (3) per cent by volume of oil of spearmint.

18. *Star anise extract.* Star anise extract is the flavoring extract prepared from oil of star anise, and contains not less than three (3) per cent by volume of oil of star anise.

19. *Sweet basil extract.* Sweet basil extract is the flavoring extract prepared from oil of sweet basil, or from sweet basil, or both, and contains not less than one-tenth (0.1) per cent by volume of oil of sweet basil.

20. *Sweet marjoram extract.* Sweet marjoram extract, marjoram extract, is the flavoring extract prepared from the oil of marjoram, or from marjoram, or both, and contains not less than one (1) per cent by volume of oil of marjoram.

21. *Thyme extract.* Thyme extract is the flavoring extract prepared from oil of thyme, or from thyme, or both, and contains not less than two-tenths (0.2) per cent by volume of oil of thyme.

22. *Tonka extract.* Tonka extract is the flavoring extract prepared from tonka bean, with or without sugar or glycerin, and contains not less than one-tenth (0.1) per cent by weight of coumarin extracted from the tonka bean, together with a corresponding proportion of the other soluble matters thereof.

23. *Vanilla extract.* Vanilla extract is the flavoring extract prepared from vanilla bean, with or without sugar or glycerin, and contains in one hundred (100) cubic centimeters the soluble matters from not less than ten (10) grams of the vanilla bean, and contains not less than thirty (30) per cent by volume of absolute ethyl alcohol.

24. *Wintergreen extract.* Wintergreen extract is the flavoring extract prepared from oil of wintergreen, and contains not less than three (3) per cent by volume of oil of wintergreen.

#### *Vinegar.*

1. *Cider or apple vinegar.* Vinegar, cider vinegar, apple vinegar, is the product made by the alcoholic and subsequent acetous fermentations of the juice of apples, is laevorotatory, and contains not less than four (4) grams of acetic



acid, not less than one and six-tenths (1.6) grams of apple solids, of which not more than fifty (50) per cent are reducing sugars, and not less than twenty-five hundredths (0.25) gram of apple ash in one hundred (100) cubic centimeters (20°C.); and the water-soluble ash from one hundred (100) cubic centimeters (20°C.) of the vinegar contains not less than ten (10) milligrams of phosphoric acid ( $P_2O_5$ ) and requires not less than thirty (30) cubic centimeters of decinormal acid to neutralize its alkalinity.

2. *Wine or grape vinegar.* Wine vinegar, grape vinegar, is the product made by the alcoholic and subsequent acetous fermentations of the juice of grapes and contains, in one hundred cubic centimeters (20°C.), not less than four (4) grams of acetic acid, not less than one (1.0) gram of grape solids, and not less than thirteen hundredths (0.13) gram of grape ash.

3. *Malt vinegar.* Malt vinegar is the product made by the alcoholic and subsequent acetous fermentations, without distillation, of an infusion of barley malt or cereals whose starch has been converted by malt, is dextro-rotatory, and contains, in one hundred (100) cubic centimeters (20°C.), not less than four (4) grams of acetic acid, not less than two (2) grams of solids, and not less than two-tenths (0.2) gram of ash; and the water-soluble ash from one hundred (100) cubic centimeters (20°C.) of the vinegar contains not less than nine (9) milligrams of phosphoric acid ( $P_2O_5$ ), and requires not less than four (4) cubic centimeters of decinormal acid to neutralize its alkalinity.

4. *Sugar vinegar.* Sugar vinegar is the product made by the alcoholic and subsequent acetous fermentations of solutions of sugar, syrup, molasses, or refiners' syrup, and contains, in one hundred (100) cubic centimeters (20°C.), not less than four (4) grams of acetic acid.

5. *Glucose vinegar.* Glucose vinegar is the product made by the alcoholic and subsequent acetous fermentations of solutions of starch sugar or glucose, is dextro-rotatory, and contains, in one hundred (100) cubic centimeters (20°C.), not less than four (4) grams of acetic acid.

6. *Spirit, distilled or grain vinegar.* Spirit vinegar, distilled vinegar, grain vinegar, is the product made by the acetous fermentations of dilute distilled alcohol, and contains, in one hundred (100) cubic centimeters (20°C.), not less than four (4) grams of acetic acid.

#### *Butter.*

1. *Butter.* Butter shall contain not less than eighty (80) per cent by weight of butterfat.

Approved April 13, A. D. 1907.

### CHAPTER 179.

#### PURE FOOD.

H. F. 351.

AN ACT to amend section thirteen (13), chapter one hundred and sixty-six (166), laws of the Thirty-first General Assembly, relating to appropriations for the enforcement of pure food law.

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

**SECTION 1. Appropriation for enforcement.** Section thirteen (13), chapter one hundred and sixty-six (166), laws of the Thirty-first General Assembly, is hereby amended by striking out of the fourth and fifth lines thereof the words "ten thousand dollars (\$10,000)" and inserting in lieu thereof the following: "Fifteen thousand dollars (\$15,000)".

Approved April 4, A. D. 1907.

## CHAPTER 180.

## PURE FOOD.

S. F. 136.

AN ACT to amend section fourteen (14) of chapter one hundred and sixty-six (166) of the laws of the Thirty-first General Assembly, relating to the sale of canned goods.

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

SECTION 1. **Canned corn.** That the law as it appears in section fourteen (14) of chapter one hundred and sixty-six (166) of the laws of the Thirty-first General Assembly be and the same is hereby amended by striking out the period after the figures (1907), in the last line, and inserting in lieu thereof a comma, and by adding thereto, the following, "except that canned corn so purchased or received shall be exempt from the provisions of this act to January first, nineteen hundred and eight (1908)".

Approved March 28, A. D. 1907.

## CHAPTER 181.

## ASSUMPTION OF RISK.

S. F. 236.

AN ACT defining the relations between employer and employe with respect to assumption of risk, and providing what shall constitute notice thereof. [Additional to the law as it appears in section four thousand nine hundred and ninety-nine-b (4999-b) of the supplement to the code, relating to the safeguarding of machinery.]

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

SECTION 1. **Written notice of defect.** In all cases where the property, works, machinery or appliances of an employer are defective or out of repair and the employe has knowledge thereof, and has given written notice to the employer, or to any person authorized to receive and accept such notice, or to any person in the service of the employer and entrusted by him with the duty of seeing that the property, works, machinery or appliances are in proper condition, of the particular defect or want of repair or when the employer or such other person has been notified in writing of such defect or want of repair by any person whose duty it is under the rules of the employer or the laws of the state to inspect such works, machinery or appliances, or any person who is subject to the risk incident to such defect or want of repair; no employe after such notice, shall by reason of remaining in the employment with such knowledge, be deemed to have assumed the risk incident to the danger arising from such defect or want of repair.

Approved March 28, A. D. 1907.

## CHAPTER 182.

## SAMPLES OF DRUGS OR MEDICINES.

H. F. 424.

AN ACT to prevent the throwing or depositing of drugs or medicines as sample or otherwise in private or public places. [Additional to chapter ten (10) of title twenty-four (XXIV) of the code, relating to offenses against public health.]

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

SECTION 1. **Depositing samples on porches, lawns, etc., prohibited.** That it shall be unlawful for any person, firm, company or corporation, either in

person or by agent, to deposit any sample of any drugs or medicine upon any porch, lawn, in any vehicle or any other place where such drugs or medicine might be picked up by children or other persons.

SEC. 2. **Misdemeanor.** Any person, firm, company, corporation, or agent thereof violating the provisions of this act, shall be guilty of a misdemeanor.

Approved April 2, A. D. 1907.

## CHAPTER 183.

### CORRUPT INFLUENCING OF AGENTS, REPRESENTATIVES, EMPLOYES AND OFFICERS.

H. F. 14.

AN ACT to prohibit the corrupt influencing of agents, representatives, employes, officers of a private corporation, or public officers acting in behalf of a principal in any business transaction and provide a penalty therefor. [Additional to chapter eleven (11) of title twenty-four (XXIV) of the code, relating to offenses against public policy.]

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

SECTION 1. **Accepting or giving tips or gratuities—penalty.** It shall be unlawful for any agent, representative or employe, officer or any agent of a private corporation, or a public officer, acting in behalf of a principal in any business transaction, to receive, for his own use, directly or indirectly, any gift, commission, discount, bonus or gratuity connected with, relating to or growing out of such business transaction: and it shall be likewise unlawful for any person, whether acting in his own behalf or in behalf of any co-partnership, association or corporation, to offer, promise or give directly or indirectly any such gift, commission, discount, bonus or gratuity. Any person violating the provisions of this act or any of them shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars (\$25), nor more than five hundred dollars (\$500), or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment.

SEC. 2. **Testimony—immunity from prosecution.** No person shall be excused from attending, testifying or producing books, papers, contracts, agreements and documents before any court or in obedience to the subpoena of any court having jurisdiction of the misdemeanor on the ground or for the reason that the testimony or evidence, documentary, or otherwise, required of him, may tend to incriminate him or to subject him to a penalty or forfeiture. But no person shall be liable to any criminal prosecution, for or on account of any transaction, matter or thing concerning which he may testify or produce evidence, documentary or otherwise, before said court or in obedience to its subpoena or in any such case or proceeding, provided, that no person so testifying or producing any such books, papers, contracts, agreements or documents shall be exempted from prosecution and punishment for perjury committed in so testifying.

Approved April 5, A. D. 1907.

## CHAPTER 184.

## CORRUPT INFLUENCING OF AGENTS, REPRESENTATIVES, EMPLOYES AND OFFICERS.

H. F. 494.

AN ACT amending an act passed by the Thirty-second General Assembly, entitled "An act prohibiting the corrupt influencing of agents and officers, acting in behalf of a principal in any business transaction."

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

SECTION 1. **Exception.** That section one (1) of an act passed by the Thirty-second General Assembly, entitled "An act prohibiting the corrupt influencing of agents and officers of private corporations or public officers acting in behalf of a principal in any business transaction", and numbered and known as house file fourteen (14), be amended by adding thereto the following: "Provided, this act shall not apply to those cases in which the principals, being the contracting parties, have knowledge of and consent to the payment of a commission to an agent or representative".

Approved April 13, A. D. 1907.

## CHAPTER 185.

## FIRECRACKERS, TOY PISTOLS, DYNAMITE CAPS AND BLANK CARTRIDGES.

H. F. 77.

AN ACT to prohibit the use and sale of toy pistols, firecrackers, dynamite caps and blank cartridges. [Additional to chapter eleven (11) of title twenty-four (XXIV) of the code, relating to offenses against public policy.]

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

SECTION 1. **What prohibited.** No person shall use, sell, offer for sale or keep for sale within this state any toy pistols, toy revolvers, caps containing dynamite, blank cartridges for toy revolvers or toy pistols, or firecrackers more than five inches in length and more than three-fourths of an inch in diameter; provided caps containing dynamite may be used, kept for sale or sold when needed for mining purposes, or for danger signals, or for other necessary uses.

SEC. 2. **Penalty.** Any person violating the provisions of this act shall be fined not exceeding one hundred (\$100.00) dollars, or be imprisoned in the county jail not exceeding thirty (30) days.

SEC. 3. **When effective.** This act shall be in full force and effect from and after January 1, 1908.

Approved March 18, A. D. 1907.

## CHAPTER 186.

## DESECRATION OF MEMORIAL DAY.

H. F. 151.

AN ACT to prevent the desecration of Memorial Day and provide a penalty therefor. [Additional to chapter twelve (12) of title twenty-four (XXIV) of the code, relating to offenses against the public peace.]

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

SECTION 1. **Ball games and other sports prohibited until 3 p. m.** That it shall be unlawful to engage in ball games, horse racing, or sports or entertain-

ments that will interfere with the proper observance of the day which is set apart as Memorial Day, prior to the hour of three o'clock p. m. of said day. Any violation of this act shall be punishable by a fine of not less than five (\$5.00) dollars or more than one hundred (\$100) dollars, or by imprisonment in the county jail not to exceed 30 days in the discretion of the court.

SEC. 2. **In effect.** This act, being deemed of immediate importance, shall take effect immediately after its publication in the Des Moines Capital and the Register and Leader, papers published in Des Moines, Iowa.

Approved March 15, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, March 16, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 187.

### COMBINATIONS, POOLS AND TRUSTS.

H. F. 474.

AN ACT to amend section five thousand sixty-two (5062) of the code, relative to penalty for combinations, pools and trusts.

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

SECTION 1. **Penalty changed.** That section five thousand sixty-two (5062) of the code be and the same is hereby amended by striking from the third, fourth and fifth lines of said section the following: "one per cent of its capital or amount invested in such corporation, company, firm or association, nor more than twenty per cent of the same", and by inserting in lieu thereof the following: "five hundred nor more than five thousand dollars."

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

Approved April 5, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 6, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 188.

### GRAIN COMBINATIONS.

H. F. 105.

AN ACT to prohibit any person, company, partnership, association, or corporation, engaged in the business of grain dealing, or owning or operating grain elevators, from combining or entering into any agreement, contract, trust, or pool to fix the prices to be paid for grain, or to prevent the free action of competition in the buying of grain, or the selling of grain, and to provide punishment for the violation of this act. [Additional to chapter thirteen (13) of title twenty-four (XXIV) of the code, relating to cheating by false pretenses, gross frauds and conspiracy.]

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

SECTION 1. **Grain combinations prohibited.** That it shall be unlawful for any person, company, partnership, association, or corporation owning or oper-

ating any grain elevator or engaged in the business of buying, selling, handling, consigning, or transporting grain, to enter into any agreement, contract, or combination with any other grain dealer, or grain dealers, partnership, company, corporation, or association of grain dealers, whether within or without the state, engaged in like business, for the fixing of prices to be paid for grain by different dealers or buyers; or to divide between said dealers the aggregate or net proceeds of the earnings of such dealers and buyers, or any portion thereof; or to form, enter into, maintain, or contribute money or anything of value to any trust, pool, combination, or association of persons of whatsoever character or name, which has for any of its objects the prevention of full and free competition among buyers, sellers, or dealers in grain; or to do or permit to be done by his or their authority any act or thing whereby the free action of competition in the buying or selling of grain is restrained or prevented.

**SEC. 2. Liability for damages.** That in case any person, company, partnership, corporation or association, trust, pool or combination of whatsoever name shall do, cause to be done, or permit to be done, any act, matter or thing in this act prohibited or declared to be unlawful, such person, partnership, company, association, corporation, trust, pool or combination shall be liable to the person, partnership, company, association or corporation injured thereby for the full amount of damages sustained in consequence of any such violation of the provisions of this act, together with a reasonable attorney's fee to be fixed by the court in every case of recovery and to be taxed as part of the costs in the case, and the property of any person who may be a member of any such trust, pool, combination, corporation or association, violating the provisions of this act, shall be liable for the full amount of such judgment.

**SEC. 3. Penalty—duty of grand jury.** That any person, partnership, company, association or corporation subject to the provisions of this act, or any person, trust, combination, pool or association, or any director, officer, lessee, receiver, trustee, employe, clerk, agent or any person acting for or employed by them or either of them, who shall violate any of the provisions of section 1 of this act, or who shall aid and abet in such violation, shall be deemed guilty of a misdemeanor, and shall upon conviction thereof be fined any sum not less than five hundred dollars, (\$500) and not exceeding two thousand dollars, (\$2000) or imprisoned in the county jail for a period not exceeding six months, or both, at the discretion of the court. It shall be the duty of the grand jury to enquire into and ascertain if there exists any pool, trust, combination or violation of any provision in this act, in their respective counties.

Approved March 20, A. D. 1907.

## CHAPTER 189.

### AGRICULTURAL SEEDS AND CONCENTRATED COMMERCIAL FEEDING-STUFFS.

S. F. 18.

AN ACT to prevent fraud in the sale of agricultural seeds, concentrated commercial feeding-stuffs and the materials from which they are manufactured, and to regulate the sale thereof, defining concentrated commercial feeding-stuffs and what shall constitute purity in various kinds of seeds; prohibiting the adulteration and providing for the correct weighing and marking of agricultural seeds and concentrated commercial feeding-stuffs; and providing for the collection of samples, analyses of the same, and fixing penalties for its violation; and vesting the execution and enforcement of this act in the state food and dairy commissioner, and making an appropriation therefor. [Additional to chapter thirteen (13) of title twenty-four (XXIV) of the code, relating to cheating by false pretenses, gross frauds and conspiracy.]

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

**SECTION 1. Statements required.** Every lot in bulk, barrel, bag, pail, par-

cel or package of concentrated commercial feeding-stuffs as defined in section three (3) of this act; and every parcel, package or lot of agricultural seeds as defined in section nine (9) of this act, and containing one pound or more, offered or exposed for sale in the state of Iowa for use within this state, shall have affixed thereto, in a conspicuous place on the outside thereof, distinctly printed in the English language in legible type not smaller than eight point heavy gothic caps, or plainly written a statement certifying:

1. In case of concentrated commercial feeding-stuffs:

First. The number of net pounds of feeding-stuffs in the package.

Second. The name, brand or trade-mark under which the article is sold.

Third. The name and address of the manufacturer, importer, dealer or agent.

Fourth. The place of manufacture.

Fifth. Except in the case of condimental stock food; patented, proprietary or trade-marked stock and poultry foods, claimed to possess medicinal or nutritive properties, or both, the chemical analysis of the feeding-stuffs, stating the percentages of crude protein, crude fat, and crude fiber, allowing one per cent of nitrogen to equal six and twenty-five one hundredths per cent of protein, all three constituents to be determined by the latest methods adopted by the Association of Official Agricultural Chemists of the United States.

2. In the case of agricultural seeds:

First. Name of the seed.

Second. Full name and address of the seedsman, importer, dealer or agent.

Third. A statement of the purity of the seed contained, specifying the kind and percentage of the impurities as defined in sections eleven (11) and twelve (12) hereof, provided that said seeds are below the standards fixed in this act.

Fourth. Locality where said seed was grown, when known.

**SEC. 2. Additional statement or label.** Every barrel, bag, pail, parcel or package of concentrated commercial feeding-stuffs as defined in section three (3) of this act, and every feed intended for domestic animals that is compounded from two or more substances, in addition to the requirements of section one (1), shall have affixed thereto, in a conspicuous place on the outside thereof, a statement in the manner and form prescribed in section one (1), giving the true and correct names of all the ingredients of which it is composed. Except condimental stock food; patented, proprietary or trade-marked stock or poultry foods, claimed to possess medicinal or nutritive properties, or both; and these shall be labeled or branded so as not to deceive or mislead the purchaser in any way, and the contents of any such package shall not be substituted in whole or in part for any other contents. Any statement, design or device upon the label or package regarding the substances contained therein, shall be true and correct, and any claim made for the feeding, condimental, tonic or medicinal value, shall not be false or misleading in any particular. The name and percentage of any deleterious or poisonous ingredient or ingredients, shall be plainly stated upon the outside of the package or container. The name and percentage of the diluent or dilutents, or bases, shall be plainly stated on the outside of the package or container.

**SEC. 3. Concentrated commercial feeding-stuffs defined.** The term concentrated commercial feeding-stuffs, as used in this act, shall include alfalfa meals and feeds; dried beet refuse; ground beef or fish scraps; bean meals; dried blood; brewers' grains, both wet and dry; cerealine feeds; coconut meals; corn feeds; corn and oat feeds; corn, oat and barley feeds; compounds under the name of corn and cob meals; corn bran; clover meal; cottonseed meal and feeds; germ feeds; distillers' grains; gluten meals; gluten

feeds; hominy feeds; linseed meals; malt refuse; malt sprouts; meat meals; meat and bone meals; mixed feeds of all kinds; oil meals of all kinds; oat feeds; oat bran; oat flour; oat middlings; oat shorts; pea meals poultry foods; rice bran; rice meal; rice polish; rye bran; rye middlings; rye shorts; starch feeds and starch factory by-products; tankage and packing house by-products; wheat bran; wheat middlings; wheat shorts; and low grade wheat flour; and all materials of similar nature used for domestic animals; also condimental stock foods; patented proprietary or trade-marked stock or poultry feeds claimed to possess medicinal or nutritive properties or both; and all other materials intended for feeding to domestic animals. But it shall not include; hay; straw; whole seeds; unmixed meals made from the entire grains of wheat, rye, barley, oats, Indian corn, buckwheat, and broom corn; nor wheat flours nor other flours fit for human consumption.

**SEC. 4. Certified copy of statement and samples furnished food and dairy commissioner.** Before any concentrated commercial feeding-stuffs, as defined in section three (3) of this act, is offered or exposed for sale, the importer, manufacturer, person or party who causes it to be sold or offered for sale within the state of Iowa, for use within this state, for each and every feeding-stuff bearing a distinguishing name or trade-mark, shall file with the state food and dairy commissioner a certified copy of the statement named in section one (1) of this act, and shall also deposit with the said state food and dairy commissioner a sealed glass jar or bottle containing not less than one pound of the feeding-stuff to be sold or offered for sale, accompanied by an affidavit that it is a fair average sample thereof and corresponds within reasonable limits to the feeding-stuff which it represents.

**SEC. 5. Inspection fee—license fee—tax tags.** Before any manufacturer, importer, dealer or agent shall offer or expose for sale in this state any of the concentrated commercial feeding-stuffs defined in section three (3) of this act, he shall pay to the state food and dairy commissioner an inspection fee of ten cents per ton for each ton of such concentrated commercial feeding-stuffs sold or offered for sale in the state of Iowa for use within this state; except that every manufacturer, importer, dealer or agent for any condimental, patented, proprietary or trade-marked stock or poultry foods, or both, shall pay to the state food and dairy commissioner, on or before the fifteenth day of July of each year, a license fee of one hundred (\$100.00) dollars, in lieu of such inspection fee. Whenever the manufacturer or importer of such foods shall have paid the fee herein required, no other person or agent of such manufacturr or importer shall be required to pay such license fee; and shall affix to each lot shipped in bulk, and to each bag, barrel or package of such concentrated commercial feeding-stuffs, a tag, to be furnished by the said state food and dairy commissioner, stating that all charges specified in this section have been paid; provided, that the inspection fee herein required shall not apply to unadulterated wheat, rye and buckwheat bran, nor wheat, rye and buckwheat middlings, nor to wheat, rye and buckwheat shorts manufactured in this state. The said state food and dairy commissioner is hereby empowered to prescribe the form of such tag and adopt such regulations as may be necessary for the enforcement of this act. Tags for use upon concentrated commercial feeding-stuffs shall be issued in denominations suitable for use with twenty-five, fifty and one hundred pounds net, except as hereinafter provided; provided, that any dealer who sells at one time to any other person one ton or more of concentrated commercial feeding-stuffs, shall be held to have complied with the provisions of this section if he delivers to the purchaser the tax tags herein required, even though they may not be attached to the various packages.

**SEC. 6. Samples—analysis.** The state food and dairy commissioner shall cause to be made analyses of all concentrated commercial feeding-stuffs and



agricultural seeds sold or offered for sale in this state. Said state food and dairy commissioner is hereby authorized, in person or by deputy, to take for analysis a sample from any lot or package of concentrated commercial feeding-stuffs in this state, not exceeding two pounds in weight; and in case of agricultural seeds, a sample not exceeding four ounces in weight; but said sample shall be drawn or taken in the presence of the party or parties in interest, or their representative, and shall be taken from a parcel, lot or number of parcels which shall not be less than five per cent of the whole lot inspected, and shall be thoroughly mixed and divided into two samples and placed in glass or metal vessels carefully sealed and a label placed on each, stating the name or brand of the feeding-stuff, agricultural seeds or material sampled, the name of the party from whose stock the sample is drawn, and the date and place of taking such sample, and said label shall be signed by the said state food and dairy commissioner, or his authorized agent; or said sample may be taken in the presence of two disinterested witnesses. One of said duplicate samples shall be left on the premises of the party whose stock was sampled and the other retained by the state food and dairy commissioner for analysis and comparison with the certified statements required by sections one (1) and four (4) of this act. The result of the analysis of the sample, together with additional information, shall be published from time to time in bulletins issued by the state food and dairy commissioner upon approval of the executive council.

**SEC. 7. Analysis made on request of purchaser—fee.** Any person purchasing any concentrated commercial feeding-stuffs or agricultural seeds in this state for his own use may submit fair samples of said feeding-stuffs or seeds to the state food and dairy commissioner, who, upon receipt of an analysis fee of fifty cents for each sample of agricultural seeds and one dollar for each sample of concentrated commercial feeding-stuff, shall cause an analysis of the same to be made.

**SEC. 8. Wheat or rye screenings.** No person shall sell in ground form wheat or rye screenings containing cockle or other poisonous or deleterious substances.

**SEC. 9. Agricultural seeds defined.** The term agricultural seeds, as used in this act, shall include the seeds of the red clover, white clover, alsike clover, alfalfa, Kentucky blue grass, timothy, brome grass, orchard grass, red top, meadow fescue, oat grass, rye grass, and other grasses and forage plants, flax, rape and cereals.

**SEC. 10. Agricultural seeds to be free from impure seeds.** No person shall sell, offer or expose for sale or distribution in this state for the purpose of seeding, any of the agricultural seeds as defined in section nine (9) of this act, unless the said seeds are free from the seeds of the following weeds: wild mustard or charlock (*Brassica sinapistrum*), quack grass (*Agropyron repens*), Canada thistle (*Cnicus arvensis*), wild oats (*Avena fatua*), clover and alfalfa dodder (*Cuscuta epithymum*), field dodder (*Cuscuta arvensis*), and corn cockle (*Lychnis githago*).

**SEC. 11. Impurities in agricultural seeds.** The seeds of the following weeds shall be considered as impurities in the agricultural seeds, as defined in section nine (9) of this act, sold, offered or exposed for sale within the state for the purpose of seeding: white cockle (*Lychnis vespertina*), nightflowering catchfly (*Silene noctiflora*), curled dock (*Rumex crispus*), smooth dock (*Rumex altissimus*), sheep sorrel (*Rumex acetosella*), yellow trefoil (*Medicago lupulina*), burr clover (*Medicago denticulata*), sweet clover (*Melilotus alba* and *officinalis*), black mustard (*Brassica nigra*), plantain, buckhorn (*Plantago lanceolata*), bracted plantain (*Plantago aristata*), bindweed (*Convolvulus sepium*), smooth crab grass (*Panicum glabrum*), common chickweed (*Stellaria media*). When such impurities or any

of them are present in quantity exceeding a total of two per cent of the weight of said agricultural seeds, the approximate percentage of each shall be plainly indicated in statement specified in section one (1) of this act.

**Sec. 12. Other impurities.** Sand, dirt, chaff and foreign substances and seeds other than those specified in sections thirteen (13) and fourteen (14), or broken seed and seed not capable of germinating, shall be considered impurities when present in agricultural seeds sold, offered or exposed for sale in this state for the purpose of seeding, and when such impurities, or any of them, are present in quantity exceeding the standards of purity and viability authorized in section sixteen (16) of this act, the name and approximate percentage of each shall be plainly indicated in the statement specified in section one (1) of this act.

**Sec. 13. Mixed or adulterated seeds.** For the purposes of this act seeds shall be deemed to be mixed or adulterated:

First. When orchard grass (*Dactylis glomerata*) seed contains ten per cent or more by weight of meadow fescue (*Festuca elatior pratensis*) seed, or Italian rye grass (*Lolium italicum*) seed, or English rye grass (*Lolium perenne*) seed.

Second. When blue grass or Kentucky blue grass (*Poa pratensis*) seed contains five per cent or more by weight of Canadian blue grass (*Poa compressa*) seed, red top chaff, red top (*Agrostis alba*) seed, or any other seed or foreign substance.

Third. When red clover (*Trifolium pratense*), mammoth red clover (*Trifolium pratense* var), or alfalfa (*Medicago sativa*), contains five per cent or more by weight of yellow trefoil (*Medicago lupulina*), or sweet clover (*Melilotus alba* and *M. officinalis*) seed or burr clover (*Medicago denticulata*) seed.

Fourth. When rape (*Brassica rapa*) contains five per cent or more of common mustard (*Brassica Sinapistrum*) or black mustard (*B. nigra*).

**Sec. 14. Misbranded seed.** For the purpose of this act, seed shall be deemed to be misbranded:

First. When meadow fescue (*Festuca elatior pratensis*), English rye grass (*Lolium perenne*) or Italian rye grass (*Lolium italicum*) is labeled or sold under the name of orchard grass (*Dactylis glomerata*) seed.

Second. When Canadian blue grass (*Poa compressa*) seed, red top (*Agrostis alba*) seed, or any other seed not blue grass seed, is sold under the name of Kentucky blue grass or blue grass (*Poa pratensis*) seed.

Third. When yellow trefoil (*Medicago lupulina*), burr clover (*Medicago denticulata*), or sweet clover (*Melilotus alba*) is sold under the name of clover, June clover, red clover (*Trifolium pratense*), medium red clover, small red clover, mammoth red clover, sappling clover, peavine clover (*T. pratense* var) or alfalfa (*Medicago sativa*) seed.

Fourth. When the seeds are not true to the name under which they are sold.

**Sec. 15. Exemptions.** The provisions concerning agricultural seeds contained in this act shall not apply to:

First. Any person or persons growing or selling seeds for food purposes only, or having such seeds in possession for sale for such purposes.

Second. Any person selling seeds direct to merchants, to be cleaned or graded before being offered for sale for the purpose of seeding. This shall not, however, exempt the seller from the restrictions of section ten (10) of this act.

Third. Seed that is held in storage for the purpose of being recleaned, and which has not been offered, exposed or held in possession of or for sale for the purpose of seeding.

Fourth. Seed marked "not absolutely clean," and held or sold for export outside the state only.

Fifth. The sale of seed that is grown, sold and delivered by any farmer on his own premises for seeding by the purchaser himself, unless the purchaser of said seeds obtains from the seller at the time of the sale thereof a certificate that the said seed is supplied to the purchaser subject to the provisions of this act.

Sixth. Mixtures of seeds for lawn or pasture purposes. This shall not, however, exempt the seller of such mixtures of seeds from the restrictions of sections ten (10) and eleven (11) of this act.

Sec. 16. **Standards of purity.** The following standards of purity (meaning freedom from weed seeds or other seeds) and viability are hereby fixed:

STANDARD OF PURITY AND VIABILITY OF AGRICULTURAL SEEDS.

Name of seed.	Per cent of purity.	Per cent of germinable seeds.
Alfalfa ( <i>medicago sativa</i> ).....	96	80
Barley .....	98	90
Blue grass, Canadian ( <i>poa compressa</i> ).....	90	45
Blue grass, Kentucky ( <i>poa pratensis</i> ).....	80	45
Brome, awnless ( <i>bromus inermis</i> ).....	90	75
Clover, alsike ( <i>trifolium hybridum</i> ).....	90	75
Buckwheat .....	96	90
Clover, crimson ( <i>trifolium incarnatum</i> ).....	98	85
Clover, red ( <i>trifolium pratense</i> ).....	92	80
Clover, white ( <i>trifolium repens</i> ).....	90	75
Corn, field ( <i>zea mays</i> ).....	99	94
Corn, sweet .....	99	75
Fescue, meadow ( <i>fescuta pratensis</i> ).....	95	85
Flax ( <i>linum usitatissimum</i> ).....	96	89
Millet, common ( <i>setaria italica</i> ).....	90	85
Millet, hog ( <i>panicum milliaceum</i> ).....	90	85
Millet, pearl ( <i>penisetum typhoideum</i> ).....	99	65
Oats ( <i>avena sativa</i> ).....	98	90
Oat grass, tall ( <i>arrhena therum avenaceum</i> ).....	72	70
Orchard grass ( <i>dactylis glomerata</i> ).....	70	70
Rape ( <i>brassica rapa</i> ).....	99	90
Redtop ( <i>agrostis alba</i> ).....	90	70
Rye ( <i>secala cereale</i> ).....	98	90
Rye grass, perennial ( <i>lolium perenne</i> ).....	96	90
Rye grass, Italian ( <i>lolium italicum</i> ).....	95	80
Sorghum ( <i>andropogon sorghum</i> ).....	96	80
Sorghum, for fodder.....	90	60
Timothy ( <i>phleum pratense</i> ).....	96	85
Wheat ( <i>triticum</i> ) .....	98	90

SEC. 17. **Enforcement.** It is hereby made the duty of the state food and dairy commissioner to enforce the provisions of this act. The inspectors, assistants and chemists appointed by the state food and dairy commissioner shall perform the same duties and have the same authority under this act as are prescribed by chapter one hundred and sixty-six (166), laws of the Thirty-first General Assembly, and the said state food and dairy commissioner may appoint, with the approval of the executive council, such analysts and chemists as may be necessary to carry out the provisions of this act.

SEC. 18. **Penalty.** Whoever sells, offers or exposes for sale any of the seeds specified in sections thirteen (13) and fourteen (14) of this act which are mixed, adulterated or misbranded, or any agricultural seeds which do not comply with sections ten (10) eleven (11) and twelve (12) of this act, or who shall counterfeit or use a counterfeit of any of the tags prescribed by this act; or who shall prevent or attempt to prevent any inspector in the

discharge of his duty from collecting samples; or who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction, shall be fined not more than one hundred dollars and costs of prosecution. Provided, that no one shall be convicted for violation of the provisions of section ten (10) of this act if he is able to show that the weed seeds named in section ten (10), are present in quantities not more than one in ten thousand, and that due diligence has been used to find and remove said seeds.

**Sec. 19. Appropriation—fees paid into state treasury.** There is hereby appropriated, for the purpose of enforcing the provisions of this act, a sum not exceeding three thousand (\$3000) dollars annually. Such expense shall be paid by warrant of the state auditor upon bills filed by the state food and dairy commissioner with the executive council and approved by them. All fees collected under the provisions of this act shall be paid into the state treasury.

Approved April 6, A. D. 1907.

## CHAPTER 190.

### LABELS ON BALLS OF BINDER TWINE.

S. F. 230.

**AN ACT** to require a stamp or label on every ball of binder twine sold, exposed or offered for sale within this state and providing a penalty for the violation thereof. [Additional to chapter thirteen (13) of title twenty-four (XXIV) of the code, relating to cheating by false pretenses, gross frauds and conspiracy.]

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

**SECTION 1. Label required.** No binder twine shall be sold, exposed or offered for sale within this state, except the same bears upon each ball a stamp or label truly stating the name of the manufacturer or importer and the number of feet to the pound in such ball: Provided that a deficiency not exceeding five per cent in length stated on the stamp or label shall not be a violation hereof.

**Sec. 2. Penalty.** Any person, firm or corporation who violates the provisions of section one hereof shall be guilty of a misdemeanor and shall be punished by a fine not exceeding one hundred dollars (\$100).

**Sec. 3. What exempt—burden of proof.** All binder twine purchased or received by wholesale or retail dealers of this state prior to September first, nineteen hundred and seven (1907), shall be exempt from the provisions of this act until November first nineteen hundred and eight; but the burden of proof that such twine was so purchased or received shall rest on said dealers.

Approved April 4, A. D. 1907.

## CHAPTER 191.

### NUMBER OF GUARDS IN THE STATE PENITENTIARIES.

S. F. 330.

**AN ACT** to amend section five thousand six hundred sixty-three (5663) of the code as it appears in the section of said number in the supplement to the code, relative to the number of guards in the state penitentiaries.

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

**SECTION 1. Guards—minimum number.** That section five thousand six hundred sixty-three (5663) of the code as it appears in the section of said number

in the supplement to the code is hereby amended by striking from the last two lines thereof the words "thirteen guards at Ft. Madison" and inserting in lieu thereof the following: "forty-five guards at Ft. Madison and forty-two guards at Anamosa".

Approved April 13, A. D. 1907.

## CHAPTER 192.

### INDETERMINATE SENTENCES AND REFORMATORY.

S. F. 30.

**AN ACT** to revise the law relating to the sentence and commitment of persons convicted of crime, and providing for a system of reform and parole and to create the necessary officers therefor, defining their powers and duties, and to fix their compensation, and appropriating the money necessary to carry the same into effect, and to repeal all acts and parts of acts in conflict therewith. [Additional to chapter two (2) of title twenty-six (XXVI) of the code, relating to penitentiaries.]

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

**SECTION 1. "The reformatory."** Hereafter the penitentiary at Anamosa shall be officially known and designated as "The Reformatory," and shall be the reformatory department of the state penitentiary of Iowa.

**SEC. 2. Commitments.** Any male person who shall be committed to the penitentiary after the 4th day of July, 1907, (except those convicted of murder, treason, sodomy or incest), and who at the time of commitment is between the ages of sixteen and thirty years, and who has never before been convicted of a felony, shall be confined in the reformatory; provided, however, that persons between the ages of sixteen and thirty years convicted of rape, robbery, or of breaking and entering a dwelling house in the night time with intent to commit a public offense therein, may, as the particular circumstances may warrant, in the discretion of the court, be committed to either the reformatory at Anamosa, or the penitentiary at Fort Madison.

**SEC. 3. Insane department.** The criminal insane shall continue to be confined in the insane department at Anamosa, as provided in section fifty-seven hundred and nine of the code.

**SEC. 4. Transfer of prisoners for violation of rules, insubordination, etc.** Any male prisoner confined in the reformatory may be transferred to the penitentiary at Fort Madison, upon order of the board of control, for violation of the rules of the reformatory or for insubordination and a like transfer may be ordered by said board whenever it shall be of the opinion that a prisoner is not a hopeful subject for reformatory treatment.

**SEC. 4½. Transfer of prisoners over age limit—former convictions.** If it shall appear at any time after conviction and incarceration in the reformatory that a prisoner was over thirty years of age at the time of commitment, he shall be at once transferred to the prison at Fort Madison, and he shall likewise be transferred if it shall appear that he had, prior to the last conviction, been convicted of a felony in Iowa or elsewhere.

**SEC. 5. What prisoners retained in reformatory—transfer of life prisoners.** The board of control may retain in the reformatory such persons as have been or are committed to the penitentiary at Anamosa for crimes committed on or prior to July 4th, 1907, except that all persons convicted of murder in the first degree and all persons sentenced to life imprisonment shall be kept and confined in the prison at Fort Madison and a transfer shall be made as soon as reasonably convenient after July 4th, 1907, from the reformatory to

the prison at Fort Madison of the persons named in this exception, provided that prisoners committed for life who are now beyond fifty-five years of age shall not be removed.

**SEC. 6. Transfer when Fort Madison penitentiary is overcrowded.** Whenever there is unoccupied room in the reformatory and the prison at Fort Madison is over-crowded, the board of control may, in its discretion, transfer from the prison at Fort Madison well-behaved and most promising convicts, who are confined for their first offense. The prison at Fort Madison shall be deemed to be overcrowded when the number of inmates exceeds the number of cells.

**SEC. 7. Employment of inmates.** The inmates of the reformatory shall be employed only on state account, which employment shall be conducive to the teaching of useful trades and callings so far as practicable, and the intellectual and moral development of the inmates, provided, however, that the inmates of the reformatory may be employed to complete any contracts for prison labor to be performed in the penitentiary at Anamosa.

**SEC. 8. Registers and records.** The board of control shall cause to be kept at the reformatory and penitentiary such registers and records of prisoners for the use of the board of parole as may be approved by the executive council.

**SEC. 9. Indeterminate sentences.** After July 4th, 1907, whenever any person over sixteen years of age is convicted of a felony, committed subsequent to July 4th, 1907, except treason or murder, the court imposing a sentence of confinement in the penitentiary shall not fix the limit or duration of the same, but the term of such imprisonment shall not exceed the maximum term provided by law for the crime of which the prisoner was convicted; provided that if a person be sentenced for two or more separate offenses and the second or further term is ordered to begin at the expiration of the first and such succeeding term of sentence is specified in the order of commitment, the several terms shall for the purpose of this act be construed as one continuous term of imprisonment; and provided, that where one is convicted of a felony that is punishable by imprisonment in the penitentiary, or by fine, or by imprisonment in the county jail, or both, the court may impose the lighter sentence if it shall so elect.

**SEC. 10. Board of parole—terms—office—supplies—compensation—secretary—salary—duties—employes.** Prior to the adjournment of the Thirty-second General Assembly, the governor, with the advice and consent of the senate, shall appoint three electors of the state, not more than two of whom shall belong to the same political party, and one member of whom shall be a duly licensed attorney at law, as members of a board to be known as a board of parole. Said members shall hold office, as designated by the governor, for two, four and six years respectively; subsequent appointments shall be made as provided above, and shall be for a term of six years, except appointments to fill vacancies, which shall be for the unexpired term. The terms of the members first appointed shall commence July 1, 1907, and the chairman of the board shall be the member whose term first expires. Appointments made when the general assembly is not in session shall be subject to the approval of the senate when next in session. A suitable office at the capitol shall be provided for the use of the board, with such furniture and office supplies as shall be reasonably necessary for the use of the same, and such board shall hold at least four sessions each calendar year. They shall receive as compensation ten dollars (\$10) per day for the time actually spent in discharge of the duties of this office, not to exceed one thousand dollars (\$1000) each per annum, and all necessary expenses while on official business. The board of parole shall employ a competent secretary who shall

receive a salary not to exceed two thousand dollars (\$2000) per year and necessary traveling expenses when on official business required and designated by the board. He shall keep records and perform such duties as state agent or otherwise, as shall be prescribed by the board. They may employ such other employes as the executive council may authorize by written resolution.

**SEC. 11. Appropriation.** There is hereby appropriated from any funds in the state treasury not otherwise appropriated sufficient thereof to pay the salaries and expenditures herein authorized.

**SEC. 12. Traveling expenses—emergency trips.** The secretary and other employes shall be entitled to their necessary traveling expenses by the nearest traveled and practicable routes incurred in going from Des Moines to the penitentiaries or other places in the state when on official business. No expenditure for traveling expenses to other states shall be made by the board or any officer or agent thereof unless the authority to make such trip is granted at a meeting of the board upon a written resolution adopted by the board, which shall state the purpose of such trip and the reason the same is deemed necessary. Emergency trips may be made upon written order of the chairman, which shall be reported to the board at its next meeting.

**SEC. 13. Itemized statement of expenditures—how approved and paid.** Before any expenses or per diem of the members of the board, or any officer or agent thereof, or any expense incurred by others under the direction of the board, shall be paid, a minutely itemized statement of such expenditures shall be presented to the proper authorities, duly verified, which certification shall aver that the expense bill is just, accurate and true, and is claimed for cash expenditures or cash disbursements truly and actually paid and made to the parties named as shown by said statement herein. Unless the said statement is so verified and duly audited, payment thereof shall not be made. The expense bills of the members of the board, the secretary and its other employes, when so verified, shall be presented to the executive council for their written audit before payment is made. The salaries and actual expenses of the board, the secretary and other employes, shall be paid monthly by the treasurer of the state upon the warrant of the auditor of state.

**SEC. 14. Rules and regulations governing paroles.** The board of parole shall have power to establish rules and regulations under which it may allow prisoners within the penitentiaries other than prisoners serving life terms to go upon parole outside of the penitentiary buildings, enclosures and appurtenances, but to remain while on parole in the legal custody of the wardens of the penitentiaries and under the control of the said board of parole and subject, at any time, to be taken back and confined within the penitentiary; and the board shall have full power to enforce such rules and regulations and to retake and re-imprison any such paroled convict. The order of said board certified by its secretary shall be a sufficient warrant for any peace officer to arrest and take into actual custody or to return to the penitentiary specified in the order any prisoner conditionally released or paroled by said board; and it is hereby made the duty of all peace officers to execute such order the same as any other criminal process and they shall receive the same fees as sheriffs for like services, the same to be paid out of the appropriation made herein, but no person shall be released on parole before the expiration of the maximum term provided by law for the punishment of the crime of which he was convicted until the board of parole shall have satisfactory evidence that arrangements have been made for his employment or maintenance for at least six months. The time when a prisoner is upon parole or absent from the penitentiary shall not be held to apply upon his sentence if he shall violate the terms of his parole.

**Sec. 14½. Inquiry relative to pardon or parole.** The board of parole may institute any inquiry it may deem expedient in regard to any prisoner or application for pardon, final discharge or parole; but said board shall not receive, unsolicited by them, any petition or communication or argument in regard to said application, unless provided for in their adopted rules.

**Sec. 15. Board of parole to recommend pardon.** It shall be the duty of the board of parole to keep in communication, so far as possible, with all persons who are on parole and when, in their opinion, any prisoner who has served not less than twelve months of his parole acceptably, has given such evidence as is deemed reliable and trustworthy that he is and will continue to be a law-abiding citizen and that his final release is not incompatible with the welfare of society; and when the said board of parole shall have procured, as far as possible, all facts relating to the history of such paroled prisoner, both before and after his confinement and parole, and his record while detained, the board of parole shall recommend to the governor the discharge of such prisoner from further liability under his sentence. Said recommendation shall be entered on a proper record, kept by said board for that purpose, and a certified copy of the order of discharge, when made, by the governor, shall be filed with the clerk of the court in which said prisoner was sentenced to the penitentiary. All papers and documents relating to the pardon of any person shall, upon the granting of such pardon, become a part of the files of the governor's office.

**Sec. 16. Power of governor to grant reprieves, pardons or commutations not impaired.** Nothing in this act contained shall be construed as impairing the power of the governor under the constitution, to grant a reprieve, pardons or commutations of sentence in any case.

**Sec. 17. Clothing, money and transportation furnished paroled prisoners.** Upon the release of any prisoner upon parole, he shall be furnished with clothing and money as provided in section fifty-six hundred eighty-four (5684) of the code and transportation to his place of employment, provided that no further allowance shall be made if final discharge is granted while on parole.

**Sec. 18. Investigation of applications for pardon.** It shall be the duty of the board of parole, under the direction of the governor, to take charge of all correspondence in reference to the pardon of persons convicted of crimes and to carefully investigate each application, and to file its recommendation with the governor with its reasons for the same.

**Sec. 19. Repealed.** All acts and parts of acts which are in conflict with this act are hereby repealed in so far as they shall apply to persons convicted of crime committed after the fourth day of July, 1907. This act shall not operate, however, to repeal any of the laws now in force, in so far as they may relate to persons that have heretofore been convicted of a crime under the laws of the state of Iowa, or to any persons that shall hereafter be convicted of a crime committed on or before the 4th day of July, 1907, and the rights under the law of all prisoners that are now or hereafter may be committed to the penitentiary for crimes committed on or prior to the 4th day of July, 1907, are expressly preserved to them. This act shall not operate in any way to repeal any laws that refer to the sentence of persons hereafter convicted of murder in the first or second degree, or treason.

**Sec. 20. Duty of clerk of district court and county attorney.** It shall be the duty of the clerk of any court in which a prisoner shall be sentenced to the penitentiary, to furnish the board of parole a record containing a copy of the indictment with the minutes of testimony attached thereto; and the name and residence of the judge presiding at the trial and of the county attorney who prosecuted the prisoner: also the jurors and the witnesses sworn at the trial. The county attorney who prosecuted said prisoner and



the presiding judge, shall, when requested by the board of parole, furnish to it a full statement of all the facts and circumstances connected with the commission of the crime of which the prisoner is convicted, so far as known or believed by them.

**SEC. 21. Employment for paroled prisoners—duty of public officers.** The board of parole may render such assistance as may be deemed necessary to the success of parole system, in the procuring of employment with trustworthy employers for prisoners about to be paroled; and necessary expenses incident thereto, not already provided for, shall be paid as other expenses of the board. It is hereby made the duty of every public officer to whom inquiry may be addressed by the board of parole concerning any prisoner to give said board all information possessed or accessible to him which may throw light upon the question of the fitness of said prisoner to receive the benefits of parole.

**SEC. 22. In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved April 2, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital, April 3, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 193.

### PLACE OF CONFINEMENT OF FEMALE CONVICTS.

S. F. 871.

AN ACT fixing the place of confinement of females who are convicted of felonies and sentenced to confinement in the penitentiary. [Additional to chapter two (2) of title twenty-six (XXVI) of the code, relating to penitentiaries.]

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

**SECTION 1. Female convicts to be confined in reformatory.** Any female heretofore or hereafter convicted of a felony and sentenced to confinement in the penitentiary shall be kept in the reformatory at Anamosa.

Approved April 13, A. D. 1907.

## CHAPTER 194.

### EMPLOYMENT OF CONVICT LABOR.

S. F. 828.

AN ACT authorizing the employment of convict labor in the care of the state's property and for other purposes. [Additional to chapter two (2) of title twenty-six (XXVI) of the code, relating to penitentiaries.]

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

**SECTION 1. Convict labor—how employed.** Convict labor may be used in caring for the houses and premises, occupied by the wardens of the penitentiaries, and for such domestic purposes as may be deemed necessary; provided, however, that nothing be done inconsistent with prison discipline and that not more than two convicts shall be thus used at any one time.

**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 Register and Leader and Des Moines Daily News, newspapers published in Des Moines. Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Daily News, April 17, 1907, and the Register and Leader, April 18, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 195.

### ANNUAL VACATIONS FOR OFFICERS AND GUARDS OF THE PENITENTIARIES.

H. F. 352.

**AN ACT** to grant officers and guards at the penitentiaries at Anamosa and Fort Madison an annual vacation of fifteen days with pay. [Additional to chapter two (2) of title twenty-six (XXVI) of the code, relating to penitentiaries.]

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

**SECTION 1. Wardens authorized to grant vacations with pay.** It shall be the duty of the wardens of the penitentiaries at Anamosa and Fort Madison to grant a fifteen days' vacation with pay, each year, to all officers and guards working under said wardens: provided, that said officer or guard shall have been continuously employed at said penitentiary for a period of one year before he shall be entitled to the provisions of this act.

**SEC. 2. Vacations granted upon application—when.** The warden of each penitentiary shall grant the vacation contemplated herein to those officers and guards employed at the institution of which he is in charge, upon said officers and guards making application therefor, and at such times and under such circumstances as will not interfere with the discipline, conduct and management of the penitentiary.

Approved April 4, A. D. 1907.

## CHAPTER 196.

### MEANDERED LAKES AND LAKE BEDS.

S. F. 278.

**AN ACT** to amend section one (1) of chapter one hundred and eighty-six (186), laws of the Thirtieth General Assembly, relating to lakes and lake beds.

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

**SECTION 1. Construction and maintenance of canals between lakes.** That section one (1) of chapter one hundred and eighty-six (186), laws of the Thirtieth General Assembly, be and the same is hereby amended by adding at the end of said section, the following:

“And to grant authority to construct, equip and maintain canals between any of such lakes so maintained, where the public convenience requires it, said grant to be for such time and upon such terms as it may determine.”

**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 Register and

Leader and the Des Moines Daily News, newspapers published in the city of Des Moines, Iowa, without expense to the state.

Approved April 4, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Daily News, April 5, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 197.

### MEANDERED LAKES AND LAKE BEDS.

H. F. 179.

AN ACT to amend chapter one hundred and eighty-six (186) of the laws of the Thirtieth General Assembly, relating to meandered lake beds, and enlarging the meaning of "a bona fide purchaser", under section seven of said act.

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

**SECTION 1. Grantee of county deemed bona fide purchaser.** That section seven of chapter 186 of the laws of the Thirtieth General Assembly be amended by adding at the end of said section seven, the following:

"Any person or corporation to whom any county of this state has heretofore conveyed or attempted to convey any lake or lake-bed in aid of, or because of the construction of any work of internal improvement, and which improvement was in fact constructed, shall be considered a bona fide purchaser who has paid to the county the reasonable value of such lake or lake-bed within the meaning of this section, although in describing the said lake or lake-bed in such conveyance apt words of description were not used and the said lake or lake-bed was described as an unsurveyed portion of a numbered section of land, this amendment shall be operative notwithstanding any proceedings heretofore had under this chapter, provided an actual sale of said lake, or lake-bed involved, has not been made by the executive council prior to the passage of this act."

**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 Register and Leader, and in the Des Moines Capital, newspapers published at the city of Des Moines, Iowa.

Approved February 28, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Daily Capital, March 2, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## APPROPRIATION ACTS.

### CHAPTER 198.

#### GENERAL LEVY FOR STATE PURPOSES.

S. F. 876.

AN ACT to provide for the general levy for state purposes for the years nineteen hundred and seven (1907) and nineteen hundred and eight (1908).

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

SECTION 1. **State levy.** That the executive council shall in the year nineteen hundred and seven (1907) 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 two hundred & fifty thousand dollars (\$2,250,000.00); and in the year nineteen hundred and eight (1908) shall fix the rate necessary to yield approximately the further sum of two million two hundred & fifty thousand dollars (\$2,250,000.00).

SEC. 2. **Executive council to certify rate.** 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 Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 15, 1907.

W. C. HAYWARD,  
*Secretary of State.*

### CHAPTER 199.

#### MILEAGE AND EXPENSES OF VISITATION COMMITTEES.

S. F. 97.

AN ACT making an appropriation to defray the mileage and expenses of the members of the various committees sent by the Thirty-second General Assembly to visit the several state institutions.

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

SECTION 1. **Appropriation—amounts.** There is hereby appropriated, out of any funds in the state treasury not otherwise appropriated, the sum of twelve hundred and fifteen and 5-100 dollars (\$1215.05), to defray the mileage and expenses of the members of the various committees sent by the Thirty-second General Assembly, under concurrent resolution, to visit the various

state institutions. The said sum to be paid to the various persons, and in the amounts as follows, to wit:

F. M. Hopkins .....	\$19.35
Chas. Youde .....	18.65
H. L. Pierce .....	18.55
George Kinne .....	18.65
W. C. Kimmel .....	18.30
Thos. H. Hume .....	19.35
J. F. Morris .....	19.35
Philip Heles .....	19.35
Joseph Mattes .....	19.35
F. F. Jones .....	12.10
L. W. Inman .....	14.10
Charles Miller .....	12.60
A. C. Wilson .....	12.60
Shirley Gilliland .....	12.60
John Lister .....	3.70
B. F. Felt .....	4.95
P. E. Stillman .....	4.00
C. G. Saunders .....	4.45
Robert Stirton .....	3.70
John McAllister .....	19.10
A. F. N. Hambleton .....	21.30
O. H. Holmes .....	20.85
D. W. Turner .....	20.85
Thos. Lambert .....	22.35
William W. McElrath .....	18.30
O. K. Maben .....	7.80
A. C. Blackmore .....	8.80
J. C. Bonwell .....	8.80
C. J. Ericson .....	5.80
John Hughes .....	5.80
Henry Dunn .....	20.00
J. D. Shaffer .....	20.00
Hiram Dewell .....	20.00
J. L. Wilson .....	19.20
W. D. Jamieson .....	20.00
J. R. Smith .....	16.30
Thomas Geneva .....	15.80
P. M. Jewell .....	16.20
J. L. Bleakly .....	16.45
E. G. Moon .....	15.70
J. H. Darrah .....	16.75
E. R. Moore .....	16.75
W. D. Dodds .....	15.75
W. C. Stuckslager .....	16.75
J. H. Jackson .....	16.75
G. A. Feely .....	21.15
Henry Ritter .....	21.15
William Weldon .....	21.15
Henry Young .....	21.15
F. N. Smith .....	21.15
Ward Wilson .....	4.00
Joel M. Fenn .....	4.00
J. A. McKlveen .....	4.00
L. L. Taylor .....	4.00

J. H. Lowrey	19.60
G. E. Grier	17.60
G. A. Kellogg	19.60
B. W. Newberry	19.10
E. P. McManus	19.10
R. J. Bixby	18.55
Willoughby Dye	18.55
J. C. DeMar	18.55
F. L. Maytag	18.55
Charles Eckles	18.55
Stanley Conn	15.35
Asahel Mann	14.10
C. F. Swift	14.10
M. F. Stookey	15.55
J. L. Warren	15.65
D. W. Dow	21.85
D. D. Webster	21.85
A. W. Kendall	19.00
John Foley	20.00
B. T. Nix	1.80
F. E. Sheldon	1.80
Edward McDonald	1.80
E. W. Clark	1.80
James Elerick	1.80
E. W. Weeks	12.05
J. H. Kelley	13.05
S. A. Feay	12.05
A. F. Frudden	12.05
W. B. Seeley	12.05

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

Approved February 22, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, February 26, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 200.

### ADDITIONAL EMPLOYES OF THIRTY-SECOND GENERAL ASSEMBLY.

S. F. 102.

AN ACT making an appropriation to pay the additional employes of the Thirty-second General Assembly.

*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, the sum of three thousand (\$3000.00) dollars, or so much thereof as may be necessary, to pay additional employes of the Thirty-second 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 Register and Leader and the Des Moines Capital, daily newspapers published in the city of Des Moines, Iowa.

Approved February 23, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, February 26, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 201.

### STATE AND JUDICIAL OFFICERS; STATE AND OTHER EXPENSES.

S. F. 375.

**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 for by law.

**SEC. 2. Appropriation—money not expended.** There is further appropriated from the state treasury for a term of two years ending June 30, 1909, the following sums, or so much thereof as shall be necessary, to-wit: Provided that on the first day of July 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—other expenses.**

1. *Auditor of state.* For the office of auditor of state, for the period ending June 30th, 1909, as per joint resolution No. 6, the sum of thirty-seven thousand one hundred sixty (\$37,160.00) dollars.

2. *Attorney general.* For the office of attorney general, for the period ending June 30th, 1909, as per joint resolution No. 6, the sum of eleven thousand four hundred (\$11,400.00) dollars.

3. *State mine inspector.* For the office of state mine inspector, for the period ending June 30th, 1909, as per joint resolution No. 6, the sum of two thousand (\$2,000.00) dollars.

4. *Railroad commission.* For the railroad commission for clerical help, for the period ending June 30th, 1909, as per joint resolution No. 6, the sum of six thousand (\$6,000.00) dollars; for traveling and all other expenses two thousand five hundred (\$2,500.00) dollars.

5. *Historical department.* For the historical department, for the period ending June 30th, 1909, as per joint resolution No. 6, the sum of thirteen thousand three hundred sixty (\$13,360.00) dollars.

6. *Geological survey.* For the geological survey, for the period ending June 30th, 1909, as per joint resolution No. 6, the sum of two thousand two hundred (\$2,200.00) dollars.

7. *Clerk of supreme court.* For the office of clerk of the supreme court, for the period ending June 30th, 1909, as per joint resolution No. 6, the sum of five thousand eight hundred eighty (\$5,880.00) dollars.

8. *Supreme court.* For the incidental expenses of the chief justice of the supreme court, for the period ending June 30th, 1909, the sum of three thousand (\$3,000.00) dollars; also for bailiff, messenger, and stenographic service, for the period ending June 30th, 1909, as per joint resolution No. 6, the sum of twelve thousand six hundred (\$12,600.00) dollars.

9. *State food and dairy commissioner.* For expenses of the state food and dairy commissioner, assistant commissioner, and deputy, and for food and milk inspection, for the period ending June 30th, 1909, the sum of eleven thousand (\$11,000.00) dollars; for clerical assistance, for the period ending June 30, 1909, as per joint resolution No. 6, the sum of three thousand eight hundred (\$3,800.00) dollars.

10. *Treasurer of state.* For the office of treasurer of state, for the period ending June 30th, 1909, as per joint resolution No. 6, for salaries and incidental expenses, the sum of eleven thousand five hundred sixty (\$11,560.00) dollars.

11. *Superintendent of public instruction.* For the office of superintendent of public instruction, for the period ending June 30th, 1909, as per joint resolution No. 6, the sum of four thousand three hundred sixty (\$4,360.00) dollars.

12. *State librarian.* For the office of state librarian, for the period ending June 30th, 1909, as per joint resolution No. 6, the sum of eight thousand one hundred sixty (\$8,160.00) dollars.

13. *Supreme court reporter.* For the office of supreme court reporter, for the period ending June 30th, 1909, as per joint resolution No. 6, the sum of one thousand four hundred forty (\$1,440.00) dollars.

14. *Secretary of state.* For the office of secretary of state, for the period ending June 30th, 1909, as per joint resolution No. 6, the sum of twenty thousand eight hundred (\$20,800.00) dollars.

15. *Governor.* For the office of governor, for the period ending June 30th, 1909; for a contingent and expense fund, the sum of three thousand nine hundred thirty-six (\$3,936.00) dollars; for the expenses of employing additional counsel when necessary, under the provisions of sections sixty-three (63) and sixty-four (64) of the code, the sum of two thousand five hundred (\$2,500.00) dollars; for investigation of applications for pardon and parole and for return of paroled prisoners, the sum of five hundred (\$500.00) dollars; for house rent for the governor, the sum of one thousand two hundred (\$1,200.00) dollars; for employes in the office of the governor, for the period ending June 30, 1909, as per joint resolution No. 6, the sum of ten thousand four hundred (\$10,400.00) dollars.

16. *Employes under custodian.* For employes under the custodian, for the period ending June 30th, 1909, as per joint resolution No. 6, the sum of fifty-seven thousand forty dollars (\$57,040.00).

17. *Executive council—providential contingencies.* For providential contingencies the sum of fifty thousand (\$50,000.00) dollars, 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 next report.

18. *Executive council—furniture, stores, supplies.* There is hereby appropriated the sum of one hundred five thousand (\$105,000.00) dollars, to be expended under the direction of the executive council, under the provisions of section one hundred sixty-five (165) of the code, for furniture, stores and supplies, and the further sum of twenty-two thousand (\$22,000.00) dollars, or so much thereof as shall be necessary, for the purchase of fuel.



19. *Executive council—water, lights, etc.* There is hereby appropriated the sum of twenty thousand (\$20,000.00) dollars to be expended under the direction of the executive council, under the provisions of section one hundred sixty-four (164) of the code.

20. *Postmaster.* There is hereby appropriated for the payment of postmaster, for the capitol, for the period ending June 30, 1909, as per joint resolution No. 6, the sum of two thousand (\$2,000.00) dollars.

21. *Mail carrier.* There is hereby appropriated for the payment of the mail carrier for the capitol, who shall act as janitor for the office of secretary of the executive council and the supply department, for the period ending June 30, 1909, as per joint resolution No. 6, the sum of two thousand dollars (\$2,000.00).

22. *Secretary of executive council.* For the office of secretary of executive council, for the period ending June 30th, 1909, as per joint resolution No. 6, the sum of eleven thousand dollars (\$11,000.00).

23. *Freight, express and drayage.* There is hereby appropriated for the purpose of paying express, freight, and drayage, for the period ending June 30th, 1909, the sum of seventeen thousand five hundred (\$17,500.00) dollars, two thousand five hundred (\$2,500.00) dollars of which shall be available at once.

24. *Members of executive council for extra services.* To the members of the executive council for extra services, for the period ending June 30th, 1909, the sum of one thousand six hundred (\$1,600.00) dollars each, and warrants shall be issued monthly therefor at the end of each month.

25. *Advertising laws.* There is hereby appropriated for the purpose of advertising laws, to be expended under the provisions of section thirty-six (36) of the code, the sum of one thousand (\$1,000.00) dollars.

26. *Library commission.* For the library commission, for salaries and expenses for the period ending June 30, 1909, as per joint resolution No. 6, the sum of three thousand two hundred forty dollars (\$3,240.00).

27. *State board of health.* To the state board of health for extra clerical assistance, for the period ending June 30, 1909, as per joint resolution No. 6, the sum of eighteen hundred (\$1,800.00) dollars.

28. *Bureau of labor statistics.* For the office of the bureau of labor statistics, for the period ending June 30, 1909, as per joint resolution No. 6, the sum of eighteen hundred (\$1,800.00) dollars.

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. **Lieutenant governor.** To Warren Garst, lieutenant governor, as president of the senate, the sum of one thousand one hundred (\$1,100.00) dollars.

SEC. 6. **Speaker of the house.** To N. E. Kendall, as speaker of the house of representatives, the sum of five hundred fifty (\$550.00) dollars, which shall be in addition to his salary as member of the house.

SEC. 7. **Chaplains.** For chaplains of the senate and of the house of the Thirty-second General Assembly the sum of six hundred fifty-five (\$655.00) dollars, 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. 8. **Publication of notices of pardon applications.** For the payment of the claims due sundry parties for the publication of notices of application for pardon under the provision of section five thousand six hundred twenty-six (5626), of the code, the sum of three hundred eighty-seven dollars and

fifty-nine cents (\$387.59), to be paid on a statement approved by the governor.

**SEC. 9. Warden's support fund.** For the support fund of the wardens of the penitentiaries at Anamosa and Fort Madison, the sum of five hundred (\$500.00) dollars each, payable quarterly, during the period ending June 30th, 1909.

**SEC. 10. Indexing journals.** To the secretary of state for indexing journals for the house and senate of the Thirty-second General Assembly, in addition to the amount provided by law, the sum of two hundred (\$200.00) dollars.

**SEC. 11. Expenses of superintendent of weights.** For expense of state superintendent of weights and measures for attending national convention of state sealers of weights and measures, the sum of one hundred (\$100.00) dollars.

**SEC. 12. Desk and chairs.** To S. Davidson & Brothers for desk and two chairs, the sum of two hundred (\$200.00) dollars.

**SEC. 13. Rent of chairs.** To Des Moines Tent & Awning Company for use of one hundred fifty chairs in house chamber, occasion of W. J. Bryan meeting, the sum of three dollars and seventy-five cents (\$3.75).

**SEC. 14. Badges.** To Des Moines Rubber Stamp Works for badges for the house and senate of the Thirty-second General Assembly, the sum of sixty-six dollars and seventy-five cents (\$66.75).

**SEC. 15. Gavel.** To Baker-Trisler Company for two gavels, the sum of two dollars and seventy cents (\$2.70).

**SEC. 16. Clay county farmer's institute.** To Clay county to pay for farmer's institute held in that county, the institute funds being charged off before vouchers were filed in the office of auditor of state, the sum of seventy-five (\$75.00) dollars.

**SEC. 17. Additional draftsman for board of control.** To the board of control for additional draftsman in that department, the sum of twelve hundred (\$1200.00) dollars.

**SEC. 18. Expenses of W. C. Tompkins.** To W. C. Tompkins, as member of Andersonville Monument Commission, for expenses, the sum of fourteen dollars and seventy-eight cents (\$14.78).

**SEC. 19. Code and session law annotations.** To the secretary of state for the purchase of one hundred sixty complete sets of the annotation to the laws of Iowa for the use of the Thirty-third General Assembly, the sum of one hundred sixty (\$160.00) dollars.

**SEC. 20. Printing.** To The Kenyon Printing & Manufacturing Company, for printing, contracting, in preparing the proceedings of the Inter-state Senatorial Amendment Convention, the sum of two hundred nineteen dollars and thirty cents (\$219.30).

**SEC. 21. Stenographic work and postage.** To Luella Nash, general stenographer, for stenographic work, and postage, contracted, in preparing and distributing the proceedings of the Interstate Senatorial Amendment Convention, the sum of fifty-one dollars and twenty-three cents (\$51.23).

**SEC. 22. Rent of storage rooms.** For the rent of storage rooms for the adjutant general for the period ending July 1, 1909, the sum of two thousand (\$2000.00) dollars.

**SEC. 23. Rent of typewriter.** To the Remington Typewriter Company for the rent of typewriter for the senate for the Thirty-second General Assembly, the sum of eight (\$8.00) dollars.

**SEC. 24. Rent of typewriter.** To Underwood Typewriter Company for rent of typewriter for enrolling bills in house of representatives, the sum of eleven dollars and fifty cents (\$11.50).

**SEC. 25. Deficits in salary accounts.** To cover the deficit in the salary account of the attorney general, secretary of state, as secretary, and as mem-

ber of the executive council, treasurer of state, and as member of the executive council, the sum of one hundred eighty-four dollars and eighty-eight cents (\$184.88).

**SEC. 26. Interest due permanent school fund.** For the purpose of paying the interest of the indebtedness of the state to the permanent school fund, the sum of one thousand three hundred twelve dollars and fifty cents (\$1,312.50), which is to be in full of such interest on such indebtedness, and the auditor of state shall draw warrants for the above appropriations as said interest shall become due.

**SEC. 27. Printing.** To the Register and Leader for joint resolutions of the Interstate Senatorial Amendment Convention, the sum of four (\$4.00) dollars.

**SEC. 28. Deficit—state entomologist.** To the state entomologist department, the sum of one hundred sixty-nine dollars and seventeen cents (\$169.17) to cover deficiency in per diem and expenses authorized by section twenty-five hundred seventy-five (2575) of the supplement to the code.

**SEC. 29. President of the senate.** To John Herriott, lieutenant governor, as president of the senate, six days at ten (\$10.00) [dollars] per day, sixty (\$60.00) dollars.

**SEC. 30. House and senate employes.** To the employes of the house and senate for services required after adjournment two hundred (\$200.00) dollars, or so much thereof as may be necessary.

**SEC. 31. Wardens' house fund.** For the wardens' house fund at the penitentiaries at Ft. Madison and Anamosa two hundred (\$200.00) dollars each, for the period ending July 1, 1909.

**SEC. 32. Custodian—removal of snow.** For the custodian the sum of one thousand (\$1,000.00) dollars, to pay for shoveling snow and other necessary work, warrants for same to be drawn upon certificate of the custodian.

**SEC. 33. Executive council—necessary expenses.** To the executive council, to meet necessary expenses, for which no appropriation is made, the sum of three thousand (\$3,000.00) dollars, and for clerical assistance in the office of the secretary of the executive council, not provided for in joint resolution number 6, the sum of twelve hundred (\$1,200.00) dollars, to be disbursed on claims approved by the executive council, and the auditor of state shall draw warrants therefor.

**SEC. 34. Secretary of state—extra clerk hire.** To the secretary of state for extra clerk hire during the Thirty-second General Assembly, the sum of four hundred forty-four (\$444.00) dollars.

**SEC. 35. Executive council to audit and approve certain expenditures.** All allowances made herein to any of the foregoing named departments for additional assistance; extra or additional clerical assistance, assistant help in janitor service; contingent fund, extra stenographic or messenger service, shall be made upon verified pay rolls, or bills, to be audited and approved by the executive council.

**SEC. 36. In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published at Des Moines, Iowa.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 12, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 202.

## REPAIR OF CAPITOL WALKS AND STEPS.

H. F. 312.

AN ACT authorizing the executive council to build walks and steps and make necessary repairs around the capitol building and grounds and making an appropriation therefor.

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

**SECTION 1. Repairs authorized—appropriation.** The executive council is hereby authorized, empowered and directed to repair and re-build, if necessary, the cement walks around and upon the capitol grounds and the steps at the east entrance to the capitol building and to make necessary repairs to all stairways, steps and retaining walls on and around the capitol building and grounds and to floors in the sub-basement therein; for such purposes, there is hereby appropriated the sum of ten thousand (\$10,000) dollars, or so much thereof as may be necessary to be paid out of any money in the state treasury not otherwise appropriated.

**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 Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved March 20, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, and the Des Moines Capital, March 23, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 203.

## NEW BOILER AND ADDITIONAL STEEL EQUIPMENT FOR THE POWER AND STORAGE HOUSE; CONSTRUCTION OF ADDITIONAL STORAGE HOUSE.

S. F. 367.

AN ACT authorizing the executive council to install an additional boiler and additional equipment in the power and storage house, and to erect an additional storage house, and to make appropriation therefor.

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

**SECTION 1. New boiler, steel cases and fixtures—amount to be expended.** The executive council is authorized and empowered to equip the power and storage house on the lot north of the capitol building with a new boiler for the capitol power and heating plant, and steel cases and fixtures for the storage of documents where blank paper is now stored, and is authorized to expend for said boiler and equipments not to exceed twelve thousand dollars (\$12,000.00).

**SEC. 2. New storage house—amount to be expended.** Said executive council is further authorized and empowered to erect upon the lot north of the capitol building and directly north of the present power and storage house, an additional storage building at an expense not to exceed the sum of ten thousand dollars (\$10,000.00).

**SEC. 3. Appropriation.** There is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of twenty-two thousand dollars (\$22,000.00), or so much thereof as may be necessary for the purposes set forth in this act.

**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 Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.  
Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, April 15, 1907, and the Register and Leader, April 17, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 204.

### SWINE PAVILION.

H. F. 75.

AN ACT making an appropriation for a swine barn with show ring upon the state fair grounds.

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

**SECTION 1. Appropriation.** That there is hereby appropriated to the Iowa department of agriculture out of any money in the state treasury, not otherwise appropriated, the sum of seventy-five thousand (75,000) dollars, to be used in the erection, furnishing and completing of a swine barn with show ring, upon the state fair grounds near the city of Des Moines, Iowa.

**SEC. 2. How drawn.** All money appropriated by this act shall be drawn from the state treasury upon the order of the state board of agriculture.

**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 Register and Leader and Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved March 27, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, and the Des Moines Capital, March 29, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 205.

### INVESTIGATION OF FREIGHT RATES.

S. F. 224.

AN ACT making an appropriation to enable the state railroad commission to make an investigation of railway freight rates.

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

**SECTION 1. Appropriation—purpose.** There is hereby appropriated out of the funds in the state treasury and not otherwise appropriated, the sum of five thousand dollars (\$5,000), the same to be expended by the state railway commission in making a special investigation of the subject of railway freight rates.

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

Approved March 15, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, and the Des Moines Capital, March 16, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 206.

### STATE HOSPITALS, PENITENTIARIES, INDUSTRIAL SCHOOLS, INSTITUTION FOR FEEBLE-MINDED, SCHOOL FOR THE DEAF, COLLEGE FOR BLIND, SOLDIERS' HOME AND SOLDIERS' ORPHANS' HOME.

S. F. 360.

AN ACT making appropriations for the construction, repair, improvement and contingent funds for the state hospitals, penitentiaries, industrial schools, institution for the feeble-minded, college for the blind, school for the deaf, Iowa soldiers' home and Iowa soldiers' orphans' home.

*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 eight hundred and one thousand five hundred fifty (\$801,550.00) dollars for the construction, improvement, repair, and contingent funds for the state hospitals, penitentiaries, industrial schools, institution for feeble-minded children, college for the blind, school for the deaf, Iowa soldiers' home, and Iowa soldiers' orphans' home in sums as hereinafter specified.

**SEC. 2. How drawn and expended.** All money appropriated by this act shall be drawn from the state treasury and expended in the manner provided by chapter eleven-B (11-B) of title XIII of the supplement to the code. Any balance remaining of any appropriation after the object for which it was made has been accomplished may be expended in the discretion of the board of control of state institutions for any purpose connected with the institution for which the appropriation was made, except appropriations for land, which shall not be used for any other purpose, and the board of control shall report within five days after the convening of the next General Assembly the amount transferred from each fund as provided in this section and the amount of unexpended balances in the state treasury December 31, 1908.

**SEC. 3. Soldiers' home.** Of the appropriations made by this act, the Iowa soldiers' home at Marshalltown shall receive sums as follows:

For quartermaster's building, storeroom, connections and equipment.....	\$10,000.00
For enlargement of pump room .....	1,200.00
For Grand Army Hall .....	1,000.00
For walks .....	500.00
For hose house .....	800.00
For fire hose .....	500.00
For hose carts .....	200.00
For additional fire protection .....	5,000.00
For engine and generator .....	8,000.00

**SEC. 4. Soldiers' orphans' home.** Of the appropriations made by this act, the Iowa soldiers' orphans' home at Davenport shall receive sums as follows:

For painting .....	\$ 1,000.00
For fences .....	300.00

For permanent walks .....	300.00
For gymnasium apparatus .....	200.00
For books and periodicals .....	300.00
For contingent and repair fund .....	4,000.00
For rebuilding and equipping boys' industrial building .....	5,000.00

**SEC. 5. College for the blind.** Of the appropriations made by this act, the college for the blind at Vinton shall receive sums as follows:

For contingent and repair fund .....	\$ 2,000.00
For oculist fund.....	500.00

**SEC. 6. School for the deaf.** Of the appropriations made by this act, the school for the deaf at Council Bluffs shall receive sums as follows:

For improvement of grounds, grading, walks, trees, and shrubbery .....	\$ 5,000.00
For storage and refrigerating plant .....	3,500.00
For wrecking and removing old and temporary buildings .....	2,000.00
For blackboard wall slating .....	1,500.00
For fencing .....	500.00
For library and binding .....	500.00
For tools and machinery for industrial schools ...	300.00
For contingent and repair fund .....	3,600.00
For heating, lighting and equipping new boiler house, laundry and machine shop .....	10,000.00

**SEC. 7. Institution for feeble-minded children.** Of the appropriations made by this act, the institution for feeble-minded children at Glenwood shall receive sums as follows:

For wing for new custodial building .....	\$30,000.00
For furniture and furnishings for new custodial building .....	7,000.00
For new boilers .....	10,000.00
For engine and generator .....	8,000.00
For tunnel to new custodial building for boys ...	3,000.00
For paints and painting .....	1,500.00
For beds and bedding .....	1,500.00
For contingent and repair fund .....	10,000.00
For water supply the sum of thirty-two thousand (\$32,000.00) dollars to be used for the purpose of securing a water supply from the gravel beds in the valley of the Missouri river. Provided, however, that before any portion of the said sum of thirty-two thousand dollars (\$32,000.00) shall be drawn from the state treasury, the board of control of state institutions shall file with the auditor of state its certificate stating in substance and effect that a sufficient supply of potable water cannot be obtained from the well now being drilled at said institution, and provided further that said well shall not be drilled to a depth greater than twelve hundred feet .....	32,000.00

**SEC. 8. Industrial school for boys.** Of the appropriations made by this act, the industrial school for boys at Eldora shall receive sums as follows:

For draining land .....	\$ 2,000.00
For fencing .....	500.00
For furniture and furnishings .....	1,000.00

For fire station .....	1,500.00
For repairing old barn .....	1,000.00
For live stock, horses, cattle .....	1,000.00
For poultry house .....	600.00
For band and orchestra instruments .....	300.00
For agricultural implements .....	300.00
For lectures, entertainments, etc. ....	300.00
For contingent and repair fund .....	5,000.00

**Sec. 9. Industrial school for girls.** Of the appropriations made by this act, the industrial school for girls at Mitchellville shall receive sums as follows:

For new cottage .....	\$20,000.00
For painting .....	1,800.00
For permanent walks .....	500.00
For cows and horses .....	1,000.00
For books and periodicals .....	500.00
For chaplain's fund .....	300.00
For dental equipment .....	200.00
For contingent and repair fund .....	3,000.00

**Sec. 10. Mount Pleasant state hospital.** Of the appropriations made by this act, the Mt. Pleasant state hospital shall receive sums as follows:

For women's infirmary and equipment .....	\$65,000.00
For converting hay barn to farmers' lodge .....	10,000.00
For tunnels .....	7,500.00
For furniture and furnishings .....	2,000.00
For painting .....	3,000.00
For tiling land .....	1,000.00
For books and periodicals .....	500.00
For kitchen equipment .....	500.00
For contingent and repair fund .....	10,000.00

**Sec. 11. Independence state hospital.** Of the appropriations made by this act, the Independence state hospital shall receive sums as follows:

For infirmary and equipment .....	\$125,000.00
For engine and generator .....	8,000.00
For electrical rewiring .....	2,000.00
For completion of ventilating system .....	5,000.00
For painting .....	2,000.00
For tiling farm .....	1,500.00
For addition to dry room .....	2,000.00
For laundry washers .....	1,500.00
For contingent and repair fund .....	10,000.00

Of the amount appropriated for the erection of an infirmary and the purchase of equipment therefor, the sum of twenty-five thousand (\$25,000.00) dollars shall be available July 1st, 1908, and the remainder shall be available January 1st, 1909.

**Sec. 12. Clarinda state hospital.** Of the appropriations made by this act, the Clarinda state hospital shall receive sums as follows:

For cottage for women .....	\$75,000.00
For engine and generator .....	8,000.00
For sewer, tunnel and connections .....	4,000.00
For painting .....	3,000.00
For plumbing and fixtures .....	1,000.00
For contingent and repair fund .....	10,000.00
For smoke stack .....	7,500.00



**SEC. 13. Cherokee state hospital.** Of the appropriations made by this act, the Cherokee state hospital shall receive sums as follows:

For land .....	\$ 4,000.00
For painting .....	2,000.00
For barn, additional .....	2,500.00
For carpets and rugs .....	500.00
For fencing .....	500.00
For tiling land .....	500.00
For books and periodicals .....	500.00
For contingent and repair fund .....	10,000.00
For an infirmary and equipment, the sum of one hundred twenty-five thousand (\$125,000.00) dollars, of which twenty-five thousand (\$25,000.00) dollars shall be available July 1st, 1908, and the remainder shall be available January 1st, 1909.	

**SEC. 14. Hospital for inebriates.** Of the appropriations made by this act, the state hospital for inebriates at Knoxville shall receive sums as follows:

For additional fire protection .....	\$ 500.00
For fencing .....	500.00
For walks and improvement of grounds.....	250.00
For walk in front of grounds .....	600.00
For telephone system, additional .....	500.00
For contingent and repair fund .....	2,000.00

**SEC. 15. Fort Madison penitentiary.** Of the appropriations made by this act, the state penitentiary at Ft. Madison shall receive sums as follows:

For commencing new cell house .....	\$35,000.00
For land to complete prison grounds .....	4,000.00
For transportation of prisoners .....	2,000.00
For contingent and repair fund .....	5,000.00

**SEC. 16. Anamosa penitentiary.** Of the appropriations made by this act, the state penitentiary at Anamosa shall receive sums as follows:

For salaries of foremen .....	\$ 8,000.00
For completing cell bank .....	3,000.00
For barn .....	2,000.00
For roof for old boiler room .....	2,000.00
For derrick supplies .....	1,200.00
For lime and cement .....	1,500.00
For transportation of discharged prisoners .....	1,500.00
For tools for shop and quarry .....	600.00
For freight on stone .....	1,000.00
For powder and fuse .....	500.00
For sewer pipe .....	400.00
For contingent and repair fund .....	7,500.00

**SEC. 17. In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, and Des Moines Capital, April 12, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 207.

## MOUNT PLEASANT STATE HOSPITAL.

S. F. 220.

**AN ACT** making an appropriation for the benefit of the state hospital at Mount Pleasant.

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

**SECTION 1. Appropriation for purchase of land.** There is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of four thousand seven hundred (\$4,700) dollars for the purchase of land for the benefit of the state hospital at Mt. Pleasant.

**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 Register and Leader and the Des Moines Daily News, newspapers published in Des Moines, Iowa.

Approved March 12, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, and the Des Moines Daily News, March 14, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 208.

## STATE HOSPITAL FOR INEBRIATES.

S. F. 226.

**AN ACT** reappropriating money for the purchase of land for the state hospital for inebriates at Knoxville.

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

**SECTION 1. Reappropriated—purpose.** That of the appropriation of \$3,326.46 made by section 10 of chapter 179 of the acts of the Thirty-first General Assembly for the purchase of land at Mt. Pleasant the unexpended balance of three thousand three hundred eight 75-100 (\$3,308.75) dollars is hereby reappropriated to be used for the purchase of land for the state hospital for inebriates at Knoxville, Iowa, and for no other purpose.

**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 Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved March 27, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, and the Des Moines Capital, March 29, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 209.

## STATE AGENTS.

H. F. 192.

AN ACT making an appropriation for the salary and expenses of state agents and other expenses incurred under chapter one hundred and eighty-one (181) of the acts of the Thirty-first General Assembly.

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

SECTION 1. **Amount appropriated—purposes.** That there is hereby appropriated out of any money in the state treasury not otherwise appropriated, for the payment of salaries and expenses of state agents and other expenses authorized by and incurred under the provisions of chapter 181 of the acts of the Thirty-first General Assembly, the sum of seven thousand (\$7,000.00) dollars.

Approved March 15, A. D. 1907.

## CHAPTER 210.

## FISH AND GAME COMMISSION.

S. F. 106.

AN ACT relating to fish and game, and making appropriation for the fish and game commission of the state of Iowa, and for the extension of the state dam and dykes at Wall lake.

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

SECTION 1. **Amounts appropriated—purposes.** That there is hereby appropriated out of any money in the state treasury, not otherwise appropriated for the fish and game commission, for the state of Iowa, the sums appearing hereinafter, or so much thereof as may be necessary to be expended for the purposes expressed—viz:

1st. For the protection of fish and game and payment of deputy wardens and salary of assistant, the sum of ten thousand (\$10,000.00) dollars.

2nd. For gathering fish at Sabula for distribution and mileage of fish car, two thousand five hundred (\$2,500.00) dollars.

3rd. For extending state dam and dykes at Wall Lake, Iowa, one thousand (\$1,000.00) dollars.

Making a total appropriation of thirteen thousand five hundred (\$13,500.00) dollars.

SEC. 2. **Unexpended balances.** Any unexpended balance of the money hereby appropriated and not required for the purpose mentioned shall be returned to the state treasury.

Approved April 13, A. D. 1907.

## CHAPTER 211.

## STATE BOARD OF HEALTH BACTERIOLOGICAL LABORATORY.

H. F. 489.

AN ACT making provision to pay a deficit in the fund of the state board of health bacteriological laboratory at Iowa City.

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

SECTION 1. **Amount appropriated—how expended.** That the sum of eight hundred seventy-five dollars (\$875) be appropriated from the funds of the state treasury not otherwise appropriated, to pay the deficit in the fund of the state board of health bacteriological laboratory, as provided for in chapter 113, laws of the Thirty-first General Assembly. The appropriation hereby made shall be expended in the manner provided in section two thousand five hundred and seventy-five (2575) of the code.

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 Register and Leader and the Des Moines Capital, newspapers published at Des Moines, Iowa. Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, April 15, 1907, and the Register and Leader, April 17, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 212.

## IOWA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS, STATE UNIVERSITY AND STATE NORMAL SCHOOL.

S. F. 77.

AN ACT making appropriations for 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.** 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 one hundred thirty-five thousand dollars (\$135,000) annually hereafter for support fund; for the support of the experiment station the sum of twenty-five thousand dollars (\$25,000) annually hereafter; for the support of the engineering experiment station the sum of three thousand five hundred dollars (\$3,500) annually hereafter; for the purchase of books and periodicals the sum of two thousand four hundred dollars (\$2,400) annually hereafter; for good roads experimentation the sum of five thousand dollars (\$5,000) annually hereafter; and for contingent and repair fund the sum of twenty-three thousand dollars (\$23,000) annually hereafter. Said sums to be paid in quarterly installments on order of the trustees. The first installment to be payable June 30, 1907.

SEC. 2. **State university.** There is hereby appropriated to the state university out of any money in the state treasury not otherwise appropriated, for the support of said university, the sum of two hundred five thousand five hundred dollars (\$205,500) annually hereafter; and for the repair and contingent fund the sum of seven thousand five hundred dollars (\$7,500) annually hereafter. Said sums to be paid in quarterly installments on order of the board of regents of said university. The first installment to be payable June 30th, 1907.

**SEC. 3. State normal school.** There is hereby appropriated to the state normal school out of any money in the state treasury not otherwise appropriated, for payment of teachers, the sum of seventy-seven thousand five hundred dollars (\$77,500) annually hereafter; and for contingent and repair fund the sum of thirty-four thousand dollars (\$34,000) annually hereafter. Said sums to be paid quarterly on order of the board of trustees. The first installment to be payable June 30, 1907. There is further appropriated to the state normal school out of any money in the state treasury not otherwise appropriated, the sum of eight thousand dollars (\$8,000) annually hereafter, for the summer term, which sum shall be paid on the first day of July of each year on the order of the board of trustees. The first installment to be payable July 1st, 1907.

**SEC. 4. Paid in quarterly installments.** The permanent annual appropriations herein provided for shall take the place of, and be in lieu of, all other permanent annual appropriations heretofore made to the Iowa state college of agriculture and mechanic arts, the state university and the state normal school, and the sum appropriated shall be paid in quarterly installments, except as otherwise provided herein, on the order of the trustees, the board of regents and the board of trustees of their respective institutions. The first installment to be payable June 30, 1907.

**SEC. 5. Existing appropriations.** Nothing in this act shall be construed to, in any manner, affect any existing appropriations until June 30, 1907, at which time any sums of money drawn by either of the above named institutions shall be drawn under the provisions of this act and not of any former provisions.

**SEC. 6. In effect.** This [act], being deemed of immediate importance, shall take effect and be in force from and after the date of its publication after April 1, 1907, and [in] the Des Moines Capital and the Register and Leader, newspapers published in the city of Des Moines, Iowa.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, April 15, 1907, and the Register and Leader, April 16, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 213.

### IOWA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS, STATE UNIVERSITY AND STATE NORMAL SCHOOL.

S. F. 374.

AN ACT to amend an act passed by the Thirty-second General Assembly entitled "An act making appropriations for the Iowa state college of agriculture and mechanic arts, the state university, and the state normal school, and known as Senate File No. 77."

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

**SECTION 1. Other appropriation acts not affected.** That section four (4) of an act of the Thirty-second General Assembly, entitled "An act making appropriations for the Iowa state college of agriculture and mechanic arts, the state university, and the state normal school, and known as senate file No. 77" be amended by adding thereto the following: "Provided, this act shall not repeal or in any wise affect any other act of the Thirty-second General Assembly making an appropriation or appropriations for said institutions or either of them."

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

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, April 15, 1907, and the Register and Leader, April 17, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 214.

### STATE UNIVERSITY.

S. F. 358.

AN ACT making appropriations for the state university of Iowa.

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

**SECTION 1. Appropriation for additional support—how paid.** That there is hereby appropriated to the state university of Iowa, out of any money in the state treasury not otherwise appropriated, the sum of thirty-five thousand (\$35,000.00) dollars, annually hereafter for additional support fund; said sum to be paid in quarterly installments on order of the board of regents, the first installment to be paid July 1st, 1907.

**SEC. 2. Appropriation—purposes—how paid.** There is further appropriated out of any money in the state treasury, not otherwise appropriated, the sum of one hundred four thousand (\$104,000.00) dollars for the following purposes:

For repair and contingent.....	\$ 5,000.00
For library support.....	10,000.00
For purchase of additional land.....	25,000.00
For equipment of new science hall, new wing of hospital, etc. ....	35,000.00
For general equipment and supplies.....	20,000.00
For paving and sidewalks.....	5,000.00
For improvement and care of grounds.....	4,000.00

The sums mentioned in this section shall be paid upon the order of the board of regents of the said university, but not more than one-half of the entire amount shall be paid before July 1st, 1908.

**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 Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, April 15, 1907, and the Register and Leader, April 16, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 215.

## STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS.

S. F. 357.

AN ACT making appropriations to the Iowa state college of agriculture and mechanic arts.

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

**SECTION 1. Appropriation for additional support—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 twenty thousand dollars (\$20,000) annually hereafter for additional support fund, and the sum of six hundred dollars (\$600) annually for four years for cataloguer; said sums to be paid in quarterly installments on order of the board of trustees, the first installment to be paid July 1st, 1908.

**Sec. 2. Appropriation—purposes—how paid.** There is further appropriated out of any money in the state treasury, not otherwise appropriated, the sum of one hundred twenty-three thousand dollars (\$123,000) for the following purposes:

For equipment of college departments.....	\$10,000
For constructing heating tunnel system, new boilers, etc. ....	60,000
For improvement of water system.....	10,000
For purchase of pure bred stock.....	5,000
For walks and grading.....	5,000
For furniture and fixtures for new hall of agriculture	10,000
For remodeling old engineering hall, for structural and hydraulic laboratory .....	7,000
For machine shop .....	16,000

The sums mentioned in this section shall be paid upon the order of the board of trustees of the state college, but not more than \$75,000 of the entire amount shall be paid before July 1st, 1908.

**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 Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, April 15, 1907, and the Register and Leader, April 16, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 216.

## AGRICULTURAL EXTENSION WORK.

H. F. 315.

AN ACT to provide for agricultural extension work by the Iowa state college of agriculture and mechanic arts and making appropriations therefor.

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

**SECTION 1. Agricultural extension and experiment work.** That the Iowa state college of agriculture and mechanic arts is hereby authorized to continue and to extend the system of agricultural extension work, authorized by the

Thirty-first General Assembly. Under this system, the said college shall be authorized to conduct experiments in the various portions of the state and to give instructions in agriculture wherever, in the judgment of the college authorities, it shall be advisable, with reference to the various lines of agricultural work maintained upon the college grounds at Ames; Iowa. The college authorities are authorized to give instructions in corn and stock judging at the agricultural fairs, institutes and clubs, and to aid in conducting short courses of instruction at suitable places throughout the state; to give lectures and demonstrations on the growing of crops and fruits, on stock raising, dairying, land drainage and kindred subjects, including domestic science. This work shall be so planned as, in the judgment of the college authorities, is best calculated to carry to the communities remote from the college, the benefits of the instruction given by the teachers in the state college and the results reached in the work of the experiment station.

**SEC. 2. Appropriation—how paid.** For the purpose of carrying out the provision of this act, there is hereby appropriated out of any funds in the state treasury, not otherwise appropriated, the sum of twenty-seven thousand dollars (\$27,000), annually for the agricultural extension work; said appropriation to be available on and after the first day of July, 1907; to be paid quarterly upon the order of the board of trustees of the Iowa state college of agriculture and mechanic arts.

Approved April 13, A. D. 1907.

## CHAPTER 217.

### EXPERIMENTS IN ANIMAL BREEDING AND FEEDING.

H. F. 231.

**AN ACT** to appropriate not to exceed seven thousand five hundred dollars (\$7,500) annually for experiments in animal breeding and feeding.

WHEREAS, A bill has passed the congress of the United States appropriating a sum of money, twenty-five thousand dollars (\$25,000) of which shall be appropriated and allotted by the secretary of agriculture in such sums as he may determine not to exceed seven thousand five hundred dollars (\$7,500) to any one state or territory for use in experiments in breeding, feeding and developing types of horses hardier, more resistant to disease and better suited to climatic conditions, promoting thereby the interests of agriculture in the United States, in such only of the several states and territories as shall prior to the first day of July 1907 appropriate a like amount to that to be secured hereunder for the same purpose; and,

WHEREAS, It is deemed advisable that the state of Iowa avail itself of this appropriation, therefore

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

**SECTION 1. Appropriation—purposes.** That there is hereby appropriated out of any money in the state treasury not otherwise appropriated a sum equal to the amount which may be allotted to the state of Iowa by the secretary of agriculture, as provided by the act of congress herein referred to, not to exceed seven thousand five hundred dollars (\$7,500) annually, to be used in experiments in the breeding and development of horses and other domestic animals, with the view of producing types hardier, more prolific, more resistant to disease, and better suited to our market demands and climatic conditions, promoting thereby the interests of agriculture in the



state of Iowa, such experiments to be carried on at, and in connection with, the experiment station at the Iowa state college of agriculture and mechanic arts located at Ames, Iowa.

SEC. 2. **How drawn.** The auditor is hereby authorized and directed to issue his warrants upon the state treasurer for the said sum in favor of the trustees of the Iowa state college of agriculture and mechanic arts.

SEC. 3. **When operative.** This act shall become operative only upon the passage by congress of the act referred to in the preamble hereof, and an allotment made by the secretary of agriculture to the state of Iowa as provided therein.

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

Approved April 5, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, and the Des Moines Capital, April 10, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 218.

### STATE NORMAL SCHOOL.

H. F. 100.

AN ACT making appropriations for the state normal school.

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

SECTION 1. **Appropriation—purposes—how paid.** There is hereby appropriated out of any money in the state treasury, not otherwise appropriated, the sum of twenty-three thousand (23,000) dollars for the following purposes:

For support of library.....	\$10,000.00
For librarians' salaries.....	8,000.00
For paving, permanent walks, and improvement of grounds .....	5,000.00

The sums as mentioned in this section shall be paid upon the order of the board of trustees of the state normal school, to be paid quarterly, but not more than one-half thereof shall be paid before July 1, 1907.

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

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, and the Des Moines Capital, April 12, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 219.

## HISTORICAL, MEMORIAL AND ART BUILDING.

S. F. 182.

AN ACT providing for the inside finishing and completion of the historical, memorial and art building, and making an appropriation therefor.

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

**SECTION 1. Inside finishing and completion—appropriation.** The executive council is hereby authorized, empowered and directed to proceed with the inside finishing and completion of the historical, memorial and art building, including heating, plumbing and ventilation, also electric light fixtures, freight elevators, painting balance woodwork and wall and ceiling decorations, granite curbing, steps and cement walks, grading and seeding grounds, in accordance with specifications of the architect, also to purchase such furniture as shall be needed in said building, for these purposes there is hereby appropriated the sum of forty thousand (\$40,000) dollars to be paid out of any money in the state treasury, not otherwise appropriated.

**SEC. 2. Letting of contracts.** The executive council shall proceed to let the necessary contracts to the lowest responsible bidder, (reserving the right to accept or reject any or all bids), who shall execute such bonds as the executive council may deem necessary for the faithful performance of said work. All payment shall be approved by the executive council.

**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 Register and Leader and the Des Moines Capital, newspapers published at Des Moines, Iowa.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, and the Des Moines Capital, April 13, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 220.

## STATE HISTORICAL SOCIETY.

H. F. 288.

AN ACT making appropriations to the state historical society of Iowa.

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

**SECTION 1. Appropriation for additional support.** That there be and is hereby appropriated to the state historical society of Iowa, out of any money in the state treasury not otherwise appropriated, the sum of four thousand five hundred dollars (\$4,500.00) annually hereafter as additional permanent support.

**SEC. 2. How paid.** That the said sum shall be paid in quarterly installments on the order of the board of curators of the said state historical society of Iowa, the first installment to be July 4, 1907.

Approved April 1, A. D. 1907.

## CHAPTER 221.

## COMPILATION AND PUBLICATION OF CODE SUPPLEMENT.

S. F. 44.

**AN ACT** to provide for the compilation of the laws of the Thirtieth, Thirty-first and Thirty-second General Assemblies and the laws as they appear in the code supplement; to annotate the same and the code and rules of the supreme court to and including the May term, 1907, of the supreme court, and to publish the said compilations and annotations as a "supplement to the code, 1907", and to provide for the appointing of a supervising committee and establish a salary for the editor of such supplement to the code 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 lieutenant governor and the present 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 the 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 general and permanent nature of the Thirtieth, Thirty-first and Thirty-second General Assemblies and the laws as they appear in the code supplement, annotating the same and the code and the rules of the supreme court, and indexing and publishing such compilations as hereinafter provided.

**SEC. 3. Editor—duties—compensation—copyright.** The editor shall prepare the compilation of the supplement to be published under this act 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 (\$1500). 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 compilation shall be known and designated as "supplement to the code, 1907". 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 one 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 Thirtieth, Thirty-first and Thirty-second General Assemblies and the laws as they appear in the supplement to the code of Iowa as authorized by the code and the Twenty-ninth General Assembly, arranged into sections, chapters, and titles, and numbered so as to conform with 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 term, 1907, of said court. Said annotations shall be arranged in appropriate sections or section numbers and rules as the case may be.

**SEC. 5. Section numbers.** Sections of the code and laws of the subsequent general assemblies 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 of the code, 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 or index.** 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 compilations, 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 the said supplement of the code to be well made of first-class material, printed from electro-plates, bound in full law sheep, 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 and sale.** The said supplement shall be distributed to persons, sold and accounted for, except as to the price, in the manner provided in sections sixteen 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 appointing of a supervising committee and the election of an editor, and the prescribing of their duties", which took effect May 5, 1897. The distribution to the members of the general assembly shall commence with the Thirty-second General Assembly.

**Sec. 10. Official publication—price per volume.** The supplement to the code by this act provided to be published and distributed shall be the official edition and authoritative publication of the existing laws of the state, and no other publication of the laws of the state except the session laws and the code shall be used in the courts or referred to 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 three dollars (\$3.00) per volume.

**Sec. 11. Number of copies.** An edition of twelve thousand copies of said code supplement shall be printed and the first copies shall be bound and ready for distribution on or before October 1, 1907.

**Sec. 12. Traveling expenses—supplies.** The members of the committee shall be allowed three cents a mile for the distance actually travelled, also expenses 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 the 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 on 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 cost and expenses of preparing, publishing and distributing said supplement of 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 Register and Leader and Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved February 19, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, February 21, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 222.

## COMMISSION TO REVISE AND CODIFY THE SCHOOL LAWS.

S. F. 242.

AN ACT to create a commission to examine, revise and codify the laws relating to the public schools, and such other purposes as may be incident thereto.

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

**SECTION 1. Educational commission.** There is hereby created an educational commission, consisting of three members, one of whom shall be an educator of this state, and two of whom shall be practicing attorneys, who shall be appointed by the governor.

**SEC. 2. Organization—meetings.** Said commission shall meet in the capitol building and organize on or before the first day of January 1908. A majority of said commission shall constitute a quorum. In the organization of said commission one of its members shall be chosen chairman whose duty it shall be to preside at all meetings of said commission, and in his absence a chairman pro tempore shall be chosen from those present. Said commission shall meet from time to time as it may determine or on call of the chairman.

**SEC. 3. Clerical assistants—expenses.** Said commission shall have authority to employ such clerical assistants as may be required to perform the duties herein imposed upon it, which together with the necessary expenses incurred therein by said commission, shall be paid out of the treasury upon the approval of the executive council, upon filing with the said executive council an itemized statement of the same duly verified.

**SEC. 4. Powers—report to Thirty-third General Assembly.** Said commission shall have power to rearrange, revise and codify the existing laws relating to the public schools, and recommend additional needed legislation. Said commission shall report the results of its labor and its recommendation to the 33rd General Assembly, indicating which portions are from the law then in force, and which portions are by them recommended for enactment.

**SEC. 5. Report to be filed with and published by state superintendent.** Said commission shall on or before November 1, 1908 file with the superintendent of public instruction its said report which shall be published by him for distribution to the members of the General Assembly. Said report shall contain a detailed statement of all expenses incurred.

**SEC. 6. Compensation and expenses of commissioners—how paid.** The members of said commission shall receive as compensation eight (8) dollars per day each, together with their actual traveling and personal expenses while actually engaged in said work, to be paid from the state treasury upon the order of the executive council.

**SEC. 7. Appropriation.** To defray the traveling expenses and per diem of the members and the clerical expenses of said board, three thousand (3000) dollars or so much thereof as is necessary is hereby appropriated out of any money in the state treasury not otherwise appropriated.

Approved April 13, A. D. 1907.

## CHAPTER 223.

## ROSTER OF IOWA SOLDIERS, SAILORS AND MARINES.

H. F. 79.

AN ACT providing for the compilation of a roster of Iowa soldiers, sailors and marines in the War with Mexico and the War of the Rebellion, the Spanish-American and Philippine wars, including military service in the Spirit Lake expedition, and other service against the Indians; providing the manner of its publication, distribution and sale and making an appropriation therefor.

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

**SECTION 1. Board to prepare roster—how constituted.** That the governor, attorney general, adjutant general, curator of the historical department of Iowa, and one soldier of the civil war whose selection shall be made and certified to the governor by the commander of the department of Iowa, Grand Army of the Republic, who shall thereupon be commissioned by the governor, which member so selected shall receive the same compensation as that now paid to the trustees of educational institutions for the time actually and necessarily employed, shall constitute a board authorized to prepare in form for publication a complete roster of all Iowa soldiers, sailors and marines of the war with Mexico, the war of the rebellion, and the Spanish-American and Philippine wars, including the military service of soldiers engaged in the Spirit Lake expedition and other service against the Indians, and state troops rendering active service during the war of the rebellion.

**SEC. 2. Roster to contain record of each officer and soldier—historical sketches.** Said compilation shall contain the main item of record of each officer and soldier, and of each organization, so far as the same is obtainable from the records in the adjutant general's office, in the war department in Washington, in the official records of the Union armies, and from other official and reliable sources. It shall include brief historical sketches of the organization, service and engagements of all Iowa regiments, and other Iowa organizations, with summaries of casualties, list of soldiers confined in Confederate prisons, and those buried in national cemeteries.

**SEC. 3. Adjutant general to direct compilation—appropriation for extra help—printing and binding—distribution.** Said compilation shall be under the direction of the adjutant general, and the sum of seven thousand five hundred dollars (\$7,500) or so much thereof as may be necessary is hereby appropriated from any moneys, not otherwise appropriated, in the treasury of the state, for the employment of extra help and other necessary expense in making said compilation. The compilation shall be divided into volumes of proper size and shall be printed by the state printer, shall be bound by the state binder in half sheep, and paid for as other public documents. The edition shall be ten thousand of each volume and shall be disposed of as follows: twelve sets to the state library, twelve sets to the historical library, six sets to the state historical society, one set to each public library in the state and one set to each Grand Army post in the state and one set to each camp of Spanish war veterans. The foregoing sets shall be distributed free; all other sets and volumes shall be sold by the adjutant general at actual cost, to be determined by the executive council, and the proceeds paid into the state treasury. An itemized account shall be kept and vouchers filed to be audited by the executive council and warrants drawn by the state auditor to pay expenses provided for in this act.

**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 Register and

Leader and the Des Moines Capital, daily newspapers published in the city of Des Moines, Polk county, Iowa.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, and the Des Moines Capital, April 13, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 224.

### EXPENSES OF BATTLEFIELD MONUMENT COMMISSIONS.

S. F. 158.

AN ACT making an additional appropriation to pay the remainder of the expenses of the members of the Iowa Shiloh Battlefield Monument Commission, the Iowa Lookout Mountain and Missionary Ridge Monument Commission, the Iowa Vicksburg Park Monument Commission, and the Iowa Andersonville Prison Monument Commission, upon their joint visit to dedicate the monuments erected by the state of Iowa upon southern battlefields and at Andersonville.

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

SECTION 1. **Appropriation—how paid.** There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated the sum of one thousand dollars (\$1000.00), or so much thereof as may be necessary to pay the remainder of the expenses of the members of the Iowa Shiloh battlefield monument commission, the Iowa Lookout Mountain and Missionary Ridge monument commission, the Iowa Vicksburg park monument commission, and the Iowa Andersonville prison monument commission, incurred upon their joint visit to dedicate monuments erected by the state of Iowa upon southern battlefields and at Andersonville. Before the said payment is made, the executive council shall approve the accounts for said expenses, and when approved the auditor shall draw his warrants therefor.

SEC. 2. **In effect.** This act, being deemed of immediate importance, shall take effect from and after its passage and publication in the Register and Leader and Des Moines Daily News, newspapers published at Des Moines, Iowa.

Approved March 12, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, and the Des Moines Daily News, March 13, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 225.

### PURCHASE OF LEGISLATIVE REFERENCES TO AND INDEXES OF CURRENT LEGISLATION.

S. F. 49.

AN ACT to provide for the purchase of legislative references to and indexes of current legislation and making an appropriation therefor.

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

SECTION 1. **Appropriation—purpose—how drawn.** That there is hereby appropriated to the state librarian out of any money in the state treasury not

otherwise appropriated the sum of one hundred and fifty dollars (\$150.00), to be used in the procuring of legislative references to and indexes of current legislation and payment of expenses incident thereto; and the auditor of the state is hereby authorized to draw warrants therefor upon the order of the state librarian.

**Sec. 2. In effect.** This act, being deemed of immediate importance, shall take effect from and after its publication in the daily Register and Leader and the Des Moines Capital, newspapers of Des Moines, Iowa.

Approved February 22, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, February 26, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 226.

### STATUE OF JAMES HARLAN IN THE NATIONAL STATUARY HALL.

S. F. 188.

AN ACT providing for placing a statue in bronze of James Harlan, Ex-Senator of Iowa, in the national statuary hall in the capitol building at Washington, D. C., and appropriating money to pay therefor.

WHEREAS, Under the provisions of section eighteen hundred and fourteen (1814), Revised Statutes of the United States, the state of Iowa is authorized to provide and furnish statues in marble or bronze "of two deceased persons who have been citizens thereof and illustrious for their historic renown or for distinguished civic or military services," and

WHEREAS, The Hon. James Harlan, ex-senator of Iowa and secretary of interior under Lincoln, now deceased, is worthy of being selected as one of the citizens of Iowa whose statue shall be placed in the said national statuary hall, in the capitol building at Washington, D. C., therefore,

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

**SECTION 1. Executive council to procure statue and have it placed.** The executive council is hereby authorized to enter into a contract with such party as it may select to provide and furnish a clay model of a statue of ex-senator James Harlan, of such size as the executive council may determine, and upon the completion of such statue to the satisfaction of the executive council the said executive council is hereby authorized to have said statue cast in bronze and to place the same in national statuary hall in the capitol building at Washington, D. C., in accordance with the provisions of said section eighteen hundred and fourteen (1814) of the Revised Statutes of the United States.

**Sec. 2. Appropriation—how drawn.** There is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of five thousand dollars (\$5,000) or so much thereof as may be necessary to pay for the moulding and casting such statue in bronze and placing the same in the national statuary hall in the capitol building at Washington, D. C., and the auditor of state is hereby authorized to draw warrants therefor upon the order of the executive council.



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

Approved March 20, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, and the Des Moines Capital, March 23, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 227.

### CASE FOR FLAGS CARRIED BY THE IOWA REGIMENTS DURING SPANISH-AMERICAN WAR.

S. F. 245.

**AN ACT** directing the custodian of public buildings and property to prepare a case for the reception of flags carried by Iowa regiments during the Spanish-American war, and making appropriation therefor.

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

**SECTION 1. Case prepared and flags placed—by whom.** The custodian of public buildings and property is hereby directed to prepare a suitable case on the rotunda floor of the capitol building, near the junction of the corridors, for the reception of the flags carried by the four regiments from this state in the Spanish-American war. The custodian of public buildings and property and the adjutant general are hereby directed to place in said case when completed the flags carried by the said regiments.

**SEC. 2. Appropriation.** For the purpose of carrying out the provisions of this act there is hereby appropriated from any moneys in the state treasury not otherwise appropriated the sum of four hundred dollars or so much thereof as may be necessary.

**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 Register Leader and Des Moines Capital, newspapers published at Des Moines, Iowa.

Approved March 26, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, March 27, 1907, and the Register and Leader, March 28, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 228.

### EXPENSES OF INAUGURAL CEREMONIES.

H. F. 119.

**AN ACT** making an appropriation to defray the expenses of the inaugural 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 two hundred thirty and sixty-five hundredths dollars (\$230.65), or so much thereof as may be necessary to pay the expenses incurred on

account of the inauguration ceremonies and reception. Warrants shall be drawn upon the treasury for the sum herein appropriated in favor of the adjutant general, upon filing the 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 Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved February 16, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, February, 19, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 229.

### PURCHASE OF RAILROAD COMMISSIONERS' MAPS.

S. F. 32.

**AN ACT** making appropriation for the purchase of twenty thousand (20,000) 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.** The railroad commissioners are hereby instructed to procure twenty thousand (20,000) copies of the railroad commissioners' official maps of Iowa, nineteen thousand (19,000) of said maps to be printed on heavy paper, mounted and with tape sides, and one thousand (1,000) of said maps to be folded and inclosed in suitable envelopes; seventy-five (75) copies of the mounted maps to be delivered to each member of the General Assembly, and the remainder to be distributed under the direction of the railroad commissioners.

**SEC. 2. Appropriation.** There is hereby appropriated, out of moneys not otherwise appropriated, the sum of three thousand four hundred dollars (\$3,400.00), 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 passage and publication in the Register and Leader and the Des Moines Capital, newspapers published at Des Moines, Iowa.

Approved February 8, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, February 9, 1907, and the Register and Leader, February 11, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 230.

### EXPENSES OF MORNIN-FEELY ELECTION CONTEST.

H. F. 484.

**AN ACT** to reimburse George S. Mornin and Guy A. Feely for expenses incurred in the election contest from the Sixty-sixth Representative District of Iowa, and to pay sundry persons for services, per diem, mileage, and expenses rendered and incurred in connection with said election contest.

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

**SECTION 1. Appropriation.** There is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of five hundred

sixty-five and 45-100 dollars (\$565.45), in full of all attorneys' fees, costs, and expenses incurred in the Mornin-Feely election contest from the Sixty-sixth representative district of Iowa.

**Sec. 2. To whom paid.** That the sum of money hereby appropriated shall be paid to the following named persons and in the following named sums:

To George S. Mornin the sum of \$258.00; to Guy A. Feely the sum of \$255.40. To J. D. Caldwell, sheriff, serving notices and subpoenas, \$7.55; F. S. Merriau, notary, taking depositions, \$7.50; Harriet E. King, taking evidence in shorthand and making transcript thereof, \$22.00; J. J. Rainbow, witness, one day, one mile, \$1.35; J. N. Sweitzer, witness, one day, one mile, \$1.35; J. K. Joder, witness, one day, one mile, \$1.35; A. W. Brown, witness, one day, one mile, \$1.35; J. B. Young, witness, one day, one mile, \$1.35; E. E. Wilson, witness, one day, one mile, \$1.35; M. Hileman, witness, one day, one mile, \$1.35; C. B. Miller, witness, one day, one mile, \$1.35; E. L. Hildebrand, witness, one day, one mile, \$1.35; Louis Fressle, witness, one day, sixteen miles, \$2.85.

**Sec. 3. How paid.** The auditor of state is hereby authorized and directed to draw his warrant upon the state treasury in favor of the persons named in section 2 of this act, in the respective sums herein appropriated to each.

**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 Register and Leader and in the Des Moines Capital, newspapers published in the city of Des Moines.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, and the Des Moines Capital, April 13, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 231.

### TO REIMBURSE THE WIDOW AND HEIRS OF J. W. CLIFF.

S. F. 252.

AN ACT to reimburse the widow and heirs of the late J. W. Cliff for expenses incurred by him in his contest for the office of secretary of the senate of the Twenty-fourth General Assembly.

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

**SECTION 1. Amount appropriated—to whom paid—receipt in full.** There is hereby appropriated out of any money in the state treasury, not otherwise appropriated, the sum of five hundred (\$500.00) dollars to be paid to Mrs. J. W. Cliff, the widow of J. W. Cliff, deceased, to repay the expenses incurred by the said J. W. Cliff in his contest for his position as secretary of the senate of the Twenty-fourth General Assembly of the state of Iowa. The auditor of state is hereby authorized and directed to draw his warrant on the state treasurer in favor of the said Mrs. J. W. Cliff for the said sum, whenever she and the heirs of J. W. Cliff, or their lawful guardian, shall have filed in his office a receipt in full of all claims and demands that they may have or claim to have against the state of Iowa on account of expenses paid by the said J. W. Cliff in his contest for the position of secretary of the senate of the Twenty-fourth General Assembly of the state of Iowa.

Approved April 13, A. D. 1907.

## CHAPTER 232.

TO REIMBURSE J. H. COWNIE, JR., R. R. McCUTCHEON AND F. M. HUBBELL.

H. F. 101.

AN ACT appropriating money to J. H. Cownie, Jr., R. R. McCutcheon and F. M. Hubbell, as trustees, to reimburse them for the funds advanced and used in the purchase of a tract of land for the state as an addition to the state fair grounds.

*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 five thousand eight hundred and seventy-five dollars (\$5,875.00), with interest at five and three-fourths per cent ( $5\frac{3}{4}\%$ ) from November 12th, 1906, until paid, to J. H. Cownie, Jr., R. R. McCutcheon and F. M. Hubbell, as trustees, for funds advanced and used in the purchase of a tract of land for the state as an addition to the state fair grounds.

SEC. 2. **How paid.** The auditor of state is hereby authorized and directed to issue his warrant upon the state treasurer in favor of said trustees for said sum upon the receipt of the deeds and abstracts showing the proper transfer to the state of the following described property, including streets and alleys comprised therein, all in Redhead's Addition to Grant Park in the city of Des Moines, Iowa:

Lots 1 to 7 inclusive, in block G,  
 Lots 9 to 20 inclusive, in block H,  
 Lots 1 to 14 inclusive, in block I,  
 Lots 1 to 14 inclusive, in block J,  
 Lots 1 to 5 inclusive, in block K,  
 Lots 1 to 42 inclusive, in block L.

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 Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.  
 Approved April 4, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, April 5, 1907, and the Register and Leader, April 6, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 233.

TO INDEMNIFY D. H. FIESTER.

H. F. 350.

AN ACT to indemnify D. H. Fiester for personal injury sustained by him while employed at the hospital for the insane at Independence, Iowa.

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

SECTION 1. **Amount appropriated.** There is hereby appropriated out of money in the state treasury not otherwise appropriated the sum of five hundred dollars (\$500.00) for the payment in full for damages sustained by D. H. Fiester, arising from injuries sustained by him while engaged in working for the state at the hospital for the insane at Independence, Iowa.

Approved April 13, A. D. 1907.

CHAPTER 234.

TO REIMBURSE S. B. HUMBERT.

S. F. 226.

AN ACT to reimburse S. B. Humbert for services rendered as superintendent of construction of the monuments at Lookout Mountain and one at either end of Missionary Ridge and to make an appropriation therefor.

WHEREAS, Under the provisions of chapter one hundred and ninety-seven (197) of the acts of the Twenty-ninth (29) General Assembly the governor appointed a board of commissioners to superintend the plans for and the erection of certain monuments at Lookout Mountain and at either end of Missionary Ridge, and

WHEREAS, Under the authority given them by said act the board of commissioners thus appointed, did on or about the 20th day of February, A. D., 1903, duly elect and appoint the said S. B. Humbert, one of their number, to supervise the proper construction of said monuments and

WHEREAS, The said S. B. Humbert accepted said appointment and at the request and direction of said board of commissioners did devote his time and labor to personally supervise and oversee the construction of said monuments and in the faithful performance of his duties was compelled to and did devote more than nine months, actual time, as per itemized statement, following:

To services from Dec. 13th, 1903 to April 14th, 1904—	121 days
To services from May 5th, 1904 to July 4th, 1904—	60 days
To services from Oct. 25th, 1904 to Nov. 4th, 1904—	10 days
To services from May 3d, 1905 to May 10th, 1905—	7 days
To services from May 30th, 1905 to July 7th, 1905—	38 days
To services from Feb. 1st, 1906 to Mar. 15th, 1906—	43 days

Total .....279 days

or nine (9) months and nine (9) days at seventy dollars (\$70.00) per month—six hundred fifty-one dollars (\$651.00).

CONTRA.

Cr. By two months time given gratuitously.....\$140.00

Balance due .....\$511.00 ..

AND WHEREAS, The said S. B. Humbert presented his bill or claim for such services to said board of commissioners and the same was, on November 23d, 1906, allowed by unanimous vote of said board in the sum of five hundred nine dollars ninety-nine cents (\$509.99), and payment recommended from the balance of the appropriation unexpended, there being and remaining unexpended of said appropriation something over the sum of eight hundred dollars (\$800.00), and

WHEREAS, Doubts have arisen, under the peculiar wording of said act, as to the legality of such payment or as to the authority of the board of commissioners and the governor to approve the proper voucher for the payment thereof, and

WHEREAS, The facts show that by reason of the diligence and close oversight given to said work and the construction thereof by the said S. B. Humbert that many times the cost of his services was saved to the state, therefore,

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

SECTION 1. Amount appropriated—how drawn. That there be and there is hereby appropriated out of any funds not otherwise appropriated the sum

of five hundred nine dollars ninety-nine cents (509.99) for the purpose of paying S. B. Humbert in full for services rendered in overseeing and superintending the material and construction of the monuments erected by the state of Iowa at Lookout Mountain, Sherman Heights, and Rossville Gap under the authority of the Lookout Mountain and Missionary Ridge Monument commission; and the auditor of state is hereby authorized and directed to draw his warrant for five hundred nine dollars ninety-nine cents (\$509.99) in favor of S. B. Humbert in full payment of the claim for which this appropriation is made.

**Sec. 2. In effect.** This act, being deemed of immediate importance, shall take effect at once upon its publication in the Des Moines Register and Leader, and the Des Moines Capital, newspapers published at Des Moines, Iowa.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, April 15, 1907, and the Register and Leader, April 17, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 235.

### TO INDEMNIFY C. T. JONES.

S. F. 301.

AN ACT to indemnify C. T. Jones for money paid out by him in contesting a civil action instituted against him by the state of Iowa.

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

**SECTION 1. Amount appropriated—how drawn.** That there be and is hereby appropriated out of any money in the state treasury, not otherwise appropriated, the sum of two hundred and fifty dollars, to be paid C. T. Jones to reimburse him in full for money paid out by him in contesting a civil action instituted against him by the state of Iowa, while he was clerk of the supreme court of Iowa, and the auditor of the state is hereby authorized and directed to draw his warrant on the state treasurer in favor of C. T. Jones for the said sum.

Approved April 13, A. D. 1907.

## CHAPTER 236.

### TO INDEMNIFY W. J. McAHREN.

S. F. 334.

AN ACT appropriating the sum of one hundred fifty-one dollars and ninety cents (\$151.90) to be paid to W. J. McAhren in settlement of a claim against the state of Iowa, arising by reason of the efforts of the said W. J. McAhren to extradite one H. S. Green.

**WHEREAS,** On the 22nd day of November, 1904, an indictment was returned in the district court of Crawford county, Iowa against one H. S. Green, charging him with the crime of fraudulent banking, and

**WHEREAS,** On the 24th day of July, 1905, Albert B. Cummins, governor, appointed W. J. McAhren the agent of the state of Iowa for the extradition of the said H. S. Green from the state of California, and

WHEREAS, The said H. S. Green was, through the efforts of the said W. J. McAhren, placed under arrest in the state of California and was released upon his own recognizance by the authorities of the state of California, and thereby escaped, without any fault upon the part of the said W. J. McAhren, while the said W. J. McAhren was on his way to said state for the purpose of extraditing the said H. S. Green, and

WHEREAS, The said W. J. McAhren has not been reimbursed for his expenses incurred in said trip;

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

**SECTION 1. Amount appropriated.** There is hereby appropriated out of the funds in the state treasury, and not otherwise appropriated, the sum of one hundred fifty-one dollars and ninety cents (\$151.90), in payment in full of all claims arising against the state of Iowa and accruing to W. J. McAhren by reason of his attempt as the agent of the state of Iowa to extradite one H. S. Green from the state of California.

**SEC. 2. How paid—receipt in full.** The auditor of the state of Iowa is hereby authorized to draw his warrant upon the state treasury in favor of the said W. J. McAhren for the sum of one hundred and fifty-one dollars and ninety cents (\$151.90); the said W. J. McAhren shall file with the auditor of state a receipt acknowledging full payment of all claims arising against the state of Iowa by reason of his effort as such agent to extradite one H. S. Green from the state of California.

Approved April 13, A. D. 1907.

## CHAPTER 237.

### TO REIMBURSE JOHN F. RIGGS.

H F. 201.

AN ACT to reimburse John F. Riggs, superintendent of public instruction, for sums paid out by him on account of the state educational board of examiners.

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

**SECTION 1. Amount appropriated—how paid.** There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated the sum of seven hundred ninety-two dollars, to be paid to John F. Riggs, on account of sums paid out by him to enable the state educational board of examiners to perform the duties imposed upon said board by the laws of the Thirty-first General Assembly. The auditor will draw his warrant for said sum, and deliver the same to said Riggs.

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

Approved February 23, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, February 23, 1907, and the Register and Leader, February 25, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 238.

## TO INDEMNIFY CHARLES H. TRIBBY.

H. F. 143.

AN ACT to indemnify Charles H. Tribby for damages caused by sewage from the state hospital for insane at Mount Pleasant, Iowa.

*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 one thousand fifty (1,050) dollars in full for all damages of whatever kind sustained by Charles H. Tribby by reason of the unprotected flow of foul and poisonous sewage from the hospital for insane at Mt. Pleasant, Iowa, upon and through lands rented by the said Charles H. Tribby for and during the year 1903.

**SEC. 2. How paid—receipt in full.** The auditor of state is hereby authorized to draw his warrant upon the state treasurer in favor of Charles H. Tribby for one thousand and fifty (1,050) dollars and the said Charles H. Tribby shall file with the said auditor of state a receipt in full for all damages sustained by him by reason of the said flow of sewage.

**SEC. 3. In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after date of its publication in the Register and Leader and Des Moines Capital, two newspapers published in the city of Des Moines, Iowa.

Approved March 30, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, April 1, 1907, and the Register and Leader, April 2, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 239.

TO REIMBURSE SUNDRY PERSONS FOR MATERIAL AND LABOR FURNISHED  
IN ERECTION OF MEDICAL HOSPITAL BUILDING  
OF THE STATE UNIVERSITY.

S. F. 73.

AN ACT to pay sundry persons named in this bill, for material and labor furnished by them in the erection of the medical hospital of the Iowa State University, erected in eighteen hundred and ninety-seven (1897).

WHEREAS, The persons named in section one (1) of this bill furnished material and labor for the erection of the medical hospital, erected by the Iowa State University in 1897, and for which they have not been paid, by reason of the fact that the contract price was insufficient to pay the cost of the material and labor furnished for said building, and the contractor, James Howie, was, and is insolvent; and

WHEREAS, There is due and unpaid to said persons the respective amounts named in said section one, therefore,

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

**SECTION 1. Amount appropriated—to whom paid.** There is hereby appropriated out of any funds in the state treasury not otherwise appropriated,



the sum of four thousand five hundred and one (\$4,501.50) dollars and fifty cents to be paid as follows:

To the Iowa City Lumber Company of Iowa City...	\$508.41
To George W. Parker of Clinton, Iowa.....	770.10
To LeGrand Quarry Company of Marshall County..	499.12
To A. E. Shorthill Company.....	268.73
To C. Hurley of Iowa City, Iowa.....	396.44
To David Stephens of Iowa City.....	985.89
To John Volk & Co. of Rock Island, Illinois.....	550.06
To the Platt Pressed Brick & Fire Co., Van Metre, Iowa .....	522.75

The state auditor is hereby authorized and directed to issue warrants to each of the above named persons and companies for the respective amounts above stated.

**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 Register and Leader, and Des Moines Capital, newspapers published at Des Moines, Iowa, without expense to the state.

Approved April 4, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, and the Des Moines Capital, April 5, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## SPECIAL ACTS.

### CHAPTER 240.

S. F. 364.

#### SALE OF ABANDONED CHANNEL OF THE DES MOINES RIVER WITHIN CORPORATE LIMITS OF THE CITY OF OTTUMWA.

AN ACT to enable the state of Iowa to sell and dispose of certain unclaimed lands within the former channel of the Des Moines river and formed by accretions in consequence of the changes of the channel of such river.

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

**SECTION 1. Sale authorized.** That lands within the former channel of the Des Moines river within the corporate limits of the city of Ottumwa and formed by accretion in consequence of the changes of the channel of such river, the title to which is now or shall become vested in the state by judicial determination, shall be sold and disposed of as hereinafter provided.

**SEC. 2. Written application—deposit.** Any person desiring to purchase any such land shall file written application therefor with the secretary of state, which application shall be accompanied with a deposit of twenty-five dollars to be applied, or so much thereof as may be necessary, in the payment of the necessary expense of the survey of such land, and appraisalment of the value thereof, as hereinafter provided.

**SEC. 3. Survey.** Upon receiving such application and deposit, it shall be the duty of secretary of state to order a complete survey of such land to be made by the county surveyor of the county wherein the land is situated, and in case of the refusal or inability of such county surveyor to make such survey then the secretary of state shall appoint some other competent surveyor to make such survey. When such survey is made a full report thereof, with field notes, shall be filed and recorded in a book prepared and kept for that purpose, in the office of secretary of state, which report and field notes shall constitute the official survey of such land.

**SEC. 4. Appraisalment.** Upon the filing of such report, with the accompanying field notes, the secretary of state shall thereupon appoint a commission of three disinterested freeholders of the county wherein the land is situated, to view the land and make appraisalment of the value thereof, which appraisalment shall be returned and filed in the office of the secretary of state. Notice of such appraisalment shall thereupon be given to such applicant, and upon payment of the balance required, as fixed by the appraised value, such person shall be entitled to a deed or patent therefor.

**SEC. 5. Fees.** The surveyor making such survey shall be entitled to receive the sum of five dollars per day for his services as such surveyor, and such additional amount as may be agreed upon and necessary for the expenses of chairman [chainman] and other attendants; and the commissioners, for their services in making such appraisalment, shall each be entitled to receive the sum of three dollars per day, for the actual time employed.

**SEC. 6. Sale—how effected.** None of such land shall be sold for less than the appraised value thereof, except as hereinafter provided. If the person filing the original application shall be unwilling to pay the amount as fixed by the appraisers, he shall be permitted to deposit whatever amount he is willing to pay, in addition to his original deposit, for such land so desired to be purchased by him, and, if at the expiration of ninety days no other person has appeared and deposited and offered to pay a larger amount, he shall be entitled to a deed or patent for the land for the total amount deposited by him; but if before the expiration of such ninety days there shall be other applicants and bidders for said land, and the said original applicant shall still be unwilling to increase his total deposit to the amount of the appraisement, or to an amount beyond that of the highest bidder, then the person making the highest bid and depositing the amount therefor, shall be entitled to a deed or patent for such land, and the money deposited by the original applicant shall be refunded. If the said original applicant shall increase his total deposit to the amount of the appraisement, within said period of ninety days, such original applicant shall thereupon be entitled to a deed or patent for such land.

**SEC. 7. Deed or patent.** When, upon full compliance with the provisions of this act, any person shall become entitled to a deed or patent for any such land, a deed or patent shall thereupon be executed and delivered to such person by the governor, on behalf of the state, duly attested with the seal of the state attached hereto [thereto], which deed shall, in addition to the usual formalities, also recite the name of the party making the first application to purchase such land, the amount of his deposit, the appraisement, the name of the party making final payment, and entitled to a deed therefor, whether as original applicant, by assignment, or as the highest bidder, and also that such deed is given for the purpose of conveying such title and interest in the land as the state may at the time own and possess, and has the right to convey. A record of such conveyance shall be made and kept in the office of the secretary of state.

**SEC. 8. Purchase money refunded—when.** If at any time within ten years from the date of any deed or patent, issued under the provisions of this act, the grantee therein, or his successors, administrators or assigns, shall cause to be filed with the secretary of state a duly certified transcript of a final decree of a court of record showing that the conveyance by the state passed no title whatever to the land therein described, because title thereto had previously, for any reason, been vested in others, then the money so paid for such conveyance shall be refunded by the state to the person or persons entitled thereto.

**SEC. 9. Purchase moneys turned into state treasury.** All moneys received for the sale or conveyance of any land under the provisions of this act, after the payment of the necessary expenses of survey and appraisement thereof, shall be paid into the state treasury.

**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 Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved May 9, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, May 10, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 241.

## CAMP GROUNDS OF THE IOWA NATIONAL GUARD.

S. F. 351.

**AN ACT** to authorize the sale of the southwest quarter ( $\frac{1}{4}$ ) of section twenty-seven (27), township seventy-eight (78) north, range twenty-four (24) west of the fifth (5th) principal meridian, known as the camp ground of the Iowa National Guard, and to use the proceeds of the sale, or so much thereof as may be necessary, in the purchase and improvement of another camp ground for the said guard.

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

**SECTION 1. Sale of old and purchase of new camp ground authorized.** The governor of the state is hereby authorized to sell, with the approval of the executive council, the southwest quarter ( $\frac{1}{4}$ ) of section twenty-seven (27), township seventy-eight (78) north, range twenty-four (24) west of the fifth (5th) principal meridian, now known as the camp ground of the Iowa National Guard, executing proper conveyance thereof, and to use the proceeds of such sale in the purchase or condemnation and improvement of another site for a camp ground for the said guard, which new site shall be adjacent to a rifle range to be acquired for the use of the guard by the United States.

**SEC. 2. Proceeds of sale—how drawn—title to be approved.** The proceeds of the sale above authorized shall be deposited in the state treasury, and shall be drawn therefrom for the purpose above mentioned upon vouchers approved by the governor and executive council, and warrants drawn by the state auditor. The abstract of title of any land sought to be purchased hereunder must be submitted to the attorney general, and the opinion of the attorney general must be filed to the effect that a good title is thereby shown, before the purchase is made.

**SEC. 3. In effect.** This act, being deemed of immediate importance, shall take effect from and after its publication in the Register & Leader and Des Moines Capital, newspapers published at Des Moines, Iowa.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, and the Des Moines Capital, April 15, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 242.

## RIGHT OF WAY OVER GROUNDS OF MOUNT PLEASANT STATE HOSPITAL.

S. F. 355.

**AN ACT** authorizing any interurban or other railway company to acquire a right of way for an interurban or other railway over and across the lands of the Iowa state hospital for the insane at Mount Pleasant, Henry county, Iowa, and authorizing the executive council to fix the terms and conditions thereof.

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

**SECTION 1. Authority to acquire right of way.** Any interurban or other railway company is hereby authorized to acquire a right-of-way over and through the lands of the state used in connection with the Iowa state hospital for the insane at Mt. Pleasant, Iowa, upon the terms and conditions herein provided.

**SEC. 2. Terms and conditions.** The said interurban or other railway company 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 railway 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. No such certificate shall issue until the said interurban or other railway company shall have filed with the executive council an agreement in writing, binding itself, its successors and assigns to construct and maintain, without expense to the state of Iowa, a side track, extending to the heating plant of the said Iowa state hospital for the insane, as the same now is or may hereafter be located; and said agreement shall also require the said railway company to erect and maintain a station or stations, suitable in character, size and design, at such place or places on said hospital grounds as the executive council may designate. The poles upon the right-of-way shall be of iron or steel, ornamental in design and painted, or of such other material as may be required by the executive council.

**SEC. 3. Deed.** Upon payment by said company to the state treasurer the compensation and value fixed by agreement, or by condemnation, as the case may be, and upon filing of the agreements required in section 2 of this act, the governor of Iowa shall execute and deliver to said company a deed, conveying to said railway company, its successors and assigns, said right-of-way, but such deed shall not operate to convey the fee title of said right-of-way.

Approved April 13, A. D. 1907.

## CHAPTER 243.

### RELIEF OF GRANTEES OF JACOB W. APPLGATE.

S. F. 87.

AN ACT for the relief of the grantees of Jacob W. Applegate, and for the purpose of having a patent issued in the name of S. S. Judge for a certain tract of land.

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

WHEREAS, On May 29, 1854, Noah Myers, school fund commissioner, made and executed to Jacob W. Applegate a contract for the south west quarter ( $\frac{1}{4}$ ) of the south west quarter ( $\frac{1}{4}$ ) of section (5) in township eighty-three (83) north of range sixteen (16) west of the fifth P. M., in Tama county, Iowa, and,

WHEREAS, Jacob W. Applegate on May 23, 1859, gave to Henry Judge a warranty deed to the south two thirds (2-3) of the south west quarter ( $\frac{1}{4}$ ) ter ( $\frac{1}{4}$ ) of the south west quarter ( $\frac{1}{4}$ ) of section five (5) in township eighty-three (83) north of range sixteen (16) west of the fifth P. M., in Tama county, Iowa, and,

WHEREAS, Jacob W. Applegate on May 23, 1859, by warranty deed, conveyed to Archibald Dunbar the north one-third (1-3) of the south west quarter ( $\frac{1}{4}$ ) of the north west quarter ( $\frac{1}{4}$ ) of section five (5) in township eighty-three (83) north of range sixteen (16) west of the fifth P. M., in Tama county, Iowa, and,

WHEREAS, Archibald Dunbar and wife conveyed to John W. Dunbar on November 2, 1870, by warranty deed, the middle one-third (1-3) of the north west quarter ( $\frac{1}{4}$ ) of section five (5) in township eighty-three (83) north of range sixteen (16) west of the fifth P. M., and,

WHEREAS, John W. Dunbar and wife deeded to Archibald Dunbar, Sr., on July 12, 1871, the middle one-third (1-3) of the north west quarter ( $\frac{1}{4}$ ) of section five (5) in township eighty-three (83) north of range sixteen (16) west of the fifth P. M., in Tama county, Iowa, and,

WHEREAS, Archibald Dunbar and wife conveyed by warranty deed to Henry Judge on June 4, 1873, the north one third (1-3) of the south half ( $\frac{1}{2}$ ) of the north west quarter ( $\frac{1}{4}$ ) of section five (5) in township eighty-three (83) north of range sixteen (16) west of the fifth P. M., in Tama county, Iowa, and,

WHEREAS, It appears from the records kept by the auditor of Tama county, Iowa, that a contract was issued by Noah Myers, school fund commissioner, to Wm. Allman, on September 19, 1853, for the west half ( $\frac{1}{2}$ ) of the south west quarter ( $\frac{1}{4}$ ) of section five (5) in township eighty-three (83) north of range sixteen (16) west of the fifth P. M., in Tama county, Iowa, and certificate of final payment was issued to him on December 28, 1854, and,

WHEREAS, It appears that the contract made by Noah Myers, school fund commissioner, with Jacob W. Applegate to the south west quarter ( $\frac{1}{4}$ ) of the south west quarter ( $\frac{1}{4}$ ) of section five (5) in township eighty-three (83) north of range sixteen (16) west of the fifth P. M., in Tama county, Iowa, was an error and the description should have been the south west quarter ( $\frac{1}{4}$ ) of the north west quarter ( $\frac{1}{4}$ ) of section five (5) in township eighty-three (83) north of range sixteen (16) west of the fifth P. M., in Tama county, Iowa, and,

WHEREAS, Henry Judge has been in the peaceable and adverse possession by virtue of the above deeds to the south west quarter ( $\frac{1}{4}$ ) of the north west quarter ( $\frac{1}{4}$ ) of section five (5) in township eighty-three (83) north of range sixteen (16) west of the fifth P. M., in Tama county, Iowa, since June 4, 1873, and,

WHEREAS, Henry Judge has conveyed by warranty deed the said south west quarter ( $\frac{1}{4}$ ) of the north west quarter ( $\frac{1}{4}$ ) of section five (5) in township eighty-three (83) north of range sixteen (16) west of the fifth P. M., in Tama county, Iowa, to S. S. Judge, who is now the owner of said real estate, and,

WHEREAS, The title to the said land is still in the state of Iowa, now, 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 ( $\frac{1}{4}$ ) of the north west quarter ( $\frac{1}{4}$ ) of section five (5) in township eighty-three (83) north of range sixteen (16) west of the fifth P. M., in Tama county, Iowa, does hereby pass from the state of Iowa to S. S. Judge, and that the same shall vest in him pursuant to said purchase.

**SEC. 2. Patent.** That the governor of the state and the secretary of the state are hereby authorized and directed to issue to the said S. S. Judge a patent for the tract of land described in section one of this act in the usual form, and deliver it to the said S. S. Judge, to be recorded in the proper county.

**SEC. 3. In effect.** This act, being deemed of immediate importance, shall be in effect and force from and after its publication in the Register and Leader, a newspaper published at Des Moines, Iowa, and the Toledo Chron-

icle, a newspaper published in Toledo, Tama county, Iowa, said publication to be without expense to the state.

Approved February 22, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, February 26, 1907, and the Toledo Chronicle, February 28, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 244.

### TO CONFIRM TITLE TO CERTAIN LAND IN F. C. LOVREIN

S. F. 9.

AN ACT to confirm the title of F. C. Lovrein in a strip of land on section fifteen, township ninety-three north, range thirty-four west of the fifth principal meridian lying between the true south boundary line and the meandered south boundary line of Rat Lake in said section; and authorizing the executive council to quit claim said strip to him.

WHEREAS, In meandering the south boundary line of Rat Lake in the above named section, the government surveyors did not conform to the true south boundary line of said lake but deflected such meander into and across the bed of said lake, thereby making a material mistake so that there is a strip of wet and marsh land of about fifty-four acres which is within the bed of said lake, but which appears to be, under the government survey, a part of the lands lying south of said lake now owned by F. C. Lovrein and known as lots one, two, three and four in said section, and

WHEREAS, The state of Iowa (having theretofore received title to said lots from the United States) on May 3d, 1881, patented said lots to the remote grantors of said Lovrein as containing one hundred sixty-nine acres as is shown by such government survey; while in fact such lots contain but one hundred fifteen acres outside of said lake bed; and the state has levied taxes for a quarter of a century upon said lots as if they contained one hundred sixty-nine acres and included within them the strip of wet and marsh land above described, and

WHEREAS, The said Lovrein and his grantors have in good faith paid such taxes, and have in like good faith paid full value for the whole of the one hundred sixty-nine acres believed to be contained within said lots relying upon the said survey of the government and the said patent of the state; and the claim of the said Lovrein to said strip of wet and marsh [land] is a just and equitable one, and

WHEREAS, On account of the fact that the state of Iowa claims to own the land lying in the bed of all meandered lakes within its boundaries; and of the fact that it has recently caused a new survey to be made of said lake under authority of chapter 186 of the laws of the 30th General Assembly in which new survey said strip has been included within the bed of said lake and within the lands subject to drainage and sale by the state, doubts have arisen as to the title of the said Lovrein to said strip of land, now therefore

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

SECTION 1. Title confirmed—patent. That the title to that part of Rat Lake in section fifteen, township ninety-three north, range thirty-four west of the fifth principal meridian lying south of the south meander lines of said lake as described in the United States government survey is hereby confirmed

in F. C. Lovrein his heirs and assigns forever; and the executive council is hereby authorized to cause to be executed, without expense to the state, a patent wherein the state of Iowa shall quit claim unto said F. C. Lovrein his heirs and assigns, all its right, title and interest in that part of the said lake above described.

Approved March 12, A. D. 1907.

## CHAPTER 245.

### RELIEF OF GRANTEES OF JAMES SEBY PARSONS.

H. F. 429.

AN ACT for the relief of the grantees of James Seby Parsons, and for the purpose of having a patent issued in the name of Cornelis De Geest for a certain tract of land.

WHEREAS, The original government survey of section eleven (11) in township seventy-five (75) north, and of range eighteen (18) west of the 5th P. M. in Marion county, Iowa, shows that lot two (2) and lot eight (8) cover all of the east half of the south west quarter of said section;

AND WHEREAS, The said lot two (2) of the said section containing 41.33 acres lying north of the Des Moines river was sold to John Price on March 7, 1851, and was patented to the said John Price April 1, 1851, which patent is No. 2400 and recorded in Vol. "E" on page 60 of the records of the Des Moines river land patents at the state land office, and which lot two (2) is still owned and held and in possession of the grantees of the said John Price;

AND WHEREAS, The said lot eight (8) in the said section containing 18.16 acres and lying south of the Des Moines river was sold to Edwin Manning December 31, 1850, and was patented to the said Edwin Manning on January 1, 1851 by patent No. 2195, and which patent is recorded in Vol. "C" on page 554 of the records of the Des Moines river land patents at the state land office, and which lot eight (8) is still owned and held and in possession of the grantees of the said Edwin Manning;

AND WHEREAS, The two patents above referred to cover all of the east half of the south west quarter of said section eleven (11) in township seventy-five (75) north, and of range eighteen (18) west of the 5th P. M.;

AND WHEREAS, The records of the said state land office show that the south east quarter of the south west quarter of section eleven (11) was sold to James Seby Parsons on March 5, 1852, and patented to the said Parsons on February 16, 1853 by patent No. 2769, said patent being recorded in Vol. "E" on page 428 of the records of the Des Moines river land patents at the state land office;

AND WHEREAS, The said James Seby Parsons has never taken possession of the said south east quarter of the south west quarter of the said section, township and range, and has never claimed any right, title or interest in said tract under and by virtue of the said sale and patent to him, and there being no person now claiming title thereto by, through or under the said James Seby Parsons;

AND WHEREAS, The land covered by the said south east quarter of south west quarter of said section eleven (11) has been sold and patented prior to the date of this sale and patent to James Seby Parsons and has already been sold and patented as lot eight (8) and part of lot two (2) herein before referred to, there was an evident mistake in putting down the last named tract as purchased by the said Parsons, and also an evident mistake in issuing to



him a patent for the said south east quarter of the south west quarter of said section eleven (11);

AND WHEREAS, The plat book of the Des Moines river lands indicate that the tract which the said James Seby Parsons purchased and paid for was the south east quarter of the north west quarter of section eleven (11) in township seventy-five (75) north, and of range eighteen (18) west of the 5th P. M., instead of the south east quarter of the south west quarter of the north west quarter of said section eleven (11) has never been patented, and that the said James Seby Parsons claimed title thereto and has conveyed said tract at a later date than the date of the said patent No. 2769 issued to him, namely on September 24, 1853 by warranty deed to one Elwood Spencer which deed has been filed for record January 29, 1854 and has been recorded in Vol. "E" on page 346 of the records of Marion county, Iowa, and that his grantees and all parties claiming by, under or through him have had actual and peaceable possession of the said tract ever since;

AND WHEREAS, The above stated facts conclusively show that a mistake has been made upon the records of the state land office in having them show that the south east quarter of the south west quarter of section eleven (11) in township seventy-five (75) north, and of range eighteen (18) west of the 5th P. M., was sold to the said James Seby Parsons and that the said records should show that the south east quarter of the north west quarter of section eleven (11) in township seventy-five (75) north, and of range eighteen (18) west of the 5th P. M. was sold to the James Seby Parsons, and a patent therefor should have been issued to him instead of a patent for the south east quarter of the south west quarter of section eleven (11) in township seventy-five (75) north, and of range eighteen (18) west of the 5th P. M.;

AND WHEREAS, The said James Seby Parsons has long since departed his natural life at his residence in the county of Marion, state of Iowa, and the said south east quarter of the north west quarter of section eleven (11) in township seventy-five (75) north, and of range eighteen (18) west of the 5th P. M. in Marion county, is now occupied by and in the possession of Cornelis De Geest as grantee holding under the said James Seby Parsons.

AND WHEREAS, By reason of the mistake the title to said south east quarter of the north west quarter of section eleven (11) in township seventy-five (75) north, and of range eighteen (18) west of the 5th P. M. 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 east quarter of the north west quarter of section eleven (11) in township seventy-five (75) north, and of range eighteen (18) west of the 5th P. M., in Marion county, Iowa, being a part of the Des Moines river land grant does hereby pass from the state of Iowa to the said Cornelis De Geest as grantee of the said James Seby Parsons, and that the same vests in him pursuant to the said purchase by the said James Seby Parsons.

**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 Cornelis De Geest patent for the tract described in section 1 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 Marion.

Approved April 4, A. D. 1907.

## CHAPTER 246.

## CONVEYANCE OF CERTAIN REAL ESTATE TO MARY A. T. SANDERS.

H. F. 462.

AN ACT to release and convey to Mary A. T. Sanders all right, title and interest of the state of Iowa in or to the following described real estate, to-wit: A strip of land situated in west end of lot three (3), in section three (3), township seventy-nine (79) north, range six (6) west of the fifth P. M., in Johnson county, Iowa, and lying between the public highway known as the "Foster Road" and the bank of the Iowa river, and extending north 150 feet from the east end of the Terrill dam situated between lots three and six (3 and 6) in said section three (3), and south 150 feet from said dam.

WHEREAS, On the 20th day of August, 1903, Mary A. T. Sanders and her husband, Euclid Sanders, conveyed by warranty deed recorded in book 84, page 558, deed records of Johnson county, Iowa, to the state of Iowa for the use and benefit of the state university of Iowa, the property described below, a copy of the granting clause of said deed being as follows, to-wit:

"Know all men by these presents: That Mary A. T. Sanders and Euclid Sanders, her husband, of Johnson county, state of Iowa, in consideration of the sum of one dollar and other valuable considerations in hand paid by the state of Iowa, do hereby sell and convey unto the said state of Iowa, for the use and benefit of the state university of Iowa, the following described premises situated in the county of Johnson and state of Iowa, to-wit:

"All right, title and interest in and to the dam and waterpower on the Iowa river, known as the Terrill dam, situated between lots 3 and 6, section 3, township 79, range 6 west of the 5th principal meridian; also the cribbing and rock-work at the west end of said dam; also a strip of land situated in west end of lot 3 in said section 3 above mentioned, and lying between the public highway known as the Foster road and the bank of the Iowa river, and extending north 150 feet from the east end of said dam, and south 150 feet from said dam. The conditions of said conveyance are that said water-power shall be for the use and benefit of the state university of Iowa and for no other purpose, and that no steam plant or other than water or electric-power plant shall be erected or used on said premises without the written consent of grantors, their heirs or assigns, and in case of violation of these conditions, or abandonment, or non-use of said water-power for a period of three years or for the purposes above mentioned, then this conveyance is to be void and the property herein granted is to revert to the grantors, their heirs or assigns: Provided, however, if the said grantee construct a dam within a distance of two miles and below the present site, and of such height as to maintain the level of the water in the river at its present level above the dam herein conveyed, in that case the present site may be abandoned by said grantee and only the title to the strip of land herein conveyed shall revert to the grantors, their heirs or assigns, and the grantee shall have the right to remove within a reasonable time any buildings, fixtures or machinery located on said grounds"; and,

WHEREAS, The said dam and water-power have been destroyed and a new dam has been constructed across the Iowa river within a distance of two miles below the site of said old dam, and by the terms of said deed the strip of land above described reverts to the grantors, their heirs or assigns; therefore

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

SECTION 1. **Conveyance of title.** The state of Iowa hereby relinquishes and conveys to Mary A. T. Sanders all of its right, title and interest in the

following described real estate, to-wit: A strip of land situated in the west end of lot three (3) in section three (3), township seventy-nine (79) north, range six (6) west of the fifth P. M., in Johnson county, Iowa, lying between the public highway, known as the "Foster road", and the bank of the Iowa river, and extending north one hundred and fifty (150) feet from the east end of the dam and water-power on the Iowa river, known as the "Terrill dam", situated between lots three and six (3 and 6), in said section three (3), and extending south one hundred and fifty (150) feet from said dam.

**SEC. 2. Patent.** The governor of the state of Iowa is hereby authorized and directed to execute and deliver to the said Mary A. T. Sanders a deed conveying to her all of the right, title and interest of the state of Iowa in or to said land.

Approved April 13, A. D. 1907.

## LEGALIZING ACTS.

### CHAPTER 247.

#### THE MAKING OF CERTAIN PLATS BY COUNTY AUDITORS AND THE RECORDING OF SAME BY COUNTY RECORDERS.

H. F. 211.

AN ACT to legalize the making of certain plats made by the county auditors of Iowa or by the county surveyor for the owner, and the recording of the same by the county recorders of Iowa and to legalize the descriptions of land in all instruments, conveyances and incumbrances referring thereto.

WHEREAS, Doubts have arisen as to the legality of certain plats made by the county auditors of Iowa and placed on record by the county recorders of Iowa and the description of land in all instruments, conveyances and incumbrances referring thereto because of the failure of the county auditors to sign and acknowledge the said plats and because of recording of the said plats by the county recorders of Iowa without authority of law; therefore,

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

**SECTION 1. Acts of county auditors and recorders legalized.** The acts of the county auditors of Iowa, in making and recording plats as authorized under sections nine hundred twenty-two (922), nine hundred twenty-three (923) and nine hundred twenty-four (924) of the code without first having properly signed or acknowledged the same and the acts of the county recorders of Iowa in recording such plats are hereby legalized and the same declared valid and binding the same as though they had in such respects been made and recorded in strict compliance with law.

**SEC. 2. Descriptions of land legalized.** The description of land in all instruments, conveyances and incumbrances describing lots in or referring to plats made by the county auditors of Iowa, or by the county surveyor for the owner, and placed of record by the county recorders of Iowa, are hereby legalized and the same declared valid and binding the same as though the said plats had been signed and acknowledged and filed and recorded in strict compliance with law.

**SEC. 3. Pending litigation or decrees of court already rendered.** This act shall not affect any rights now in litigation or which have been settled or adjudicated by the judgment or decree of any court.

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

Approved February 28, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, March 2, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 248.

## CONVEYANCES OF REAL ESTATE BY EXECUTORS, ADMINISTRATORS AND GUARDIANS.

H. F. 145.

AN ACT to legalize conveyances of real estate by executors, administrators, and guardians in this or foreign states.

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

SECTION 1. **Certain conveyances of real estate legalized.** In all cases where, prior to the year eighteen hundred seventy (1870), an executor, administrator, or guardian, duly appointed, qualified and acting as such in another state without being appointed and qualified in the state of Iowa, conveyed in such trust capacity, real estate lying in this state, and such conveyance has been of record since prior to the first day of January, eighteen hundred seventy-one (1871) in the county where the real estate so conveyed is located, such conveyance shall not be held void or insufficient by reason of the fact that it does not appear in such conveyance, or of record otherwise in the state of Iowa, that said executor, administrator or guardian was duly appointed and qualified as such in the state of Iowa, or that due and legal notice of all proceedings with reference thereto was served upon all interested or necessary parties, or that such executor, administrator or guardian was duly authorized by any order of court in Iowa, or in the state in which such administrator, executor, or guardian was acting, to make and execute such conveyance, or that no bond therefor was given, or no report thereof made, or the sale of such real estate approved by the proper court, and all such conveyances, deficient or irregular in any of the particulars above enumerated, are hereby declared valid and legal.

Approved April 3, A. D. 1907.

## CHAPTER 249.

## CERTAIN ACKNOWLEDGMENTS AND ADMINISTRATIONS OF OATHS.

H. F. 114.

AN ACT to legalize certain acknowledgments and administrations of oaths.

WHEREAS, Certain mayors, under section six hundred ninety-one (691) of the code of 1897, have taken the acknowledgments of written instruments and administered oaths in proceedings not connected with the administration of their offices, and

WHEREAS, Certain notaries public, whose commissions expired July 4th, 1906, and who continued to act as such notaries public and who have since qualified as notaries public, desire to have their acts as such notaries public legalized. Now, therefore,

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

SECTION 1. **Legalized.** All acknowledgments and taking of affidavits made by the mayors and notaries public, as described in the preamble hereof, be and the same are hereby legalized and made of full effect, the same as though said mayors and notaries public had been originally empowered to take said acknowledgments and administer said oaths.

**SEC. 2. In effect.** This act shall be in full force and effect from and after its publication in the Register and Leader and Des Moines Daily News, newspapers published at Des Moines, Iowa.

Approved March 12, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, and the Des Moines Daily News, March 14, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 250.

### ACTIONS OF CERTAIN HOMES FOR UNFORTUNATE WOMEN AND ORPHANED OR ABANDONED CHILDREN.

S. F. 348.

AN ACT to legalize the actions of certain homes for destitute or unfortunate women and orphaned or abandoned children in certain cases and the amendment of articles of incorporation thereof.

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

**SECTION 1. Change of name or amendments—how effected by corporations heretofore organized.** Any corporation heretofore organized under chapter 2 of title IX of the code, for the maintenance of a hospital or home for destitute or unfortunate women and orphaned or abandoned children, and whose membership is made to depend on the payment of dues and is indefinite or uncertain for any reason, and which has not issued certificates of membership, may at any time change the name of such corporation or amend its articles of incorporation by a vote of at least three-fourths of its governing board of directors or trustees at a meeting called and held for that purpose, after giving four weeks' notice thereof by publication, made in the same manner as original notices, of the time, place and purpose of such meeting.

**SEC. 2. Change of name and amendments legalized.** Any corporation so organized under chapter 2 of title IX of the code which shall have heretofore adopted articles of incorporation, or changed its name or amended its articles, and some question has arisen as to whether such articles, change in name or amendment was adopted by a majority of the members of such corporation as required by section 1651 of the code, and such corporation shall have been engaged in the exercise of its corporate functions for the period of at least three years, such articles, change in name or amendment, shall be held and considered to have been duly adopted by a majority of all the members of such corporation, and are hereby legalized and made valid.

**SEC. 3. Pending litigation.** Nothing in this act contained shall affect any pending litigation.

**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 Sioux City Journal and the Des Moines Capital, newspapers published in the cities of Sioux City and Des Moines respectively. Such publication to be without expense to the state.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, April 17, 1907, and the Sioux City Journal, April 18, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 251.

## CONSOLIDATION OF CERTAIN SCHOOL DISTRICTS AT OTTUMWA, IOWA.

H. F. 453.

AN ACT to legalize the action of the independent school district of Star No. 6 of Center township, Wapello county, Iowa, and of the independent school district of Ottumwa, Iowa, consolidating the former with and merging it in the latter.

WHEREAS, The independent school district of Star No. 6 of Center township, Wapello county, Iowa, acting by and through its board of directors, petitioned the independent school district of Ottumwa, Iowa, to be consolidated with and merged in said latter school district, and,

WHEREAS, Said independent school district of Ottumwa, Iowa, acting by and through its board of directors, granted said petition and consolidated said independent school district, of Star No. 6 with and merged same in said independent school district of Ottumwa, Iowa, and,

WHEREAS, A tax was voted by the electors of said independent school district of Ottumwa on the 11th day of March 1907, for the purpose of erecting a school house south of the Des Moines river as it runs through said independent school district of Ottumwa, and,

WHEREAS, The most convenient and available site for said school house south of said Des Moines river as it runs through said independent school district of Ottumwa as consolidated is within territory formerly comprising the independent school district of Star No. 6 of Center township, and,

WHEREAS, Doubts have arisen as to the legality and regularity of the consolidation of said districts, and the authority of the officers and board of directors of the independent school district of Ottumwa as thus consolidated to select a site and erect a school house on the territory formerly known as the independent school district of Star No. 6 of Center township, therefore;

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

SECTION 1. **Consolidation legalized.** That the said action of the said independent school district of Star No. 6 of Center township, Wapello county, Iowa, and of the said independent school district of Ottumwa, Iowa, acting through their respective boards of directors be, and the same is hereby legalized and made valid. That said consolidation and merger without any further action or proceedings of any kind whatever be, and the same is hereby legalized and made valid as of the date of March 18th, 1907, and the board of directors, now qualified and acting in said independent school district of Ottumwa are hereby given jurisdiction over all of the territory covered by said consolidation, and are authorized and empowered to select a site and erect a school house at such points as they may decide, south of the Des Moines river and within the limits of the independent school districts of Ottumwa as consolidated, and to do any and all acts which the board, after its organization as provided for in section 13 of chapter 136 laws of the Thirty-first General Assembly, might or could do; and the directors now qualified and acting in said independent school district of Ottumwa shall serve out the respective terms for which they were elected, and their successors shall be selected as though no change had been made in said independent school district of Ottumwa.

SEC. 2. **In effect.** This act, being deemed of immediate importance, shall take effect on and after its publication in the Register and Leader, published

at Des Moines, Iowa, and the Ottumwa Courier, published at Ottumwa, Iowa.  
Approved March 28, A. D. 1907.

I hereby certify that the foregoing act was published in the Ottumwa Daily Courier, April 1, 1907, and the Register and Leader, April 2, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 252.

### CONSOLIDATION OF THE DUNLEITH AND DUBUQUE BRIDGE COMPANIES.

S. F. 60.

AN ACT to validate and legalize the consolidation of the Dunleith and Dubuque Bridge Company, a corporation created under the laws of the state of Illinois, with the Dunleith and Dubuque Bridge Company, a corporation created under the laws of the state of Iowa, and validating and legalizing all rights and franchises exercised under said consolidation by said Iowa corporation, and all corporate acts and proceedings of the said Iowa corporation since the consolidation of the said Illinois corporation with it.

WHEREAS, On the 25th day of July 1866, the congress of the United States passed an act authorizing the construction and maintenance of a bridge across the Mississippi river, between Dunleith, in the state of Illinois, and Dubuque, in the state of Iowa.

AND WHEREAS, The legislature of the state of Illinois, by an act approved February 14th, 1857, granted a charter to the Dunleith and Dubuque bridge company, a corporation created under the laws of the state of Illinois, and which corporation was by its charter given power to unite and consolidate its franchises and property with any and all bridge and railroad companies in the state of Illinois, or state of Iowa.

AND WHEREAS, There was organized and created under the laws of the state of Iowa, on the 3rd day of June, 1867, a corporation known as the Dunleith and Dubuque bridge company for the purposes of constructing a railroad bridge across the Mississippi river from the city of Dubuque, Iowa, to the city then known as Dunleith, in the state of Illinois.

AND WHEREAS, Section 1322 of the revision of 1860 of the laws of Iowa, granted the power to railroad companies to join and unite their said road to and with a railroad in an adjoining state, and to merge and consolidate the stock of such company with other railroad companies, and to thereby make one joint stock company of the railroads thus connected.

AND WHEREAS, It is provided in section 2036 of the code of Iowa of 1897, that a railroad corporation has the power to join intersect and unite, and to consolidate with any other corporation.

AND WHEREAS, On the 6th day of July, 1867, the Dunleith and Dubuque bridge company, a corporation created under the laws of the state of Illinois, executed articles of consolidation with the Dunleith and Dubuque bridge company, a corporation organized under the laws of the state of Iowa.

AND WHEREAS, The said corporation has operated as a consolidated company, and said consolidation has been in force and effective since the 6th day of July, 1867, and all corporate powers of said two corporations have been assumed and exercised by the said Dunleith and Dubuque bridge company, the Iowa corporation, under and by virtue of said articles of consolidation, and which last named corporation has transacted all business of said two corporations, and exercised all the franchises and rights of the said two corporations, under the name of said Iowa corporation, with which said Illinois corporation was so consolidated. Now therefore:



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

**SECTION 1. Consolidation and acts legalized.** That the action of the said Dunleith and Dubuque bridge company, the corporation organized under the laws of the state of Iowa, in consolidating with the said Dunleith and Dubuque bridge company, the Illinois corporation, is hereby legalized and validated, and all franchises, powers and rights exercised by the said Dunleith and Dubuque bridge company, the Iowa corporation, since the said consolidation on the 6th day of July A. D. 1867, and all corporate proceedings acts and contracts made with the said Dunleith and Dubuque bridge company, the Iowa corporation, since said consolidation on the said 6th day of July, A. D. 1867, and all contracts effecting the said consolidation or relating thereto, and all corporate acts done, rights or franchises acquired or exercised, by said Iowa corporation, and all proceedings of the said Iowa corporation founded on said act of consolidation, or connected with or pertaining to the assumption by it of the rights, duties, powers or franchises attempted to be granted and adopted by it in the said consolidation of date July 6th, 1867, are validated and confirmed as completely and fully as if there was an explicit and full legal authority from the state of Iowa at the time of consolidation, authorizing said consolidation.

**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 Register and Leader, and the Des Moines Daily Capital, newspapers published at Des Moines, Iowa, which publication shall be without expense to the state of Iowa.

Approved February 28, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, March 2, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 253.

### ACTIONS OF THE BOARD OF SUPERVISORS OF APPANOOSE COUNTY.

S. F. 64.

AN ACT to legalize certain actions of the board of supervisors of Appanoose county, Iowa, relating to drainage district No. one (1) of said county and the issuance of bonds for the payment of the expenses, costs, costs of construction and fees.

WHEREAS, The board of supervisors of Appanoose county, Iowa, after due and legal service of notice of the pendency of the petition and as to the appraisement of damages and the assessment of costs, established drainage district number one (1) of said county and fixed the amount of damages to be paid to each of the parties entitled thereto, and apportioned the costs, expenses, costs of construction and fees, as provided by law; and,

WHEREAS, The board of supervisors thereafter, after advertising, as required by law, and receiving sealed bids, awarded contracts to the lowest bidder; and,

WHEREAS, The work on said drainage district has been commenced under the terms of said contracts, and a portion of the work thereon completed; and,

WHEREAS, The board of supervisors, upon the recommendation of the engineer in charge, changed the size of the ditch to be constructed from six (6) feet wide at the bottom to twenty (20) feet wide at the bottom, said change being made after the establishment of said district and the advertising and

receiving bids, and without a re-advertisement for receiving bids for the construction of a ditch twenty (20) feet wide at the bottom; and,

WHEREAS, Doubts have arisen as to the legality of the action of the said board of supervisors in so changing the size of said ditch, and in establishing drainage district number one (1) of said county, and in appraising the damages, awarding the contracts, in making the levy of special assessments, and in the order for the issuance of bonds, and the issuance thereof; now, therefore,

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

**SECTION 1. Actions of supervisors legalized.** That all actions of the board of supervisors of Appanoose county, Iowa, in establishing drainage district number one (1) of said county, and in appraising the damages to the property owners therein, and in awarding the contracts for the construction of the improvements therein, and in making the levy of the special assessments against the land and property therein benefited, and in the order for the issuance of drainage bonds and the issuance thereof to the extent of thirty thousand dollars (\$30,000.00) be, and the same are hereby legalized and made valid and binding to the same extent as though the law had been technically complied with in every respect. Provided, however, that nothing herein contained shall be construed to 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 Register and Leader and the Semi-Weekly Iowegian, newspapers published in Des Moines and Centerville, Iowa, respectively; such publication to be without expense to the state.

Approved March 12, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, March 14, 1907, and the Semi-Weekly Iowegian, March 15, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 254.

### SUBMISSION OF QUESTION TO ELECTORS OF CHICKASAW COUNTY.

H. F. 242.

**AN ACT** to legalize the submission to the electors of Chickasaw county, Iowa, the question, viz.: "Shall the board of supervisors of Chickasaw county, Iowa, be empowered to expend and appropriate a sum not to exceed twenty-five thousand (\$25,000) for the erection of a poor house for Chickasaw county, Iowa?"

WHEREAS, At the June session of the board of supervisors of Chickasaw county, Iowa, it was ordered that the proposition of erecting a new poor house and expending for same a sum not to exceed twenty-five thousand dollars (\$25,000), be submitted to the voters of Chickasaw county, Iowa, at the general election to be held November 6, 1906, and at said time it was also ordered that notice of the submission of such question be given the voters as required by section four hundred twenty-three (423) of the code.

WHEREAS, There was submitted to the electors of Chickasaw county, Iowa, at the general election held November 6, 1906, the question: "Shall the board of supervisors be empowered to expend and appropriate a sum not to exceed twenty-five thousand dollars (\$25,000) for the erection of a poor house for Chickasaw county?"

WHEREAS, The said question was so submitted at the said election held in Chickasaw county, Iowa, on November 6, 1906, and a majority of the electors voting thereon voted in the affirmative and in favor of the question of allowing said board of supervisors to expend and appropriate not to exceed the sum of twenty-five thousand dollars (\$25,000) for the building of a poor house as provided by said board of supervisors, at their June, 1906, session.

WHEREAS, Doubts have arisen as to the legality and sufficiency of the notice given to the electors of the question hereinbefore mentioned, as having been submitted to the voters at said election, and as to the acts of the said board of supervisors in the premises:

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

**SECTION 1. Submission of question and acts legalized.** That the submission to the electors of Chickasaw county, Iowa, at the general election held November 6, 1906, of the question, "Shall the board of supervisors of Chickasaw county, Iowa, be empowered to expend and appropriate a sum not to exceed twenty-five thousand dollars (\$25,000) for the erection of a poor house", and the giving of the notice of election, as to the submission of the said question to a vote of the electors, and all acts of the board of supervisors with regard to same, are hereby legalized and declared to be in full force and effect the same as though the law had been fully 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 Register and Leader, a newspaper published in Des Moines, Iowa, and the New Hampton Tribune, a newspaper published in New Hampton, Iowa, without expense to the state.

Approved February 23, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, February 27, 1907, and the New Hampton Tribune, March 5, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 255.

### ACTS AND RESOLUTIONS OF THE BOARD OF SUPERVISORS OF VAN BUREN COUNTY.

S. F. 62.

AN ACT to legalize the acts and resolutions passed by the board of supervisors of Van Buren county, Iowa, making a final settlement with H. L. McGrew, county treasurer of said county, and releasing said H. L. McGrew and his bondsmen from liability on account of loss by reason of the deposit of county and other funds in the private banking house of E. H. Skinner & Co.

WHEREAS, The board of supervisors of Van Buren county, Iowa, at their January meeting, 1899, passed a resolution authorizing and permitting the then county treasurer, D. H. Moore, to deposit county and other funds to an amount not exceeding ten thousand dollars at any one time in the private bank of E. H. Skinner & Co. :—

AND WHEREAS, The said E. H. Skinner and Company did on the 12th day of January 1899 execute a bond as security for such deposits, as provided by section 1457 of the code :—

AND WHEREAS, The said D. H. Moore died on the 7th day of July A. D. 1900 and H. L. McGrew was appointed by the board of supervisors as the

successor, and was subsequently at the general election in November elected to fill out the remainder of said term, and has since been reelected twice to additional terms as such county treasurer:—

AND WHEREAS, Immediately after his appointment, to succeed the said D. H. Moore as such treasurer, the said H. L. McGrew submitted to the then county attorney of Van Buren county, Iowa, the question whether or not the said bond aforesaid was sufficient security for deposits to be continued to be made in said bank, and was advised by the said county attorney that the said bond was sufficient, and that he as county treasurer need not demand or require a new or additional bond. That the conditions therein ran to and in favor of him as the successor of D. H. Moore.

AND WHEREAS, After his election by the people of said county as treasurer, the said H. L. McGrew again submitted the same question to the county attorney and the board of supervisors:

AND WHEREAS, The said county attorney in a written opinion, and the board of supervisors verbally advised the said H. L. McGrew that said bond was sufficient, and that he need not procure a new or additional bond, but would have the right to deposit in said bank under and by virtue of the former resolution of said board and the security of said bond.

AND WHEREAS, In pursuance of the advise of the county attorney and members of the board of supervisors, the said H. L. McGrew as such county treasurer continued to deposit county and other funds in the said bank of E. H. Skinner & Co.

AND WHEREAS, On the 8th day of November 1904, the said E. H. Skinner & Co. filed a voluntary petition in bankruptcy, and was subsequently adjudged a bankrupt, in the federal courts, and after payment by the trustee in bankruptcy appointed on said bankrupt's estate of the per cent which said estate paid on its indebtedness, there remained due and unpaid of the deposits therein by said county treasurer the sum of \$2091.09:

AND WHEREAS, The board of supervisors of said county passed a resolution directing that the said H. L. McGrew, county treasurer, should prosecute an action thereon in his name as such county treasurer against the sureties on said bond to recover such balance:—

AND WHEREAS, Such action was brought and prosecuted to final judgment in the district court of Van Buren county, Iowa, resulting in a final judgment by said court that said bondsmen or sureties thereon were not liable on said bond for such deposits:—

AND WHEREAS, The board of supervisors of said county, believing that it would be inequitable and unjust that said H. L. McGrew should bear said loss; and it not being the fault or negligence of said H. L. McGrew that said deposits were made in said bank, or said loss occasioned, but, the same being occasioned by reason of the advice of the county attorney and the members of the board of supervisors, and believing that the loss occasioned thereby should and ought to be sustained by the county, and not by said H. L. McGrew, did at their regular meeting on the 7th day of January A. D. 1907, make a full and complete settlement with said H. L. McGrew as county treasurer and receipted him in full for all moneys and property coming into his hands as treasurer of said county, and passed a resolution releasing the said H. L. McGrew and his bondsmen from any and all liability growing out of the deposit of county and other funds in the said bank, or on account of the failure of said bank.

AND WHEREAS, Doubts have arisen as to whether or not said board of supervisors had the authority to release said county treasurer and his bondsmen from liability on account thereof.

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

**SECTION 1. Acts and resolutions legalized.** That the acts and resolutions of the board of supervisors of Van Buren county, Iowa, passed at their January meeting 1907 releasing H. L. McGrew, county treasurer, and his bondsmen from any and all liability on account of loss sustained by deposits of county and other funds in the private bank of E. H. Skinner & Co., and on account of the failure of said bank, be and the same are hereby legalized and validated and shall have the same force and effect as if fully and in every respect authorized by law.

**SEC. 2. Legal actions declared to be without jurisdiction and void.** That any action brought or attempted to be brought by any citizen of said county shall be and the same is hereby declared to be without jurisdiction and void. This act being expressly intended to avoid any litigation that might arise from or on account of the said acts and resolutions of said board of supervisors.

**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 Register and Leader, a newspaper published in Des Moines, Iowa, and the Keosauqua Republican, a newspaper published in Keosauqua, Iowa, such publication to be without expense to the state.

Approved February 28, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, March 2, 1907, and the Keosauqua Republican, March 7, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 256.

### THE CITY OF ANAMOSA.

S. F. 46.

AN ACT to legalize the acts and proceedings of the city council of the city of Anamosa, Iowa, relative to the construction of permanent sidewalks; and relative to the change of grade of a certain street.

WHEREAS, The city council of Anamosa, Jones county, Iowa, on the 19th day of May 1906, passed a resolution ordering the building of permanent sidewalks on the north west side of Main street between Cherry street and Hickory street; and

WHEREAS, The city council failed to give the ten (10) days notice required by ordinance for the building of permanent sidewalks; and

WHEREAS, Said permanent sidewalks have been constructed by the city of Anamosa; and

WHEREAS, The city council of said city did on the 1st day of August 1905, pass an ordinance lowering the grade of Scott street between Main street and First street, on petition of property owners on said street; and

WHEREAS, Said grade as re-established was marked by stakes and monuments; and

WHEREAS, In obtaining an accurate description of said grade as changed, a mistake in the figures was made in inserting the same in said ordinance; and

WHEREAS, Said ordinance was passed and published with said erroneous figures in the same; and

WHEREAS, Said city council of said city on the 22d day of November, 1906, passed a resolution directing the city clerk to correct said ordinance by inserting in said ordinance the correct figures of said grade as established to conform to the acts of said council had and done on the 1st day of August, 1905; and

WHEREAS, Said correction has been made by the said city clerk, and there are doubts as to the legality of the action of the council in the respects hereinbefore set out; therefore,

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

**SECTION 1. Acts and resolutions of city council legalized.** That all the acts and resolutions of the city council of Anamosa, Jones county, Iowa, concerning and providing for the construction of said permanent sidewalks on the north west side of Main street between Cherry street and Hickory street, are hereby declared valid and binding, the same as though due and proper notice had been given, and the law had been complied with in all respects in the passage of said resolution and in all the other proceedings relating to the construction of said sidewalks.

**SEC. 2. Action and ordinance legalized.** That the action of said city council of said city in enacting said ordinance changing the grade of Scott street between Main street and First street, and in passing the resolution correcting the figures therein to correspond with the true intention of said council, and with the actual grade as marked out and established are hereby declared valid and binding, and said ordinance as thus corrected is hereby legalized and declared valid and binding the same as though said correction had been in said ordinance at the time of its passage.

**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 Register and Leader, a newspaper published at Des Moines, Iowa; and in the Anamosa Eureka, a newspaper published at Anamosa Jones county, Iowa, without expense to the state.

Approved February 22, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, February 26, 1907, and the Anamosa Eureka, February 28, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 257.

## THE TOWN OF BAYARD.

H. F. 483.

AN ACT to legalize the acts of the town council of Bayard, Guthrie county, Iowa, the votes of the electors thereof, and irregularities in a certain election held on March 25, 1907, thereby.

WHEREAS, At the annual spring election held at Bayard, Guthrie county, Iowa, on March 25, 1907, a ticket was cast by the electors thereat as follows:

## CITIZEN'S TICKET.

Councilman three years  
CHARLES MAXWELL.

Councilman three years  
MILLARD SENTENEY.

Assessor to fill vacancy  
I. P. HONY.

"Shall the proposition to annex territory described in Resolution 23, and passed by the Town Council of the Incorporated Town of Bayard, Iowa, on the 4th day of February A. D. 1907, be adopted?"

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

AND, WHEREAS, Doubts have arisen as to the legality of said election by reason of the aforesaid matter being printed upon one ticket and being voted for in that way;

AND, WHEREAS, The polls of said election were closed at six o'clock p. m. instead of seven o'clock, and doubts have arisen as to the legality of said act; therefore,

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

SECTION 1. Election, acts, etc., legalized—pending litigation. That the election held by the electors of the town of Bayard, Guthrie county, Iowa, on the 25th day of March, A. D. 1907, and all acts and things done in reference thereto and in connection therewith, the result as announced and reached by the judges thereof, the adoption of the resolution known as Resolution 23, voted for at said election, the officers elected or declared elected thereat, the form of ticket used and the length of time the polls were open, be, and the same are hereby, legalized and made valid with the same force and effect as though the law had in all respects been complied with; and the same are hereby declared binding upon all. Nothing herein shall in any manner affect pending litigation, if any.

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 Register and

Leader, a newspaper published in Des Moines, Iowa, and the Bayard Advocate, a newspaper published in Bayard, Iowa, without expense to the state.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Bayard Advocate, April 18, 1907, and the Register and Leader, April 19, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 258.

### THE CITY OF BEDFORD.

H. F. 197.

**AN ACT** to legalize the acts of the city council of Bedford, Taylor county, Iowa, in the adoption of the "revised ordinances" of said city and establishing a permanent grade and annexation of territory thereto.

**WHEREAS**, Doubts have arisen as to the adoption of the revised ordinances of the city of Bedford, Taylor county, Iowa, adopted on the 22nd day of July A. D. 1902, by the city council thereof, and numbered consecutively from one to forty-nine inclusive, by reason of a legal quorum not being present and the omission of the acting mayor in not fulfilling the legal requirements in relation thereto: and

**WHEREAS**, Ordinance number seventy-nine establishing a permanent grade for the streets and alleys in said city, has been called in question and offers grounds for legal controversy: and,

**WHEREAS**, Certain territory was at an election held on the 20th day of March, 1905, annexed to the corporate limits of said city, wherein all the electors of said city and those residing in the annexed territory voted at a particular place designated by notice and not at the usual places in the wards of said city and by reason thereof said election has been called in question as not being in compliance with the legal requirements in relation thereto; therefore,

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

**SECTION 1. Ordinances legalized.** That the ordinances of the city council of Bedford, Taylor county, Iowa, from one (1) to forty-nine (49) inclusive, be and the same are hereby legalized and declared to be legal, valid and binding to the same extent and with the same force and effect as though the law had been fully and strictly complied with in all matters pertaining to the adoption thereof.

**SEC. 2. Ordinance legalized.** That ordinance number seventy-nine (79) of said city of Bedford, adopted by its city council October 2nd, 1905, be and the same is hereby legalized and declared to be legal, valid and binding as though the law in relation thereto had been fully complied with in all respects.

**SEC. 3. Election legalized.** That the election held by order of the city council of said city of Bedford, on the 20th day of March, 1905, for the purpose of determining whether or not certain territory should be annexed to and included within the corporate limits of said city, be and the same is hereby declared valid to the same force and effect as though the law in relation thereto had been strictly complied with in all respects.

Approved March 27, A. D. 1907.



## CHAPTER 259.

## THE TOWN OF BELMOND.

S. F. 370.

AN ACT to legalize the election of the town council of the incorporated town of Belmond, Wright county, Iowa, and all the acts thereof during the last ten (10) years.

WHEREAS, Doubts have arisen, as to the legality of the town council of the town of Belmond, Wright county, Iowa, during the past ten (10) years, including the present council of said town, because of omissions and irregularities in the nomination and election of said council, and particularly with reference to the last election held March 25, 1907;

WHEREAS, Some of the acts and ordinances passed by said council have been so done irregularly, therefore,

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

**SECTION 1. Nomination and election of members of council legalized.** That the nomination and election of all of the members of the town council of the said town of Belmond, Wright county, Iowa, during the last ten (10) years, including the present council of said town, be and the same are hereby legalized and declared to be legal, valid and binding to the same extent and with the same force and effect, as though the laws had in all respects been fully and strictly complied with in all matters pertaining to the nomination and election of the said council.

**SEC. 2. Ordinances and acts legalized.** That all of the ordinances of the incorporated town of Belmond, Wright county, Iowa, and all official acts done under and by virtue of such ordinances by the officers of said town, not in contravention of the laws of the state of Iowa, and all the official acts of the town council of said town of Belmond, Wright county, Iowa, be and the same are hereby legalized, validated and declared to be legal, valid and binding to the same extent, and with the same force and effect, as though said ordinances and said acts and all things done in reference thereto, were in all respects in strict conformity with all the rules and laws in regard to said matter and that the said ordinances had been legally and properly passed and adopted and recorded, and properly authenticated.

**SEC. 3. Pending litigation.** Nothing herein contained shall affect pending litigation.

**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 Des Moines Register and Leader, and the Iowa Valley Press, newspapers published at Des Moines and Belmond, Iowa, without expense to the state.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, and the Iowa Valley Press, April 18, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 260.

## THE TOWN OF BRIDGEWATER.

H. F. 251.

AN ACT to legalize the incorporation of the town of Bridgewater, Iowa, the election of its officers, the passage of its ordinances and resolutions and acts done by the city council in the adoption and enforcement of its ordinances and resolutions.

WHEREAS, The town of Bridgewater, Adair county, Iowa, was incorporated in the year 1905, and

WHEREAS, In the vote taken upon the proposition to incorporate said town and for the election of the members of its town council and other officers thereof, a large majority of the qualified electors voted in favor of the incorporation of said town and a like majority voted for the officers elected, but the guard-rail and booths provided for voting at elections were not erected or used by the voters at the said election, and

WHEREAS, The functions of an incorporated town have been exercised and enjoyed by said town of Bridgewater, and the inhabitants thereof since its incorporation, and

WHEREAS, Certain ordinances and resolutions were in good faith adopted and passed by the town council of said town, and

WHEREAS, The records of said town council were improperly kept and failed to show the proceedings had and done by the town council in the adoption of said ordinances and in some instances failed to show the signatures of the mayor and recorder thereto, and

WHEREAS, Said ordinances were read in council and published as by law required, but the record fails to so show, but does show that more than one ordinance was included in the final vote of the council adopting said ordinances, and

WHEREAS, Doubts have arisen as to the legality of the incorporation of the town of Bridgewater, Adair county, Iowa; the election of its officers; the passage of ordinances and resolutions passed by the town council of said town and the signing of the same by the mayor and recorder; the tax levies, general and special, and fines and convictions under and by virtue of the ordinances thereof, and all other acts done by said town as an incorporated town, or by officers thereof;

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

**SECTION 1. Incorporation, election, acts, resolutions and ordinances legalized—pending litigation.** That the incorporation of the town of Bridgewater, Adair county, Iowa; the votes taken upon the incorporation thereof and upon the election of its officers; the passage or adoption by its council of resolutions and ordinances not in contravention of the laws of Iowa, the appearance of the signatures of the mayor and recorder of said town thereto or the failure to attach such signatures or the failure of such signatures to appear; and all the acts and doings of said town and its officers in adopting, recording and enforcing its said ordinances and in the collection of fines and licenses and taxes levied and collected by said town under and by virtue of its said resolutions and ordinances; be and the same are hereby legalized and are hereby declared to be valid and binding in all respects the same as though the requirements of the law had been strictly and fully complied with in every particular in voting for the incorporation of said town, in the election of its officers, the passage and adoption of all its ordinances and resolutions, in the making of its tax levies and the enforcement of its ordinances, and all its official acts as an incorporated town are hereby made legal

and binding and given full force and effect but nothing in this act shall in any way 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 Des Moines Register and Leader, a newspaper published at Des Moines, Iowa, and in the Bridgewater Times, a newspaper published at Bridgewater, Adair county, Iowa; both publications to be without expense to the state of Iowa.

Approved March 28, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, March 30, 1907, and the Bridgewater Times, April 5, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 261.

### THE CITY OF CENTERVILLE.

H. F. 478.

AN ACT to legalize the annexation of certain territory to the city of Centerville, Appanoose county, Iowa, and the election of officers by said city as enlarged.

WHEREAS, On the 17th day of December, 1906, the city council of the city of Centerville, Iowa, under the provisions of section six hundred fifteen (615) of the code of Iowa, 1897, enlarged the boundaries of the said city in accordance with the terms of the resolution provided for in said section,

WHEREAS, On the 15th day of January, 1907, an election was held to determine whether said territory should be annexed to the city, at which election the electors residing in the territory proposed to be annexed, together with the electors of the original city, voted upon said question, and

WHEREAS, A proclamation announcing the result of said election was duly published by the mayor, and

WHEREAS, Neither the proclamation of the mayor of the time and place of holding said election, nor the proclamation announcing the result of said election were spread upon the records of said city, and

WHEREAS, Thereafter, to-wit, on the 4th day of February, 1907, an ordinance was passed by the city council of the city of Centerville, Iowa, establishing new ward lines to accord with the annexed territory, and

WHEREAS, On the 25th day of March, 1907, an election of city officers was had in the city of Centerville, Iowa, as enlarged, and

WHEREAS, Doubts have arisen as to the legality of said annexation so made, the creation of new ward lines by the passage of the ordinance referred to, and the validity of the election held as above referred to on the 25th day of March, 1907, therefore,

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

SECTION 1. **Annexation of territory, election, acts and ordinances legalized.** That the annexation to the city of Centerville, Iowa, of the territory herein referred to, the creation of new ward lines and the election of city officers in the city thus enlarged, on the 25th day of March, 1907, and all acts done and ordinances and resolutions passed by the city council of the city of Centerville, Iowa, in reference to said annexation and election be and the same is hereby legalized and declared to be valid and binding the same as

though the law had in all respects been strictly complied with in said annexation, the creation of ward lines and the election of officers thereafter.

**SEC. 2. Pending litigation.** This act shall not affect litigation now pending, if any.

**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 Register and Leader, a newspaper published in the city of Des Moines, Iowa, and in the Semi-Weekly Iowegian, a newspaper published in the city of Centerville, Iowa, and without expense to the state.

Approved April 4, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, April 6, 1907, and the Semi-Weekly Iowegian, April 9, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 262.

### THE TOWN OF CLUTIER.

H. F. 294.

**AN ACT** to legalize the incorporation of the town of Clutier, Tama county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the officials of said town while acting as such.

WHEREAS, Doubts have arisen as to the legality of the incorporation of the town of Clutier, Tama county, Iowa, and the acts of its officers thereunder, the election of its officers, the passage and adoption of its ordinances and resolutions, the signing of the same by the proper officers, the recording and publication thereof; therefore,

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

**SECTION 1. Incorporation, election, acts and ordinances legalized—pending litigation.** That the incorporation of the town of Clutier, Tama county, Iowa, the election of its officers, the passage and adoption of its resolutions and ordinances, the signing of the same by its proper officers or the lack thereof, and all the official acts done or undertaken by said council and the officers of said town, of a civil administrative character authorized under the laws of the state to be done or undertaken by like officers, be, and they are hereby validated, legalized, established and the same are declared to be valid and binding, with the same force and effect as though the law had in all respects been strictly complied with, in such cases made and provided, 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 Des Moines Register and Leader and the Tama County News, newspapers published in Des Moines, Iowa, and Tama, Iowa, without expense to the state of Iowa.

Approved April 1, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, April 3, 1907, and the Tama County News, April 4, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 263.

## THE TOWN OF DEXTER.

H. F. 444.

AN ACT to legalize the acts done and the ordinances passed by the town council of Dexter, Dallas county, Iowa.

WHEREAS, Doubts have arisen as to the legality of the acts and ordinances passed by said council and other official acts done by the town officials during the past ten (10) years, because said acts performed and ordinances passed have been so done irregularly, passed at special meetings; improperly certified and recorded and published; therefore

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

SECTION 1. Acts and ordinances legalized. That all the acts and ordinances of the town of Dexter, Dallas county, Iowa, and all official acts done under and by virtue of said ordinances by the officers of the said town of Dexter, Dallas county, Iowa, not in contravention with the laws of the state of Iowa, and all the official acts of the town council of said town, be and the same are hereby legalized, validated and declared to be legal, valid and binding to the same extent and with the same force and effect as though said ordinances and all official acts done and all things done in reference thereto, were and had been in all respects in strict conformity with all the rules, regulations, and laws in regard to said matters and that the said acts and ordinances had been regularly and legally and properly passed and adopted and recorded and properly authenticated.

SEC. 2. Pending litigation—extension of corporate limits. Nothing herein contained shall affect pending litigation or in any manner legalize any act done by said town council in regard to any extension of the corporate limits of said town of Dexter, Dallas county, Iowa, or attempted exercise of jurisdiction over the same.

SEC. 3. In effect. This act, being of immediate importance, shall take effect and be in force from and after its publication in the Des Moines Register and Leader, and the Dexter Sentinel, newspapers published at Des Moines and Dexter, Iowa without expense to the state of Iowa.

Approved April 5, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, April 10, 1907, and the Dexter Sentinel, April 18, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 264.

## THE TOWN OF GARWIN.

H. F. 380.

AN ACT to legalize the incorporation of the town of Garwin, Tama county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the officials of said town while acting as such.

WHEREAS, Doubts have arisen as to the legality of the incorporation of the town of Garwin, Tama county, Iowa, and the acts of its officers thereunder, the election of its officers, the passage and adoption of its ordinances and

resolutions, the signing of the same by the proper officers, the recording and publication thereof; therefore

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

**SECTION 1. Incorporation, election, acts and ordinances legalized—pending litigation.** That the incorporation of the town of Garwin, Tama county, Iowa, the election of its officers, the passage and adoption of its resolutions and ordinances, the signing of the same by its proper officers or the lack thereof, and all the official acts done or undertaken by said council and the officers of said town of a civil administrative character authorized under the laws of the state to be done or undertaken by like officers be, and they are hereby validated, legalized, established and the same are declared to be valid and binding, with the same force and effect as though the law had in all respects been strictly complied with in such cases made and provided, but nothing in this act shall in any manner affect pending litigation.

Approved April 1, A. D. 1907.

## CHAPTER 265.

### THE TOWN OF GRANGER.

H. F. 245.

**AN ACT** to legalize the incorporation of the town of Granger, Dallas county, Iowa, the election of its officers, the passage of all its ordinances and resolutions and all acts done by the town council of said town.

WHEREAS, Doubts exist as to the legality of the incorporation of the town of Granger, Dallas county, Iowa, the election of its officers, official acts done, and the ordinances and resolutions passed by the town council of said town; therefore,

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

**SECTION 1. Incorporation, election, acts and ordinances legalized—pending litigation.** That the incorporation of the town of Granger, Dallas county, Iowa, the nomination and election of its officers, and all official acts done, and the ordinances and resolutions passed by the town council of said town, not in contravention with the laws of the state, are hereby legalized, and the same are hereby declared to be valid and binding the same as though the law had been in all respects strictly complied with in the incorporation of said town, the nomination and election of its officers and official acts done, and the passage of its ordinances and resolutions. 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 be in force and effect from and after its publication in the Register and Leader, a newspaper published at Des Moines, Iowa, and the Granger News, a newspaper published at Granger, Iowa, without expense to the state.

Approved February 28, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, March 2, 1907, and the Granger News, March 7, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 266.

## THE TOWN OF GREENFIELD.

H. F. 21.

AN ACT to legalize the special election of the town of Greenfield, Iowa, held September 10th, 1906, for erection of water works or sewers, and voting bonds therefor.

WHEREAS, At a meeting of the town council of the town of Greenfield, Iowa, held August 15th, 1906, there was presented to said council a petition signed by a majority of all the qualified electors of said town; and,

WHEREAS, Said petition asked said town council to call a special election for the purpose of voting on the proposition of issuing bonds in the sum of ten thousand dollars for the purpose of erecting and establishing a system of water works or sewers in said town; and,

WHEREAS, Said town council called an election for such purposes on September 10th, 1906, and ordered notice thereof to be published for four weeks in two newspapers published within said town, and said notice was so published; and,

WHEREAS, On said September 10th, 1906, an election was held for said purposes, and there was submitted to the electors of said town the proposition of the erection and establishment of a system of water works or sewers, and also the proposition of the issuance of bonds of not exceeding ten thousand dollars for the purpose of erecting and establishing said water works or sewers; and,

WHEREAS, On September 11th, 1906, said town council canvassed the returns of said election, and declared that both of said propositions had duly carried, and said town council, at said meeting on September 11th, 1906, ordered that the bonds of the town of Greenfield, be issued to the amount of ten thousand dollars for the erection and establishment of a system of water works or sewers, and,

WHEREAS, Said notice of election so published did not specifically submit to said voters the proposition of the erection and establishment of a system of water works or sewers as well as that of the issuance of bonds therefor; and,

WHEREAS, Doubts have arisen as to the legality and sufficiency of said notice of said election, and of the legality of the acts and doings of said town council in connection with said election and the issuance of said bonds; therefore,

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

**SECTION 1. Submission of question, acts and bonds legalized—pending litigation.** That the proceedings of the council of the town of Greenfield, Iowa, concerning and providing for the submission to the voters of said town of the proposition for the erection and establishment of a system of water works or sewers, and for issuing bonds for such purpose, the notice of the submission thereof, or the omission thereof, the form and kind of ballot used at said election, the said election and all acts and proceedings of said town council had and done with reference to said proposition and both of them, are hereby legalized and validated as fully and completely as though the law had been technically and fully complied with in every respect, and said bonds when issued shall be the valid and binding obligation of said town of Greenfield, provided nothing herein 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 Greenfield Transcript and

Register and Leader, newspapers published at Greenfield, Iowa, and Des Moines, Iowa, without expense to the state.

Approved February 16, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, February 19, 1907, and the Greenfield Transcript, February 21, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 267.

### THE TOWN OF HUMBOLDT.

H. F. 420.

AN ACT to legalize the incorporation of the town of Humboldt (formerly Springvale), Humboldt county, Iowa, the election of its officers, the passage, adoption and recording 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 Humboldt (formerly Springvale), Humboldt county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions, the signing of the same by the mayor, and the recording and publication thereof; therefore,

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

**SECTION 1. Incorporation, election, acts and ordinances legalized—pending litigation.** That the incorporation of the town of Humboldt (formerly Springvale), Humboldt county, Iowa, the election of its officers, the passage and adoption of its resolutions and ordinances, the publication and recording thereof and the signing of the same by the mayor, or the lack thereof, and all the official acts done or undertaken by said town council, not in contravention with the laws of the state of Iowa, be, and they are, hereby validated, legalized and established and the same are declared to be valid and binding, with the same force and effect as though the law had in all respects been strictly complied with in the incorporation of said town, the election of its officers, the adoption and recording of its ordinances and resolutions and the publication thereof, including all official acts undertaken or done by said council, and the proper signing of said ordinances and resolutions, or the failure to so sign the same, but nothing in this act shall in any manner affect pending litigation.

**SEC. 2. Ordinance record legalized.** That the record of the ordinances of said town of Humboldt (formerly Springvale), Humboldt county, Iowa, as kept and preserved in the book known and designated as "ordinance record of the incorporated town of Humboldt, Iowa", or ordinance book number one, in so far as the same is not in contravention with the laws of the state of Iowa, is hereby declared to be legal and valid, and said record, or any part thereof, may be introduced in evidence in any suit affecting the validity of said ordinances, or in any suit brought to enforce the same, and said record shall be competent evidence in any such suit.

**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 Humboldt County Republican, a newspaper published at Humboldt, Humboldt county,



Iowa, and the Register and Leader, a newspaper published in Des Moines, Iowa, without expense to the state of Iowa.

Approved March 27, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, March 29, 1907, and the Humboldt County Republican, April 5, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 268.

### THE TOWN OF HUMBOLDT.

H. F. 464.

**AN ACT** to legalize the plat and dedication of the College Addition (commonly known as First College Addition), the Second College Addition, Lathrop's Addition and Johnston's addition to the incorporated town of Humboldt (formerly Springvale), Humboldt county, Iowa.

WHEREAS, Doubts have arisen as to the legality of the plat and dedication of the college addition (commonly known as first college addition), the second college addition, Lathrop's addition and Johnston's addition to the incorporated town of Humboldt (formerly Springvale), Humboldt county, Iowa; therefore,

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

**SECTION 1. Plats and dedications of additions legalized—pending litigation.** That the plat and dedication of the college addition (commonly known as first college addition), the plat and dedication of the second college addition, the plat and dedication of Lathrop's addition and the plat and dedication of Johnston's addition to the incorporated town of Humboldt (formerly Springvale) Humboldt county, Iowa, are hereby legalized and declared to be legal, valid and binding to the same extent and with the same force and effect as though all of the provisions of law governing the platting and dedication of towns and additions thereto, existing and in force at the time of the platting and dedication of said additions, respectively, had been fully complied with. But nothing in this act shall in any manner affect pending litigation.

**SEC. 2. Records legalized.** That the record of the plat and dedication of the college addition (commonly known as first college addition), the record of the plat and dedication of the second college addition, the record of the plat and dedication of Lathrop's addition, and the record of the plat and dedication of Johnston's addition, respectively, to the incorporated town of Humboldt (formerly Springvale), Humboldt county, Iowa, as the same now exist on the records in the recorder's office of said Humboldt county, may be offered and shall be received in evidence in any and all of the courts of this state, for all purposes whatsoever, and shall have the same force and effect as if all the laws governing the platting and dedication of towns and additions thereto, and the recording of such plats and dedications, existing at the time of the platting, dedication and recording thereof of said additions, respectively, to said town of Humboldt (formerly Springvale), had been fully complied with.

**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 Humboldt County Republican, a newspaper published at Humboldt, Humboldt county,

Iowa, and the Register and Leader, a newspaper published in Des Moines, Iowa, without expense to the state of Iowa.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, April 18, 1907, and the Humboldt County Republican, April 19, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 269.

### THE CITY OF LEON.

S. F. 29.

AN ACT legalizing the ordinances, acts, proceedings, resolutions and amendments to the ordinances passed by the city council of Leon, Iowa, and legalizing all the acts, proceedings, and resolutions adopted or passed by the said city council in changing from the incorporated town of Leon, Iowa, to the incorporated city of Leon, Decatur county, Iowa, legalizing all of the aforesaid proceedings as fully and effectually as if the law in every particular had been complied with in the passage of all said acts, proceedings and resolutions and publication thereof, if same had in any respect been omitted or neglected, and legalizing all the acts of the officials acting under said acts, ordinances, proceedings and resolutions.

WHEREAS, Doubts have arisen as to the legality of all the ordinances, acts, proceedings, resolutions and amendments to the ordinances passed by the city council of Leon, Iowa, and the acts and elections of the incorporated city of Leon, Decatur county, Iowa, doubts have also arisen in reference to the legality of all the acts and elections of the incorporated city of Leon, Iowa, itself, and doubts having arisen in reference to the legality of the acts of the city officials of the city of Leon, Iowa, acting as such officials; and,

WHEREAS, Doubts have also arisen in regard to the legality of the acts, proceedings, resolutions and ordinances adopted in regard to changing from the incorporated town of Leon, Iowa, to the city of Leon, Iowa; and,

WHEREAS, The ordinances were not republished as readopted by the city council of Leon, Iowa, after its organization as a city of the second class; and,

WHEREAS, Doubts have arisen as to the legality of the adoption of the ordinances of the town of Leon, Iowa, by the city of Leon, Iowa; and,

WHEREAS, Certain supposed defects in the publication of certain ordinances adopted by the city council of Leon, Iowa, have arisen in regard to wrong numbering; and,

WHEREAS, Doubts have arisen in regard to the acts, resolutions and ordinances adopted by the city council of Leon, Iowa, dividing the said city into wards in changing from the incorporated town of Leon, Iowa, to a city of the second class. Now, therefore,

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

SECTION 1. Elections, acts, resolutions and ordinances legalized. That all the acts and elections of the city of Leon, Decatur county, Iowa, all the ordinances, acts, proceedings, resolutions and amendments to said ordinances, and all of the official acts of the city officials of said city acting as such officials, and all of said ordinances, resolutions and acts are hereby legalized and given as full force and effect as if the law in every particular had been complied with in the enactment thereof of all the proceedings and the adoption of all ordinances, resolutions, and amendments to the ordinances had been strictly

complied with and all of said acts had been in conformity to law; and the division of said city into wards and any and all acts of the city council of the city of Leon, Iowa, in adopting all of the ordinances of said city of Leon, Iowa, are hereby legalized and given the same force and effect as if all the requirements of law enacting said ordinances had been fully complied with.

**SEC. 2. In effect.** This act, being deemed of immediate importance, shall be in full force and effect as soon as the same is published in the Des Moines Capital, Des Moines, Iowa, and in the Decatur County Journal and in The Leon Reporter, Leon, Iowa, as by law provided without expense to the state.

Approved February 23, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, February 26, 1907, the Decatur County Journal, February 28, 1907, and the Leon Reporter, March 7, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 270.

### THE TOWN OF LINDEN.

H. F. 283.

**AN ACT** to legalize the incorporation of the town of Linden, Dallas county, Iowa, the election of its officers, the passage, adoption and record of all of its ordinances, resolutions and rules, and all acts done by the council of said town.

**WHEREAS**, On the 18th day of October, 1892, a petition in due form was filed in the district court of Dallas county, Iowa, asking the appointment of commissioners to call an election of all of the qualified electors of the town of Linden in said county, to vote upon the question of the incorporation of said town, and

**WHEREAS**, The said court adjudged that said petition was sufficient and fully complied with the law, and appointed commissioners as provided by law, to call an election and give notice thereof, and

**WHEREAS**, Said commissioners so appointed called an election and gave notice thereof and at said election a majority of the ballots cast were in favor of the incorporation of said town, and the result of said election was duly reported to said district court of Dallas county, and

**WHEREAS**, Thereafter the said town of Linden held its first election as an incorporated town, at which election proper officers were elected, who afterwards duly qualified as such, and

**WHEREAS**, At regularly called and timely elections since said first election the successors of said first elected officers have been duly elected and qualified, and all of said officers have performed the duties of their respective offices, and

**WHEREAS**, The council of the said town of Linden has from time to time made, adopted and passed ordinances, resolutions and rules, and levied taxes, and done divers acts and things as the council of said incorporated town, and

**WHEREAS**, Doubts exist as to the legality of the proceedings in the matter of the incorporation of said town because of the notice given of the election upon the question of the incorporation of said town, the authority and qualification of the said commissioners and persons to hold said election, the proposition submitted thereat, the kind of ballots used and the manner of voting, the failure to proceed further strictly as provided by law in the matter of the incorporation of towns, and for other reasons, and

WHEREAS, Doubts exist as to the validity of the ordinances, resolutions and rules, and levies of taxes and divers other acts and things done by the council of said town because of the question of the validity of the incorporation of said town, the manner of expression of the subject of some of the ordinances in the title, thereof, the extent of the content of ordinances or sections revised or amended, the number of councilmen and mayor concurring in the adoption of by-laws, ordinances, resolutions, and orders, and the calling and placing of record the yeas and nays upon the passage or adoption of the same, and because of the question as to whether authenticated by the presiding officer and clerk of the council, and published as required by law, and because of other reasons, therefore,

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

**SECTION 1. Incorporation, elections, acts and proceedings legalized.** That the incorporation of the town of Linden, Dallas county, Iowa, the notice given of the election upon the question of incorporation, the holding of said election, the proposition submitted, the ballot used, the election of the council and officers of said town and all other acts and proceedings in the matter of said incorporation are hereby, legalized and validated, and the said town of Linden hereby, declared to have been legally incorporated the same as though the law had required nothing more to be done than was done, and in the manner in which it was done.

**SEC. 2. Ordinances, resolutions, rules and acts legalized—pending litigation.** That all of the ordinances, resolutions, and rules adopted and passed, and tax levies made and all other acts and things done at any time by the council of the said town of Linden, Dallas county, Iowa, not in contravention with the laws of the state, are hereby, legalized and declared to be valid the same as though the law had in all respects been strictly complied with, and the same as though the law had required nothing more to be done than was done, and the same as though in each instance it had required to be done just what was done, and in the manner it was done. But 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 Register & Leader, a newspaper published at Des Moines, Iowa, and the Linden Chronicle, a newspaper published at Linden, Dallas county, Iowa, without expense to the state.

Approved February 28, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, March 2, 1907, and the Linden Chronicle, March 8, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 271.

### THE TOWN OF MACKSBURG.

S. F. 274.

**AN ACT to legalize the plat of W. O. Lee's addition to Macksburg, Iowa.**

WHEREAS, Doubts have arisen as to the legality of the plat of W. O. Lee's addition to Macksburg, Iowa for the following reasons:

1st. That there is a discrepancy between the field notes and description of the said plat as the same is filed in the office of recorder of Madison county,

Iowa and the plat as filed in the office of the recorder of Madison county, Iowa, and the said discrepancy consists of showing on the said plat certain streets or parts of streets that are not mentioned in the field notes and description of said plat as streets.

2nd. That there is no record showing that the said W. O. Lee complied with the requirements of the statute as to what the owner and proprietor of land should do in order to lawfully plat the same and the said W. O. Lee was at that time the owner and proprietor of the land thus attempted to be platted.

3rd. That the only thing the said W. O. Lee ever did towards having said land platted was to have it surveyed and to have a plat of same as thus surveyed filed for record in the office of recorder of Madison county, Iowa on page 11 of Vol. 31 deed records of land of Madison county, Iowa, and the field notes and description of said plat thus surveyed filed on page 12 of Vol. 31 deed record of land of Madison county, Iowa.

4th. That said plat was surveyed on June 27th, 1893 and ever since then it has been treated by the said W. O. Lee and others as a lawful plat and lots therein have been conveyed and described by means of number and block of said addition; therefore,

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

**SECTION 1. Plat legalized—pending litigation.** That the plat as recorded on page 11 of Vol. 31 and as based upon the field notes and description of said plat thus surveyed filed on page twelve (12) of volume 31 of deed records of land of Madison county, Iowa of W. O. Lee's addition to Macksburg, Iowa, is hereby legalized and given as full force and effect in law as if the said W. O. Lee had fully and completely complied with all the requirements of the statutes required in platting land and the streets and alleys in the said plat dedicated to the public; and the said plat is hereby approved and legalized; but nothing herein shall be construed to affect pending litigation.

**SEC. 2. In effect.** This act, being deemed of immediate importance, shall take effect from and after its publication in the Register and Leader, a newspaper published in Des Moines, Iowa and The Winterset Madisonian, a newspaper published at Winterset, Iowa as provided by law, without expense to the state.

Approved April 2, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, April 4, 1907, and The Winterset Madisonian, April 11, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 272.

### THE TOWN OF MILFORD.

H. F. 491.

AN ACT to legalize the orders, acts, proceedings and resolutions passed by the council of the town of Milford, Dickinson county, Iowa, in connection with submitting the proposition of granting a franchise to the Midland Telephone Company at the municipal election.

WHEREAS, The council of the incorporated town of Milford, Dickinson county, Iowa did at a meeting of said council, as provided by law, order that the proposition of granting a franchise to the Midland Telephone Company of

Milford, Iowa, be submitted to the electors of said town at the regular municipal election held on the last Monday in March 1905, and

WHEREAS, Notice of said election was published in the Milford Mail, the only weekly newspaper published in said town, as provided by law, and

WHEREAS, In pursuance of said order of the council of said town the said proposition was submitted to the people of the incorporated town of Milford, at the annual municipal election on the last Monday of March 1905, and

WHEREAS, A majority of the electors of said incorporated town of Milford voted in favor of granting a franchise to the said Midland Telephone Company, and

WHEREAS, Doubts have arisen as to the legality of submitting the said proposition of the granting a franchise at the annual municipal election, and now therefore,

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

**SECTION 1. Election, acts and proceedings legalized—pending litigation.** That said election and all acts relating to said election held by the town of Milford, Dickinson county, Iowa, in connection with granting a franchise to the Midland Telephone Company, and all acts, orders, proceedings and resolutions, and all of the official acts of said council acting as such officials, also the official act of its town clerk and judges of election, and any and all irregularities in relation thereto are hereby legalized and given as full force and effect as if the law in every way had been complied with, and said election had been held at a general election or at one especially called for that purpose as provided by law. Provided, however, that nothing herein contained shall be construed to affect pending litigation.

Approved April 13, A. D. 1907.

## CHAPTER 273.

### THE TOWN OF MONDAMIN.

S. F. 814.

**AN ACT** to legalize certain ordinances and official acts of the town council of Mondamin, Harrison county, Iowa.

WHEREAS, Doubts have arisen as to the legality of certain ordinances, to-wit: ordinances 1 to 14 inclusive, passed by the town council of the incorporated town of Mondamin, Harrison county, Iowa, on the 7th day of July, 1903, the same being found on pages 2 to 41 inclusive of the published ordinances of said incorporated town, known as "The revised and compiled ordinances of the town of Mondamin, Iowa", for the following reasons, to-wit:

1st. The clerk failed to keep a true record of the proceedings of the meeting of the town council of said incorporated town, held on the 7th day of July, 1903; and,

2nd. That the incomplete minutes and record of said meeting at which time the said ordinances were passed, failed to show a compliance with sections six hundred and eighty-two (682) and six hundred and eighty-three (683) of the code; therefore,

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

**SECTION 1. Ordinances and proceedings legalized—pending litigation.** That ordinances 1 to 14 inclusive, passed by the town council of the incor-

porated town of Mondamin, Harrison county, Iowa, on the 7th day of July, 1903 and all proceedings had by the town council of said incorporated town on said date and all official acts done by virtue thereof, be and the same are hereby declared to be valid and binding the same as though the law had in all respects been strictly complied with; but nothing in this act shall affect pending litigation.

**SEC. 2. In effect.** This act, being deemed of immediate importance, shall take effect and be in full force from and after its publication in the Des Moines Register and Leader, newspaper published in the city of Des Moines, Iowa and the Mondamin Enterprise, newspaper published in the town of Mondamin, Iowa, without expense to the state.

Approved March 27, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, March 28, 1907, and the Mondamin Enterprise, April 4, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 274.

### THE TOWN OF NODAWAY.

S. F. 343.

**AN ACT** to legalize the ordinances and amendments to ordinances passed by the town council of Nodaway, Iowa, and to legalize all official acts of the town officials of Nodaway, Iowa, acting as such officials.

**WHEREAS**, Doubts have arisen as to the legality of all the ordinances of the town of Nodaway, Iowa, and the amendments thereto, heretofore in force, and the acts of its officers thereunder, now therefore,

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

**SECTION 1. Ordinances and acts legalized—pending litigation.** That the passage and adoption of all ordinances of the town of Nodaway, Adams county, Iowa, heretofore made, and all amendments thereto, and all the acts of all town officers or persons acting as officers, or the town council of said town, done or undertaken thereunder, are hereby legalized, validated and established and the same are declared to be valid and binding with the same force and effect as though the law had in all respects been strictly complied with in the adoption, passages, recording and publication of said ordinances including all official acts done or undertaken by the officials and town council and persons acting as officers of said town under said ordinances. Nothing herein contained shall 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 Des Moines Register and Leader, and the Nodaway Valley News, newspapers published in Des Moines, Iowa, and Nodaway, Iowa, without expense to the state.

Approved April 2, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, April 4, 1907, and the Nodaway Valley News, April 11, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 275.

## THE CITY OF OELWEIN.

S. F. 872.

AN ACT legalizing the acts and proceedings of the city council of the city of Oelwein, Iowa, in purchasing grounds for park and appropriating money from the park fund in partial payment of the same, and any and all acts of the city treasurer of said city in the payment of warrants drawn on the park fund by the city clerk of said city.

WHEREAS, At a meeting of the city council of the city of Oelwein, held on the thirteenth (13) day of March, one thousand nine hundred and three (1903), a resolution was adopted by said city council to submit to the qualified electors of said city of Oelwein the question of voting a two mill tax levy upon the assessed property within said city, for the purpose of purchasing suitable real property for a public park for said city, said levy to continue for five (5) years from date of levy, and

WHEREAS, Proper proclamation was made and notice given of an election upon the question of making said tax levy for the purpose of purchasing suitable real property for a public park for said city, and

WHEREAS, Said proposition was submitted to the qualified electors of said city, at the city election of said city, held March 30, A. D. one thousand nine hundred and three (1903), and

WHEREAS, A majority of the legal voters voting at said election voted in favor of said tax levy, and

WHEREAS, On the 8th day of September, A. D. one thousand nine hundred and three (1903), said city council levied, in pursuance of said election a two mill tax for public park fund, which public park fund tax has annually thereafter been levied, and

WHEREAS, On the 30th day of July, A. D. one thousand nine hundred and six (1906), the city council of said city, by resolution duly adopted instructed the mayor and clerk of said city to enter into a contract with one G. A. Oelwein for the purchase of the following described real property for park purposes: The north two thirds (2-3) and the east one half ( $\frac{1}{2}$ ) of the south west one-fourth ( $\frac{1}{4}$ ) of section thirty-three (33), township ninety-one (91) north, range nine (9) west of the fifth P. M., in Fayette county, Iowa, and to pay for the same in the following manner: One thousand dollars (1,000) at the time of signing the contract and seven thousand one hundred and fifty dollars (\$7,150), on the 31st day of May, A. D. one thousand nine hundred and twenty-one (1921), and instructed the city clerk to draw a warrant on the park fund in the sum of one thousand dollars (\$1,000), as first payment on said contract, and

WHEREAS, On the 30th day of July, A. D. one thousand nine hundred and six (1906), the mayor and clerk of said city did enter into a contract with the said G. A. Oelwein for the purchase of said above described real property for a public park for said city, and

WHEREAS, The city clerk of said city did, on the 30th day of July, A. D. one thousand nine hundred and six (1906), draw a warrant on the park fund of said city in the sum of one thousand dollars (\$1,000), in favor of the said G. A. Oelwein, and

WHEREAS, Said city warrant drawn on the park fund was duly presented to the city treasurer of said city and by him paid out of said park fund, and

WHEREAS, There are doubts as to the legality of the proceedings and actions of said city council in purchasing said ground for park purposes in the way and manner hereinbefore set forth, and



WHEREAS, There are also doubts as to the legality and validity of the action of said city treasurer in the payment of said warrant drawn on the park fund in the way and manner hereinbefore set forth, therefore,

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

**SECTION 1. Proceedings of council and purchase of real property legalized.** That all proceedings of the city council of the city of Oelwein, Iowa, with reference to the purchase of the real property for park purposes, as set out in the preamble hereto, are hereby legalized and made of the same validity, force, and effect as if all the requirements and provisions of the law applicable thereto had been fully complied with, and that the purchase of said real property for park purposes is hereby declared to be valid and legal, and that the action of said city treasurer in the payment of said warrant in the way and manner set forth in the preamble hereto is hereby legalized and validated so as to be of the same force and effect as if each and every provision of the statute of the state of Iowa with reference thereto had been strictly complied with.

**SEC. 2. Pending litigation.** Nothing in this act shall in any manner affect 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 Register and Leader, a newspaper published in Des Moines, Iowa, and the Oelwein Register, a newspaper published in Oelwein, Iowa, without expense to the state.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, April 19, 1907, and the Oelwein Register, April 24, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 276.

### THE TOWN OF PRAIRIEBURG.

H. F. 470.

AN ACT to legalize the incorporation of the town of Prairieburg, Linn county, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town.

WHEREAS, Doubt exists as to the legality of the incorporation of the town of Prairieburg, Linn county, Iowa, the election of its officers, official acts done, and the ordinances and resolutions passed by the town council of said town; therefore,

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

**SECTION 1. Incorporation, election, acts and ordinances legalized—pending litigation.** That the incorporation of the town of Prairieburg, Linn county, Iowa, the election of its officers and all acts done and the ordinances and resolutions passed by the town council of said town, not in contravention of the laws of the state, are hereby legalized and the same are hereby declared to be valid and binding the same as though the law had been, in all respects, strictly complied with in the incorporation of said town, the election of its officers, and all official acts done, and the passage of its ordinances and reso-

lutions, provided that nothing in this act shall in any wise affect pending litigation.

**SEC. 2. In effect.** This act, being of immediate importance, shall be in force and effect from and after its publication in the Register and Leader, a newspaper published at Des Moines, Iowa, and in the Cedar Rapids Tribune, a paper published at Cedar Rapids, Iowa, without expense to the state.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, and the Cedar Rapids Tribune, April 19, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 277.

### THE CITY OF RED OAK JUNCTION.

S. F. 283.

**AN ACT** legalizing an ordinance of the city council of the City of Red Oak Junction (now Red Oak), Iowa, passed February fifth, A. D. nineteen hundred, granting to the Red Oak Gas Light Company the use of the streets of Red Oak Junction (now Red Oak), Iowa, with certain conditional rights and privileges, for the purpose of erecting, purchasing, owning and maintaining a gas works system in said city.

**WHEREAS**, Upon the fifth day of February, 1900, the city council of the city of Red Oak Junction, Iowa, which city is now the city of Red Oak, passed an ordinance, recorded in the revised ordinances, city of Red Oak, Iowa, 1906, at page 135, and as chapter No. 62, granting unto the Red Oak Gas Light company, its successors and assigns, the right and privilege of purchasing, erecting, owning and maintaining gas works in said city and of using the streets and alleys for laying down gas mains and pipes to distribute its gas through the city to its citizens, for public and private uses, and to conduct other business tributary thereto, and,

**WHEREAS**, doubts have arisen as to the legality and regularity of said ordinance, because of alleged informalities in the form of the ballots used at the election in submitting the question of granting said franchise to the voters of said city, and on account of other alleged informalities, irregularities and illegalities, now therefore,

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

**SECTION 1. Ordinance legalized.** That the ordinance of the city council of the city of Red Oak Junction, Iowa, which is now the city of Red Oak, Iowa, passed on the 5th day of February, 1900, and recorded in the revised ordinances of the city of Red Oak, Iowa, 1906 as chapter 62, granting to the Red Oak Gas Light company, its successors and assigns, the right and privilege of purchasing, erecting, owning and maintaining gas works in said city, and of using the streets and alleys for laying down gas mains and pipes to distribute gas through the city to its citizens, for public and private use, and to conduct other business tributary thereto, be and the same is hereby legalized as to such action of said city council, as fully as though all the requirements of the law leading up to, and necessary thereto, had been taken in every respect and particular in full compliance with the law.

**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 Register &

Leader and the Des Moines Capital, newspapers published at Des Moines, Iowa, without expense to the state.

Approved March 19, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, March 21, 1907, and the Register and Leader, March 22, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 278.

### THE TOWN OF STOCKPORT.

H. F. 401.

AN ACT to legalize the adoption of all ordinances, resolutions and rules enacted by the council of the town of Stockport, Van Buren county, Iowa, and all acts done by the council of said town.

WHEREAS, In January, 1903, the town of Stockport, Van Buren county, Iowa, was duly incorporated according to law, and the proper officers elected, which officers assumed their duties as such officers, and

WHEREAS, The council of said town of Stockport has from time to time met, adopted and passed ordinances, resolutions and rules and levied taxes, as the council of said incorporated town, and

WHEREAS, Doubts exist as to the validity of the ordinances, resolutions, rules and taxes levied by said council, because the records in said town fail to show a full compliance of all the laws with reference to the enactment of ordinances, resolutions, rules and the levying of taxes for incorporated towns, and because for other reasons, therefore,

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

**SECTION 1. Ordinances, resolutions, tax levies and rules legalized—pending litigation.** That all the ordinances, resolutions and rules adopted and passed, and tax levies made, and all other acts and things done at any time by the council of said town of Stockport, Van Buren county, Iowa, not in contravention of the laws of the state of Iowa, are hereby legalized and declared to be valid the same as though the law had in all respects been strictly complied with and the same as though the law has required nothing more to be done than was done, and the same as though in each instance it had required to be done just what was done, and in the manner it was done. 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 Register and Leader, a newspaper published in Des Moines, Iowa, and in the Stockport News, a newspaper published at Stockport, Van Buren county, Iowa, without expense to the state.

Approved March 27, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, March 29, 1907, and the Stockport News, April 7, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 279.

## THE CITY OF TAMA.

S. F. 326.

**AN ACT** to legalize certain ordinances and amendments to the ordinances passed by the city council of Tama, Tama county, Iowa, and to legalize all the official acts of the city officials of Tama, Tama county, Iowa, acting as such under said ordinances and amendments.

WHEREAS, Doubts have arisen as to the legality of the ordinances of the city of Tama as contained in a published book of ordinances known as the "Revised ordinances of 1898", which were duly published in book form on or about the 6th day of June, 1898, for the following reasons, to-wit:

That there was an error when the city council of Tama on the 21st day of March, 1898, sought to adopt the first forty-four ordinances contained in said published book of ordinances by a general enacting ordinance designated "ordinance number 45" and entitled, "An ordinance relating to the revised ordinances of 1898 of the city of Tama and declaring their effect" for the reason that a part of the said forty-four ordinances had been amended and changed from the form in which they theretofore had been originally adopted, by said city, and such amended ordinances were not amended in manner and form as required by the laws of Iowa; and certain new ordinances were included in the aforesaid forty-four ordinances sought to be adopted by the passage of said "ordinance number 45" without being read on three different days or such reading thereof being properly waived by vote of the council, now therefore,

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

**SECTION 1. Ordinances and acts legalized—pending litigation.** That all of the ordinances contained in the published book of ordinances of the city of Tama, Tama county, Iowa, and known as the "Revised Ordinances of 1898", be and the same are hereby legalized and given as full force and effect in law as if all acts or omissions in regard to the passage and adoption thereof were in strict conformity thereto and the said "Revised Ordinances of 1898" of the city of Tama are hereby legalized and approved. But nothing in this act shall affect pending litigation nor shall any amendment, omission or alteration of any ordinance which grants a vested right or franchise be affected by this act but all such ordinances shall remain as when originally passed by the council of said [city of] Tama.

**SEC. 2. In effect.** This act, being deemed of immediate importance, shall be in full force and effect as soon as the same is published in the "Register and Leader", a newspaper published in Des Moines, Iowa, and in the "Tama Herald", and in the "Tama County News", two newspapers published at Tama, Iowa, as provided by law, without expense to the state.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, the Tama Herald, and the Tama County News, April 18, 1907.

W. C. HAYWARD,  
Secretary of State.

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# JOINT RESOLUTIONS

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## SENATE JOINT RESOLUTION NO. 1.

### ADDITIONAL EMPLOYES OF THIRTY-SECOND GENERAL ASSEMBLY.

JOINT RESOLUTION NO. 1, relating to the selection of additional employes of the Thirty-second General Assembly, fixing their compensation and defining their duties.

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

SECTION 1. The custodian is hereby authorized and directed to appoint eight persons to be designated as assistants to the custodian, whose duties shall be by him determined, and whose salaries shall be sixty dollars per month each.

SEC. 2. The secretary of state is hereby authorized and directed to appoint two clerks for service in the document room at a salary of sixty dollars per month each.

SEC. 3. The secretary of the executive council is hereby authorized and directed to appoint a clerk for service in the supply department at a salary of sixty dollars per month.

SEC. 4. The custodian is hereby authorized and directed to appoint three experienced elevator tenders at a salary of sixty dollars per month each.

SEC. 5. W. W. Hyzer, of Guthrie county, is hereby appointed mail carrier and W. J. Jones, of Monroe county, is hereby appointed assistant mail carrier.

SEC. 6. The secretary of the senate and chief clerk of the house are hereby directed to prepare a pay-roll of all employes appointed under this resolution, the same to be countersigned by the president of the senate and speaker of the house and presented to the auditor of state.

SEC. 7. The secretary of state is hereby authorized to retain as many clerks, hereby appointed to serve in the document room, as he may deem necessary, for a period of time not exceeding two weeks after the adjournment of the Thirty-second General Assembly.

Approved January 29, A. D. 1907.

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## SENATE JOINT RESOLUTION NO. 2.

MAKING APPLICATION TO UNITED STATES CONGRESS TO CALL CONVENTION FOR PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE UNITED STATES.

JOINT RESOLUTION of the Thirty-second General Assembly of the State of Iowa, making application to the Congress of the United States, to call a convention for proposing amendments to the Constitution of the United States.

WHEREAS, We believe that senators of the United States should be elected directly by the voters; and

## JOINT RESOLUTIONS OF THE THIRTY-SECOND GENERAL ASSEMBLY.

WHEREAS, To authorize such direct election, an amendment to the constitution of the United States is necessary; and

WHEREAS, The failure of congress to submit such amendment to the states has made it clear that the only practicable method of securing a submission of such amendment to the states is through a constitutional convention, to be called by congress upon the application of the legislatures of two-thirds of all the states; therefore

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

SECTION 1. That the legislature of the state of Iowa hereby makes application to the congress of the United States, under article V of the constitution of the United States, to call a constitutional convention for proposing amendments to the constitution of the United States;

SEC. 2. That this resolution, duly authenticated, shall be delivered forthwith to the president of the senate and speaker of the house of representatives of the United States, with the request that the same shall be laid before the said senate and house.

Approved March 12, A. D. 1907.

## HOUSE JOINT RESOLUTION NO. 2.

## DRAINAGE.

HOUSE JOINT RESOLUTION NO. 2, proposing an amendment to the Constitution of the State of Iowa, additional to section eighteen (18) of article one (1) of said Constitution.

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

That there be added to section eighteen (18) of article one (1) of the constitution of the state of Iowa, the following:

“The general assembly, however, may pass laws permitting the owners of lands to construct drains, ditches, and levees for agricultural, sanitary or mining purposes across the lands of others, and provide for the organization of drainage districts, vest the proper authorities with power to construct and maintain levees, drains and ditches and to keep in repair all drains, ditches, and levees heretofore constructed under the laws of the state, by special assessments upon the property benefited thereby. The General Assembly may provide by law for the condemnation of such real estate as shall be necessary for the construction and maintenance of such drains, ditches and levees, and prescribe the method of making such condemnation.”

*Be it further resolved:*

That the foregoing proposed amendment to the constitution of the state of Iowa, having been adopted by the Thirtieth (30th) and the Thirty-first (31st) General Assemblies, in manner and form, and by the majority required by the constitution of the state of Iowa, and the statutes thereof, shall be submitted for ratification or rejection, by the electors of the state of Iowa, at the general election for state officers to be held in November 1908.

Approved April 1, A. D. 1907.

## JOINT RESOLUTIONS OF THE THIRTY-SECOND GENERAL ASSEMBLY.

## HOUSE JOINT RESOLUTION NO. 4.

APPROVING ESTIMATES OF COST, PLANS AND SPECIFICATIONS OF LIBRARY BUILDING FOR STATE NORMAL SCHOOL.

HOUSE JOINT RESOLUTION NO. 4, approving estimates of cost, plans and specifications of library building at Cedar Falls, Iowa.

WHEREAS, The board of trustees of the state normal school at Cedar Falls, Iowa, has submitted to the Thirty-second General Assembly of the state of Iowa, estimates of cost, plans and specifications of a building to be used as a library building to be erected under the provisions of chapter 186 of the acts of the Thirty-first General Assembly; and

WHEREAS, Said estimates of cost, plans and specifications are in every way proper and suitable; therefore,

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

That the plans and specifications for the erection of a library building at the state normal school at Cedar Falls, Iowa, submitted to the General Assembly of Iowa for approval, are hereby approved and the board of trustees of [the] state normal school are hereby authorized to erect said building thereunder, provided however, that the erection cost of said building and the furnishing and equipment thereof shall not exceed in the aggregate the sum of one hundred seventy-five thousand (175,000) dollars.

Approved April 4, A. D. 1907.

## SENATE JOINT RESOLUTION NO. 5.

APPOINTMENT OF JOINT COMMITTEE TO PURCHASE CHAIR AND GAVEL FOR THE SPEAKER OF THE HOUSE AND PRESIDENT OF THE SENATE.

JOINT RESOLUTION for the appointment of a joint committee to purchase a chair and gavel for the Speaker of the House and the President of the Senate.

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

SECTION 1. That a joint committee of three from the house, and three from the senate, be appointed and hereby authorized to purchase a suitable chair and gavel each for the speaker of the house, and the president of the senate.

Approved April 13, A. D. 1907.

## JOINT RESOLUTIONS OF THE THIRTY-SECOND GENERAL ASSEMBLY.

## SENATE JOINT RESOLUTION NO. 6.

## NUMBER AND COMPENSATION OF EMPLOYES OF STATE DEPARTMENTS.

JOINT RESOLUTION fixing the number and compensation of employes in the department of state at the seat of government.

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

Until July 1, 1909, 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 amounts herein fixed:

## FOR THE OFFICE OF THE ATTORNEY GENERAL.

	Per annum.
One assistant to the attorney general .....	\$1,800.00
One stenographer at a salary of .....	900.00
Additional assistance and contingent fund not to exceed the sum of ...	3,000.00

## FOR THE OFFICE OF AUDITOR OF STATE.

One chief clerk in the insurance department at a salary of .....	1,800.00
One securities clerk in the insurance department, who shall give bond, at a salary of.....	1,500.00
One fee clerk in the insurance department, who shall give bond, at a salary of .....	1,400.00
Extra clerical assistance in the insurance department not to exceed the sum of .....	1,500.00
One chief clerk in the revenue department at a salary of.....	1,500.00
One chief clerk in the banking department at a salary of .....	1,500.00
One assistant clerk in the banking department at a salary of .....	1,000.00
Extra clerical assistance in the banking and revenue departments, expense in adjusting accounts between the state and counties, expense in attending meetings of the insurance commissioners, and such other expenses as shall be approved by the executive council, not to exceed .....	1,800.00
Two stenographers at salaries, each, of .....	900.00
One janitor at a salary of .....	780.00
One chief clerk in the department of municipal accounting .....	1,500.00
Two clerks in the department of municipal accounting at salaries, each, of .....	900.00
Extra clerical assistance, and such other expenses as shall be approved by the executive council in the department of municipal accounting not to exceed the sum of.....	700.00

## FOR THE OFFICE OF THE CLERK OF THE SUPREME COURT.

One clerk at a salary of .....	1,200.00
Additional clerical assistance not to exceed .....	900.00
One messenger who shall perform such duties about his office and for the supreme court room proper as the clerk may order at a salary of	840.00

## FOR THE OFFICE OF GOVERNOR.

One pardon clerk at a salary of .....	1,200.00
One requisition clerk at a salary of.....	1,300.00
One general clerk at a salary of .....	900.00
One notarial clerk and stenographer at a salary of .....	900.00
One messenger and usher, who shall act as janitor, at a salary of....	900.00



**JOINT RESOLUTIONS OF THE THIRTY-SECOND GENERAL ASSEMBLY.**

**FOR THE STATE LIBRARIAN'S OFFICE.**

One cataloger at a salary of .....	\$1,000.00
One stenographer and bookkeeper at a salary of .....	900.00
One janitor at a salary of .....	780.00
Assistant help in janitor service not to exceed .....	400.00
One legislative and general reference assistant .....	1,000.00

**FOR THE OFFICE OF RAILROAD COMMISSIONERS.**

One clerk at a salary of .....	1,200.00
One stenographer at a salary of .....	900.00
For extra clerical assistance not to exceed .....	900.00

**FOR THE OFFICE OF SECRETARY OF STATE.**

One chief clerk (who shall give bond) at a salary of .....	1,500.00
One corporation clerk at a salary of .....	1,200.00
One assistant corporation clerk at a salary of .....	1,200.00
One stenographer at a salary of .....	900.00
One librarian of document department at a salary of .....	1,200.00
One document clerk and accountant for storage building not to exceed .....	1,200.00
Shipping help and cataloging in storage building and for additional clerical assistance not to exceed .....	2,000.00
Indexing vaults, if supplied with steel cases as contemplated, not to exceed .....	600.00
One janitor and messenger at a salary of .....	900.00

**FOR THE OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION.**

One stenographer at a salary of .....	900.00
One janitor at a salary of .....	780.00
For extra clerical assistance, not to exceed .....	500.00

**FOR THE SUPREME COURT ROOMS.**

One bailiff who shall also act as messenger and perform such other duties as the supreme court may order at a salary of .....	900.00
For stenographic and messenger service not to exceed .....	5,400.00

**FOR THE OFFICE OF TREASURER OF STATE.**

One cashier (who shall give bond) at a salary of .....	1,500.00
One bookkeeper at a salary of .....	1,200.00
One general clerk at a salary of .....	900.00
One stenographer at a salary of .....	900.00
One watchman who shall be janitor at a salary of .....	780.00
For additional clerical assistance not to exceed .....	500.00

**FOR THE HISTORICAL DEPARTMENT.**

An assistant to the curator who shall devote himself exclusively to the duties of his office at a salary of .....	1,200.00
Assistant curator at a salary of .....	1,200.00
Second assistant curator, clerk and stenographer at a salary of .....	1,000.00
One museum curator, at a salary of .....	1,000.00
Two janitors for the historical building at salaries, each, of .....	780.00
One night watchman at a salary of .....	720.00

## JOINT RESOLUTIONS OF THE THIRTY-SECOND GENERAL ASSEMBLY.

## FOR THE EXECUTIVE COUNCIL.

One secretary at a salary of .....	\$1,800.00
One clerk at a salary of .....	1,500.00
One clerk at a salary of .....	1,000.00
One postmaster at a salary of .....	1,000.00
One mail carrier with team and wagon who shall also act as janitor for the secretary of the executive council and supply room, at a salary of .....	1,000.00
For additional clerical assistance not to exceed .....	1,200.00

## FOR THE BOARD OF CONTROL.

One chief accountant at a salary of not to exceed.....	1,800.00
One storekeeper and clerk at a salary of not to exceed.....	900.00
One estiamte clerk at a salary of not to exceed.....	900.00
Four stenographers and clerks at salaries, each, of not to exceed.....	900.00
One clerk and janitor at a salary of not to exceed .....	780.00
For extra clerical assistance, not to exceed .....	3,000.00

## FOR THE DEPARTMENT OF GEOLOGICAL SURVEY.

One secretary and clerk at a salary of .....	1,100.00
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## FOR WEATHER AND CROP SERVICE.

Director's salary .....	1,500.00
Clerical assistance not to exceed .....	720.00

## FOR THE OFFICE OF STATE MINE INSPECTOR.

One clerk at a salary of .....	1,000.00
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## FOR THE OFFICE OF THE STATE BOARD OF HEALTH.

One clerk and stenographer at a salary of.....	900.00
Extra clerical assistance not to exceed the sum of .....	900.00

## FOR THE OFFICE OF SUPREME COURT REPORTER.

One clerk at a salary of not to exceed .....	720.00
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## FOR THE OFFICE OF THE LIBRARY COMMISSION.

One secretary at a salary of .....	1,600.00
One librarian (traveling library) at a salary of .....	900.00
One library organizer at a salary of .....	720.00
One clerk and general assistant, at a salary of.....	720.00
For extra help as needed, including service of shipping clerk, not to exceed .....	780.00

## FOR THE OFFICE OF THE STATE PHARMACY COMMISSION.

One secretary at a salary of .....	1,500.00
For extra clerical assistance not to exceed .....	150.00

## JOINT RESOLUTIONS OF THE THIRTY-SECOND GENERAL ASSEMBLY.

## FOR THE OFFICE OF THE FOOD AND DAIRY COMMISSIONER.

For one clerk at a salary of .....	1,000.00
For one clerk at a salary of .....	900.00

## [FOR JANITORS FOR CERTAIN OFFICES.]

For the offices of the department of agriculture (agricultural society) and state board of health there shall be one janitor to be selected by them, at a salary of .....	780.00
For the offices of the pharmacy department, dairy department, mining inspector and labor bureau, there shall be one janitor to be selected by the custodian at a salary of .....	780.00
For the offices of the adjutant general, G. A. R. department, and geological survey, there shall be one janitor selected by them at a salary of .....	780.00
For the offices of the railroad commissioners, horticultural department, and attorney general, there shall be one janitor selected by them, at a salary of .....	780.00
For the offices of the library commission, and for the miscellaneous department of the state library, there shall be one janitor selected by them, at a salary of .....	780.00
The last five janitors shall be upon the custodian's pay roll.	

## TO BE EMPLOYED BY THE CUSTODIAN OF PUBLIC BUILDINGS AND PROPERTY.

One chief engineer at a salary of not to exceed .....	1,500.00
One first assistant engineer at a salary of not to exceed .....	1,200.00
One second assistant engineer at a salary of not to exceed .....	1,000.00
One electrician and machinist at a salary of not to exceed .....	1,200.00
One carpenter at a salary of not to exceed .....	1,000.00
One chief of police at a salary of .....	900.00
Two night watchmen at salaries, each, of .....	900.00
Necessary firemen (estimated at an average of seven) at salaries, each, of .....	840.00
Eight floor janitors at salaries, each, of .....	780.00
One storage building janitor at a salary of .....	780.00
One janitress to have charge of the ladies' toilet rooms at a salary of .....	780.00
One elevator tender at a salary of .....	780.00
Allowance for washing towels, not to exceed .....	200.00
One florist for six months at a salary of not to exceed \$70.00 per month, or total of .....	420.00
Two yard men for six months at salaries, each of \$60.00 per month, or a total of .....	720.00
Extra help as may be needed, not to exceed .....	720.00

## FOR THE BUREAU OF LABOR STATISTICS.

One clerk and statistician at a salary of .....	900.00
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The janitors employed in the capitol under the provisions of this resolution, shall at all times be subject to the orders of the custodian to perform any additional service, by way of rendering assistance to the state house engineers, carpenter, supply department, historical department, or any other labor that may be necessary about the capitol or upon the capitol 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 such janitors to any such extra service, and he may discharge any janitor for incompetency, neglect of duty or insubordination.

JOINT RESOLUTIONS OF THE THIRTY-SECOND GENERAL ASSEMBLY.

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All clerks, janitors and other employes in the departments named in this resolution shall be under the control of the head of the department and may by him be transferred to such work as he shall direct in assisting other clerks or elsewhere in the different branches of the service of the department.

Any head of a department may at any time discharge any clerk or other employe in such department for neglect of duty, insubordination or incapacity.

Approved April 10, A. D. 1907.

SENATE JOINT RESOLUTION NO. 7.

APPROVING ESTIMATES OF COST, PLANS AND SPECIFICATIONS FOR NEW BUILDINGS AND ADDITIONS AT AGRICULTURAL COLLEGE.

JOINT RESOLUTION approving estimates of costs, plans and specifications of an annex to the Hall of Agriculture, an addition to Margaret Hall, a general engineering laboratory, and dairy and poultry farm buildings, and authorizing the erection of said buildings.

WHEREAS, The board of trustees of the Iowa state college of agriculture and mechanic arts has submitted to the Thirty-second General Assembly of the state of Iowa, estimates of cost, plans and specifications of buildings to-wit: an annex to the hall of agriculture, an addition to Margaret Hall, a general engineering laboratory, and dairy and poultry farm buildings, to be erected under the provision of chapter one hundred and eighty-four (184) of the acts of the Thirty-first General Assembly; and,

WHEREAS, Said estimate of cost, plans and specifications are in every way proper and suitable, therefore,

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

SECTION 1. That the plans and specifications, for the erection of an annex to the hall of agriculture at a cost not to exceed sixty thousand (\$60,000) dollars, an addition to Margaret Hall at a cost not to exceed forty-five thousand (\$45,000) dollars, a general engineering laboratory at a cost not to exceed thirty thousand (\$30,000) dollars, and a dairy and poultry farm building at a cost not to exceed eight thousand (\$8,000) dollars, submitted to the General Assembly of Iowa for approval, are hereby approved and the board of trustees of the Iowa state college of agriculture and mechanic arts are hereby authorized to erect said buildings thereunder at Ames, Iowa, as provided in this resolution.

Approved April 13, A. D. 1907.

SENATE JOINT RESOLUTION NO. 8.

APPROVAL OF ESTIMATES OF COST, PLANS AND SPECIFICATIONS OF NEW BUILDINGS AT THE STATE UNIVERSITY.

JOINT RESOLUTION approving estimates of cost, plans and specifications of law building, physics building, and addition to engineering building at the State University at Iowa City, Iowa, and authorizing the erection thereof.

WHEREAS, The board of regents of the state university at Iowa city, Iowa, has submitted to the Thirty-second General Assembly of Iowa, estimates of cost, plans and specifications of buildings, to-wit: law building, physics build-

JOINT RESOLUTIONS OF THE THIRTY-SECOND GENERAL ASSEMBLY.

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ing, and addition to engineering building, to be erected under the provisions of chapter one hundred and eighty-three (183) of the acts of the Thirty-first General Assembly; and,

WHEREAS, Said estimates of cost, plans and specifications are in every way proper and suitable; therefore,

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

SECTION 1. That the plans and specifications for the erection of a law building at a cost not to exceed one hundred and twenty-five thousand (\$125,000) dollars, a physics building at a cost not to exceed one hundred and fifty thousand (\$150,000) dollars and an addition to the engineering building at a cost not to exceed sixty thousand (\$60,000) dollars, submitted to the General Assembly of Iowa for approval, are hereby approved and the board of regents of the Iowa state university are hereby authorized to erect said buildings thereunder at Iowa City, Iowa, as provided in this resolution.

Approved April 13, A. D. 1907.

# CONCURRENT RESOLUTIONS

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## NUMBER 1.

CONCURRENT RESOLUTION relative to furnishing members of the Thirty-second General Assembly with one copy each of the code, the code supplement and the session laws of the Thirtieth and Thirty-second General Assemblies.

*Resolved by the Senate, the House concurring:*

That the secretary of state be requested to furnish each member of the Thirty-second General Assembly with the code, and supplement to the code, and the session laws of the Thirtieth and Thirty-first General Assemblies, and annotations.

Adopted January 15, A. D. 1907.

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## NUMBER 2.

CONCURRENT RESOLUTION relative to publishing the rules of the Thirty-second General Assembly.

*Resolved by the House, the Senate concurring:*

That the clerk of the house and the secretary of the senate, be instructed to order printed for the use of the house and the senate, and the officers thereof, and for general distribution, one thousand (1,000) copies of pocket size, of the rules of the Thirty-second General Assembly, and that two hundred (200) copies be sewed and bound in flexible leather, one hundred and thirty (130) for the house, which shall be delivered to the chief clerk thereof for distribution, and seventy (70) for the senate, which shall be delivered to the secretary thereof for distribution, and that eight hundred (800) be stitched and bound in paper covers for general distribution.

Adopted February 12, A. D. 1907.

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## NUMBER 3.

CONCURRENT RESOLUTION relative to the publication in pamphlet form of the drainage and road laws.

*Be it resolved by the Senate, the House concurring:*

That the secretary of state be directed to compile and publish in pamphlet form for general distribution six thousand copies each of the drainage and the road laws of the state, as soon as possible after the adjournment of the Thirty-second General Assembly.

Adopted February 22, A. D. 1907.

## CONCURRENT RESOLUTIONS OF THE THIRTY-SECOND GENERAL ASSEMBLY.

## NUMBER 4.

CONCURRENT RESOLUTION relative to publishing ten thousand (10,000) copies each of the annual reports of the Iowa highway commission, for the years ending July 1st, 1906, and July 1st, 1907.

WHEREAS, The law creating the state highway commission makes no provision for the printing of its annual reports made to the governor; and,

WHEREAS, The said reports contain a large amount of information of special interest and value to the farmers and road builders of Iowa;

*Resolved by the House, the Senate concurring:*

That ten thousand (10,000) copies of said annual reports, for the year ending July 1st, 1906, and for the year ending July 1st, 1907, be printed in pamphlet form for distribution by said highway commission.

Adopted March 11, A. D. 1907.

## NUMBER 5.

CONCURRENT RESOLUTION relative to the publication and distribution of the report of the Southern Battlefield Monument Commissions, the histories of the said battles and the addresses of the dedicatory exercises.

WHEREAS, The state of Iowa has expended about \$250,000 for the erection of monuments on southern battlefields to commemorate the sacrifices, the bravery and the deeds of patriotism of Iowa soldiers at Vicksburg, Chattanooga, Look-out Mountain, Missionary Ridge, Shiloh and Andersonville; and,

WHEREAS, Only a small number of Iowa's civilians and a very few of the old soldiers will ever have the privilege of viewing the memorials erected to perpetuate the memory of the noble deeds of valor and loyalty of the Iowa soldiers; and,

WHEREAS, The lessons of patriotism and loyalty may best be learned by a study of the lives of our own heroes; and,

WHEREAS, The histories of these battles, the addresses of the dedicatory exercises and the pictures of the monuments and the battlefields with the reports of the battlefield monument commissions would be a deserved tribute to the soldiers of Iowa and an inspiration to the people of the state; therefore,

*Be it resolved by the House, the Senate concurring:*

That the secretary of state is hereby authorized to have 7,000 copies of said report and history of the southern battlefield commissions printed and bound in suitable style and that one copy be sent to each public library in Iowa, one to each Grand Army post, one to each newspaper, and that ten copies be apportioned to each member of the Thirty-second General Assembly, two copies to each state officer, and one thousand copies retained by the secretary of state for subsequent distribution.

Adopted April 1, A. D. 1907.

CONCURRENT RESOLUTIONS OF THE THIRTY-SECOND GENERAL ASSEMBLY.

NUMBER 6.

CONCURRENT RESOLUTION relative to the publication of the pure food, pure paint, pure drug and pure stock food and pure agricultural seed laws of the state in pamphlet form for general distribution.

*Be it resolved by the Senate, the House concurring:*

That the secretary of state is hereby authorized to have published in pamphlet form for general distribution five thousand (5,000) copies of the pure food law, as amended; three thousand (3,000) copies of the law relating to stock foods and seeds; and three thousand (3,000) copies of the paint law; each with explanatory notes to be prepared by the food and dairy commissioner; also five thousand (5,000) copies of the law pertaining to pharmacy and drugs, with explanatory notes to be prepared by the pharmacy commission.

Adopted April 5, A. D. 1907.

NUMBER 7.

CONCURRENT RESOLUTION relative to the publication of the primary election law in pamphlet form and the distribution thereof.

*Resolved by the House, the Senate concurring:*

That the secretary of state be authorized to have printed five thousand (5,000) copies of the primary election law, such copies to be printed in pamphlet form, pocket size edition, bound in paper covers, twenty-five (25) copies of the same to be mailed, as soon as printed, to each member of the General Assembly, for distribution by him.

Adopted April 6, A. D. 1907.

NUMBER 8.

CONCURRENT RESOLUTION of the Thirty-second General Assembly of the State of Iowa, making application to the Congress of the United States, requesting that the surviving members of the military organization known as the Iowa Northern Border Brigade be given the same rights and privileges for pension as given officers and soldiers of the civil war.

WHEREAS, The military organization known as the Iowa Northern Brigade having performed service which the United States government troops had previously performed in protecting the settlers upon the northern borders of the state of Iowa, at a time during the civil war when the government did not have the troops to spare for such service; and

WHEREAS, The above named military organization was not regularly mustered into the service of the United States; therefore,

*Be it resolved by the House, the Senate concurring:*

SECTION 1. That the congress of the United States be and is hereby requested to enact such legislation as will place the surviving members of the Iowa Northern Border Brigade, who rendered active service in protecting settlers against Indian depredations, in the same position as applicants for pensions from the general government, as though they had been regularly mustered into the service of the United States.



CONCURRENT RESOLUTIONS OF THE THIRTY-SECOND GENERAL ASSEMBLY.

SEC. 2. That this resolution duly authenticated shall be delivered to the president of the senate and speaker of the house of representatives of the congress of the United States, with the request that the same shall be placed before the said senate and house.

Adopted April 6, A. D. 1907.

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NUMBER 9.

CONCURRENT RESOLUTION directing the state fish and game warden to investigate the necessity and estimate the cost of dredging the several lakes of the state.

*Resolved by the Senate, the House concurring:*

That the state fish and game warden be, and he is hereby directed to investigate the necessity of dredging the several lakes in this state which are used by the people for boating and fishing, and to ascertain the probable cost of the necessary machinery to do such dredging, and report thereon to the next General Assembly.

Adopted April 9, A. D. 1907.

## CERTIFICATE

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STATE OF IOWA, }  
OFFICE OF SECRETARY OF STATE. }

I, W. C. Hayward, 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 Thirty-second General Assembly, except that the words embraced in brackets [thus] have been inserted where it is evident that an error or omission has occurred.

In testimony whereof, I have hereunto subscribed my name and caused to be affixed the official seal of my office. Done at Des Moines, the capital of the state, this twentieth day of June, A. D. 1907.

*W. C. Hayward*

(SEAL)

*Secretary of State.*

## CONDITION OF THE TREASURY.

DEPARTMENT OF AUDITOR OF STATE,  
DES MOINES, JUNE 3, 1907.

W. C. HAYWARD, *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 Thirty-second General Assembly, the following statement of the receipts and expenditures of public moneys for the year commencing July 1, 1905 and ending June 30, 1906.

Respectfully,



*Auditor of State.*

## CONDITION OF THE TREASURY.

The amount of funds in the treasury at the close of the last fiscal period ending June 30, 1905, including agricultural college mortgage bonds, was \$2,126,647.41, belonging to the several funds as follows:

General revenue .....	\$ 1,375,022.27
Agricultural college endowment fund.....	672,645.89
Special state university fund.....	44,235.40
Special agricultural college fund.....	23,981.99
Special state normal school fund.....	767.88
Temporary school fund.....	4.00
Total.....	\$ 2,126,647.41

The amount received from all sources during the year ending June 30, 1906 was \$3,895,715.67, which was distributed in the several funds as follows:

General revenue .....	\$ 2,466,150.00
Special university tax.....	127,178.58
Special agricultural college tax.....	127,161.07
Special state normal school tax.....	58,546.00
Agricultural college endowment fund.....	80,944.08
Agricultural college additional endowment fund.....	25,000.00
Permanent school fund.....	5,000.00
Temporary school fund.....	735.28
Total.....	\$ 3,895,715.67

The receipts being added to the balances on hand June 30, 1905 as shown above, makes \$6,022,363.08, as the amount to be accounted for. The disbursements during the year ending June 30, 1906, were as follows:

General revenue .....	\$ 3,766,294.62
Special university tax.....	130,000.00
Special agricultural college tax.....	117,006.91
Special state normal school tax.....	45,000.00
Agricultural college endowment fund.....	76,500.00
Permanent school fund.....	5,000.00
Temporary school fund.....	739.28
Agricultural college additional endowment fund.....	25,000.00
Total.....	\$ 4,165,689.81

Leaving a balance in the treasury June 30, 1906, of \$1,856,723.27, belonging to the several funds as follows:

General revenue .....	\$ 1,074,788.31
Agricultural college endowment fund bonds.....	677,000.00
Agricultural college endowment fund cash.....	89.97
Special state university fund.....	41,443.96
Special Iowa state college fund.....	44,087.15
Special state normal school fund.....	19,313.86
Total.....	\$ 1,856,723.27

## CONDITION OF THE TREASURY.

## STATEMENT NO. 1.

Showing Receipts and Disbursements During the Year Ending June 30, 1906.

## RECEIPTS.

General state revenue tax.....	\$ 1,968,152.88
Interest on delinquent taxes.....	10,929.97
Sale of laws by county auditors.....	1,804.86
Sale of laws by secretary of state.....	521.90
Insane and inebriate from counties.....	467,111.99
Blind from counties.....	441.89
Deaf from counties.....	765.29
Feeble-minded from counties.....	17,196.02
Orphans' home from counties.....	15,486.87
Fees from auditor of state insurance.....	56,388.50
Fees from auditor of state building and loan.....	340.00
Fees from auditor of state bank examiners.....	13,645.00
Fees to cover expense of building and loan examinations.....	611.38
Fees to cover expense of insurance examinations.....	4,847.20
Fees from dairy commissioner.....	589.00
Fees from clerk of supreme court.....	2,924.10
Fees from secretary of state.....	147,872.28
Fees from superintendent of public instruction.....	1,824.50
Fees from state entomologist.....	818.50
Fees from pharmacy commission.....	34,671.50
Fees from board of medical examiners.....	6,470.00
Fees from board of health embalmers' department.....	1,164.00
Fees from board of dental examiners.....	1,443.00
Fees from board of veterinary medical examiners.....	1,085.00
Fees from itinerant physicians' license.....	2,500.00
From state officer and employes, rebate on mileage.....	1,843.51
Insurance tax.....	299,909.87
Collateral inheritance tax.....	190,747.02
Equipment car company tax.....	6,968.31
Contract labor, Fort Madison.....	46,538.25
Contract labor, Anamosa.....	3,115.41
Board U. S. prisoners, Anamosa.....	276.63
U. S. aid soldiers' home.....	66,641.71
Mine inspector, board of examiners.....	314.00
Interest on average daily deposits in banks.....	19,416.87
Transfer from temporary school fund.....	789.28
Sale of islands in river channels.....	5,225.66
Sale of stores, Saint Louis exposition.....	3.00
Refunds and sales by T. E. McCurdy, custodian.....	1,428.10
Support of state patients in state institutions.....	535.90
Refunds by adjutant general.....	3,941.41
Sale of geological reports and specimens.....	85.42
Refund by institutions under board of control.....	2,498.93
J. C. Crockett, refund supreme court contingent fund.....	63.80
Chas. W. Mullin, attorney general, refund traveling expense.....	20.50
A. B. Cummins, refund governor's contingent fund.....	47.80
Refund, miscellaneous, code 165.....	1.60
J. T. Hume, refund lost stores militia.....	.50
Refund state library historical department.....	21.33
Penitentiary at Anamosa, support.....	9,537.81
Penitentiary at Anamosa, books and periodicals.....	1,441.13
Penitentiary at Anamosa, lectures and entertainment.....	160.12
Penitentiary at Fort Madison, support.....	1,519.54
Penitentiary at Fort Madison, books and periodicals.....	1,048.76
Penitentiary at Fort Madison, lectures and entertainment.....	116.40
Hospital for insane, Cherokee, support.....	3,749.06
Hospital for insane, Clarinda, support.....	5,379.36
School for deaf, Council Bluffs, support.....	3,756.49
Orphans' home, Davenport, support.....	2,427.36
Industrial school for boys, Eldora, support.....	3,494.33
Institution for feeble-minded, Glenwood, support.....	2,431.74
Hospital for insane, Independence, support.....	4,160.21
Hospital for inebriates, Knoxville, support.....	944.41
Marshalltown soldiers' home, support.....	2,526.74
Industrial school for girls, Mitchellville, support.....	95.02
Hospital for insane, Mount Pleasant, support.....	12,443.95
College for blind, support.....	2,076.07
College for blind, improvements.....	431.53
Total receipts from all sources.....	\$ 3,466,150.06
Balance on hand July 1, 1905.....	1,375,032.23
Total to be accounted for.....	\$ 4,841,182.97

## DISBURSEMENTS.

Redemption of auditor's warrants.....	\$ 3,766,394.02
Balance cash in treasury June 30, 1906.....	1,074,788.81
Total.....	\$ 4,841,182.83

## CONDITION OF THE TREASURY.

## SPECIAL UNIVERSITY TAX.

Balance on hand July 1, 1905.....	\$ 44,285.40
Received from state tax .2 mills.....	127,178.58
Total.....	\$ 171,443.98

## DISBURSEMENTS.

Redemption of auditor's warrants.....	\$ 130,000.00
Balance in treasury June 30, 1906.....	41,443.98
Total.....	\$ 171,443.98

## AGRICULTURAL COLLEGE ENDOWMENT FUND.

Amount mortgage bonds in treasury June 30, 1905.....	\$ 669,400.08
Amount cash in treasury June 30, 1905.....	3,245.89
Amount received from sale of lands, etc., during year.....	80,944.00
Total.....	\$ 758,589.97

## DISBURSEMENTS.

Amount disbursed to Herman Knapp, treasurer.....	\$ 76,500.00
Cash in treasury June 30, 1906.....	89.97
Mortgage bonds in treasury June 30, 1906.....	677,000.00
Total.....	\$ 758,589.97

## AGRICULTURAL COLLEGE ADDITIONAL ENDOWMENT FUND.

Amount received from United States government.....	\$ 25,000.00
Amount disbursed to Herman Knapp, treasurer.....	\$ 25,000.00

## SPECIAL IOWA STATE COLLEGE TAX.

Balance on hand June 30, 1905.....	\$ 83,931.99
Amount received from state tax .2 mill levy.....	127,161.07
Total.....	\$ 161,093.06

## DISBURSEMENTS.

Redemption of auditor's warrants.....	\$ 117,005.91
Balance in treasury June 30, 1906.....	44,087.15
Total.....	\$ 161,093.06

## SPECIAL STATE NORMAL SCHOOL TAX.

Balance on hand July 1, 1905.....	\$ 767.86
Received from state tax, .1 mill levy.....	63,546.00
Total.....	\$ 64,313.86

## DISBURSEMENTS.

Redemption of auditor's warrants.....	\$ 45,000.00
Balance in treasury June 30, 1906.....	19,313.86
Total.....	\$ 64,313.86

## PERMANENT SCHOOL FUND.

Amount received by state treasurer.....	\$ 5,000.00
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## DISBURSEMENTS.

Transferred to counties by treasurer of state.....	\$ 5,000.00
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## CONDITION OF THE TREASURY.

## TEMPORARY SCHOOL FUND.

Balance on hand June 30, 1905.....	\$	4.00
Received from interest on state bonds.....		735.28
Total.....	\$	739.28

## DISBURSEMENTS.

Amount apportioned to counties.....	\$	739.28
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## RECAPITULATION OF BALANCES IN TREASURY JUNE 30, 1906.

General revenue .....	\$	1,074,788.31
Agricultural college endowment fund bonds.....		677,000.00
Agricultural college endowment fund cash.....		89.97
Special university fund.....		41,443.98
Special Iowa state college fund.....		44,087.15
Special state normal school fund.....		19,313.96
Total.....	\$	1,856,723.37

## STATEMENT NO. 2.

Showing the Amount of Warrants Issued and to What Charged During the Year Ending June 30, 1906.

Adjutant general, salary.....	\$	2,000.00
Adjutant general, assistant's salary.....		1,500.00
Adjutant general, record clerk's salary.....		1,200.00
Adjutant general, storage.....		712.22
Attorney general, salary.....		4,000.04
Attorney general, assistant's salary.....		1,900.00
Attorney general, clerk's salary.....		900.00
Attorney general, contingent expense.....		746.55
Attorney general, traveling expense.....		156.08
Auditor of state, salary.....		2,200.04
Auditor of state, salary, member of executive council.....		800.00
Auditor of state, deputy's salary.....		1,500.00
Auditor of state, insurance examiner's salary.....		2,000.01
Auditor of state, insurance examiner's assistants and expense.....		6,061.07
Auditor of state, clerks.....		9,370.11
Auditor of state, extra clerks.....		1,826.55
Auditor of state, bank examiners' salaries and expenses.....		11,020.20
Auditor of state, building and loan examinations.....		640.74
Iowa college of agriculture and mechanic arts, financial agent's salary and expenses.....		1,565.01
Iowa college of agriculture and mechanic arts, support, contingent and repair.....		173,708.32
Iowa college of agriculture and mechanic arts, purchase of land and improvement.....		184,930.02
Iowa college of agriculture and mechanic arts, trustees, per diem and expense.....		3,425.50
Agricultural societies.....		15,086.47
Board of control, members' and secretary's salaries.....		10,741.75
Board of control, architect's salary and expense.....		3,619.78
Board of control, clerks.....		6,648.32
Board of control, expense.....		2,631.04
Board of control, state agent and inspection expense.....		2,904.61
Board of control, tuberculosis investigation and quarterly conference.....		598.29
Benedict home.....		3,332.43
Board of educational examiners.....		1,578.40
Board of health.....		6,064.41
Board of medical examiners.....		5,476.86
Bacteriological laboratory.....		4,156.84
Board of dental examiners.....		1,999.12
Board of veterinary medical examiners.....		892.81
Clerk of supreme court, salary.....		2,200.04
Clerk of supreme court, deputy's salary.....		1,500.00
Clerk of supreme court, clerks' salaries.....		2,820.00
Commissioner of labor, salary.....		1,500.00
Commissioner of labor, deputy's salary.....		1,200.00
Commissioner of labor, factory inspector.....		780.00
Commissioner of labor, clerk.....		1,445.28
Commissioner of labor, expense.....		1,500.00
Custodian, salary.....		25,562.53
Custodian, expense.....		110,781.90
Capitol commission, permanent repairs.....		62.47
Collateral inheritance tax, refund.....		85.03
Collateral inheritance tax, court costs.....		9,314.95
Collateral inheritance tax, enforcement fund.....		11,006.18
Census for 1905, expense.....		

## CONDITION OF THE TREASURY.

Dairy commissioner, salary.....	\$ 1,500.00
Dairy commissioner, deputies' salaries.....	4,535.49
Dairy commissioner, expense.....	5,024.95
Department of agriculture, secretary and assistants' salaries.....	2,400.00
Department of agriculture, finance committee.....	137.35
Dubuque rescue home.....	809.18
Iowa department of the G. A. R.....	747.63
Salaries of judges of district courts.....	185,548.00
Executive council, secretary and clerks' salaries.....	6,158.16
Executive council, expense.....	1,013.56
Executive council, expert accountant.....	1,514.50
Executive council, expense in re-surveying lake beds.....	2,623.55
Engraving, plates and cuts.....	2,569.64
Farmers' institutes.....	6,435.86
Fish and game warden's salary, protection of fish and game.....	6,347.43
Florence Crittenton home.....	495.89
Freight, express and cartage.....	6,198.45
General assembly, thirty-first, members' salaries.....	82,500.00
General assembly, thirty-first, employees.....	50,908.90
General assembly, thirty-first, mileage, traveling expense, etc.....	3,108.88
General assembly, thirty-first, chaplains.....	3,475.00
General assembly, thirty-first, senate file No. 139.....	2,500.00
General assembly, thirty-first, house file No. 146.....	852.00
General assembly, thirty-first, house file No. 244.....	495.00
General assembly, thirty-first, senate file No. 111.....	750.00
General assembly, thirty-first, chapter 200, section 1, laws 30 G. A.....	300.00
Governor of state, salary and house rent.....	5,800.08
Governor of state, salary, member of executive council.....	800.08
Governor of state, private secretary, clerks and contingent.....	8,567.15
Governor of state, payment of council.....	1,747.89
Governor of state, return of fugitives.....	3,965.59
Governor of state, arrest of murderers.....	300.00
Governor of state, return of paroled prisoners.....	209.22
Geological survey, salaries and expenses.....	6,886.68
Grey uniforms.....	25.50
Historical department, curator and clerks.....	6,080.04
Historical library and museum (consolidated).....	10,027.73
Historical society, support.....	9,375.00
Horticultural society, support.....	4,000.00
Historical building; completing and furnishing.....	82,486.21
Insane, capture and return of escaped.....	659.90
Insane, non-resident.....	323.63
Inebriates, return and transportation of.....	56.15
Iowa library commission, secretary and clerk's salaries.....	2,655.00
Iowa library commission, traveling expense.....	750.88
Iowa library commission, general expense.....	2,477.90
Interest on school fund loans.....	735.22
Iowa weather and crop service.....	2,594.58
Investigation of the management of state educational institutions and indeterminate sentence and Elmira reformatory system.....	2,592.11
Iowa national guard, permanent camp ground.....	409.84
Insurance commission.....	2,228.27
Louisiana purchase exposition expense.....	2,704.41
Mine inspectors, salaries.....	4,500.00
Mine inspectors, expense.....	1,631.09
Mine inspectors, clerk.....	780.00
Mine inspectors, board of examiners (code, 2480).....	393.96
Mine inspectors, board of examiners (chapter 82, section 3, laws of 28th G. A.).....	2,142.74
Militia.....	70,539.04
Mail carrier.....	1,200.00
Miscellaneous expense (code No. 36).....	231.96
Miscellaneous expense (code No. 165).....	67,222.90
Miscellaneous expense (code No. 164).....	5,080.85
Monuments, Shiloh, Lookout Mountain, Vicksburg and Andersonville.....	39,316.95
Oil inspection.....	28,719.72
Pharmacy commission.....	7,595.67
Publishing notice of pardons.....	218.47
Railroad commissioners' and secretary's salaries.....	8,100.12
Railroad commissioners' clerks.....	2,265.00
Railroad commissioners, general expense.....	273.62
Railroad commissioners, traveling expense.....	695.85
Railroad commissioners, maps.....	1,510.00
Refund of lake bed leases.....	75.00
Refund account of sale of abandoned river channels.....	620.50
Relief of Hull and Metz.....	600.00
State library, salaries.....	8,253.72
State library, law department.....	2,500.00
Secretary of state, salary.....	2,200.04
Secretary of state, salary, member of executive council.....	870.08
Secretary of state, deputy's salary.....	1,500.00
Secretary of state, clerk hire.....	10,870.35
Secretary of state, indexing journals.....	250.00
Superintendent of public instruction, salary.....	2,200.04
Superintendent public instruction, deputy's salary.....	1,500.00
Superintendent public instruction, clerk hire.....	2,280.00
Superintendent public instruction, traveling expense.....	300.00
Superintendent public instruction, school journal.....	98.50
Superintendent of public weights and measures.....	50.00
Judges of supreme court, salaries.....	31,000.16
Supreme court, bailiff, messenger, etc.....	1,026.00
Supreme court, contingent.....	1,761.06
Supreme court, reporter and reporter's clerks' salaries.....	2,460.00
State binding.....	23,013.30
State printing.....	42,606.32

## CONDITION OF THE TREASURY.

State university, support, contingent and supplies.....	\$ 217,375.00
State university, land and improvements.....	75,000.00
State university, regents, per diem and expense.....	866.00
State normal school, support and contingent.....	129,799.01
State normal school, grading and paving walks.....	1,500.00
State normal school, board of trustees.....	974.00
State entomologist.....	844.99
State square proceeds, investing of same.....	5,936.50
Sundry appropriations, house file No. 10, 31st G. A.....	136.00
Sundry appropriations, senate file No. 99, 31st G. A.....	85.30
Sundry appropriations, senate file No. 358, 31st G. A.....	2,942.62
Sundry appropriations, house file No. 177, 31st G. A.....	54.81
Treasurer of state, salary.....	2,200.04
Treasurer of state, salary, member of executive council.....	800.08
Treasurer of state, deputy and clerk's salaries.....	6,547.47
Treasurer of state, treasurer's and deputy's bond.....	2,000.00
Teachers' institutes.....	4,850.00
Transportation of orphans to home.....	26.25
Veterinary surgeon.....	7,346.65

## TO INSTITUTIONS UNDER BOARD OF CONTROL.

<b>Anamosa Penitentiary:</b>	
Support and support of warden.....	\$ 53,184.90
Officers and guards.....	43,485.06
Books, periodicals and lectures and entertainments.....	1,216.13
Transportation of discharged convicts.....	744.68
Contingent and repairs.....	3,699.40
Improvements and supplies.....	35,483.36
<b>Cherokee Hospital for Insane:</b>	
Support.....	180,714.27
Books and periodicals.....	22.43
Contingent and repairs.....	6,908.96
Stereopticon.....	156.70
Improvements.....	30,904.64
<b>Clarinda Hospital for Insane:</b>	
Support.....	148,613.90
Contingent and repairs.....	7,779.13
Improvements.....	20,236.41
<b>Council Bluffs School for the Deaf:</b>	
Support.....	60,252.51
Library books and papers.....	553.16
Contingent and repairs.....	171.99
Improvements.....	109,937.68
<b>Davenport Soldiers' Orphans' Home:</b>	
Support.....	70,281.70
Books and magazines.....	130.83
Contingent and repairs.....	1,968.83
Improvements.....	15,400.40
<b>Eldora Industrial School for Boys:</b>	
Support.....	62,410.21
Lectures and entertainments.....	10.70
Purchase of cows and horses.....	865.00
Library books and magazines.....	151.65
Contingent and repairs.....	747.51
Improvements.....	14,822.58
<b>Fort Madison Penitentiary:</b>	
Support.....	65,682.92
Officers and guards.....	50,910.01
Books, periodicals, lectures and entertainments.....	1,832.76
Warden's house fund.....	32.68
Support of warden.....	250.00
Transportation of discharged convicts.....	1,438.01
Contingent and repairs.....	4,020.70
Improvements.....	20,711.81
<b>Glenwood Institution for Feeble-Minded:</b>	
Support.....	167,507.51
Purchase of land.....	900.00
Contingent and repairs.....	2,470.90
Improvements.....	54,037.72
<b>Independence Hospital for Insane:</b>	
Support.....	150,321.71
Contingent and repairs.....	1,463.39
Improvements.....	12,557.98
<b>Knoxville Hospital for Inebriates:</b>	
Establishing.....	91,208.53
Support.....	21,812.96
Closing home.....	463.57
Transportation of patients.....	691.25
<b>Marshalltown Soldiers' Home:</b>	
Support.....	150,630.41
Improvements.....	4,817.54



## CONDITION OF THE TREASURY.

## Mitchellville Industrial School for Girls:

Support .....	\$ 83,858.17
Library and periodicals .....	228.72
Contingent and repair .....	550.71
Chaplain .....	135.00
Dental fund .....	15.50
Purchase of horses .....	482.00
Improvements .....	2,929.49

## Mount Pleasant Hospital for Insane:

Support .....	170,481.97
Library books and magazines .....	134.81
Purchase of cows .....	42.78
Contingent and repairs .....	3,905.85
Improvements .....	9,259.15

## Vinton College for Blind:

Support .....	82,838.45
Oculist .....	100.00
Improvements .....	1,145.00

Total warrants issued from July 1, 1906, to July 1, 1906.....\$ 3,856,870.64

Warrants outstanding July 1, 1906.....	72,490.05
Total .....	\$ 3,929,360.69
Warrants redeemed from July 1, 1906, to July 1, 1906.....	3,766,894.62
Warrants outstanding July 1, 1906.....	162,466.07
Total .....	\$ 3,929,360.69

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