

# ACTS AND JOINT RESOLUTIONS

PASSED AT THE

## REGULAR SESSION

OF THE

# Thirty-Fifth General Assembly

OF THE

## STATE OF IOWA

**BEGUN JANUARY 13, AND ENDED APRIL 19, A. D. 1913**

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Prepared for Publication Under the Direction of  
W. S. ALLEN,  
Secretary of State

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DES MOINES  
ROBERT HENDERSON, STATE PRINTER  
J. M. JAMIESON, STATE BINDER  
1913

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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 this publication.

Name	Position	County from Which Originally Chosen
George W. Clarke....	Governor .....	Dallas
Thomas Watters, Jr.	Private Secretary to Governor.....	Polk
William L. Harding...	Lieutenant-Governor .....	Woodbury
William S. Allen.....	Secretary of State.....	Jefferson
Charles G. Watkins.	Deputy Secretary of State.....	Linn
John L. Bleakly.....	Auditor of State.....	Ida
Joseph H. Byrnes...	Deputy Auditor of State.....	Black Hawk
William C. Brown....	Treasurer of State.....	Wright
Quincy A. Willis....	Deputy Treasurer of State.....	Dallas
George Cosson .....	Attorney-General .....	Audubon
John Fletcher .....	Assistant Attorney-General .....	Pottawattamie
Albert M. Deyoe.....	Superintendent of Public Instruction.....	Hancock
Frank D. Joseph....	Deputy Superintendent of Public Instruction..	Delaware
Burgess W. Garrett...	Clerk of Supreme Court.....	Decatur
J. V. Arney.....	Deputy Clerk of Supreme Court.....	Decatur
Wendell W. Cornwall..	Reporter of Supreme Court.....	Clay
Robert Henderson ..	State Printer .....	Pottawattamie
John M. Jamieson....	State Binder .....	Guthrie
Nathaniel S. Ketchum.		Marshall
David J. Palmer.....	} Railroad Commissioners.....	Washington
Clifford Thorne .....		Washington
George McCaughan..	Secretary Board Railroad Commissioners.....	Polk
John F. Wade.....	} Board of Control of State Institutions....	Butler
Anthony M. McColl...		Dallas
William J. Dixon.....		Sac
Forrest S. Treat....	Secretary Board of Control.....	Polk
James H. Trewin.....	} State Board of Education.....	Linn
Abraham B. Funk....		Dickinson
George T. Baker.....		Scott
Henry M. Elcher.....		Washington
Parker K. Holbrook..		Monona
Charles R. Brenton...		Dallas
Daniel D. Murphy....		Clayton
Roger Leavitt .....		Black Hawk
Edward P. Schoentgen.		Pottawattamie
William R. Boyd.....		Linn
Daniel Emery .....	} Finance Committee .....	Pottawattamie
Thomas Lambert .....		Jackson
John E. Howe.....	} Board of Parole .....	Adair
William H. Berry....		Warren
David C. Mott.....		Iowa
Sam D. Woods.....	Secretary of Board of Parole.....	Adair
David E. Hadden....	} Commission of Pharmacy.....	Buena Vista
George D. Newcomb..		Union
A. C. Wilson.....		Fayette
Harry E. Eaton.....		Page
Dr. Albert C. Moerke..	President State Board of Health.....	Des Moines
Dr. Gullford H. Sumner	Secretary State Board of Health.....	Black Hawk
Dr. Gullford H. Sumner	State Registrar of Vital Statistics.....	Black Hawk
Edward Sweeney .....	} State Mine Inspectors .....	Polk
Rhys T. Rhys.....		Wapello
John F. Jeffreys.....		Monroe
Arthur H. Davison...	Secretary of Executive Council.....	Lyon
Guy E. Logan.....	Adjutant General .....	Montgomery

## STATE OFFICERS—CONTINUED.

Name	Position	County from Which Originally Chosen
John I. Gibson.....	State Veterinary Surgeon.....	Polk
William B. Barney....	Dairy and Food Commissioner.....	Franklin
E. C. Hinshaw.....	Fish and Game Warden.....	Dickinson
A. L. Urick.....	Commissioner of Labor Statistics.....	Polk
Johnson Brigham .....	State Librarian .....	Polk
Edgar R. Harlan.....	Curator Historical Department .....	Van Buren
Arthur R. Corey.....	Secretary Board of Agriculture.....	Kossuth
W. A. Duckworth.....	Custodian Public Buildings and Property....	Van Buren
George M. Chappel....	Director of Weather and Crop Service.....	Polk
George F. Kay.....	State Geologist .....	Johnson
James H. Lees.....	Assistant State Geologist.....	Polk

## JUDICIAL DEPARTMENT

## SUPREME COURT.

Name	Position	County from Which Chosen	Postoffice Address
Silas M. Weaver.....	Chief Justice.....	Hardin .....	Iowa Falls
Scott M. Ladd.....	Judge .....	O'Brien .....	Sheldon
William D. Evans.....	Judge .....	Franklin .....	Hampton
Horace E. Deemer.....	Judge .....	Montgomery .....	Red Oak
Frank R. Gaynor.....	Judge .....	Plymouth .....	Le Mars
Byron W. Preston.....	Judge .....	Mahaska .....	Oskaloosa
Winfield S. Withrow.....	Judge .....	Henry .....	Mt. Pleasant

## DISTRICT COURTS.

Dist.	Name	Postoffice Address	Counties in District
1	Henry Bank, Jr.....	Keokuk .....	Lee
	William S. Hamilton..	Ft. Madison .....	
2	Frank W. Eichelberger.	Bloomfield .....	Appanoose, Davis, Jefferson, Lucas, Monroe, Van Buren and Wapello.
	Francis M. Hunter....	Ottumwa .....	
	Charles W. Vermilion..	Centerville .....	
	Dan M. Anderson.....	Albia .....	
3	Hiram K. Evans.....	Corydon .....	Adams, Clarke, Decatur, Ringgold, Taylor, Union and Wayne.
	Thomas L. Maxwell....	Creston .....	
4	John F. Oliver.....	Onawa .....	Monona and Woodbury.
	George Jepson .....	Sioux City .....	
	David Mould .....	Sioux City .....	
5	James H. Applegate....	Guthrie Center ..	Adair, Dallas, Guthrie, Madison, Mar- ion and Warren.
	Lorin N. Hays.....	Knoxville .....	
	William H. Fahey.....	Perry .....	
6	Henry Selwold .....	Newton .....	Jasper, Keokuk, Mahaska, Poweshiek and Washington.
	Kleber E. Willcockson.	Sigourney .....	
	John F. Talbott.....	Brooklyn .....	
7	Allan J. House.....	Maquoketa .....	Clinton, Jackson, Muscatine and Scott.
	Arthur P. Barker.....	Clinton .....	
	Lawrence J. Horan....	Muscatine .....	
	William Theophilus...	Davenport .....	
	Maurice F. Donegan...	Davenport .....	
8	Ralph P. Howell.....	Iowa City .....	Iowa and Johnson.

## STATE GOVERNMENT

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## DISTRICT COURTS—CONTINUED.

Dist.	Name	Postoffice Address	Counties in District
9	William H. McHenry...	Des Moines .....	Polk.
	Hugh Brennan .....	Des Moines .....	
	Lawrence DeGraff .....	Des Moines .....	
	Charles S. Bradshaw...	Des Moines .....	
	Charles A. Dudley.....	Des Moines .....	
10	Franklin C. Platt.....	Waterloo .....	Black Hawk, Buchanan, Delaware and Grundy.
	George W. Dunham....	Independence.....	
	Charles W. Mullan....	Waterloo .....	
11	Charles E. Albrook....	Eldora .....	Boone, Franklin, Hamilton, Hardin, Story, Webster and Wright.
	Robert M. Wright.....	Fort Dodge .....	
	Chaucer G. Lee.....	Ames .....	
12	Millard F. Edwards....	Parkersburg.....	Bremer, Butler, Cerro Gordo, Floyd, Hancock, Mitchell, Winnebago and Worth.
	Charles H. Kelley.....	Charles City .....	
	Joseph J. Clark.....	Mason City .....	
13	W. J. Springer.....	New Hampton .....	Allamakee, Chickasaw, Clayton, Fayette, Howard and Winneshiek.
	Alfred N. Hobson.....	West Union .....	
14	Nels J. Lee.....	Estherville .....	Buena Vista, Clay, Dickinson, Emmet, Humboldt, Kossuth, Palo Alto and Pocahontas.
	Daniel F. Coyle.....	Humboldt .....	
15	Andrew B. Thornell...	Sidney .....	Audubon, Cass, Fremont, Harrison, Mills, Montgomery, Page, Pottawattamie and Shelby.
	Eugene B. Woodruff....	Glenwood .....	
	Orville D. Wheeler....	Council Bluffs .....	
	Thomas Arthur .....	Lozan .....	
	John B. Rockafellow...	Atlantic.....	
16	Frank M. Powers.....	Carroll .....	Calhoun, Carroll, Crawford, Greene, Ida and Sac.
	Marion E. Hutchison...	Lake City .....	
17	Centenary B. Bradshaw.	Toledo .....	Benton, Marshall and Tama.
	Clarence Nichols .....	Vinton .....	
18	Milo P. Smith.....	Cedar Rapids .....	Cedar, Jones and Linn.
	Frederick O. Ellison..	Anamosa .....	
	William N. Treichler..	Tipton .....	
19	Robert Bonson .....	Dubuque .....	Dubuque.
	John W. Kintzinger....	Dubuque .....	
20	James D. Smyth.....	Burlington .....	Des Moines, Henry and Louisa.
	Oscar Hale .....	Wapello .....	
21	William Hutchinson	Alton .....	Cherokee, Lyon, O'Brien, Osceola, Plymouth and Sioux.
	William D. Boise.....	Le Mars .....	

## SUPERIOR COURTS.

Name.	P. O. Address	Name.	P. O. Address
Charles B. Robbins.....	Cedar Rapids.	George H. Castle .....	Shenandoah.
Samuel B. Snyder.....	Council Bluffs.	John Shortley .....	Perry.
William L. McNamara ...	Keokuk.	Jacob P. Lyman .....	Grinnell.
Eugene J. O'Connor .....	Oelwein.		

## THIRTY-FIFTH GENERAL ASSEMBLY

## OFFICERS OF THE SENATE.

*President of the Senate*—William L. Harding, of Sioux City, Woodbury county.  
*President Pro Tempore*—Arthur C. Savage, of Adair, Adair county.  
*Secretary*—Joseph E. Meyer, of Des Moines, Polk county.  
*First Assistant Secretary*—J. J. Hayden, of Adair, Adair county.  
*Second Assistant Secretary*—Lewis E. Stamm, of Des Moines, Polk county.  
*Engrossing Clerk*—Dora Holaday, of Greenfield, Adair county.  
*Enrolling Clerk*—Harriet L. Elwood, of Lime Springs, Howard county.  
*Journal Clerk*—Mrs. Emma Malm, of Des Moines, Polk county.  
*Journal Clerk*—Mrs. Jessie Rinabarger, of Keosauqua, Van Buren county.  
*Sergeant-at-Arms*—W. A. Grove, of Rolfe, Pocahontas county.  
*Bill Clerk*—Charles M. Brown, of Newton, Jasper county.  
*Assistant Bill Clerk*—B. R. Shipley, of Lineville, Wayne county.  
*File Clerk*—Walter H. Beam, of Indianola, Warren county.  
*Assistant File Clerk*—John F. Gates, of Greene, Butler county.  
*Postmistress*—Mrs. Wm. E. Hamilton, of Odebolt, Sac county.  
*Doorkeeper*—J. H. Doty, of Spencer, Clay county.

## SENATORS.

DI	Name	P. O. Address	Counties in District
50	Allen, Joseph H.* ....	Pocahontas .....	Buena Vista, Humboldt, Pocahontas.
45	Ames, Asa L.* .....	Traer .....	Benton, Tama.
28	Arney, Wallace H. ....	Marshalltown ...	Marshall.
49	Balkema, Nicholas ...	Sioux Center ...	Lyon, O'Brien, Osceola, Sioux.
21	Balluff, August A.* .....	Davenport .....	Scott.
41	Boe, Lars W. ....	Forest City ...	Mitchell, Winnebago, Worth.
37	Chase, Daniel C.* ....	Webster City ...	Hamilton, Hardin, Wright.
15	Clarkson, John T. ....	Albia .....	Marion, Monroe.
9	Cowles, La Monte* ....	Burlington .....	Des Moines.
11	Crist, LeMerton E. ....	Osceola .....	Clarke, Warren.
34	Crow, Edward L.* ....	Mapleton .....	Crawford, Harrison, Monona.
4	Darrah, John H. ....	Chariton .....	Lucas, Wayne.
38	De Wolf, Sherman W.*	Reinbeck .....	Black Hawk, Grundy.
31	Loran, Justin R. ....	Beaver .....	Boone, Story.
7	Dunnegan, John J.* ..	Shenandoah ....	Fremont, Page.
32	Farr, Edgar P. ....	Sioux City .....	Woodbury.
40	Fellows, Albert M. ....	Lansing .....	Allamakee, Fayette.
47	Francis, Leslie E. ....	Spirit Lake .....	Clay, Dickinson, Emmet, Kossuth, Palo Alto.
20	Garrett, Alexander M.*	Letts .....	Louisa, Muscatine.
46	Gillette, Guy M. ....	Cherokee .....	Cherokee, Ida, Plymouth.
19	Goodwin, Mack C. ....	Council Bluffs...	Pottawattamie.
39	Hagemann, Fred P.†..	Waverly .....	Bremer, Butler.
26	Heald, Francis A. ....	Cedar Rapids ...	Linn.
23	Hillsinger, George E. ..	Sabula .....	Jackson.
42	Jewell, Philo M.* ....	Decorah .....	Howard, Winneshiek
8	Jones, Frank F. ....	Villisca .....	Mills, Montgomery.
27	Larrabee, Frederic ....	Fort Dodge ....	Calhoun, Webster.
44	Legel, John G.* .....	Charles City ....	Chickasaw, Floyd.
29	Malmberg, Edward P.*	Newton .....	Jasper.
48	Mattes, Joseph* .....	Odebolt .....	Carroll, Greene, Sac.
17	McColl, Anthony M. ...	Woodward .....	Audubon, Dallas, Guthrie.
1	McManus, Edward P.*	Keokuk .....	Lee.
10	Neal, Samuel W.* ....	Washington ....	Henry, Washington.
6	Nye, Albert D. ....	Bedford .....	Adams, Taylor.
33	Perkins, Eli C. ....	Delhi .....	Buchanan, Deleware.

## SENATORS—CONTINUED.

Dist.	Name	P. O. Address	Counties in District
36	Quigley, Robert .....	McGregor .....	Clayton.
14	Ream, John F.....	Oskaloosa, R. 5..	Mahaska.
43	Robinson, Thomas J. B.	Hampton .....	Cerro Gordo, Franklin, Hancock.
16	Savage, Arthur C. ....	Adair .....	Adair, Madison.
35	Schrup, Nicholas J.* ..	Dubuque .....	Dubuque.
24	Sheean, William D. ..	Anamosa .....	Cedar, Jones.
18	Smith, Thomas H.* ...	Harlan .....	Cass, Shelby.
12	Spaulding, Henry W.*.	Grinnell .....	Keokuk, Poweshiek.
30	Sullivan, John B.* ....	Des Moines .....	Polk.
2	Taylor, John H. ....	Farmington ....	Jefferson, Van Buren.
5	Thomas, Charles H. ...	Kent .....	Decatur, Ringgold, Union.
13	Webber, John F.* .....	Ottumwa .....	Wapello.
25	White, James A.....	South Amana ...	Iowa, Johnson.
3	Wilson, James M. ....	Centerville .....	Appanoose, Davis.
22	Wilson, John L.*?.....	Almont .....	Clinton.

\*Term expires in 1914.

†Successor to John A. Gates, who died January 21, 1913, during the legislative session.

## OFFICERS OF THE HOUSE.

*Speaker*—Edward H. Cunningham, of Newell, Buena Vista county.

*Speaker Pro Tempore*—Henry Brady, of Perry, Dallas county.

*Chief Clerk*—A. C. Gustafson, of Red Oak, Montgomery county.

*Assistant Clerk*—J. Benj. Hockersmith, of Runnells, Polk county.

*Reading Clerk*—Harlan G. Knapp, of Rockford, Floyd county.

*Engrossing Clerk*—Caroline Young Smith, of Des Moines, Polk county.

*Enrolling Clerk*—Mabel Elwood, of Lime Springs, Howard county.

*Journal Clerk*—Lola S. Elliott, of Des Moines, Polk county.

*Journal Clerk*—Frank G. Luke, of Hampton, Franklin county.

*File Clerk*—Harry H. Cook, of Emmetsburg, Palo Alto county.

*Assistant File Clerk*—Clyde McFarlin, of Montezuma, Poweshiek county.

*Bill Clerk*—Edward H. Trease, of Liscomb, Marshall county.

*Assistant Bill Clerk*—Charles Ellis, of Maquoketa, Jackson county.

*Sergeant-at-Arms*—John F. Offil, of Prairie City, Jasper county.

*Speaker's Clerk*—Jennie C. McCray, of Des Moines, Polk county.

*Assistant Postmistress*—Clara W. Patterson, of Des Moines, Polk county.

*Doorkeeper*—Howard Armstrong, of Humboldt, Humboldt county.

## REPRESENTATIVES.

Dist.	Name	P. O. Address	County Composing District
12	Anderson, Claus L. ....	Stanton.....	Montgomery.
54	Anderson, Walter W.....	Scranton.....	Greene.
73	Atkinson, William I.....	Clarksville.....	Butler.
48	Barry, Justin.....	Walker.....	Linn.
93	Bartle, Albert.....	Osage.....	Mitchell.
2	Bauman, Samuel H.....	Birmingham.....	Van Buren.
66	Bernbrock, Henry O.....	Waterloo.....	Black Hawk.
96	Bingham, Lewis L.....	Estherville.....	Emmet.
42	Black, Benjamin H.....	Nichols.....	Muscatine.

## REPRESENTATIVES—CONTINUED.

Dist.	Name	P. O. Adress	County Composing District
20	Blackford, John W.	Hillsboro.	Henry.
7	Bliss, John A.	Diagonal.	Ringgold.
43	Boettger, Henry H.	Davenport.	Scott.
18	Bradley, Edmond J.	Eldon.	Wapello.
36	Brady, Henry	Perry R. 4.	Dallas.
22	Brockway, James M.	Letts.	Louisa.
25	Brown, John L.	Rose Hill.	Mahaska.
88	Bruce, John E.	Rockford.	Floyd.
8	Burt, Myron L.	Bedford.	Taylor.
27	Buxton, William, Jr.	Indianola.	Warren.
82	Cannon, Charles C.	Paullina.	O'Brien.
3	Carson, George F.	Floris.	Davis.
35	Chapman, U. S. Grant.	Bagley.	Guthrie.
17	Clark, Charles H.	Albia R. 2.	Monroe.
86	Cole, Adelbert J.	Britt.	Hancock.
28	Craig, Walter F.	Winterset.	Madison.
40	Cronbaugh, Christopher C.	Marengo.	Iowa.
26	Crozler, George W.	Knoxville.	Marion.
78	Cunningham, Edward H.	Newell.	Buena Vista.
4	Daniels, Warren T.	Moulton.	Appanoose.
79	Dawson, Wilfred P.	Aurelia.	Cherokee.
60	Dixon, William J.	Sac City.	Sac.
56	Downey, Edward.	Breda.	Crawford.
5	Doze, Joseph E.	Humeston.	Wayne.
45	Dunlap, John W.	Elwood.	Clinton.
15	Eggleston, Cornelius B.	Osceola R. 6.	Clarke.
57	Elliott, A. B.	Whiting.	Monona.
92	Elwood, Lee W.	Elma.	Howard.
91	Enger, Lauritz M.	Decorah.	Winneshiek.
99	Erickson, Chris.	Inwood.	Lyon.
37	Fraley, Wilbert S.	Des Moines.	Polk.
65	Greene, Edmund K.	Reinbeck.	Grundy.
45	Greene, William J.	Clinton.	Clinton.
58	Griffin, Thomas F.	Sioux City.	Woodbury.
43	Griggs, Thomas W.	Davenport.	Scott.
66	Grout, Henry W.	Waterloo.	Black Hawk.
62	Hadley, Peter.	Fort Dodge.	Webster.
76	Halgrims, Col.	Humboldt.	Humboldt.
67	Halstead, Thomas F.	Winthrop R. 4.	Buchanan.
1	Hamilton, Joseph M. C.	Fort Madison.	Lee.
33	Hansen, Albert.	Harlan.	Shelby.
31	Hazen, John T.	Avoca.	Pottawattamie.
14	Heaton, Ernest J.	Shannon City R. 1.	Union.
90	Helming, Otto A.	Waukon.	Allamakee.
64	Huff, Herbert A.	Eldora.	Hardin.
32	Hunt, Charles W.	Logan.	Harrison.
16	Huntley, Clark W.	Chariton.	Lucas.
85	Hutchins, Clayton B.	Algona.	Kossuth.
61	Jacobs, John W.	Lake City.	Calhoun.
34	Jacobson, Ole H.	Kimballton.	Audubon.
21	Jamison, James E.	Burlington.	Des Moines.
77	Jensen, Walter P.	Pocahontas.	Pocahontas.
97	Jones, Fred W.	Spirit Lake.	Dickinson.
69	Kane, Allan J.	Dubuque.	Dubuque.
46	Kelso, Joseph, Jr.	Bellevue.	Jackson.
95	Kingland, Thomas A.	Lake Mills.	Winnebago.
81	Klay, Gerrit.	Orange City.	Sioux.
41	Koontz, George W.	Iowa City.	Johnson.
84	Kulp, David E.	West Bend.	Palo Alto.
71	Larrabee, Wm., Jr.	Clermont.	Fayette.
31	Lenocker, Alfred A.	Oakland.	Pottawattamie.
68	Le Roy, Millard F.	Manchester.	Delaware.



## REPRESENTATIVES—CONTINUED.

Dist.	Name	P. O. Address	Counties Composing District
51	Lounsberry, Harold C.....	Marshalltown.....	Marshall.
63	Lund, Frank J.....	Webster City.....	Hamilton.
52	Manning, Milo A.....	Ames.....	Story.
69	McCullough, Michael F.....	Dubuque R. 4.....	Dubuque.
53	McHose, James B.....	Boone.....	Boone.
75	McVicker, Ira D.....	Eagle Grove.....	Wright.
38	Meredith, David.....	Lynnville.....	Jasper.
72	Miller, Charles W.....	Waverly.....	Bremer.
44	Milton, Floyd L.....	Stanwood.....	Cedar.
18	Mitchell, Ernest R.....	Ottumwa.....	Wapello.
23	Munro, David R.....	Keota.....	Washington.
13	Newcomb, Walter.....	Corning.....	Adams.
55	Odendahl, Robert.....	Carroll R. 1.....	Carroll.
30	Peterson, John D.....	Anita.....	Cass.
87	Pickford, Arthur.....	Nora Springs.....	Cerro Gordo.
19	Power, Scott A.....	Fairfield.....	Jefferson.
74	Reeve, Orson G*.....	Hampton.....	Franklin.
48	Ring, Herbert C.....	Cedar Rapids.....	Linn.
59	Rohwer, Julius.....	Ida Grove.....	Ida.
94	Rone, Tollef C.....	Northwood.....	Worth.
89	Saltzman, Christian.....	Lawler.....	Chickasaw.
70	Scholz, Charles E.....	Guttenberg.....	Clayton.
10	Scott, Isaac G.....	Imogene.....	Fremont.
37	Shankland, Frank S.....	Des Moines.....	Polk.
39	Sherman, Ralph.....	Grinnell.....	Poweshiek.
29	Sidey, Edwin J.....	Greenfield.....	Adair.
98	Steelsmith, Daniel C.....	Melvin.....	Osceola.
9	Stipe, Wm. F.....	Clarinda.....	Page.
80	Stokes, Albert T.....	Le Mars.....	Plymouth.
47	Stutt, John H. J.....	Monticello.....	Jones.
6	Thompson, Melbern F.....	Van Wert.....	Decatur.
50	Townsend, William N.....	Traer.....	Tama.
24	Trumbauer, Charles A.....	Keota.....	Keokuk.
83	Webb, William H.....	Spencer.....	Clay.
49	White, Harry C.....	Garrison.....	Benton.
58	Whitney, Ulysses G.....	Sioux City.....	Woodbury.
11	Workman, Alfred S.....	Glenwood.....	Mills.

\*Successor to Frank A. Thayer, who died March 1, 1913, during the legislative session.

## COMMISSIONERS FOR IOWA IN OTHER STATES

List of Commissioners for Iowa in other states, qualified to act as such on the first day of June, 1913, whose terms of office will not expire prior to July 5, 1913; published as required in section 390 of the code, showing their names, postoffice addresses, date of commission, qualification and expiration of commission.

## CALIFORNIA.

Name	Postoffice	Date of Expiration of Commission	Date On and After Which Qualified
R. H. Norton.....	Los Angeles.....	March 16, 1913.....	March 17, 1913.
Henry C. Gardiner.....	San Diego .....	August 24, 1915.....	.....

## MARYLAND.

Abraham H. Fisher.....	Baltimore .....	May 7, 1914 .....	May 8, 1911.
George W. Manly.....	Baltimore .....	October 12, 1914....	October 8, 1911.

## NEW YORK.

George H. Corey.....	New York City..	January 4, 1915.....	January 4, 1912.
Hatley K. Armstrong....	Penn Yan.....	November 20, 1915..	November 14, 1909.
Edwin F. Corey.....	New York City..	August 25, 1913....	August 25, 1910.
Joseph B. Braman.....	New York City..	September 15, 1913..	September 14, 1910.

## PENNSYLVANIA.

John S. Wurts.....	Philadelphia ....	September 21, 1914.	September 21, 1911.
Thomas J. Hunt.....	Philadelphia ....	May 14, 1914.....	May 14, 1911.

# LAWS OF 1913

WITH DATE OF APPROVAL OF EACH

## CONTENTS

### GENERAL LAWS

Chap.	Title	Engrossed Bill	Page
1	AN ACT to provide for the compilation of the laws of the thirty-third, thirty-fourth and thirty-fifth general assemblies and the laws as they appear in the supplement to the code, 1907; to annotate same and the code and rules of the supreme court, to and including May term, 1913, of the supreme court, and to publish the said compilation and annotations as a "Supplement to the Code, 1913," and to provide for the appointing of a supervising committee, the election of an editor of such supplement to the code and to establish a salary for such editor, and making an appropriation therefor, and repealing section twenty-four (24) of chapter twenty (20) of the acts of the twenty-sixth general assembly, extra session, as same appears on page five (5) of the prefix to the code. Approved April 9, A. D. 1913.....	S. F. 38	1
2	AN ACT to amend the law relating to the compensation of members of the general assembly as the same appears in section twelve (12) of the code, as amended by chapter one (1) of the acts of the thirty-fourth general assembly. Approved April 23, A. D. 1913.....	S. F. 452	4
3	AN ACT to fix the date of the counting of the votes for governor and lieutenant governor and fixing the date of the inauguration of governor and lieutenant governor. Approved April 2, A. D. 1913.....	S. F. 152	4
4	AN ACT to authorize the governor to direct the attorney general to appear in certain cases, for and on behalf of the counties, cities, towns, and other municipalities and officers and contractors thereof and to employ additional legal assistance in such cases and providing for payment therefor. [Additional to chapter one (1), title two (II) of the code relating to the executive department.] Approved April 16, A. D. 1913 .....	H. F. 517	5
5	AN ACT making provisions for the settlement of all liabilities of the state growing out of the sale of certain lands of the Des Moines river, improvement grant as school lands. [Additional to section eighty-one (81) of the code, relating to the sale of certain lands.] Approved April 18, A. D. 1913...	H. F. 564	5
6	AN ACT providing for the record title of lands granted to the Dubuque and Pacific Railroad company. [Additional to section eighty-two (82) of the code, relating to the secretary of state certifying to list of lands.] Approved March 31, A. D. 1913 .....	S. F. 353	6

## GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
7	AN ACT to amend the law as it appears in sections eighty-six (86), ninety-eight (98), one hundred fifteen (115) and two hundred eleven (211) of the code, and section two hundred five (205), supplement to the code, 1907, relating to the compensation of the secretary of state, the auditor of state, the treasurer of state, the attorney general, and the clerk of the supreme court. Approved April 19, A. D. 1913.....	Sub. for S. F. 252	8
8	AN ACT creating the office of state examiners for counties, fixing their compensation, duties, terms of office and method of appointment, providing for a system of public accounting and supervision of county officers, establishing a uniform system of accounts, reports and audits for counties, and providing penalties for violations of this act. [Additional to chapter three (3), title two (II) of the code relating to executive department.] Approved April 17, A. D. 1913....	H. F. 259	9
9	AN ACT to repeal section five (5) of chapter sixty-one (61) of the acts of the thirty-third general assembly, as amended by chapter fifty (50) of the acts of the thirty-fourth general assembly, and to enact a substitute therefor relating to pensions for disabled and retired firemen. Approved April 17, A. D. 1913 .....	H. F. 90	11
10	AN ACT to amend section one (1) of chapter one hundred forty-five (145) acts of the thirty-fourth (34th) general assembly, relative to the limit of indebtedness of independent school districts. Approved April 18, A. D. 1913.....	H. F. 667	13
11	AN ACT to amend the law as the same appears in chapter two (2) acts of the thirty-fourth general assembly authorizing the executive council to pay court costs taxed to or other expenses incurred by the state in any suit or proceeding instituted by or against any of the state departments. [Additional to chapter seven (7) of title two (II) of the code relating to executive council.] Approved April 23, A. D. 1913.	H. F. 698	13
12	AN ACT granting additional powers to the executive council. [Additional to chapter seven (7) of title two (II) of the code relating to executive council.] Approved April 25, A. D. 1913 .....	S. F. 451	14
13	AN ACT authorizing the executive council of Iowa to incur expenses and make expenditures to procure data, make investigations and provide things not otherwise provided to enable said executive council to perform the duties imposed by law, and making appropriation therefor. [Additional to chapter seven (7) of title two (II) of the code relating to the executive council.] Approved April 12, A. D. 1913.....	S. F. 214	14
14	AN ACT to provide for the levy of a special tax upon the assessed valuation of the taxable property of the state for a period of ten years for the purchase of real estate for the extension and for the improvement of the state capitol grounds: To define the limits of said extension: To authorize the purchase by executive council of all grounds within said limits: To adopt a plan for the location of buildings, monuments, etc., on said extended ground, and to provide for the sale of certain real estate known as "Governor Square." [Additional to chapter seven (7) of title two (II) of the code relating to the executive council.] Approved April 10, A. D. 1913 .....	H. F. 669	16

GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
15	AN ACT to prohibit public officers or deputies from divulging any part of the contents of sealed bids and to fix and declare the liquidated damages inuring in favor of municipal corporations by reason of the violation of such prohibition. [Additional to chapter seven (7), title two (II) relating to the executive department.] Approved April 17, A. D. 1913..	H. F. 673	20
16	AN ACT to repeal chapter one hundred sixty-six (166) of the acts of the thirty-third general assembly and to enact a substitute therefor relating to payments for their support by members of the soldiers' home. Approved March 13, A. D. 1913 .....	S. F. 75	20
17	AN ACT providing for the levy of special taxes upon the assessed valuation of the taxable property of the state for the erection and improvement of buildings, for appurtenances and connections for the Iowa soldiers' home, Iowa soldiers' orphans' home, school for the deaf, institution for feeble-minded children, state sanitorium for the treatment of tuberculosis, state industrial schools, state hospitals, penitentiary, reformatory, state colony for epileptics, Iowa industrial reformatory for females and district custodial farm, and for the purchase of land and to develop and maintain industries, and repealing acts and parts of acts in conflict with this act. [Additional to section one hundred seventy-b (170-b) of the supplement to the code, 1907, relating to the state tax levy.] Approved April 18, A. D. 1913.....	S. F. 550	21
18	AN ACT repealing section one hundred and seventy-d (170-d) of the supplement to the code, 1907, and to enact a substitute in lieu thereof requiring all boards, commissions, departments, and officers of state to turn into the state treasury all fees collected. Approved April 19, A. D. 1913.....	H. F. 407	22
19	AN ACT authorizing and empowering the joint committee on retrenchment and reform to employ expert accountants and efficiency engineers, to institute reform, and making an appropriation therefor. [Additional to chapter nine (9) of title two (II) of the code relating to the executive department.] Approved March 17, A. D. 1913.....	H. F. 552	23
20	AN ACT to amend section one hundred eighty-one (181) of the code relating to joint committee on retrenchment and reform. Approved April 16, A. D. 1913.....	H. F. 519	24
21	AN ACT to fix and declare the liability of persons, firms or private corporations, entering into contracts with the state of Iowa, or with any county, city, town, city organized under special charter, school corporation or with any municipal corporation now existing or hereafter created and to provide for immunity to witnesses in proceedings to establish such liability, and to fix and declare the measure of damages for violation of this act. [Additional to chapter nine (9) of title two (II) of the code relating to duties assigned to two or more officers and general regulations.] Approved April 19, A. D. 1913 .....	H. F. 380	25
22	AN ACT to repeal sections one hundred ninety-three (193) and one hundred ninety-four (194) of the code and to enact a substitute therefor providing for an increase in the number of judges in the supreme court of Iowa and providing for a division of said court into sections, and to amend section ten hundred sixty-six (1066) of the supplement to the code, 1907, in reference to the selection of the chief justice of said court. Approved April 15, A. D. 1913.....	H. F. 160	26

## GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
23	AN ACT to repeal section two hundred twelve (212) of the supplement to the code, 1907, relating to the appointment of an assistant attorney general and to his salary, and to enact a substitute therefor. Approved April 19, A. D. 1913.....	S. F. 348	27
24	AN ACT to amend the law as it appears in section two hundred and twenty-seven (227) of the supplement to the code, 1907, relative to judicial districts and the number of judges therein and to provide for three judges in the tenth judicial district. Approved April 9, A. D. 1913.....	H. F. 391	28
25	AN ACT to provide for the nomination of district judges in judicial districts composed wholly of one county and having a population of 75,000 or more, at the primary election. [Additional to chapter five (5) of title three (III) of the code relating to the district court.] Approved April 14, A. D. 1913 .....	H. F. 110	28
26	AN ACT to provide for the terms of court in the fourth and twenty-first judicial districts. [Additional to chapter five (5) of title three (III) of the code relating to the district court.] Approved March 21, A. D. 1913.....	H. F. 546	29
27	AN ACT to amend section two hundred twenty-seven (227) of the supplement to the code, 1907, as amended by the thirty-fourth general assembly, and to provide for an additional judicial district and an additional judge for the fourth judicial district. Approved March 11, A. D. 1913.....	H. F. 86	29
28	AN ACT to amend section two hundred twenty-seven (227) of the supplement to the code, 1907, relating to the division of the state into judicial districts and increasing the number of district judges in the fifteenth judicial district and providing for the appointment of a judge to fill the vacancy and for the election of a judge for the place at the next general election. Approved April 19, A. D. 1913.....	S. F. 287	30
29	AN ACT to provide for the transfer of judges from one judicial district to another in certain cases. [Additional to chapter five (5) of title two (II) of the code relating to district court.] Approved April 25, A. D. 1913.....	S. F. 558	31
30	AN ACT creating cities, including cities under commission form of government, incorporated towns, and civil townships wholly outside of any city or incorporated town, trustees for funds bequeathed or donated for the permanent maintenance of property within cemeteries; and to amend the law as it appears in section two hundred fifty-four-a-twelve (254-a-12) of the supplement to the code, 1907, relating to the appointment of trustees by the district court to manage, control, and invest cemetery funds; and to amend the law as it appears in section seven hundred forty (740) of the supplement to the code, 1907, and as amended by chapter forty-seven (47) of the acts of the thirty-third general assembly, relating to the maintenance of certain institutions of benevolence, including hospitals. Approved April 14, A. D. 1913 .....	H. F. 115	32
31	AN ACT to amend section two hundred fifty-four a 20 (254-a20) of the supplement to the code, 1907, providing for the maintenance of dependent children whose mothers are widows. Approved April 19, A. D. 1913.....	H. F. 11	33
32	AN ACT to amend the law as it appears in section two hundred sixty-five (265) of the code relating to the clerk of the superior court. Approved March 13, A. D. 1913.....	S. F. 32	34

CONTENTS

xv

GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
33	AN ACT to repeal section two hundred ninety-three (293) of the code, and chapter three (3) of the acts of the thirty-third general assembly, and to enact a substitute therefor relating to the keeping of criminal statistics by the clerk of the district court and the reporting of same to the board of parole. Approved April 18, A. D. 1913.....	H. F. 489	34
34	AN ACT to repeal section four hundred seventy five (475) of the code and to enact a substitute therefor relating to the criminal statistics to be kept by the county auditor and the reporting of same by the county auditor to the clerk of the district court. Approved April 2, A. D. 1913.....	H. F. 488	35
35	AN ACT to amend the law as it appears in section two hundred ninety eight (298) of the supplement to the code, 1907, as amended by chapter sixteen (16) of the acts of the thirty-third general assembly, relating to the compensation of clerks of the district court and their deputies. Approved April 18, A. D. 1913.....	S. F. 471	36
36	AN ACT specifying qualifications for county attorneys additional to chapter nine (9), title three (3) of the code. Approved April 17, A. D. 1913.....	H. F. 591	36
37	AN ACT to repeal section three hundred thirteen (313) of the code and to enact a substitute therefor relating to the admission to the practice of law in this state of attorneys having been duly admitted to practice in other states. Approved April 11, A. D. 1913.....	S. F. 426	37
38	AN ACT to repeal section three hundred sixty-four (364) of the code, relating to investment of money and to enact a substitute therefor. Approved April 4, A. D. 1913.....	S. F. 13	37
39	AN ACT to repeal section ten (10) of chapter twenty-six (26) acts of the thirty-third (33rd) general assembly, and to enact a substitute therefor, relating to the maintenance of county hospitals. Approved April 9, A. D. 1913.....	H. F. 418	38
40	AN ACT to authorize the board of supervisors of each county in this state to make provision for the segregation, care and support of indigent persons afflicted with pulmonary tuberculosis in advanced stages. [Additional to chapter two (2) of title four (IV) of the code relating to board of supervisors.] Approved April 12, A. D. 1913.....	S. F. 466	38
41	AN ACT to amend section four hundred and thirty (430) of the supplement to the code, 1907, as amended by chapter twenty-five (25) of the laws of the thirty-fourth general assembly relative to the dependent soldiers' and sailors' tax. Approved April 9, A. D. 1913.....	H. F. 119	39
42	AN ACT to amend section 458-c, of the supplement to the code, 1907, and chapter 32 of the acts of the thirty third general assembly, relating to the payment of claims for injuries to domestic animals. Approved April 4, A. D. 1913.....	S. F. 114	40
43	AN ACT to repeal section four hundred seventy nine (479), supplement to the code, 1907, and to enact a substitute therefor relating to the compensation of county auditors. Approved April 18, A. D. 1913.....	Sub. for S. F. 186	40
44	AN ACT to amend the law as it appears in sections four hundred ninety (490) of the supplement to the code, 1907, and four hundred ninety-one (491) of the code, 1897, relating to the compensation of county treasurers and their deputies. Approved April 15, A. D. 1913.....	S. F. 384	41

GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
45	AN ACT to amend section four hundred ninety-one (491) of the code, relative to deputy and clerk hire in the office of treasurer of counties containing a population of less than ten thousand. Approved April 19, A. D. 1913.....	H. F. 684	41
46	AN ACT to repeal section four hundred ninety-five (495) of the supplement to the code, 1907, and to enact a substitute therefor, relating to the duties and compensation of county recorder. Approved April 23, A. D. 1913.....	H. F. 358	42
47	AN ACT to repeal paragraph sixteen (16) of section five hundred eleven (511) of the supplement to the code, 1907, as amended by chapter thirty-six (36) of the acts of the thirty-third general assembly and to enact a substitute therefor relating to the boarding and lodging of prisoners. Approved February 18, A. D. 1913.....	H. F. 53	42
48	AN ACT to repeal section five hundred forty-nine (549) of the code and to enact a substitute therefor, relating to the publication of notices. Approved April 18, A. D. 1913.....	H. F. 574	43
49	AN ACT declaring the emission of smoke within the corporate limits of certain cities, including cities acting under special charter, to be a public nuisance and conferring upon such cities additional powers for the abatement of such nuisances and repealing chapter thirty-seven (37) of the laws of the thirty-fourth general assembly. [Additional to chapter four (4) of title five (V) of the code, relating to general powers of cities and towns.] Approved March 20, A. D. 1913.....	Sub. for S. F. 103	43
50	AN ACT to amend the law relating to the levy of taxes for the support of cemeteries as the same appears in chapter thirty-eight (38) of the acts of the thirty-third general assembly, amendatory of sections five hundred eighty-six (586) and eight hundred ninety-four (894) supplement to the code, 1907. Approved April 19, A. D. 1913.....	H. F. 675	44
51	AN ACT to amend section six hundred fifteen (615) of the supplement to the code, 1907, relative to the extension of the limits of cities and towns. Approved March 11, A. D. 1913 .....	H. F. 48	45
52	AN ACT to amend section six hundred sixteen (616) of the code relative to taxation of unplatted lands within the limits of cities and towns. Approved February 18, A. D. 1913 .....	H. F. 44	45
53	AN ACT to amend the law as it appears in section six hundred thirty-nine (639) of the code relating to the classes of cities and towns. Approved March 17, A. D. 1913.....	H. F. 384	46
54	AN ACT to repeal the law as it appears in sections six hundred forty-eight (648), and six hundred fifty-one (651), of the supplement of the code, 1907, and to enact substitutes therefor, relative to the election and appointment of certain officers in cities and towns. Approved April 4, A. D. 1913..	S. F. 177	46
55	AN ACT relating to the loaning and depositing of public funds by city treasurers. [Additional to section six hundred sixty (660), chapter two (2) title five (V) of the code relating to city and town government.] Approved April 15, A. D. 1913 .....	Sub. for S. F. 40	47
56	AN ACT to amend the law as it appears in section six hundred sixty-nine (669) of the supplement to the code, 1907, relating to the compensation of councilmen when acting as members of the board of review. Approved April 17, A. D. 1913 .....	H. F. 554	48



GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
57	AN ACT to repeal section six hundred seventy four (674) of the supplement to the code 1907, and to enact a substitute therefor relating to the compensation of assessors in cities and towns. Approved April 3, A. D. 1913.....	H. F. 31	48
58	AN ACT to amend the law as the same appears in sections six hundred ninety-one (691) and six hundred ninety-two (692) of the code, relating to the jurisdiction in actions for the violation of city or town ordinances and providing for the transfer of cases from mayor's court to a justice of the peace court in certain cases. Approved April 2, A. D. 1913..	Sub. for S. F. 254	49
59	AN ACT to amend section six hundred and ninety-four-a (694-a) of the supplement to the code 1907, relating to membership fees and dues in league of Iowa municipalities. Approved April 17, A. D. 1913.....	H. F. 474	50
60	AN ACT to amend section six hundred ninety-six (696) of the supplement to the code, 1907, relating to the prevention of nuisances and the regulation of slaughter houses and other such places by cities and towns and making said section applicable to cities acting under special charter. Approved April 19, A. D. 1913.....	H. F. 290	50
61	AN ACT granting to cities of all classes and towns power to license and regulate plumbers: to determine the qualifications and provide for the examination thereof: to prescribe rules and regulations for the installation of plumbing and the inspection thereof and to provide for the removal of plumbing installed in violation of the manner prescribed and to impose penalties for a violation of ordinances enacted under this act and to amend section seven hundred (700) of the supplement to the code, 1907. Approved April 16, A. D. 1913.....	H. F. 646	51
62	AN ACT providing for the license of certain classes of temporary or transient merchants doing business in cities or incorporated towns, defining the same and the manner of issuing licenses, regulating and advertising and representation of such merchants and providing for penalties for the violation thereof: [Additional to chapter four (4) title five (V) of the code relating to general powers of cities and towns.] Approved April 18, A. D. 1913.....	S. F. 333	51
63	AN ACT authorizing cities and towns including those acting under special charter and cities under the commission form of government to adopt a building code and to provide penalties for violation thereof. [Additional to chapter four (4), title five (V) of the code relating to general powers of cities and towns.] Approved April 8, A. D. 1913.....	H. F. 456	54
64	AN ACT to repeal the law as it appears in section seven hundred eleven (711) of the code and to enact a substitute therefor relating to the powers of cities and towns to enact ordinances for protection against fires, accidents from electrical apparatus, to establish fire limits, to prohibit within such limits the erection of buildings and structures of certain construction and providing for the cost or removal or taking down of buildings erected in violation of such ordinances. Approved April 3, A. D. 1913.....	Sub. for S. F. 178	55
65	AN ACT to confer certain powers on cities organized under the commission form of government and on cities having a population of five thousand (5000) or more organized under chapter two (2) of title five (5) of the code, and cities or-		

GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
	ganized under special charter, relating to the organization, equipment and operations of fire departments and providing for the levy and collection of a special tax for the use and benefit of such fire departments and granting power to anticipate said tax and to issue fire fund certificates or bonds. [Additional to chapter four (4), of title five (V) of the code relating to general powers of cities and towns.] Approved April 17, A. D. 1913.....	H. F. 312	55
66	AN ACT to amend the law as it appears in section seven hundred twenty (720) supplement to the code, 1907, as amended by chapter forty-four (44) acts of the thirty-third (33) general assembly, and chapter thirty-four (34) acts of the thirty-fourth (34) general assembly and to authorize cities and towns to enter into contracts to purchase heat, gas, and electric current, and to sell the same. Approved April 17, A. D. 1913 .....	H. F. 212	56
67	AN ACT to amend the law as it appears in section seven hundred twenty-four (724), supplement to the code 1907, and in section eight hundred ninety-four (894), supplement to the code 1907 relating to the powers of cities and towns. Approved April 16, A. D. 1913.....	H. F. 131	57
68	AN ACT to amend sections seven hundred thirty-two (732), and eight hundred ninety-four (894), of the supplement to the code, 1907, relative to the levying of taxes for public libraries. Approved April 16, A. D. 1913.....	H. F. 306	58
69	AN ACT to amend Sec. seven hundred thirty-two (732), of the supplement to the code, 1907, in relation to library funds and transfer thereof. Approved March 29, A. D. 1913....	H. F. 3	58
70	AN ACT to repeal sections seven hundred twenty-nine-a (729-a), five hundred ninety-two-a (592-a) and seven forty-one-n (741-n), supplement to the code, 1907, and to enact substitutes therefor; to amend sections four hundred twenty-two (422), supplement to the code, 1907; and section twenty-eight hundred six (2806) of the code; all relating to the benefits of free public libraries and to confer additional powers upon boards of library trustees, township trustees, boards of county supervisors, boards of school directors, and city and town councils, in relation thereto. Approved April 16, A. D. 1913 .....	H. F. 464	59
71	AN ACT to amend the law as it appears in section seven hundred forty-one-o (741-o) supplement to the code, 1907, relating to the election of city hospital trustees. Approved March 25, A. D. 1913.....	Sub. for S. F. 266	61
72	AN ACT to amend section seven hundred forty-one-d (741-d) of the supplement to the code, 1907, relating to the power to erect a city hall and to purchase the ground therefor in certain cities. Approved February 21, A. D. 1913.....	H. F. 34	61
73	AN ACT to authorize the use and expenditure of the sinking fund provided for in chapter five (5) of title V of the code. Approved April 18, A. D. 1913.....	S. F. 277	62
74	AN ACT to provide for the improvement of the water and harbor fronts of incorporated or chartered cities and towns situated on navigable waterways within or bordering on the state of Iowa; for the acquirement, construction, maintenance and operation of public docks, and for the acquirement by condemnation or otherwise of lands or rights or interest therein for same; to create a department to be administered by a board to carry on such work and to regulate and control the construction, maintenance and operation of belt rail-		

GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
	ways, wharves, docks, slips, quay walls, piers, basins, other water-front lands or rights or interests therein, in said cities and towns; to authorize the issuance and sale of bonds and to levy a tax for carrying out the above purposes. [Additional to chapter four (4) of title five (V) of the code, relating to the general power of cities and towns.] Approved April 23, A. D. 1913.....	S. F. 360	62
75	AN ACT to amend section seven hundred fifty-one (751) of the code relating to streets and public grounds. Approved April 25, A. D. 1913.....	S. F. 427	68
76	AN ACT to regulate the levy and collection of special assessments in cities and towns and cities acting under special charter and cities under commission plan of government. Amendatory to chapter seven (7), title five (V) of the code. Approved April 19, A. D. 1913.....	Sub. for S. F. 424	68
77	AN ACT amending section seven hundred ninety-two (792) of the code, relating to street improvements. Approved April 17, A. D. 1913.....	S. F. 99	69
78	AN ACT to repeal section seven hundred ninety three (793) of the code relating to street improvement, sewers and special assessments and to enact a substitute therefor. Approved March 8, A. D. 1913.....	Sub. for S. F. 85	70
79	AN ACT to make section eight hundred seven (807) of the code applicable to cities acting under special charter. Approved April 3, A. D. 1913.....	S. F. 397	70
80	AN ACT to amend section eight hundred sixteen (816) of the code relating to lien of tax. Approved April 19, A. D. 1913..	H. F. 404	70
81	AN ACT to amend section eight hundred twenty (820) of the code fixing time in which the city council or board of public works, where such board exists, shall ascertain the cost and prepare the assessment, plat and schedule relative to the special assessment of property for the making or reconstruction of street improvements. Approved April 3, A. D. 1913	S. F. 245	71
82	AN ACT to amend the law as it appears in section eight hundred twenty-five (825) of the code, relating to street improvements and sewers. Approved April 10, A. D. 1913....	S. F. 349	71
83	AN ACT to amend section eight hundred thirty-six (836) of the code, in reference to reassessment for local improvements. Approved April 17, A. D. 1913.....	S. F. 508	71
84	AN ACT to amend section one (1) of chapter forty-three (43) acts of the thirty-fourth general assembly relating to street improvements in towns, and to the levy of special taxes therefor. Approved April 19, A. D. 1913.....	H. F. 476	72
85	AN ACT providing for the assessment of the cost of main sewers to the property within the territory drained and defining adjacent property relative thereto, and amending section eight hundred forty d (840-d), of the supplement to the code, 1907, relating to the construction of main sewers and paying the cost thereof. Approved April 11, A. D. 1913.	S. F. 334	73
86	AN ACT authorizing the issue of flood protection bonds by cities of the first class and cities acting under the commission plan of government. [Additional to chapter eight-a (8-a) of title five (V) of the supplement to the code, 1907 relating to protection of property from floods.] Approved April 17, A. D. 1913.....	S. F. 435	73
87	AN ACT granting additional powers to cities organized under the commission plan of government, and amending section one (1) of chapter sixty-seven (67), laws of the thirty-third general assembly. Approved April 16, A. D. 1913.....	S. F. 436	74

## GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
88	AN ACT to repeal section eight hundred fifty-c (850-c) of the supplement to the code, 1907, as amended by chapter fifty-seven (57) of the acts of the thirty-third general assembly and chapter forty-four (44) acts of the thirty-fourth general assembly relating to the tax levy for park purposes, and to enact a substitute therefor. Approved April 18, A. D. 1913 .....	H. F. 431	76
89	AN ACT to amend the law as it appears in section 850-c of the supplement to the code, 1907, as amended by chapters 56 and 57 of the acts of the 33rd general assembly and chapter 44 of the acts of the 34th general assembly relating to the tax levy for park purposes. Approved February 18, A. D. 1913..	H. F. 42	76
90	AN ACT to amend the law as it appears in sections eight hundred seventy-nine-d (879-d), and eight hundred seventy-nine-g (879-g), supplement to the code, 1907, and to repeal section eight hundred seventy-nine-o (879-o), supplement to the code, 1907, relative to the powers and duties of river front improvement commissions. Approved April 19, A. D. 1913..	H. F. 608	77
91	AN ACT to amend the law as it appears in paragraph eight (8) of section eight hundred and ninety-four (894) of the supplement to the code, 1907, relating to the levy of special taxes by cities. Approved April 1, A. D. 1913.....	H. F. 134	78
92	AN ACT to provide for the transfer to the city or town treasurer of unclaimed funds in the treasury of the county where such unclaimed funds are the proceeds of an invalid tax levied to pay for the construction of an electric light plant for such city or town, and making the same a part of the general fund of such city or town. [Additional to chapter eleven (11) of title five (V) of the code relating to cities of cities and towns.] Approved March 29, A. D. 1913.....	Sub. for S. F. 219	78
93	AN ACT amending section nine hundred twenty two (922) of the supplement to the code, 1907, relating to plats by auditor, providing that no such plats shall be made for real estate situated in cities acting under special charter. Approved April 15, A. D. 1913.....	S. F. 398	79
94	AN ACT to amend section nine hundred thirty-seven (937) of the code, relating to the filling of vacancies in the office of alderman in cities under special charters. Approved February 19, A. D. 1913.....	S. F. 18	79
95	AN ACT to repeal section one (1) of chapter forty-nine (49) of the acts of the thirty-fourth general assembly relating to the improvement of water fronts in cities acting under special charter and enacting a substitute therefor and to amend section two (2) of chapter forty-nine (49) of the acts of the thirty-fourth general assembly relating to the levee improvement commission in such cities. Approved April 8, A. D. 1913 .....	H. F. 509	80
96	AN ACT to confer additional powers upon certain cities organized under chapter forty-eight (48) of the acts of the thirty-second general assembly of Iowa as the same appears in chapter fourteen-c (14-c) of title five of the supplement to the code 1907, providing for the levy and collection of a special tax for the purchase and maintenance of apparatus and equipment for use in police service in the department of public safety. Approved April 19, A. D. 1913.....	S. F. 482	81
97	AN ACT to amend the law as it appears in section ten hundred and fifty-six a-nine (1056-a 9) of the supplement to the code, 1907, relating to municipal accounting of cities and towns. Approved April 17, A. D. 1913.....	H. F. 149	82

GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
98	AN ACT to confer certain powers on cities organized under chapter forty-eight (48) of the acts of the thirty-second general assembly of Iowa, as the same appears in chapter fourteen-c (14-c) of title five of the supplement to the code 1907, providing for the levy and collection of a special tax for the purchase, equipment, construction and maintenance of a garbage disposal plant. Approved April 19, A. D. 1913.....	S. F. 483	83
99	AN ACT to amend section eight hundred fifty-a (850-a) of the supplement to the code, 1907, relating to the election of park commissioners, and providing for the appointment of park commissioners until the next regular municipal election. Approved February 18, A. D. 1913.....	H. F. 36	84
100	AN ACT to amend the law as it appears in sections ten hundred fifty-six-a-twenty five and ten hundred fifty-six-a-twenty six (1056-a-25 and 1056-a-26) of the supplement to the code, 1907, as amended, and to provide for the appointment and powers of library trustees in certain cities. Approved March 25, A. D. 1913 .....	S. F. 210	85
101	AN ACT to grant power to cities now or hereafter having a population of twenty five thousand or over and organized under chapter fourteen-c (14-c), of title five (5), of the supplement to the code, 1907, and amendments thereto, to assume charge, custody and control of all trees and shrubbery and the planting and maintenance thereof on the public streets and to provide for the payment of the costs thereof. [Additional to chapter fourteen-c (14-c) of title five (V), supplement to the code 1907, relating to government of cities and towns.] Approved April 16, A. D. 1913.....	H. F. 20	86
102	AN ACT to amend the law as it appears in chapter sixty-four (64) of the acts of the thirty-third (33d) general assembly as amended by chapters fifty-two (52), fifty-four (54) and fifty-five (55) of the acts of the thirty-fourth (34th) general assembly relating to the government of certain cities. Approved March 21, A. D. 1913.....	H. F. 135	86
103	AN ACT to establish a department of public instruction, and to amend section ten hundred and sixty-five (1065) of the supplement to the code, 1907, and to repeal chapter one (1) of title thirteen (13) of the code, and to repeal chapter one (1) of title thirteen (13) of the supplement to the code, 1907, as amended, relative to the office of superintendent of public instruction, and to enact a substitute therefor. Approved April 11, A. D. 1913.....	S. F. 70	88
104	AN ACT providing for the non-partisan nomination and election of judges of the supreme, district and superior courts of Iowa. [Additional to chapters one (1) and three (3) of title six (VI) of the code, relating to election and officers.] Approved April 11, A. D. 1913.....	H. F. 5	91
105	AN ACT providing for the election of United States senators by the vote of the people. [Additional to chapter one (1) of title six (VI) relating to elections and officers.] Approved April 14, A. D. 1913.....	Sub. for S. F. 417	92
106	AN ACT to provide for the appointment of clerk of the supreme court, and reporter of the supreme court, to fix the term of office of such officials, and to repeal section one thousand sixty-seven (1067) of the code. Approved April 17, A. D. 1913 .....	H. F. 23	93

## GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
107	AN ACT to amend the law as it appears in sections ten hundred seventy-two (1072), twenty-seven hundred forty-two (2742), and twelve hundred seventy-two (1272), supplement to the code, 1907, relating to the office of county superintendent of schools; to repeal section twenty-seven hundred thirty-four-b (2734-b), supplement to the code, 1907, relating to the office of county superintendent of schools and to provide for the election, qualification, duties and compensation of a county superintendent of schools. Approved April 18, A. D. 1913 .....	H. F. 348	93
108	AN ACT to amend section ten hundred seventy-six (1076) supplement to the code 1907, relating to registration of voters. Approved April 17, A. D. 1913.....	S. F. 130	95
109	AN ACT to amend the law as it appears in sections ten hundred eighty-seven-a-ten (1087-a10), ten hundred eighty-seven-a-twenty-two (1087-a22), and ten hundred eighty-seven-a-twenty-seven (1087-a27), of the supplement to the code, 1907, as amended by chapter sixty-nine (69) of the acts of the thirty-third (33d) general assembly, section eleven hundred six (1106) of the supplement to the code, 1907, and sections eleven hundred fifty (1150), eleven hundred fifty-one (1151), eleven hundred fifty-seven (1157), and eleven hundred sixty-two (1162), of the code, and repealing chapter one (1) of the acts of the special session of the thirty-second (32d) general assembly, and enacting a substitute therefor, all relating to the nomination of candidates for the office of senator in the congress of the United States and of the canvass of the vote for senator in the congress of the United States, and providing for nominations for such office in case of vacancy. Approved March 18, A. D. 1913.....	H. F. 1	96
110	AN ACT to amend section one thousand eighty-seven a-10 (1087 a-10) of the supplement to the code, 1907, as amended by chapter sixty-nine (69) acts of the thirty-third (33rd) general assembly, and chapters fifty-eight (58) and fifty-nine (59) acts of the thirty-fourth (34th) general assembly, relating to nomination papers. Approved April 3, A. D. 1913.	H. F. 55	98
111	AN ACT to provide for the election of delegates and alternate delegates to national conventions of political parties, for the election of party national committeemen, and delegates to county conventions, and for a preferential vote on president and vice-president of the United States (additional to chapter two-a, title six, supplement to the code, 1907) relating to primary elections, and for submitting to the voters of the several parties the question: "Shall the vote of the state at large or the vote of the congressional district control?" Approved April 16, A. D. 1913.....	S. F. 233	99
112	AN ACT to amend the law as it appears in section ten hundred ninety-three (1093) supplement to the code, 1907, relating to election boards. Approved April 19, A. D. 1913...	S. F. 488	104
113	AN ACT to amend section eleven hundred eighty-two (1182) of the code, relating to the giving of bonds by public officers and requiring that bonds be given by county supervisors. Approved April 19, A. D. 1913.....	H. F. 58	104
114	AN ACT to amend section four (4) of chapter sixty-three (63), acts of the thirty-fourth general assembly, relating to assessment of stocks of national, state and savings banks. Approved April 19, A. D. 1913.....	S. F. 446	105

CONTENTS

xxiii

GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
115	AN ACT to amend chapter sixty-two (62) of the acts of the 34th general assembly by striking out the last four (4) lines of section one (1) of said chapter and enacting a substitute therefor relating to the exemption from taxation of property of an honorably discharged union soldier or sailor of the Mexican war or of the war of the rebellion or of the widow of such soldier or sailor. Approved April 17, A. D. 1913 .....	S. F. 357	105
116	AN ACT to amend the law as it appears in section thirteen hundred and four (1304) of the supplement to the code, 1907, as amended by chapter 81 of the acts of the thirty-third general assembly and chapter 61 of the acts of the thirty-fourth general assembly, relating to exemptions of different classes of property. Approved April 19, A. D. 1913.	H. F. 451	106
117	AN ACT to amend section thirteen hundred four (1304) of the supplement to the code, 1907, as amended by chapter sixty-one (61) of the acts of the thirty-fourth general assembly relating to the exemption of certain classes of property from taxation. Approved April 19, A. D. 1913.....	H. F. 515	106
118	AN ACT to amend the law as it appears in chapter eighty-three (83) acts of the thirty-third (33d) general assembly relating to the issuance of bonds in cities and towns. Approved March 29, A. D. 1913.....	Sub. for S. F. 231	106
119	AN ACT repealing section one thousand three hundred twenty-six (1326) of the code and enacting a substitute in lieu thereof relating to the assessment of stock of building and loan associations. Approved April 4, A. D. 1913.....	S. F. 156	107
120	AN ACT to amend section one (1) of chapter sixty-eight (68) of the acts of the thirty-fourth general assembly relating to the assessment and collection of a tax upon collateral estates, annuities, legacies, bequests, gifts, transfers and inheritances. Approved April 2, A. D. 1913.....	Sub. for S. F. 176	108
121	AN ACT to amend section twenty-four (24) chapter sixty-eight (68) of the acts of the thirty-fourth general assembly, relating to the payment of collateral inheritance tax. Approved April 16, A. D. 1913.....	H. F. 633	108
122	AN ACT to create a state highway commission and to provide for the appointment, term of office, compensation, powers and duties of such commission, to provide for the removal of the members of said commission, to create a system of county and township road, bridge and culvert construction and maintenance, and to prescribe the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township, and other officers and employees with reference thereto, to fix the rights of parties contracting with reference to such work, to repeal section two thousand six hundred seventy-four-f (2674-f) of the supplement to the code, 1907, relating to highway commission and to amend section three (3) of chapter twenty-four (24) of the acts of the thirty-fourth general assembly, relating to the county road building fund, and to repeal all acts and parts of acts in conflict with this act. [Additional to chapter two (2) of title eight (VIII) of the code relating to working roads.] Approved April 3, A. D. 1913.....	S. F. 439	109
123	AN ACT to amend an act passed by the thirty-fifth general assembly and approved on the 3rd day of April, 1913, and entitled "A bill for an act to create a state highway commission and to provide for the appointment, term of office, compensation, powers and duties of such commission, to		

## GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
	provide for the removal of the members of said commission, to create a system of county and township road, bridge and culvert construction and maintenance and to prescribe the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township and other officers and employees with reference thereto, to fix the rights of parties contracting with reference to such work, to repeal section twenty-six hundred seventy-four-f (2674-f), supplement to the code, 1907, relating to highway commission and to amend section three (3) of chapter twenty-four (24) of the acts of the thirty-fourth general assembly, relating to county road building fund and to repeal all acts and parts of acts in conflict with this act." Approved April 22, A. D. 1913.....	S. F. 556	117
124	AN ACT to amend the law as it appears in chapter ninety-three (93) of the acts of the thirty-third general assembly, relative to the establishment of road districts for state lands and providing for the payment of the cost of maintaining roads therein and the collection of road poll tax within such districts. Approved April 17, A. D. 1913.....	S. F. 510	119
125	AN ACT to provide for the registration of highway routes, together with the names, color combinations and designs used in marking the same; prohibiting the duplication thereof; and providing penalties for the violation of this act. [Additional to chapter one (1) of title eight (VIII) of the code relating to the establishment of roads.] Approved April 12, A. D. 1913.....	S. F. 531	120
126	AN ACT to create in each township a special culvert fund for the year of 1913, to defray the cost of culverts constructed by the board of supervisors during 1913 upon the township road system. [Additional to chapter two (2) of title eight (VIII) of the code relating to working of roads.] Approved April 19, A. D. 1913.....	H. F. 695	121
127	AN ACT to prohibit the removal or destruction of articles or things placed in public highways for the purpose of guarding or inclosing unsafe places therein and providing penalties for a violation thereof. [Additional to chapter two (2) of title eight (VIII) of the code relating to working of roads.] Approved April 16, A. D. 1913.....	S. F. 467	121
128	AN ACT to provide for the destruction of noxious weeds and other weeds upon lands, highways and other places; prescribing penalties for the violation thereof; assessing the costs and expenses of the destruction of the same to the lands and owners thereof; and providing funds with which to destroy the same, and repealing all of chapter ninety-six (96) of the acts of the thirty-third general assembly relating to weeds upon lands and highways. Approved April 23, A. D. 1913 .....	Sub. for S. F. 136	122
129	AN ACT to amend the law relating to the destruction of weeds as it appears in sections three (3) and four (4) of chapter ninety-six (96) of the acts of the thirty-third general assembly. Approved April 19, A. D. 1913.....	H. F. 461	125
130	AN ACT to repeal sections two (2), six (6), seven (7), eight (8), eleven (11), fifteen (15), sixteen (16) and twenty-two (22), of chapter seventy-two (72) of the acts of the thirty-fourth general assembly, and to enact substitutes therefor, relating to the registration and regulation of motor vehicles. Approved April 12, A. D. 1913.....	S. F. 250	125



GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
131	AN ACT to regulate the passing of automobiles or other vehicles by another travelling in the same direction. [Additional chapter two (2) of title eight (VIII) of the code, relating to roads and highways.] Approved April 16, A. D. 1913 .....	H. F. 490	129
132	AN ACT amending section nineteen (19) and section thirty (30), chapter seventy-two (72) of the acts of the thirty-fourth general assembly providing additional rules and regulations for the operation of motor vehicles upon public highways within the state of Iowa. Approved April 11, A. D. 1913 .....	Sub. for S. F. 249	130
133	AN ACT to amend the law as it appears in section thirty-three (33) chapter seventy-two (72), acts of the thirty-fourth general assembly, providing for the expenditure of registration fees of motor vehicles. Approved April 17, A. D. 1913 .....	S. F. 536	131
134	AN ACT providing for the employment of prisoners upon the highways of this state, or in the construction and improvement of any public works. [Additional to chapter two (2) of title eight (VIII) of the code relative to working roads.] Approved April 18, A. D. 1913 .....	S. F. 280	132
135	AN ACT to amend section one (1) chapter one hundred four (104) acts of the thirty-third (33rd) general assembly, as amended by chapter seventy-three (73) of the acts of the thirty-fourth (34th) general assembly, describing the form of index of articles of incorporation, and making it the duty of the recorder to so index said articles. Approved April 11, A. D. 1913 .....	S. F. 206	134
136	AN ACT to require foreign corporations owning, controlling, operating or concerned in the operation of any public gas works, electric light plant, electric power plant, heating plant, water works, inter-urban or street railway located within the state of Iowa, or the business of such works, plants or railways or owning or controlling stock in any corporation owning, operating or concerned in the operation of any public gas works, electric light plant, electric power plant, heating plant, water works, inter-urban or street railway located within the state of Iowa or the business of such plants or railways to comply with the laws governing the issuance of capital stock of domestic corporations and the making of reports by domestic corporations and to require said foreign corporations to obtain a permit to transact business within the state of Iowa, and conferring upon courts of equity jurisdiction to dissolve and terminate corporations, works, plants or businesses violating this act and providing penalties for violations of this act. [Additional to chapter one (1) of title nine (IX) of the code relating to corporations for pecuniary profit.] Approved April 2, A. D. 1913 .....	S. F. 119	135
137	AN ACT to provide for the regulation and supervision of investment companies, and providing penalties for the violation thereof. [Additional to chapter one (1) title nine (IX) of the code relating to corporations for pecuniary profit.] Approved April 19, A. D. 1913 .....	Sub. for S. F. 1	137
138	AN ACT to require the registration of charitable organizations soliciting public aid and providing penalty for the violations thereof. [Additional to section sixteen hundred forty-two (1642) of the code, relating to corporations not for pecuniary profit.] Approved April 17, A. D. 1913 .....	S. F. 368	144

## GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
139	AN ACT to empower private cemetery associations to condemn land for additions to their cemeteries. [Additional to chapter two (2) of title nine (IX) of the code relating to corporations not for pecuniary profit.] Approved April 17, A. D. 1913 .....	S. F. 263	144
140	AN ACT to authorize the incorporation in each county of the state of an association for the advancement and improvement of agriculture, animal husbandry and horticulture, to define the powers and rights of such association and its members, to provide for the submission to the voters of the question of levying a tax in aid of the objects of such association and to provide for the termination of said tax. Approved April 17, A. D. 1913.....	H. F. 47	146
141	AN ACT to amend section sixteen hundred fifty-seven-n (1657-n), supplement to the code, 1907, relative to the compensation of the secretary of the department of agriculture. Approved April 18, A. D. 1913.....	H. F. 223	149
142	AN ACT to amend section sixteen hundred and sixty (1660) of the supplement to the code, 1907, to aid county agricultural societies. Approved April 9, A. D. 1913.....	H. F. 226	150
143	AN ACT to amend the law as it appears in sub-division five (5) section one thousand seven hundred and nine (1709) of the supplement to the code, 1907, relating to health, accident and liability insurance. Approved April 18, A. D. 1913	H. F. 335	150
144	AN ACT to amend division one (1) section seventeen hundred nine (1709) supplement to the code, 1907, as amended by chapter eighteen (18) acts of the thirty-fourth (34th) general assembly, relating to kinds of insurance that may be written. Approved April 18, A. D. 1913.....	H. F. 668	151
145	AN ACT to amend the law relating to the investment of the funds of life insurance companies and associations as the same appears in section eighteen hundred six (1806) supplement to the code, 1907. Approved April 19, A. D. 1913..	S. F. 551	151
146	AN ACT to establish an insurance department, providing for an insurance commissioner, defining his duties, fixing his compensation and determining his term of office. [Additional to chapters four (4), five (5), six (6), seven (7), eight (8) and nine (9) of title nine (IX) of the code, relating to insurance.] Approved April 23, A. D. 1913.....	S. F. 522	152
147	AN ACT relating to employers' liability for personal injury sustained by employees in line of duty, fixing compensation therefor, securing the payment thereof, providing for the appointment of a commissioner and defining his duties. Approved April 18, A. D. 1913.....	S. F. 3	154
148	AN ACT relating to injuries sustained by employees which occur prior to the taking effect of an act enacted by the thirty-fifth general assembly relating to employers' liability for injuries sustained by employees while in line of duty. [Additional to chapter 147 of the acts of the thirty-fifth general assembly.] Approved April 23, A. D. 1913.....	S. F. 560	172
149	AN ACT to amend the law as it appears in paragraph four (4) of section eighteen hundred fifty (1850) supplement to the code, 1907, relating to the investment of funds by savings banks. Approved April 18, A. D. 1913.....	S. F. 104	173

GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
150	AN ACT to repeal section eighteen hundred sixty-nine (1869) of the supplement to the code, 1907 and to enact a substitute therefor, providing for the compensation of officers and directors of state and savings banks and providing for loans to such officers and directors and penalty for a violation of the provisions of the law. Approved April 2, A. D. 1913 .....	S. F. 21	173
151	AN ACT providing for the deposit by state and savings banks with the treasurer of the United States, of securities to secure postal savings deposits made in such banks under the provisions of the postal savings bank act. [Additional to chapter twelve (12) of title nine (9) of the code relating to banks.] Approved April 17, A. D. 1913.....	S. F. 265	174
152	AN ACT to confer additional powers upon trust companies, state and savings banks and to prescribe the conditions under which they may transact business. [Additional to chapters ten (10), eleven (11) and twelve (12) of title nine (IX) of the code relating to banks, loan and trust companies.] Approved April 17, A. D. 1913.....	Sub. for S. F. 118	174
153	AN ACT to amend section one thousand nine hundred eighty-nine-a-thirteen (1989-a-13) of the supplement to the code, 1907, as amended by chapter one hundred eighteen (118) of the acts of the thirty-third general assembly, relating to the use of drainage warrants in the payment of drainage assessments. Approved April 17, A. D. 1913.....	H. F. 506	178
154	AN ACT to repeal the law as it appears in section nineteen hundred forty-eight (1948) of the supplement to the code, 1907, and to repeal the law as it appears in section nineteen hundred eighty-nine-a fifteen (1989-a15) of the supplement to the code, 1907, and to enact a substitute therefor, defining nuisances in construction of drainage ditches, and making the obstruction of such ditches and levees a misdemeanor. Approved April 2, A. D. 1913.....	S. F. 302	179
155	AN ACT providing for the securing of claims of sub-contractors who furnish labor or material for construction of drainage ditches, in addition to chapter two-a (2-a) title ten (10) [X] supplement to the code, 1907. Approved April 8, A. D. 1913.....	Sub. for S. F. 315	179
156	AN ACT to amend sections nine (9) and thirteen (13) of chapter one hundred eighteen (118) of the acts of the thirty-third general assembly in relation to actions involving drainage districts. Approved April 19, A. D. 1913.....	H. F. 412	180
157	AN ACT to amend the law as it appears in sections nineteen hundred eighty-nine-a-nineteen (1989-a-19), nineteen hundred eighty-nine-a-twenty-six (1989-a-26), nineteen hundred eighty-nine-a-twenty-seven (1989-a-27), and nineteen hundred eighty-nine-a thirty-eight (1989-a-38), of the supplement to the code, 1907, and section sixteen (16) of chapter one hundred eighteen (118) of the acts of the thirty-third general assembly, section five (5) of chapter twenty-four (24) of the acts of the thirty-fourth general assembly, and chapter one hundred twenty (120) of the acts of the thirty-third general assembly relating to assessments for benefits to roads, streets, and highways in levee or drainage districts, to interest thereon, and to the issuance of improvement certificates and drainage bonds therefor, and legalizing waivers, improvement certificates and bonds heretofore issued. Approved March 29, A. D. 1913.....	H. F. 66	181

## GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
158	AN ACT relating to levees, drains, ditches and water courses additional to chapter two (2) title ten (X) of the code and amendments thereto and to chapter two-a (2-a), title ten (X) of the supplement to the code, 1907, and amendments thereto and amending section one thousand nine hundred eighty-nine-a-twenty-one (1989-a21) and section one thousand nine hundred eighty-nine-a-fifty-two (1989-a52) of the supplement to the code, 1907, and section one thousand nine hundred eighty-nine-a-forty-nine (1989-a-49) as amended by section seven (7) chapter eighty-seven (87) laws of the thirty-fourth general assembly. Approved April 19, A. D. 1913 .....	S. F. 367	182
159	AN ACT to amend section nineteen hundred eighty-nine-a-forty-one (1989-a41) of the supplement of [to] the code, 1907, and amendments thereto relative to the compensation to be paid [to] appraisers of damages and commissioners of drainage districts. Approved April 17, A. D. 1913.....	H. F. 224	184
160	AN ACT to amend the law as it appears in section two thousand nine (2009) of the code relating to appeals from the action of the commissioners in assessing damages where private property is taken for works of internal improvement. Approved April 18, A. D. 1913.....	S. F. 554	184
161	AN ACT to amend the law relating to the taking of private property for works of internal improvement as the same appears in section twenty hundred twenty-four-d (2024-d) supplement to the code, 1907. Approved April 18, A. D. 1913.	S. F. 552	185
162	AN ACT to amend section two thousand seventeen (2017) of the code, relating to the right of railroad companies to raise or lower highways where they are crossed by railroads, and giving the board of railroad commissioners authority to order undergrade or overhead crossings. Approved April 8, A. D. 1913.....	H. F. 424	185
163	AN ACT to repeal section two thousand twenty-two (2022) of the supplement to the code, 1907, and to enact a substitute therefor, providing for private crossings over railroads and giving the board of railroad commissioners power to make orders when the land owner and railroad company are unable to agree. Approved April 19, A. D. 1913.....	H. F. 361	186
164	AN ACT repealing section twenty-hundred twenty-four-1 (2024-1) of the supplement to the code, 1907, and enacting a substitute therefor providing for condemnation of land where gravel or other suitable material for road improvement can be had, and roads leading thereto, requiring boards of supervisors to condemn said land, making said material accessible for general use for road improvement and providing punishment for use of said material for other than road purposes. Approved April 17, A. D. 1913.....	Sub. for S. F. 517	187
165	AN ACT to amend section two thousand seventy-seven (2077) of the supplement to the code, 1907, relative to passenger rates and providing passenger transportation charges to towns and cities within this state, at which fairs or expositions are or may hereafter be held. Approved April 19, A. D. 1913 .....	S. F. 327	188
166	AN ACT to amend section two thousand seventy-seven-a (2077-a) supplement to the code, 1907, as amended by chapter one hundred twenty-five (125) of the acts of the thirty-third general assembly, relating to the posting of bulletins at railway stations. Approved April 14, A. D. 1913.....	Sub. for S. F. 267	189

CONTENTS

xxix

GENERAL LAWS - CONTINUED

Chap.	Title	Engrossed Bill	Page
167	AN ACT to require all persons, partnerships, companies or corporations owning or operating a railway in this state, to equip the cab of all locomotive engines with frost glass in front of the seat of the engineer and fireman of said engine, and providing a penalty for the violating thereof. [Additional to chapter five (5) of title ten (X) of the code, relating to railway companies.] Approved April 9, A. D. 1913 .....	H. F. 303	190
168	AN ACT to amend section two thousand and eighty-five (2085) of the supplement to the code, 1907, relating to taxes in aid of railroads and in relation to the number of signatures of resident freeholders to petitions therefor in cities acting under special charter, and cities having a population of twenty-five thousand (25,000) or over. Approved April 8, A. D. 1913 .....	S. F. 260	190
169	AN ACT to enable benefited property to aid in the construction of trolley or electric railroads or the electrification of steam railroads, being additional to chapter five (5) of title ten (10) of the code, as amended. Approved April 18, A. D. 1913 .....	S. F. 546	191
170	AN ACT to require all railroad companies owning railroads in the state of Iowa, of less than four (4) feet, eight and one half (8½) inches gauge, to adopt such gauge within such reasonable time as may be fixed by the railroad commissioners. [Additional to chapter five (5) of title ten (X) of the code, relating to the construction and operation of railways.] Approved April 9, A. D. 1913.....	S. F. 27	193
171	AN ACT additional to chapter five (5) of title ten (10) of the code to require locomotives to be equipped with headlights, to prescribe the character of such headlights and to punish the failure to so equip the same. Approved March 20, A. D. 1913 .....	Sub. for S. F. 192	194
172	AN ACT to amend the law as it appears in an act passed by the thirty-fifth (35th) general assembly and approved on the 20th day of March, A. D. 1913, and entitled "A bill for an act additional to chapter five (5) title ten (10) of the code to require locomotives to be equipped with headlights, to prescribe the character of such headlights and to punish the failure to so equip the same." Approved April 11, A. D. 1913 .....	S. F. 474	195
173	AN ACT to amend section twenty-one hundred and thirteen (2113) of the supplement to the code, 1907, as amended by chapter one hundred twenty-seven (127) of the acts of the thirty-third general assembly relating to the powers of the board of railroad commissioners. Approved April 9, A. D. 1913 .....	S. F. 378	195
174	AN ACT to confer power upon the railroad commission of the state of Iowa to grant a franchise to any individual or corporation organized under the laws of Iowa, or corporation authorized to transact business in Iowa under the general incorporation laws of the state, engaged in the manufacture, sale or distribution for sale of electric current, to construct transmission lines and obtain the necessary interests in real estate therefor, and the manner of making compensation to said owner of said lands for said rights. [Additional to section twenty one hundred thirteen (2113) of the supplement to the code, 1907, relating to the powers and duties of the railroad commissioners.] Approved April 11, A. D. 1913...	Sub. for S. F. 57	196

## GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
175	AN ACT to require the equipment and maintenance of sanitary closets at railway stations in this state, providing for the regulation and inspection thereof and fixing a penalty for violation of this act. [Additional to chapter one hundred sixty-eight (168) acts of the thirty-third general assembly relative to hotel inspector.] Approved April 10, A. D. 1913 .....	S. F. 418	199
176	AN ACT to amend section two thousand one hundred and sixteen (2116) of the supplement to the code, 1907, as amended by chapter one hundred twenty-eight (128) acts of the thirty-third general assembly, and to define what is reasonable passenger service on certain lines of railroads. Approved April 16, A. D. 1913.....	H. F. 484	200
177	AN ACT to repeal section five (5), of chapter ninety-four (94), of the acts of the 34th general assembly and to enact a substitute therefor relating to the duty of commerce counsel. Approved April 19, A. D. 1913.....	S. F. 381	200
178	AN ACT relating to elevators and warehouses, coal sheds, ice houses, buying stations, flour mills and other buildings on railroad land, and prescribing methods and conditions of procuring and holding sites therefor, and liability for loss or destruction thereof. [Additional to chapter five (5) of title ten (X) of the code relating to construction and operation of railways.] Approved April 17, A. D. 1913....	H. F. 298	201
179	AN ACT requiring common carriers to settle claims for delay in delivering freight or injury or loss of freight in transit or for excessive freight rates within a specified time, and providing a penalty for failure to comply therewith. [Additional to chapter five (5) of title ten (X) of the code relating to operation of railways.] Approved March 25, A. D. 1913 .....	S. F. 52	202
180	AN ACT to amend the law as it appears in section twenty-one hundred and fifty-seven-s (2157-s) supplement to the code, 1907, relating to the transportation of live stock. Approved March 21, A. D. 1913.....	H. F. 78	203
181	AN ACT to repeal section twenty-one (21) and to amend section twenty-four (24) of chapter one hundred thirty-one (131) of the acts of the thirty-third general assembly, relating to the powers and duties of the sheriff, and providing for the payment of the officers and men of the national guard. Approved April 14, A. D. 1913.....	H. F. 265	204
182	AN ACT to amend sections twenty-six (26) and forty-three (43) of chapter one hundred thirty-one (131) of the acts of the thirty-third general assembly, relating to armory rent and making an appropriation therefor. Approved April 14, A. D. 1913 .....	H. F. 266	204
183	AN ACT to repeal section twenty-three hundred eight-a (2308-a) of the supplement to the code, 1907, and to enact a substitute therefor relating to the payment of costs and expenses of non-resident insane patients. Approved April 14, A. D. 1913 .....	S. F. 259	205
184	AN ACT in relation to the government and discipline of the state hospital for inebriates at Knoxville, Iowa, providing a custodial department for habitual inebriates, authorizing the board of control of state institutions on the recommendation of the superintendent to remove patients from one department to another and providing for compensation for		

GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
	the labor of patients. [Additional to chapter two-A (2-A) of title twelve (XII) of the supplement to the code, 1907, relating to detention and treatment of dipsomaniacs, inebriates and those addicted to the excessive use of narcotics.] Approved April 17, A. D. 1913.....	Sub. for S. F. 161	206
185	AN ACT providing for the paroling of patients in the state hospital for inebriates and certain female patients from state hospitals for the insane, and for the return of patients who violate their paroles, and repealing the law as it appears in section twenty-three hundred ten-a nineteen (2310-a 19) of the supplement to the code, 1907. Approved April 11, A. D. 1913 .....	S. F. 162	207
186	AN ACT to amend the law relating to the inspection of hotels, inns and lodging houses as the same appears in chapter one hundred sixty-eight (168) of the acts of the thirty-third general assembly. Approved April 25, A. D. 1913...	S. F. 407	208
187	AN ACT to repeal the law as it appears in chapter one hundred twenty-nine (129) of the acts of the thirty-fourth general assembly, and to enact a substitute therefor relating to the prevention of the procreation of criminals, rapists, idiots, feeble-minded, imbeciles, lunatics, drunkards, drug fiends, epileptics, syphilitics, moral and sexual perverts, and diseased and degenerate persons. Approved April 19, A. D. 1913 .....	H. F. 641	209
188	AN ACT to amend sections two (2), three (3), five (5) and seven (7) of the law as it appears in chapter one hundred (100) of the laws of the 34th general assembly, and adding new sections to the same relating to stallions and jacks. Approved March 15, A. D. 1913.....	Sub. for S. F. 144	210
189	AN ACT to amend section twenty-three hundred forty-eight (2348) of the code relating to bounty on wolves. Approved April 2, A. D. 1913.....	Sub. for S. F. 175	212
190	AN ACT to provide for the payment of bounties for killing crows. Approved April 3, A. D. 1913.....	H. F. 105	212
191	AN ACT to amend the law as it appears in section twenty-three hundred fifty-eight (2358) of the code, relating to partition fences. Approved April 19, A. D. 1913.....	H. F. 481	213
192	An ACT to amend the law as it appears in section twenty-four hundred twenty-eight (2428), of the code, relating to the duties of peace officers. Approved April 18, A. D. 1913.	H. F. 278	213
193	AN ACT to amend division two (2) of section twenty-four hundred forty-eight (2448) of supplement to the code, 1907, relating to the limits within which intoxicating liquors may be sold. Approved April 18, A. D. 1913.....	H. F. 169	214
194	AN ACT to amend section twenty four hundred forty-eight, (2448), paragraph nine (9), of the supplement to the code, 1907, regulating the hours of the day during which liquor may be sold in saloons. Approved April 17, A. D. 1913...	S. F. 539	215
195	AN ACT to amend the law as it appears in chapter one hundred forty-two (142) of the acts of the thirty-third general assembly relating to the number of persons to whom city or town councils may by resolution grant consent to sell intoxicating liquors and making the same apply to cities acting under special charter. Approved April 2, A. D. 1913..	Sub. for S. F. 121	215

## GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
196	AN ACT to amend the law as it appears in section twenty-four hundred seventy-two (2472) of the supplement to the code, 1907, and section twenty-four hundred seventy-four (2474) of the code, and to repeal section twenty-four hundred seventy-seven (2477) of the supplement to the code, 1907, and chapter one hundred forty-four (144) of the acts of the thirty-third (33) general assembly amendatory to section twenty-four hundred seventy-seven (2477) of the supplement to the code, 1907, and to enact a substitute therefor, all relating to the bureau of labor statistics and providing for reports of accidents by employers and prescribing a penalty for the violation thereof. Approved April 19, A. D. 1913 .....	S. F. 289	216
197	AN ACT to repeal section one, chapter 106, acts of the thirty-fourth general assembly, and enact a substitute therefor, relating to the appointment of mine inspectors, and fixing their term of office. Approved April 17, A. D. 1913...	Sub. for S. F. 6	218
198	AN ACT to provide the method of constructing and operating gypsum mines, for escape shafts and for the ventilation of such mines, to provide for the inspection of the same by the state mine inspector, to require operators to report fatal accidents and to provide penalties for violation of this act. [Additional to chapter nine (9) of title twelve (XII) of the code relating to mines and mining.] Approved April 11, A. D. 1913 .....	S. F. 309	218
199	AN ACT relating to cold storage and refrigerating warehouses, the disposition or sale of the food kept or preserved therein, and defining the duties of the state dairy and food commissioner in relation thereto. [Additional to chapter thirteen (13) of title twelve (XII) of the supplement to the code, 1907, relating to the powers and duties of the dairy and food commissioner.] Approved April 19, A. D. 1913.....	H. F. 49	222
200	AN ACT to regulate the sale of calcium carbide or so-called carbide and prescribe the manner in which the same shall be packed and labeled. [Additional to chapter thirteen (13) of title twelve (XII) of the supplement to the code, 1907, relating to powers and duties of the dairy and food commissioner.] Approved April 19, A. D. 1913.....	H. F. 441	225
201	AN ACT providing for the sanitation of bakeries, canneries, packing houses, slaughter-houses, dairies, creameries, cheese factories, confectioneries, restaurants, hotels, groceries, meat markets, and all other food-producing establishments, manufactories, or other places where food is prepared, manufactured, packed, stored, sold or distributed, and vehicles in which food is placed for transportation; providing for the licensing of persons, firms, or corporations operating or conducting bakeries, candy factories, ice cream factories, canning factories, slaughter houses, meat markets or places where fresh meats are sold at retail; fixing such license fee and the duration of such license and the rights thereunder; defining food, regulating the wholesomeness of food manufactured, prepared, packed, stored, sold, distributed or transported; defining the duties of the state food and dairy commissioner in relation thereto; providing penalties for the violation thereof, and repealing acts in conflict therewith. [Additional to chapter thirteen (13) of title twelve (XII) of the supplement to the code, 1907, relative to dairy and food commissioner.] Approved April 14, A. D. 1913 .....	H. F. 54	226



GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
202	AN ACT to prevent fraud in the manufacture and sale of commercial fertilizers, providing for licensing of such products and making provision for enforcement. [Additional to chapter thirteen (13) of title twelve (XII) of the supplement to the code, 1907, relating to the powers and duties of the dairy and food commissioner.] Approved April 19, A. D. 1913 .....	H. F. 535	229
203	AN ACT to amend the law as it appears in section nine (9), chapter one hundred fifty-three (153), acts of the thirty-third general assembly, relating to the protection of fish and game; and to amend the law as it appears in chapter one hundred sixteen (116) of the acts of the thirty-fourth general assembly, relating to the compensation of the fish and game warden. Approved April 18, A. D. 1913.....	S. F. 295	230
204	AN ACT to amend section two thousand five hundred forty (2540) supplement to the code, 1907, and chapter one hundred fifty three (153), acts of the 33rd general assembly relating to season during which fish may be taken. Approved April 18, A. D. 1913.....	H. F. 505	231
205	AN ACT to amend section twenty-five hundred forty (2540) of the supplement to the code, 1907, as amended by chapter one hundred fifty-three (153) of the acts of the thirty third general assembly, relating to the taking of fish by the use of spear, except during certain months. Approved April 18, A. D. 1913 .....	H. F. 588	231
206	AN ACT to repeal section three (3) of chapter one hundred eighteen (118) of the acts of the thirty-fourth general assembly, providing for the distraint of deer; and to enact a substitute therefor. [Additional to chapter fifteen (15) of title twelve (XII) of the code relating to fish, birds and game.] Approved April 9, A. D. 1913.....	H. F. 653	232
207	AN ACT to repeal the law as it appears in section twenty-five hundred sixty-four (2564) of the supplement to the code, 1907, and to enact a substitute therefor, relative to the state board of health. Approved April 17, A. D. 1913.....	H. F. 143	232
208	AN ACT making special provision for the enforcement of sanitary conditions by the state board of health upon complaint made by five (5) or more citizens. [Additional to chapter sixteen (16) of title twelve (XII) of the supplement to the code, 1907, relative to state board of health.] Approved April 19, A. D. 1913.....	S. F. 491	234
209	AN ACT to prohibit the importation of diseased bees. [Additional to chapter one hundred sixty-nine (169) acts of the thirty-third general assembly relative to police of the state.] Approved April 9, A. D. 1913.....	H. F. 513	235
210	AN ACT to repeal section two thousand five hundred and seventy-five-a-52 (2575-a-52) of the supplement of [to] the code, 1907, and to enact a substitute therefore [therefor], making annual appropriations for carrying on the work of the state entomologist. Approved April 18, A. D. 1913:.....	H. F. 241	235
211	AN ACT to amend the law as it appears in section seven (7) of chapter one hundred sixty-nine (169) of the acts of the thirty-third general assembly, relating to the compensation of the state bee inspector, and to make an appropriation therefor. [Additional to section seven (7) of chapter one hundred sixty-nine (169) acts of the thirty-third general assembly relating to police of the state.] Approved April 19, A. D. 1913.....	H. F. 349	236

## GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
212	AN ACT to declare certain diseases contagious and infectious, and to provide rules and regulations for the control of the same, and to fix punishment for violation thereof. [Additional to chapter seventeen (17) of title twelve (XII) of the supplement to the code, 1907, relative to practice of medicine.] Approved March 29, A. D. 1913.....	H. F. 247	236
213	AN ACT to amend the law as it appears in sections twenty-five hundred seventy-six (2576) and twenty-five hundred seventy-eight-a (2578-a) supplement to the code, 1907, relating to the practice of medicine. Approved April 18, A. D. 1913 .....	H. F. 651	237
214	AN ACT amending the law as it appears in section twenty-five hundred seventy-eight (2578) of the supplement to the code, 1907, relating to revocation of physicians' certificates and defining unprofessional conduct. Approved April 17, A. D. 1913 .....	S. F. 87	238
215	AN ACT to amend the law as it appears in section two thousand five hundred seventy-eight-b (2578-b) of the supplement to the code, 1907, relating to trial upon appeal to the district court from decisions of the state board of medical examiners revoking physicians' licenses. Approved April 25, A. D. 1913 .....	S. F. 513	239
216	AN ACT to amend the law as it appears in section twenty-five hundred eighty-three-c (2583-c), supplement to the code, 1907, relating to the practice of osteopathy. Approved April 18, A. D. 1913.....	H. F. 650	239
217	AN ACT to amend the law as it appears in section twenty-five hundred ninety-four (2594) of the code relating to licensing itinerant vendors of drugs. Approved April 18, A. D. 1913 .....	H. F. 547	240
218	AN ACT relating to the practice of dentistry, and to repeal sections twenty-six hundred-i (2600-i) and twenty-six hundred-j (2600-j) of the supplement to the code, 1907. Approved April 16, A. D. 1913 .....	S. F. 170	240
219	AN ACT to amend the law as it appears in section twenty-six hundred four (2604) of the supplement to the code, 1907, in regard to the qualifications of certain officers of the soldiers' home. Approved April 18, A. D. 1913.....	H. F. 127	242
220	AN ACT to repeal section twenty-six hundred six (2606) of the supplement to the code, 1907, and to enact a substitute therefor relating to admission to soldiers' home. Approved April 18, A. D. 1913.....	H. F. 670	243
221	AN ACT to amend section twenty-six hundred eight (2608) of the supplement to the code, 1907, and establish a minimum monthly allowance for the support of the soldiers' home. Approved April 14, A. D. 1913.....	S. F. 76	244
222	AN ACT to amend section eighteen (18) of chapter one hundred and seventy (170) of the acts of the thirty-third general assembly relative to the powers and duties of the state board of education and the finance committee of said board of education. Approved April 16, A. D. 1913.....	S. F. 106	244
223	AN ACT to provide additional chairs in the college of homeopathic medicine of the state university of Iowa, additional to chapter 168 of the acts of the sixteenth general assembly. [Additional to chapters two (2) and three (3) of title thirteen (XIII) of the code relating to educational institutions.] Approved April 19, A. D. 1913.....	S. F. 82	245

CONTENTS

xxxv

GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
224	AN ACT to amend sections five (5), ten (10), twelve (12), fifteen (15) and sixteen (16) of chapter one hundred twenty-eight (128), acts of the thirty-fourth general assembly, relative to the duties and compensation of the state fire marshal and the deputy state fire marshal, and making an appropriation for the maintenance of the state fire marshal's office. Approved April 22, A. D. 1913.....	Sub. for S. F. 146	245
225	AN ACT to amend the law as it appears in section twenty-six hundred twenty-two (2622), supplement to the code, 1907, and to repeal the law as it appears in section twenty-seven hundred thirty-eight (2738), supplement to the code, 1907, as amended by chapter one hundred thirty (130), acts of the thirty-fourth general assembly, and to enact a substitute therefor, relating to normal institutes. Approved April 19, A. D. 1913 .....	H. F. 362	246
226	AN ACT to amend the law as it appears in section two thousand six hundred thirty-four-f (2634-f) of the supplement to the code, 1907, relating to the acceptance of graduation from institutions of higher learning as evidence that a teacher possesses the scholarship and professional fitness for a state certificate. Approved April 17, A. D. 1913.....	H. F. 12	248
227	AN ACT to establish a laboratory for the manufacture and distribution of hog cholera serum, toxines, vaccines and biological products at the Iowa state college of agriculture and mechanic arts, under the supervision of the president of said college, and to make an appropriation therefor; to abandon the laboratory for manufacturing of hog cholera serum now being operated by the state of Iowa; to regulate the sale and keeping for sale, or use or using of hog cholera serum and virus; to provide penalties for the violation of said regulations; and to repeal chapter one hundred fifty-one (151) of the acts of the thirty-third general assembly and chapter one hundred fourteen (114) of the acts of the thirty-fourth general assembly. Approved April 23, A. D. 1913...	S. F. 507	249
228	AN ACT for the levy of a special tax upon the taxable property of the state for the purpose of creating a fund for the further equipment and support of extension work, experimentation, collegiate and non-collegiate courses of study at the Iowa state college of agriculture and mechanic arts. [Additional to section twenty-six hundred seventy-four-b (2674-b) of the supplement to the code, 1907, relating to the levy of a special tax for the Iowa state college of agriculture and mechanic arts.] Approved April 23, A. D. 1913.....	H. F. 700	252
229	AN ACT to repeal the law as it appears in sections twenty-six hundred ninety-one (2691) and twenty-six hundred ninety-two (2692) of the supplement to the code, 1907, and to enact a substitute therefor to provide for the support of the Iowa Soldiers' Orphans' Home. Approved April 3, A. D. 1913...	S. F. 226	253
230	AN ACT to establish the industrial school at Eldora and the department at Mitchellville as two separate and distinct institutions, to provide official designation for them, and to repeal acts in conflict with this act. [Additional to chapter eight (8) of title twelve (XII) of the supplement to the code, 1907, relating to industrial schools.] Approved April 11, A. D. 1913.....	S. F. 275	254
231	AN ACT to repeal chapter one hundred thirty-seven (137) of the acts of the thirty-fourth general assembly and to enact a substitute therefor relating to the support of the industrial schools. Approved April 14, A. D. 1913.....	S. F. 142	254

## GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
232	AN ACT to repeal the law as it appears in section twenty-seven hundred twenty-four (2724) of the supplement to the code, 1907, and to enact a substitute therefor relating to admission to the school for the deaf and to reports by county superintendents of deaf persons. Approved March 29, A. D. 1913 .....	S. F. 279	255
233	AN ACT to amend section twenty-seven hundred twenty-seven-c (2727-c) of the supplement to the code, 1907, relating to the salary of the chief executive officer of the Iowa Soldiers' Orphans' Home at Davenport. Approved April 17, A. D. 1913 .....	H. F. 30	256
234	AN ACT to amend section two thousand seven hundred twenty-seven-c (2727-c) of chapter eleven-a (11-a) of the supplement to the code, 1907, relating to college for blind. Approved April 8, A. D. 1913.....	H. F. 260	256
235	AN ACT to amend the law as it appears in section twenty-seven-hundred-twenty-seven-a-sixty-four (2727-a64) of the supplement to the code, 1907, relating to removal of patients from county asylum and providing for the expense thereof. Approved March 25, A. D. 1913.....	S. F. 180	256
236	AN ACT establishing the state colony for epileptics and making provision for the purchase of land and the erection of buildings for said colony. [Additional to chapter eleven-b (11-b) of title thirteen (XIII) of the supplement to the code, 1907, relative to board of control.] Approved April 18, A. D. 1913 .....	H. F. 201	257
237	AN ACT to repeal the law as it appears in section twenty-seven hundred twenty-seven-a eighty-five (2727-a85) of the supplement to the code, 1907, and to enact a substitute therefor relating to the support of the state sanatorium for the treatment of tuberculosis. Approved April 17, A. D. 1913 .....	S. F. 196	258
238	AN ACT to amend the law as it appears in chapter eleven-c (11-c) of title thirteen (XIII) of the supplement to the code, 1907, relating to the state sanatorium [sanatorium] for the treatment of tuberculosis, to provide for the care of advanced cases in said sanatorium [sanatorium] and making an appropriation therefor, and to repeal the law as it appears in section twenty-seven hundred twenty-seven-a86 (2727-a86) of the supplement to the code, 1907, and enact a substitute therefor requiring counties to pay for the care of patients in the sanatorium [sanatorium] and making such patients and persons legally bound for their support liable to counties for money so paid. Approved April 19, A. D. 1913.....	S. F. 383	258
239	AN ACT to repeal chapter one hundred and forty-six (146) of the acts of the thirty-fourth (34th) general assembly, and to enact a substitute therefor, relating to high school tuition. [Additional to chapter twelve (12) of title thirteen (XIII) of the code relating to county high schools.] Approved April 18, A. D. 1913.....	H. F. 93	259
240	AN ACT to amend house file ninety-three (93) of the acts of the thirty-fifth general assembly, relating to the payment of tuition of pupils attending high schools located in other districts. [Additional to chapter twelve (12) of title thirteen (XIII) of the code relating to county high schools.] Approved April 19, A. D. 1913.....	H. F. 514	260
241	AN ACT to amend section twenty-seven hundred thirty-two (2732) of chapter twelve (12), title thirteen (XIII) of the supplement to the code, 1907, and section twenty-seven hun-		

GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
242	dred seventy two (2772) of the code, regulating the conduct of pupils of the public schools and forbidding the use of tobacco by such pupils. Approved April 9, A. D. 1913..	H. F. 175	261
243	AN ACT to repeal sections two (2), four (4), and nine (9), of chapter one hundred thirty-one (131) of the acts of the thirty-fourth general assembly and to enact substitutes therefor, and amend section eight (8) of chapter one hundred thirty-one (131) of the acts of the thirty-fourth (34) general assembly, relating to the training of teachers for rural schools and making appropriation therefor. Approved April 14, A. D. 1913.....	S. F. 72	261
244	AN ACT to amend section twenty-seven hundred thirty-four-p (2734-p) supplement to the code, 1907, relating to qualifications of teachers. Approved April 19, A. D. 1913.....	H. F. 350	263
245	AN ACT to promote patriotism and to provide for the display of the flag of the United States of America upon public buildings of the state and within certain public buildings of the state. [Additional to chapter fourteen (14) of title thirteen (XIII) of the code relating to common schools.] Approved April 17, A. D. 1913.....	H. F. 458	263
246	AN ACT to amend the law as it appears in section twenty-seven hundred and fifty four (2754) of the supplement to the code, 1907, and section twenty-seven hundred and fifty-six (2756) of the code relating to the election of officers in independent school districts in towns and cities, and the appointment of judges therefor in certain districts. Approved March 29, A. D. 1913.....	S. F. 127	264
247	AN ACT to amend section twenty-seven hundred sixty-one (2761) of the code relating to the duties of secretaries of school boards. Approved April 17, A. D. 1913.....	H. F. 666	265
248	AN ACT to amend the law relating to the compensation and duties of school treasurers as the same appears in section twenty-seven hundred eighty (2780) of the code and section twenty-seven hundred sixty-eight (2768) of the supplement to the code, 1907. Approved March 15, A. D. 1913.	S. F. 151	265
249	AN ACT requiring the teaching of elementary agriculture, domestic science, and manual training in the public schools, after a specified time. [Additional to chapter fourteen (14) of title thirteen (XIII) of the code relating to system of common schools.] Approved March 29, A. D. 1913.....	S. F. 205	266
250	AN ACT to establish a minimum wage for teachers in the public schools of the state, prohibiting the contracting for or paying a lesser sum and providing penalties for the violation of same. [Additional to chapter fourteen (14), of title (XIII) of the code relating to common schools.] Approved April 18, A. D. 1913.....	S. F. 329	267
251	AN ACT to provide state aid to consolidated schools equipped with two or more rooms and which include in their course of study, industrial and vocational subjects, and making an appropriation therefor. [Additional to chapter fourteen (14) of title thirteen (XIII) of the supplement to the code, 1907, relative to common schools.] Approved April 2, A. D. 1913 .....	H. F. 132	268
251	AN ACT to amend the law as it appears in section twenty-eight hundred six (2806), supplement to the code, 1907, and chapter one hundred eighty-two (182) of the acts of the thirty-third general assembly relating to school taxes and		

## GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
	to increase the amount that may be levied in the teachers' fund and the contingent fund. Approved April 18, A. D. 1913 .....	H. F. 413	269
252	AN ACT to repeal section twenty-eight hundred thirteen (2813) supplement to the code, 1907, and enacting a substitute therefor relating to bonded indebtedness of school corporations. Approved March 8, A. D. 1913.....	Sub. for S. F. 4	270
253	AN ACT to amend section twenty-eight hundred and fourteen (2814) of the supplement to the code, 1907, relative to the acquisition of school sites. Approved April 18, A. D. 1913.	H. F. 261	271
254	AN ACT to amend section one (1) of chapter one hundred eighty-four (184) of the acts of the thirty-third (33rd) general assembly as amended by section one (1) of chapter one hundred forty-five (145) of the acts of the thirty-fourth general assembly, and to amend section two (2) of chapter one hundred eighty-four (184) of the acts of the thirty-third general assembly as amended by section two (2) of chapter one hundred forty-five (145) of the acts of the thirty-fourth general assembly, relative to the limit of indebtedness of independent school districts. Approved April 18, A. D. 1913 .....	H. F. 548	271
255	AN ACT to amend the law as it appears in sections twenty-eight hundred twenty-three-a (2823-a) and twenty-eight hundred twenty-three l (2823-l), supplement to the code, 1907, as amended by chapter one hundred eighty-six (186) and chapter one hundred eighty-seven (187) acts of the thirty-third general assembly, relative to the attendance of children of a certain age in public schools. Approved April 15, A. D. 1913 .....	Sub. for S. F. 79	272
256	AN ACT to repeal sections twenty-eight hundred twenty-three-j (2823-j), twenty-eight hundred twenty-three-k (2823-k), twenty-eight hundred twenty-three-l (2823-l), and twenty-eight hundred twenty-three-m (2823-m), supplement to the code, 1907, and enact a substitute therefor relating to the publication and distribution of school laws. Approved April 18, A. D. 1913 .....	H. F. 687	272
257	AN ACT giving school boards in certain districts authority to use school buildings and grounds and other public buildings and grounds for public recreation and play ground purposes and providing for the levy of separate tax for the support of same and authorizing cities within or including such districts to appropriate money for the same purpose. [Additional to chapter fourteen (14) title thirteen (13) of the code.] Approved April 2, A. D. 1913.....	H. F. 17	273
258	AN ACT to amend section twenty-eight hundred forty-nine (2849) of the supplement to the code, 1907, relative to school loans. Approved March 17, A. D. 1913.....	H. F. 6	275
259	AN ACT to amend section two (2) of chapter one hundred and ninety (190), laws of the thirty-third (33rd) general assembly relative to the library commission and traveling library. Approved April 11, A. D. 1913.....	Sub. for S. F. 393	275
260	AN ACT amending the law as it appears in section twenty-nine hundred-a twenty-three (2900-a23) of the supplement to the code, 1907, authorizing the executive council to lease lands belonging to the state of Iowa. Approved April 18, A. D. 1913 .....	S. F. 547	275

GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
261	AN ACT to legalize deeds and instruments of conveyance, tax deeds, sheriff's deeds, deeds of administrators, executors and guardians, and all other conveyances made and recorded prior to the first day of January A. D. 1890, additional to chapter six (6), title fourteen (14) of the code, relating to the conveyance of real estate. Approved April 8, A. D. 1913.....	S. F. 240	276
262	AN ACT authorizing the recording of transcripts from recorder's office of instruments affecting real estate. [Additional to chapter 6, title 14 of the code relating to conveyances of real estate.] Approved February 6, A. D. 1913....	H. F. 179	277
263	AN ACT to repeal section two thousand nine hundred thirty (2930), supplement to the code, 1907, relating to the platting and transferring of real estate. Approved April 18, A. D. 1913 .....	Sub. for S. F. 325	277
264	AN ACT to legalize releases and satisfactions of mortgages and trust deeds. [Additional to chapter six (6) of title fourteen (XIV) of the code relating to conveyance of real estate.] Approved February 19, A. D. 1913.....	Sub. for S. F. 81	278
265	AN ACT to legalize certain conveyances and other instruments of writing affecting real estate. [Additional to chapter six (6) of title fourteen (XIV) of the code relating to conveyance of real estate.] Approved April 2, A. D. 1913...	H. F. 408	278
266	AN ACT to establish legal weights and measures, to provide for the inspection of the same, to punish the keeping or use of false or incorrect weights and measures, to provide for statements of net weight placing the enforcement in charge of the dairy and food commissioner and to repeal acts in conflict with this act. [Additional to chapter one (1) of title fifteen (XV) of the code relating to commerce and trade.] Approved April 19, A. D. 1913.....	H. F. 33	279
267	AN ACT to repeal section three thousand ninety-three (3093) of the code, and to enact a substitute therefor relating to sub-contractor's mechanics' liens and the liability of the owner of a building or structure to the principal contractor and the sub-contractor. Approved April 18, A. D. 1913....	H. F. 595	285
268	AN ACT to amend section thirty-one hundred thirty-eight (3138) of the supplement to the code, 1907, as amended by chapter one hundred ninety-five (195) of the acts of the thirty-third general assembly relating to the care of property belonging to guests of hotels and inns and to the lien of hotel and innkeepers thereon. Approved April 18, A. D. 1913 .....	H. F. 682	286
269	AN ACT amending sections three thousand one hundred forty-six (3146) and three thousand one hundred forty-seven (3147) of the code, relative to the time for making return of solemnization of marriage. Approved March 17, A. D. 1913 .....	H. F. 155	287
270	AN ACT to legalize certain decrees of courts entered in actions to annul marriages, in which service of the original notice was made by publication. [Additional to chapter three (3) of title sixteen (XVI) of the code relating to divorce, annulling marriages and alimony.] Approved April 8, A. D. 1913.....	S. F. 388	287
271	AN ACT to repeal section three thousand one hundred sixty-five (3165) of the code and to enact a substitute in lieu thereof, relating to liability for family expenses. Approved February 18, A. D. 1913.....	H. F. 22	288

## GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
272	AN ACT amending chapter one hundred fifty-seven (157) of the acts of the thirty-fourth general assembly relative to legalizing certain conveyances by foreign administrators and executors; regulating the proof of titles to real property and legalizing certain instruments and proceedings as against defects arising prior to 1900; legalizing certain proceedings and instruments when of record ten (10) years and regulating proof of title as affected by such defects; legalizing certain instruments executed by executors, administrators, trustees, guardians, referees and commissioners prior to 1910; declaring certain bonds and contracts for deeds void; giving certain assignments the same force and effect as a deed of conveyance; providing that pending litigation shall not be affected by the provisions of this act and giving claimants one (1) year in which to commence actions and barring their rights thereafter. Approved April 16, 1913.....	H. F. 417	288
273	AN ACT to legalize conveyances of real property by foreign executors or trustees under foreign wills where the provisions of section thirty-two hundred ninety-five (3295) of the code were not observed or complied with. Approved April 8, A. D. 1913.....	S. F. 291	292
274	AN ACT to amend chapter two hundred (200) of the acts of the thirty third general assembly relating to administration of the estates of absentees. Approved April 2, A. D. 1913..	Sub. for S. F. 14	292
275	AN ACT to repeal section three-thousand-three-hundred-eight (3308) of the code, and to enact a substitute therefor relating to release and discharge of liens by foreign administrators, executors and guardians. Approved April 17, A. D. 1913 .....	S. F. 294	293
276	AN ACT to legalize releases and discharges of judgments, mortgages and deeds of trust made by administrators, executors or guardians appointed in other states or countries where the provisions of section three thousand three hundred eight (3308) of the code were not observed or complied with. [Additional to chapter two (2) of title seventeen (XVII) of the code relating to wills and letters of administration.] Approved April 8, A. D. 1913.....	S. F. 300	294
277	AN ACT to amend section thirty-three hundred forty (3340) of the code relative to the examination of the owner of claims against estates. Approved April 12, A. D. 1913.....	S. F. 64	294
278	AN ACT to amend the law as it appears in section thirty-three hundred forty-eight (3348) of the code relating to the payment of claims against the estates of decedents. Approved April 18, A. D. 1913 .....	H. F. 583	294
279	AN ACT to amend section thirty-three hundred seventy-seven (3377) of the code, relating to the election between the distributive share and occupancy of homestead by surviving spouse and setting off such distributive share. Approved March 20, A. D. 1913.....	S. F. 135	295
280	AN ACT to repeal section three thousand three hundred seventy-nine (3379) of the code and to enact a substitute therefor, relating to the share of surviving spouse. Approved April 9, A. D. 1913 .....	Sub. for S. F. 16	295
281	AN ACT to amend the law as it appears in section three thousand four hundred and forty-seven (3447) of the code, and to fix the time within which certain actions for the recovery of real estate may be brought. Approved April 9, A. D. 1913..	H. F. 440	296



GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
282	AN ACT to amend the law as it appears in section three thousand four hundred forty-seven (3447) of the code, relating to the limitation of actions to set aside wills. Approved April 8, A. D. 1913 .....	H. F. 192	297
283	AN ACT to amend section one (1) of chapter one hundred sixty-one (161), of the laws of the thirty-fourth general assembly relating to the foreclosure of real estate mortgages. Approved March 18, A. D. 1913.....	H. F. 200	297
284	AN ACT to amend section thirty-five hundred thirty-four (3534) of the code, relating to service by publication when an affidavit is filed that personal service cannot be made on defendant within this state. Approved April 19, A. D. 1913	H. F. 347	298
285	AN ACT to amend the law as it appears in section thirty-five hundred thirty-four (3534) of the code relating to service of original notice by publication. Approved April 12, A. D. 1913 .....	S. F. 354	298
286	AN ACT to legalize decrees obtained prior to January 1st, 1911, where the proof of the publication of an original notice was made by the editor of the newspaper in which the original notice was published. [Additional to chapter six (6), of title eighteen (XVIII) of the code relating to manner of commencing actions.] Approved April 16, A. D. 1913.....	H. F. 657	298
287	AN ACT to repeal section three thousand five hundred thirty-eight (3538) of the code, and to enact a substitute therefor, relative to the bringing of actions against unknown defendants. Approved April 18, A. D. 1913.....	H. F. 553	299
288	AN ACT to repeal sections thirty-five hundred forty-three (3543) and to enact a substitute in lieu thereof relative to the filing of a lis pendens. Approved April 18, A. D. 1913...	H. F. 346	300
289	AN ACT to repeal section three thousand seven hundred and five (3705) of the code, and to enact a substitute in lieu thereof relative to the instructions of the district court. Approved April 17, A. D. 1913.....	H. F. 158	300
290	AN ACT to amend section three thousand, eight hundred two (3802) of the code relative to the lien of judgments. Approved March 25, A. D. 1913.....	S. F. 124	301
291	AN ACT to provide for the restoration of lost or destroyed public records. [Additional to chapter four (4) of title twenty-one (XXI) of the code relating to quieting title to real estate.] Approved April 2, A. D. 1913.....	H. F. 575	302
292	AN ACT authorizing the appointment of a board of arbitration and conciliation for the settlement of disputes between employers and employees, providing the powers, duties and compensation of such board and setting forth the manner in which the investigation of disputes shall be made and the publication and recording of the decision and finding of said board and making appropriation therefor. [Additional to chapter fourteen (14) of title twenty-one (XXI) of the code, relating to arbitration.] Approved April 18, A. D. 1913	H. F. 611	303
293	AN ACT to amend section forty-four hundred twenty (4420) of the code relating to applications for writ of habeas corpus. Approved March 31, A. D. 1913.....	S. F. 166	305
294	AN ACT to amend the law as it appears in section four thousand five hundred eighty-five (4585) of the code relative to the making of a transcript from the docket and judgment of a justice of the peace where a vacancy exists. Approved April 18, A. D. 1913 .....	Sub. for S. F. 209	306

## GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
295	AN ACT to amend section four thousand six hundred twelve (4612) of the code relating to criminating questions propounded to witness in certain cases. Approved April 19, A. D. 1913 .....	S. F. 375	306
296	AN ACT to amend section four thousand six hundred and twenty three (4623) of the code, relating to books of account as evidence. Approved April 19, A. D. 1913.....	H. F. 526	307
297	AN ACT to prohibit the sale, keeping for sale, loaning, giving away or carrying of certain dangerous weapons, to prevent the carrying of concealed weapons, except in specified cases when a permit is issued therefor; to provide punishment for the violation of the provisions hereof. [Additional to chapter two (2) of title twenty-four (XXIV) of the code relating to offenses against lives and persons.] Approved April 19, A. D. 1913 .....	H. F. 108	307
298	AN ACT to amend the law as it appears in section four thousand seven hundred and ninety-nine-a (4799-a) of the supplement to the code, 1907, relating to burglary with explosives. Approved April 18, A. D. 1913.....	H. F. 300	309
299	AN ACT to amend section four thousand eight hundred twenty-three (4823) of the code pertaining to malicious mischief and trespass. Approved April 3, A. D. 1913.....	H. F. 356	310
300	AN ACT to amend section four thousand eight hundred fifty-two-d (4852-d) supplement to the code, 1907, relating to larceny of poultry. Approved April 17, A. D. 1913.....	H. F. 613	310
301	AN ACT to repeal section four thousand eight hundred ninety-seven-a (4897-a) of the supplement to the code, 1907, and to enact a substitute relating to escapes from the penitentiary and reformatory, including violations of parole. Approved April 17, A. D. 1913.....	H. F. 466	310
302	AN ACT to repeal the law as it appears in section forty-nine hundred thirteen-a (4913-a) of the supplement to the code, 1907, and to enact a substitute therefor in regard to bringing into certain state institutions and other places where inmates may lawfully be, drugs or liquors, or weapons, explosives or other article for use in making or attempting an escape. Approved April 17, A. D. 1913.....	H. F. 592	311
303	AN ACT making it unlawful for any candidate for any office to promise support or influence in behalf of another for any position, place or office in consideration of any other person supporting him, and providing a penalty therefor. [Additional to chapter eight (8) of title twenty-four (XXIV) of the code relating to offenses against rights of suffrage.] Approved April 17, A. D. 1913.....	H. F. 40	312
304	AN ACT to amend the law as it appears in section four thousand nine hundred seventy-five-c (4975-c) of the supplement to the code, 1907, relating to soliciting for the purpose of prostitution. Approved April 18, A. D. 1913.....	S. F. 355	313
305	AN ACT to amend the law relating to fire escapes as the same appears in section forty-nine hundred ninety-nine-a seven (4999-a7) supplement to the code, 1907. Approved April 19, A. D. 1913.....	H. F. 685	313
306	AN ACT to amend the law as it appears in section forty-nine hundred ninety-nine-a-four (4999-a4) of the supplement to the code, 1907, providing for the safety and comfort of laborers and other persons assembled in factories and buildings. Approved March 31, A. D. 1913.....	S. F. 311	314

GENERAL LAWS—CONTINUED

Chap.	Title	Engrossed Bill	Page
307	AN ACT to amend the law as it appears in section three (3), chapter one hundred seventy-four (174), laws of the thirty-fourth (34th) general assembly, relating to the misbranding of foods. Approved April 10, A. D. 1913.....	H. F. 220	314
308	AN ACT to repeal section five thousand twenty-eight-a (5028-a) of the supplement to the code, 1907, and to enact a substitute therefor, relative to the prevention and punishment of the desecration, mutilation or improper use of the flag of the United States of America and the flag of the state of Iowa. Approved April 14, A. D. 1913.....	H. F. 323	315
309	AN ACT to prohibit fraudulent advertising, and providing a penalty therefor. [Additional to chapter thirteen (13) of title twenty-four (XXIV) of the code relating to cheating by false pretenses, gross frauds and conspiracy.] Approved April 18, A. D. 1913 .....	H. F. 493	316
310	AN ACT to repeal section five thousand twenty-eight-b (5028-b) of the supplement to the code, 1907, and chapter two hundred twenty-two (222), laws of the thirty-third general assembly amendatory thereof, and to enact a substitute therefor relating to unfair discrimination in any commodity of commerce between different sections, localities, communities, cities or towns. Approved April 2, A. D. 1913.....	H. F. 85	317
311	AN ACT to amend section five thousand and forty-a (5040-a) of the supplement to the code, 1907, relating to the proper observance of decoration day. Approved April 16, A. D. 1913 .....	H. F. 291	318
312	AN ACT to amend section one (1) of chapter one hundred eighty-three (183) of the acts of the thirty-fourth general assembly, defining vagrancy. Approved April 19, A. D. 1913 .....	H. F. 338	318
313	AN ACT to repeal section five thousand two hundred fifty-six (5256) of the supplement to the code, 1907, relating to the appointment, duties and compensation of the clerks of the grand jury, and enacting a substitute therefor. Approved April 19, A. D. 1913.....	Sub. for S. F. 37	319
314	AN ACT to amend chapter one hundred eighty-four (184), of the acts of the thirty-fourth (34th) general assembly relative to the suspension of the execution of the sentence of certain convicts on first conviction. Approved April 18, A. D. 1913 .....	H. F. 304	320
315	AN ACT providing for the entry of an order by the district court requiring a person in this state to attend and give testimony in a criminal action pending in another state after a petition has been filed in the office of the clerk of said court, and the person given an opportunity to be heard in opposition thereto, and providing punishment for failing to do so. [Additional to chapter thirty-four (34) of title twenty-five (XXV) of the code relating to evidence and witnesses.] Approved April 18, A. D. 1913.....	H. F. 518	320
316	AN ACT to repeal the law as it appears in sections five thousand six hundred sixty-nine-a (5669-a), five thousand seven hundred sixteen (5716), and five thousand seven hundred eighteen-a-twenty-eight (5718-a-28) of the supplement to the code, 1907, and in sections five thousand seven hundred seventeen (5717), and five thousand seven hundred eighteen (5718), of the code, and to enact substitutes therefor, providing for the compensation and allowances of officers and employes of the reformatory at Anamosa and the penitentiary at Fort Madison. Approved April 9, A. D. 1913.....	Sub. for S. F. 44	321

## GENERAL LAWS -CONTINUED

Chap.	Title	Engrossed Bill	Page
317	AN ACT to repeal the law as it appears in section fifty-six hundred eighty-five-a (5685-a) of the supplement to the code, 1907, and to enact a substitute therefor in regard to collection of money from visitors and its use. Approved April 11, A. D. 1913 .....	S. F. 140	323
318	AN ACT to amend the law as it appears in section fifty-seven hundred seven (5707) of the supplement to the code, 1907, relating to the breaking of stone. Approved March 29, A. D. 1913 .....	S. F. 139	324
319	AN ACT to amend the law as it appears in section (2) of chapter seventy (70), acts of the thirty-fourth (34) general assembly, relating to the dragging of public roads. Approved April 18, A. D. 1913.....	H. F. 528	324

## APPROPRIATION ACTS

320	AN ACT to provide for the general levy for state purposes for the years nineteen hundred and thirteen (1913) and nineteen hundred and fourteen (1914). Approved April 24, A. D. 1913 .....	S. F. 564	325
321	AN ACT to make appropriation for the payment of state and judicial officers, state and other expenses. Approved April 25, A. D. 1913 .....	S. F. 562	325
322	AN ACT to provide additional funds for the soldiers' home [.] the industrial school for boys, the industrial school for girls, the state penitentiary and the reformatory. Approved March 6, A. D. 1913.....	S. F. 61	332
323	AN ACT making appropriations for the construction, repair, improvement and contingent funds for the Iowa soldiers' home, Iowa soldiers' orphans' home, school for the deaf, institutions for feeble-minded children, sanitorium for the treatment of tuberculosis, industrial schools, state hospitals, penitentiary and reformatory. Approved April 25, A. D. 1913 .....	Sub. for S. F. 116	332
324	AN ACT providing that on and after July 1, 1913, all annual appropriations made to the state university, the Iowa state college of agriculture and mechanic arts, the Iowa state teachers college and the college for the blind shall be paid in monthly installments. Approved April 19, A. D. 1913.....	H. F. 691	336
325	AN ACT to provide for the erection of a women's and children's building on the Iowa state fair and exposition grounds, and to make an appropriation therefor. Approved April 18, A. D. 1913.....	S. F. 212	337
326	AN ACT amending chapter two hundred one (201) of the laws of the thirty-fourth general assembly, relating to plans and specifications and estimates of cost of buildings under the control of the board of education. Approved April 23, A. D. 1913 .....	S. F. 555	338
327	AN ACT making appropriations to the state historical society of Iowa. Approved April 16, A. D. 1913.....	Sub. for S. F. 236	338
328	AN ACT making appropriations for the state university, the Iowa state teachers college, the college for the blind, the Iowa state college of agriculture and mechanic arts. Approved April 23, A. D. 1913.....	H. F. 207	339

CONTENTS

xl v

APPROPRIATION ACTS—CONTINUED

Chap.	Title	Engrossed Bill	Page
329	AN ACT making an emergency appropriation for the Iowa state college of agriculture and mechanic arts. Approved April 25, A. D. 1913.....	S. F. 557	341
330	AN ACT to promote horticulture by the creation of new and better adapted varieties through scientific cross-breeding and selection, and to make an appropriation therefor. Approved April 10, A. D. 1913.....	S. F. 351	341
331	AN ACT making an appropriation to reimburse certain employes of the Iowa school for the deaf for loss of wearing apparel by fire at said school on the 23d day of April, 1911. Approved April 17, A. D. 1913.....	H. F. 249	342
332	AN ACT making an appropriation for carrying out the provisions of senate file No. 491. [Chapter 208, acts of the thirty-fifth general assembly.] Approved April 19, A. D. 1913 .....	S. F. 553	342
333	AN ACT to encourage the dairy and beef cattle growing industries of the state of Iowa and to aid in providing instruction in practical and scientific methods and making an appropriation therefor. Approved April 18, A. D. 1913.	H. F. 170	343
334	AN ACT making an appropriation to enable the state railroad commission to investigate and prosecute interstate cases before the interstate commerce commission. Approved April 23, A. D. 1913 .....	H. F. 326	345
335	AN ACT to enable the state of Iowa to assist in the celebration of the fiftieth anniversary of the battle of Gettysburg, and to appropriate money therefor and provide for the disbursement thereof. Approved April 18, A. D. 1913.....	S. F. 200	345
336	AN ACT to appropriate money for the purpose of entertaining the Iowa veterans who enlisted in Iowa and served in Iowa organizations and in the navy from Iowa during the civil war at a home coming during the state G. A. R. encampment at Des Moines, Iowa. Approved April 17, A. D. 1913 .....	S. F. 229	347
337	AN ACT making appropriation to defray the expenses of the inaugural ceremonies. Approved February 6, A. D. 1913..	S. F. 49	347
338	AN ACT to appropriate money for the purpose of defraying the expenses incurred in the election contests in the nineteenth (19) senatorial district of Iowa and in the forty-sixth (46) senatorial district of Iowa, and to pay sundry persons for services, mileage and other expenses incurred in connection with said election contests. Approved April 25, A. D. 1913 .....	S. F. 477	348
339	AN ACT to appropriate money for the indemnity by way of compensation to Clara Bahls for personal injury sustained while working in the laundry department in the state institution for the deaf and dumb at Council Bluffs, Iowa. Approved March 29, A. D. 1913.....	Sub. for S. F. 24	350
340	AN ACT appropriating the sum of twenty-seven hundred (\$2,700.00) dollars, to indemnify Allan W. Hamaker for personal injuries sustained by him while employed as a guard in the reformatory at Anamosa, Iowa. Approved March 25, A. D. 1913 .....	Sub. for S. F. 43	351
341	AN ACT to indemnify H. C. Jackson for personal injury sustained by him while employed as head farmer at the state hospital at Mt. Pleasant, Iowa. Approved April 17, A. D. 1913 .....	H. F. 124	351

## APPROPRIATION ACTS—CONTINUED

Chap.	Title	Engrossed Bill	Page
342	AN ACT for the relief of M. O. Clemmens for personal injuries sustained by him while employed as engineer in the state sanitarium [sanitorium] for the treatment of tuberculosis at Oakdale, Iowa. Approved April 19, 1913.....	H. F. 647	351
343	AN ACT to authorize the repayment to the estate of W. R. Benton of money paid to the state of Iowa. Approved April 18, A. D. 1913 .....	H. F. 69	352

## SPECIAL ACTS

344	AN ACT submitting the creation of the county of Larrabee to the legal voters of the county of Kossuth, Iowa. Approved April 18, A. D. 1913.....	H. F. 460	353
345	AN ACT to make an appropriation for the payment of the expenses of printing of briefs and the traveling expenses of one of the railroad commissioners, Clifford Thorne, while in attendance at the final hearing in the case before the interstate commerce commission involving general advancement in rates. Approved April 17, A. D. 1913.....	H. F. 288	357
346	AN ACT to appropriate money to aid in paving East Washington street in the city of Mount Pleasant, Iowa. Approved April 14, A. D. 1913.....	S. F. 230	358
347	AN ACT to authorize the construction of a business men's coliseum and convention hall over the Cedar river in the city of Waterloo, Iowa. Approved April 18, A. D. 1913.....	H. F. 671	358
348	AN ACT to pension the survivors of the Spirit Lake relief expedition of 1857, providing the amount of such pensions, the method of payment, and making an appropriation therefor. Approved April 9, A. D. 1913.....	S. F. 80	362
349	AN ACT enabling the board of directors of the independent school district of Tama, Iowa, to compensate a member for services as superintendent of schools. Approved March 21, A. D. 1913.....	H. F. 446	362
350	AN ACT to transfer to the city of Burlington, Iowa, the title, use and control of a certain island in the Mississippi river near the city of Burlington, Iowa, known as Otter Island. Approved February 22, A. D. 1913.....	S. F. 29	363
351	AN ACT to confirm the title of Jacob Arnold to the south half of the southwest quarter of section No. 20, township No. 85, north, range No. 30, west 5th P. M. Greene county, Iowa, and authorizing the issuance of a patent therefor. Approved April 19, A. D. 1913.....	H. F. 693	364
352	AN ACT to confirm the title of Anna L. Edgar to the west one-half (w- $\frac{1}{2}$ ) of the southwest quarter (sw- $\frac{1}{4}$ ) of section two (2), township eighty-nine (89), north, range thirty-four (34), west 5th P. M. Iowa, and authorize the issuance of a patent therefor. Approved April 8, A. D. 1913.....	S. F. 328	365
353	AN ACT for the purpose of having a patent issued in the name of Charles Martin for a certain tract of land. Approved April 19, A. D. 1913.....	S. F. 559	366
354	AN ACT authorizing the issue of a patent to the southeast quarter (s. e. $\frac{1}{4}$ ) of the southeast quarter (s. e. $\frac{1}{4}$ ) of section twenty-three (23), township sixty-seven (67), range twenty-three (23), west of the fifth P. M. Approved March 29, A. D. 1913 .....	H. F. 336	367

CONTENTS

xlvii

SPECIAL ACTS—CONTINUED

Chap.	Title	Engrossed Bill	Page
355	AN ACT for the purpose of having a patent issued in the name of T. F. McCaffery for a certain tract of land. Approved April 8, A. D. 1913.....	S. F. 363	368
356	AN ACT authorizing the issue of a patent to the northeast quarter (n. e. $\frac{1}{4}$ ) of the southeast quarter (s. e. $\frac{1}{4}$ ) of section twenty-three (23), township sixty-seven (67), range twenty-three (23), west of the fifth P. M. Approved March 29, A. D. 1913 .....	H. F. 337	369
357	AN ACT to authorize and empower the governor of the state of Iowa to issue a land patent, attested by the secretary of state, to Albert Husa, conveying certain real estate in Johnson county, Iowa, more particularly described as lot seven (7), block fifty-five (55), Iowa City, Iowa. Approved April 18, A. D. 1913 .....	H. F. 524	370
358	AN ACT for the relief of the grantees of David E. Fry, and for the purpose of having patents issued in the names of W. F. Pomeroy and Arthur Dilley, for certain tracts of land. Approved April 9, A. D. 1913.....	S. F. 304	371
359	AN ACT for the relief of the grantees of Elias Myrick, and for the purpose of having a patent issued in the name of Elias Myrick for a certain tract of land. Approved April 15, A. D. 1913 .....	S. F. 448	373
360	AN ACT for the relief of the grantees of G. W. Perkins, and for the purpose of having a patent issued in the name of John A. Ruttur, for a certain tract of land. Approved March 13, A. D. 1913 .....	S. F. 134	373
361	AN ACT to authorize the sale and conveyance of that part of the west half (w. $\frac{1}{2}$ ) of the southwest quarter (s. w. $\frac{1}{4}$ ) of section numbered nineteen (19) in township numbered seventy-eight (78), north of range numbered four (4), east of the fifth principal meridian, bounded by lines described as follows: Commencing at a point in the east boundary line of said west half (w. $\frac{1}{2}$ ) of the southwest quarter (s. w. $\frac{1}{4}$ ), twenty-three $\frac{12}{100}$ (23.12) chains north of the southeast corner of said west half (w. $\frac{1}{2}$ ) of the southwest quarter (s. w. $\frac{1}{4}$ ) thence running west five (5) chains, thence north nine (9) chains, thence east five (5) chains to said east boundary line, thence south along said boundary line to the place of beginning, subject to recorded highway reservations. Approved April 3, A. D. 1913.....	H. F. 375	374
362	AN ACT to authorize and direct the board of supervisors of Johnson county, Iowa, to issue a quit claim deed to John Vesely, conveying certain real estate located in Johnson county, Iowa, more particularly described as lot six (6), block nine (9), of county seat of Johnson county, Iowa. Approved April 2, A. D. 1913.....	H. F. 525	375

LEGALIZING ACTS

363	AN ACT to legalize ordinances of the town of Ayrshire, Iowa, and authorizing the substitution of a new ordinance record in place of the original record. Approved March 29, A. D. 1913 .....	S. F. 376	377
364	AN ACT legalizing a resolution passed by the council of the city of Atlantic on February twenty-seventh (27th), nineteen hundred thirteen (1913), transferring the sum of		

LEGALIZING ACTS--CONTINUED

Chap.	Title	Engrossed Bill	Page
	eighteen hundred dollars (\$1800.00) from the sewer fund of said city to the general fund of said city of Atlantic, Iowa, and legalizing such transfer. Approved April 9, A. D. 1913 .....	S. F. 358	378
365	AN ACT legalizing and curing the acts and proceedings of the incorporated town of Aurelia and the town council of the said incorporated town, in the county of Cherokee and state of Iowa, in relation to the establishment, erection, maintenance and operation of a system of water works and a gas plant and the issuance of bonds and warrants of said town in payment thereof, and authorizing the town council of said town to issue bonds for the purpose of taking up its floating indebtedness represented by its bonds and warrants. Approved March 17, A. D. 1913.....	H. F. 189	379
366	AN ACT to legalize certain warrants of the city of Bedford, Iowa. Approved March 18, A. D. 1913.....	H. F. 235	381
367	AN ACT legalizing the adoption, signing, recording and publication of the ordinances of the city of Bedford, Iowa. Adopted April 2, A. D. 1913.....	H. F. 236	383
368	AN ACT legalizing the acts of the city council, clerk and treasurer of the city of Belle Plaine, Iowa, relating to overdrafts upon the general fund, water fund, bond fund, city improvement fund, water and sewer fund, and sewer outlet fund. Approved April 19, A. D. 1913.....	S. F. 561	383
369	AN ACT to legalize the ordinances, resolutions and amendments to ordinances and resolutions passed and adopted by and the acts of the town council of the town of Buffalo, Scott county, Iowa, since the passage of an act relating to the organization of cities and towns, and known as chapter twenty-six (26) of the acts of the thirty-second (32) general assembly of the state of Iowa. Approved April 18, A. D. 1913 .....	S. F. 520	385
370	AN ACT to legalize the incorporation of the city of Camanche, Clinton county, Iowa, the election of its officers and certain acts done and ordinances passed by the city council of said city. Approved March 8, A. D. 1913.....	Sub. for S. F. 47	386
371	AN ACT to legalize the special election held in the town of Calmar, Iowa, on the 16th day of October, 1911, wherein there was submitted to the voters of said town the question of issuing bonds in the sum of five thousand dollars (\$5,000.00) for the purpose of erecting a system of gas works and to validate and legalize the bonds issued in pursuance of said election. Approved March 17, A. D. 1913.....	H. F. 162	388
372	AN ACT to legalize a special election held in the city of Carroll, Iowa, at which was submitted the question of granting a franchise for the establishment of gas works and the use of the streets, alleys and public grounds of said city in connection therewith; and to legalize an ordinance passed by the city council of said city granting said franchise; and legalizing all acts of said city, and its council, in connection with the grant of the same. Approved February 6, 1913 .....	S. F. 84	389
373	AN ACT to legalize a special election of the city of Cedar Falls, Iowa, held March 10th, 1913, for the acquiring of a municipal electric light and power plant, and voting bonds therefor, and the resolutions and acts of the city council relating to such electric light and power plant. Approved April 15, A. D. 1913.....	S. F. 540	391



LEGALIZING ACTS—CONTINUED

Chap.	Title	Engrossed Bill	Page
374	AN ACT to legalize the proceedings of the city council of the city of Des Moines, Iowa, for the construction of the seventh ward sewer system in said city. Approved March 25, A. D. 1913 .....	S. F. 387	393
375	AN ACT to legalize the election of the city of Des Moines, Iowa, held on the 26th day of March, 1906, in favor of providing flood protection, as well as to legalize all acts done and resolutions passed and contracts entered into by the city council of the city of Des Moines for the improvement of the channels of the Des Moines and Raccoon rivers to protect lots, lands and property within said city from floods and high water. Approved February 22, A. D. 1913..	S. F. 100	394
376	AN ACT to legalize the incorporation of Humboldt State Bank, Humboldt, Iowa. Approved March 21, A. D. 1913.....	H. F. 293	396
377	AN ACT to legalize certain warrants of the city of Iowa City, Iowa. Approved April 9, A. D. 1913.....	H. F. 313	396
378	AN ACT to legalize a certain election held in the town of Jewell Junction, Iowa. Approved February 25, A. D. 1913.	S. F. 35	398
379	AN ACT to legalize the platting of an addition to the town of Kensett, Iowa, executed by Mrs. Marget Lukason, deceased, dated March 21, 1898, and filed for record in the office of the recorder of Worth county, Iowa, April 9, 1898. Approved April 11, A. D. 1913.....	H. F. 658	399
380	AN ACT to legalize the incorporation of the town of Lattners, Dubuque county, Iowa. Approved April 19, A. D. 1913	H. F. 694	400
381	AN ACT to legalize the incorporation and acts and proceedings of Leopold Desk Company of Burlington, Des Moines county, Iowa. Approved April 4, A. D. 1913.....	S. F. 413	400
382	AN ACT to legalize certain acts of the mayor and city council of the city of Marshalltown, and to legalize certain warrants of the said city of Marshalltown, Iowa. Approved March 11, A. D. 1913.....	H. F. 177	402
383	AN ACT to legalize a certain election held January 13, 1913, in town of Miles, Jackson county, Iowa. Approved April 17, A. D. 1913.....	S. F. 516	404
384	AN ACT to legalize certain warrants of the town of Milford, Iowa. Approved April 17, A. D. 1913.....	S. F. 537	405
385	AN ACT to legalize an election held in the town of Modale, Iowa, March 25th, 1912, in electing councilmen; and to legalize the acts of the council of said town in filling vacancies in said council. Approved March 29, A. D. 1913...	H. F. 343	406
386	AN ACT to legalize the ordinances of the town of New Market, Taylor county, Iowa. Approved March 21, A. D. 1913..	H. F. 206	407
387	AN ACT to legalize certain warrants of the city of Onawa, Iowa. Approved March 29, A. D. 1913.....	H. F. 138	408
388	AN ACT to legalize the act of the electors of the city of Osceola, Iowa, in voting for the issuance of bonds in aid of improvement and extension of the city water works. Approved April 9, A. D. 1913.....	H. F. 652	409
389	AN ACT legalizing the ordinances, resolutions and acts of the council of the incorporated town of Pacific Junction in Mills county, Iowa, so far as affected by the election of six members of said council instead of five. Approved March 25, A. D. 1913.....	S. F. 221	410
390	AN ACT to legalize the passage, adoption and publication of the ordinances of the incorporated town of Rowan, Wright county, Iowa. Approved April 14, A. D. 1913.....	S. F. 486	411

## LEGALIZING ACTS—CONTINUED

Chap.	Title	Engrossed Bill	Page
391	AN ACT to legalize the incorporation of the town of Sharpsburg, Taylor county, Iowa, the election of its officers, the passage and record of all valid ordinances and resolutions, and all acts done that were in compliance with law by the council of said town. Approved April 4, A. D. 1913.....	Sub. for S. F. 95	412
392	AN ACT to legalize an ordinance of the incorporated town of Sheldahl, Iowa, granting a franchise to Boone Electric Company, to erect, maintain and operate an electric power plant in said town. Approved April 2, A. D. 1913.....	H. F. 385	413
393	AN ACT to legalize the proceedings of the city council of the city of Tipton, Iowa, for the construction of a sewer system. Approved March 25, A. D. 1913.....	S. F. 391	414
394	AN ACT to legalize the special election held in the city of Valley Junction, Iowa, on the 14th day of March, 1913, wherein there was submitted to the voters of said city the question of purchasing or erecting and establishing a water works and electric light and power plant, and also the question of the issuance of bonds in a sum not to exceed \$65,000.00 for water works and electric light and power plant purposes, and to validate and legalize the proceedings of the city council had in relation to said special election preliminary to the holding thereof, and to legalize the ballots used at said special election; the acts of the election boards in the conduct of said election and in making the returns thereof; the action of the city council in canvassing the returns of said election and declaring the result thereof, and to legalize the bonds to be issued in pursuance thereof. Approved April 14, A. D. 1913.....	S. F. 465	415
395	AN ACT to legalize the issuance of \$18,000.00 sewer outlet and disposal or purifying plant bonds of the city of Valley Junction, issued on the 3rd day of February, A. D. 1913, and secured by special taxes levied and pledged to the payment of said bonds and interest. Approved April 19, A. D. 1913 .....	S. F. 548	417
396	AN ACT to legalize the adoption of certain propositions at an election of the county of Wapello, state of Iowa, with the effect of authorizing the board of supervisors of said county to purchase land for an addition to the county home farm of said county, and to incur indebtedness for the purchase of such land, and to levy a continuing annual tax to provide for the payment of such indebtedness. Approved April 3, A. D. 1913 .....	S. F. 316	418
397	AN ACT to legalize the regular city election of the city of Winterset, Iowa, held on the 31st day of March, A. D. 1913, and to legalize a certain franchise, and the ratification thereof by the voters at such election, granted by the said city of Winterset to the Winterset mutual telephone company. Approved April 19, A. D. 1913.....	H. F. 677	420

**JOINT RESOLUTIONS**

**HOUSE JOINT RESOLUTION NO. 3.**

Joint Resolution proposing an amendment to the constitution of the state of Iowa, repealing section seven (7) of article two (2) of said constitution and proposing a substitute therefor, relating to and providing for the time of holding general elections. Approved April 8, A. D. 1913..... 422

**HOUSE JOINT RESOLUTION NO. 4.**

Joint Resolution proposing an amendment to the constitution of the state of Iowa, authorizing the general assembly to provide for the exclusive taxation of classes of property for state revenue purposes. Approved April 16, A. D. 1913..... 422

**HOUSE JOINT RESOLUTION NO. 5.**

Joint Resolution to amend the constitution relating to legislative authority; providing for the initiative and referendum with reference to the enactment of laws, or laws enacted by the general assembly, and amendments to the constitution. Approved April 17, A. D. 1913..... 423

**HOUSE JOINT RESOLUTION NO. 6.**

Joint Resolution proposing an amendment to the constitution of the state of Iowa by repealing section one (1) of article two (2) of said constitution and the enactment and adoption of a substitute therefor, relating to the right of suffrage. Approved March 15, A. D. 1913..... 426

**HOUSE JOINT RESOLUTION NO. 7.**

Joint Resolution and enactment ratifying the amendment to the constitution of the United States, proposed by the congress of the United States relating to the selection of senators in the congress of the United States. Approved February 6, A. D. 1913 ..... 426

**HOUSE JOINT RESOLUTION NO. 9.**

Joint Resolution authorizing the joint committee on retrenchment and reform to employ expert accountants and efficiency engineers, to institute reform, and appropriating funds therefor. Approved February 6, 1913..... 427

**HOUSE JOINT RESOLUTION NO. 10.**

House Joint Resolution amending senate joint resolution No. 1 of the thirty-fifth (35th) general assembly relating to the compensation of additional employes of the thirty-fifth general assembly. Approved April 17, A. D. 1913..... 428

**HOUSE JOINT RESOLUTION NO. 16.**

House Joint Resolution approving estimate of cost, plans and specifications for buildings and improvements at the soldiers' orphans' home, school for the deaf, institute for feeble minded children, state sanatorium for the treatment of tuberculosis, industrial school for boys, Mount Pleasant state hospital for insane, Independence state hospital for insane, Clarinda state hospital for insane, Cherokee state hospital for insane, state hospital for inebriates, state penitentiary and state reformatory. Approved April 25, A. D. 1913..... 428

**SENATE JOINT RESOLUTION NO. 1.**

Joint Resolution relating to the selection of additional employes of the thirty-fifth general assembly, fixing their compensation and defining their duties. Approved January 27, A. D. 1913..... 430

**SENATE JOINT RESOLUTION NO. 10.**

Resolution referring house joint resolution number six (6), relating to the amendment proposed to section one (1) of article two (2) of the constitution of the state of Iowa, to the thirty-sixth general assembly. Approved April 8, A. D. 1913. 431

JOINT RESOLUTIONS—CONTINUED

SENATE JOINT RESOLUTION NO. 14.

Joint Resolution approving estimates of cost, plans and specifications for buildings at the state university, the state college of agriculture and mechanic arts, and the state teachers college.  
 Approving estimates of cost, plans and specifications for the erection of new buildings at the state university, at the state college of agriculture and mechanic arts, and at the state teachers college.  
 Approving estimates of cost, plans and specifications for the erection of a gymnasium, reconstruction of roof of medical laboratory, changes in chemical laboratory, warehouse, tunnel to Currier hall, kitchen for hospital, at the state university; a chemistry building, agricultural laboratories, transportation laboratory, animal husbandry laboratories, at the state college of agriculture and mechanic arts; a dormitory for women, and a manual training building at the state teachers college. Approved April 19, A. D. 1913..... 432

SENATE JOINT RESOLUTION NO. 15.

Joint Resolution fixing the number and compensation of employes in the department of state at the seat of government. Approved April 25, A. D. 1913..... 433

SENATE JOINT RESOLUTION NO. 16.

Joint Resolution authorizing and directing the secretary of state to publish, in pamphlet form, senate file No. 3, known as the workmen's compensation act. Approved April 19, A. D. 1913..... 438

TABLE OF CONTENTS.

General laws .....	1 to 324
Appropriation acts .....	325 to 352
Special acts .....	353 to 376
Legalizing acts .....	377 to 421
Joint resolutions .....	422 to 438
Certificate of Secretary of State.....	439
Auditor of State's report on condition of treasury.....	440 to 445
Index .....	447

NOTE.

The general laws are arranged in chapters numerically, to correspond to the section, chapter or title of the Code or of the Supplement to the Code, 1907, which is amended as shown by the references thereto in each of said acts.

LAWS  
OF THE  
**Thirty-Fifth General Assembly**  
OF THE  
**STATE OF IOWA**

PASSED AT THE REGULAR SESSION THEREOF, AT DES MOINES, THE CAPITAL  
OF THE STATE, BEGUN ON THE THIRTEENTH DAY OF JANUARY,  
AND ENDED ON THE NINETEENTH DAY OF APRIL,  
A. D. 1913. IN THE SIXTY-SEVENTH  
YEAR OF THE STATE.

CHAPTER 1.

COMPILATION AND PUBLICATION OF SUPPLEMENT TO THE CODE, 1913.

S. F. 38.

AN ACT to provide for the compilation of the laws of the thirty third, thirty fourth and thirty fifth general assemblies and the laws as they appear in the supplement to the code, 1907; to annotate same and the code and rules of the supreme court, to and including May term, 1913, of the supreme court, and to publish the said compilation and annotations as a "Supplement to the Code, 1913," and to provide for the appointing of a supervising committee, the election of an editor of such supplement to the code and to establish a salary for such editor, and making an appropriation therefor, and repealing section twenty four (24) of chapter twenty (20) of the acts of the twenty sixth general assembly, extra session, as same appears on page five (5) of the prefix to the code.

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

**SECTION 1. Code supplement supervising committee—vacancies—expenses.** That within five (5) days after this act becomes a law, the lieutenant-governor and the present speaker of the house shall each appoint from the senate and the 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 a general and permanent nature of the thirty third, thirty fourth and thirty fifth general assemblies and the laws as they appear in the supplement to the code, 1907, annotating the same and the code and the rules of the supreme court, and indexing and publishing such compilations as hereinafter provided. The committee shall elect some competent and suitable person as editor, whose duties shall be as hereinafter defined. In case of neglect or inability to act on the part of the editor, said committee may discharge him and elect another in his stead.

**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 the annotations and have the copy ready for the printer by October 1st, 1913. He shall also have general supervision of the work under the direction of the committee. His compensation shall be twenty five hundred dollars (\$2,500.00). The secretary of state shall deliver to the editor the enrolled bills for use in proof reading, which shall be by the enrolled bills. The compilation shall be known and designated as "Supplement to the Code, 1913." The editor shall copyright the said supplement, its indices, numbers, chapters, sections, annotations and its entire arrangement and publication and assign such copyright to the state of Iowa.

**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 thirty third, thirty fourth and thirty fifth general assemblies and the laws as they appear in the supplement to the code, 1907, as authorized by the code and the thirty second general assembly, arranged in 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, 1913, 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 be neither amendment 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 herein required. The said committee may purchase such compilations, annotations or index, or any part thereof, as may be deemed necessary 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 in clear, legible type face, sewed and bound in legal buckram 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 statutes of the state.

**SEC. 9. Distribution and sale.** The said supplement shall be distributed to persons, sold and accounted for, except as to price, in the manner provided in sections sixteen to twenty, inclusive, of an act of the twenty sixth general assembly, extra session, entitled "An Act 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 prescribing their duties," which took effect May 5th, 1897, as amended by chapter one of the acts of the thirty first general assembly and chapter one

of the acts of the thirty third general assembly. The distribution to the members of the general assembly shall commence with the thirty fifth 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 four dollars (\$4.00) per volume.

SEC. 11. **Number of copies.** An edition of twelve thousand (12,000) copies of the code supplement shall be printed, nine thousand (9,000) of which shall be bound for immediate use and ready for distribution as soon as possible after the printing and binding of the same has been completed; the remaining three thousand (3,000) shall be folded, gathered and stored away in the paper storage room to be bound upon the orders of the executive council.

SEC. 12. **Traveling expenses—supplies.** The members of the committee shall be allowed two cents a mile for distance actually traveled, 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—approved—how paid.** All bills for expenses of the committee and editor and expenditures in connection with said work shall be verified. The same shall be approved by the committee and the executive council, and the auditor shall draw his 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. **Tri-ennial compilation of statutes.** The thirty-eighth general assembly and each third general assembly thereafter shall provide for the compilation, annotation and publication of the statutes of a general or permanent nature enacted since the adoption of the code and for the selection, as provided in this act, of some competent and suitable person to compile, annotate and superintend such publication.

SEC. 16. **Repeal.** Section twenty four (24) of chapter twenty (20) of the acts of the twenty sixth general assembly, extra session, as the same appears on page five of the prefix to the code is hereby repealed.

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 at Des Moines, Iowa.

Approved April 9 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 14, 1913, and in the Des Moines Capital April 12, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 2.

## COMPENSATION OF MEMBERS OF THE GENERAL ASSEMBLY.

S. F. 452.

AN ACT to amend the law relating to the compensation of members of the general assembly as the same appears in section twelve (12) of the code, as amended by chapter one (1) of the acts of the thirty-fourth general assembly.

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

SECTION 1. **Compensation.** That the law as it appears in section twelve (12) of the code, as amended by chapter one (1) of the acts of the thirty-fourth (34th) general assembly, be and the same is hereby amended by inserting after the word "each" in the second (2d) line of said section the word "full", and by striking out the word "six" in the last line of said section and by inserting in lieu thereof the word "ten"; and by adding to said section at the end thereof the following:

"When a vacancy occurs during a session of the general assembly, and by reason thereof the term of office of any member does not cover the entire session such members shall be paid as follows:

To members whose term of office covers fifteen (15) session days, or less, three hundred dollars (\$300.00); to members whose term of office covers more than fifteen (15) session days, and less than thirty-one (31) such days, five hundred dollars (\$500.00); to members whose term of office covers more than thirty (30) session days, and less than fifty-one (51) such days, seven hundred dollars (\$700.00); and to members whose term of office covers more than fifty (50) session days, one thousand dollars (\$1,000.00)."

Approved April 23 A. D. 1913.

## CHAPTER 3.

## FIXING DATE OF COUNTING VOTES AND INAUGURATION OF GOVERNOR AND LIEUTENANT GOVERNOR.

S. F. 152.

AN ACT to fix the date of the counting of the votes for governor and lieutenant governor and fixing the date of the inauguration of governor and lieutenant governor

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

SECTION 1. **General assembly—joint session—canvass votes—oath—message.** The general assembly shall meet in joint session on the second Tuesday of January or as soon thereafter as both houses have been organized after the biennial election, and canvass the votes cast for governor and lieutenant governor and determine the election; and when the canvass is completed, the oath of office shall be administered to the persons so declared elected and the governor shall deliver to the joint assembly any message he may deem expedient.

Approved April 2 A. D. 1913.



## CHAPTER 4.

GOVERNOR MAY DIRECT ATTORNEY GENERAL TO APPEAR FOR COUNTIES, CITIES AND TOWNS IN CERTAIN CASES.

H. F. 517.

AN ACT to authorize the governor to direct the attorney general to appear in certain cases, for and on behalf of the counties, cities, towns, and other municipalities and officers and contractors thereof and to employ additional legal assistance in such cases and providing for payment therefor. [Additional to chapter one (1), title two (II) of the code relating to the executive department.]

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

**SECTION 1. Validity of patents on bridge or culvert construction involved—how paid.** The governor, whenever he deems such action to be in the interest of the public, shall have power to direct the attorney general to appear for and on behalf of any county, city, town or other municipality of this state or for and on behalf of any officer thereof or contractor therewith, whenever any such county, city, town or other municipality or officer or contractor is a party to any action or proceeding in any court wherein is involved the validity of any alleged patent on any matter or thing entering into highway, bridge or culvert construction, or on any parts thereof, and may employ such legal assistance in addition to the attorney general as he may deem necessary and may pay for the same out of any fund in the state treasury not otherwise appropriated. Whenever the attorney general is so directed by the governor it shall be his duty to comply therewith.

**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 16 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 19, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 5.

SETTLEMENT OF ALL LIABILITIES OF THE STATE GROWING OUT OF SALE OF CERTAIN SCHOOL LANDS.

H. F. 564.

AN ACT making provisions for the settlement of all liabilities of the state growing out of the sale of certain lands of the Des Moines river, improvement grant as school lands. [Additional to section eighty-one (81) of the code, relating to the sale of certain lands.]

WHEREAS, prior to 1860 certain contracts had been entered into between school fund commissioners, acting under the directions of the superintendent of public instruction, an officer of this state, and citizens of the state, for the sale and purchase of a part of the school lands of the state, known as the 500,000 acre grant, and

WHEREAS, the state of Iowa, subsequent to making said contracts, by a settlement with the Des Moines navigation and railroad company, did convey said lands in whole or in part to said navigation and railroad company: therefore,

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

**SECTION 1. Webster—Hamilton counties—proof—amount paid—certificate or patent.** Upon the presentation (or proof of loss) of any contract for the sale of any of said lands, situated in Webster or Hamilton county, executed by John Telman, the then acting school fund commissioner of Webster county, or of any certificate of final payment from said school fund commissioner, or of any patent for said lands under any contract made by said school fund commissioner, to the governor of the state, with proof satisfactory to him by the affidavit of the holder of said contract certificate, or patent, as the case may be, or such other proof as he may require of the amount of money paid upon any tract of said land, he shall make a complete statement, showing the amount of money so paid, whether as principal or interest, and the time when each sum of money was paid, and upon the delivering up of any contract, certificate or patent, as the case may be, to the governor, or in case of loss, upon proper proof, he shall deliver the statement aforesaid by him signed, to the holder of said contract, certificate or patent, as the case may be.

**SEC. 2. Governor corrects errors.** In case any such contract, certificate or patent shall have been returned to the governor, and shall have been filed in the office of the register of the state land office, said contracts, certificates or patents, shall, for the purpose of this act, be returned to the original grantee thereof, his heirs, executors, administrators or assigns, upon such proof by the heirs, executors, administrators or assigns of the original grantee of said contract, certificate or patent, as the governor may require.

**SEC. 3. Warrants without interest.** Upon presentation of said statement so made by the governor, together with the original contract, certificate or patent, to the auditor of state, he shall audit the amount due as shown by said statement, without interest thereon, and shall draw his warrant on the treasurer of state for the amount so audited.

**SEC. 4. Appropriations.** There is hereby appropriated out of any money in the state treasury not otherwise appropriated, an amount sufficient and necessary to pay any and all claims audited under the provisions of this act, not to exceed two hundred three and 87-100 dollars (\$203.87).

Approved April 18 A. D. 1913.

## CHAPTER 6.

### DUBUQUE AND PACIFIC RAILROAD COMPANY LAND GRANT.

S. F. 353.

AN ACT providing for the record title of lands granted to the Dubuque and Pacific Railroad company. [Additional to section eighty-two (82) of the code, relating to the secretary of state certifying to list of lands:]

WHEREAS, by act of congress of May 15, 1856, certain lands were granted to the state of Iowa, for the construction of a railroad from Dubuque to Sioux City, and thereafter selection of said lands were made and certified by the com-

missioner of the general land office and secretary of the interior of the state of Iowa, whereby the title thereto became vested in the state of Iowa, and

WHEREAS, the state of Iowa granted said lands to the Dubuque and Pacific Railroad Company by act of the general assembly of May 15, 1856, and,

WHEREAS, by supplemented act of the general assembly of July 14, 1856, said railroad company was authorized to make disposition of said lands so granted to it by mortgage or deed of trust for the purpose of securing construction bonds, and,

WHEREAS, said railroad company did execute trust deeds conveying said lands to trustees and in and by said deeds, did authorize and direct said trustees to sell and convey said lands, and,

WHEREAS, the trustees under said deeds of trust, did sell and convey a part of the lands so conveyed to them in trust as aforesaid to individuals and partnerships who recorded their said deeds in the several counties in which said lands are located, and,

WHEREAS, said railroad by the construction of a part of said railroad, became entitled to the lands so conveyed by said trustees, to individuals and partnerships, and,

WHEREAS, the said lands have never been conveyed by the state of Iowa, and the record title to the lands derived under said conveyances executed by said trustees of said railroad company, is imperfect: Therefore

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

**SECTION 1. Secretary of state authorized to issue certificate under seal of the state.** That the secretary of state is hereby authorized upon the application of any person claiming title under the trust deeds executed by the Dubuque and Pacific Railroad Company, to secure its construction bonds, to any lands included in the list of lands certified to the state of Iowa, by the commissioner of the general land office and approved by the secretary of the interior, as selected to satisfy the grant made to the state of Iowa, by act of congress approved May 15, 1856, in aid of the construction of a railroad from Dubuque to Sioux City; to certify said land as inuring to the grantees of the said Dubuque and Pacific Railroad Company, which certificate shall be signed by the governor, and attested by the secretary of state, with the seal of the state, and deliver the same to such applicant who is hereby authorized to have said certificate recorded in the county in which the land so certified, is situated, and when so recorded, shall be notice to all persons the same as deeds now are, and shall be evidence of the title from the state of Iowa, to any person deriving title to said land under the Dubuque and Pacific Railroad Company, to the land therein described under the grant of congress by which the land was certified to the state so far as the certified lists made by the commissioner aforesaid, conferred title to the state, but where lands embraced in such lists are not of the character embraced by such acts of congress or the acts of the general assembly of the state, and are not intended to be granted thereby, the lists so far as these lands are concerned, shall be void; nor shall the secretary include, in any of the lists so certified to the state, lands which have been adjudicated by the proper courts to belong to any other grant, or adjudicated to belong to any county or individual under the swamp-land grant, or any homestead or pre-emption settlement; nor shall said certificate so issued confer any right or title as against any person or company having any vested right, either legal or equitable, to any of the lands so certified.

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 Webster City Herald, a newspaper published at Webster City, Iowa.

Approved March 31 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 2, 1913, and in the Webster City Herald April 3, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 7.

### COMPENSATION OF STATE OFFICERS.

Sub. for S. F. 252.

AN ACT to amend the law as it appears in sections eighty-six (86), ninety-eight (98), one hundred fifteen (115) and two hundred eleven (211) of the code, and section two hundred five (205), supplement to the code, 1907, relating to the compensation of the secretary of state, the auditor of state, the treasurer of state, the attorney general, and the clerk of the supreme court.

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

SECTION 1. **Salary of secretary.** That the law, as it appears in section eighty-six (86) of the code, be and the same is hereby amended by striking from the second line of said section the word "twenty-two" and inserting in lieu thereof the word "thirty-six".

SEC. 2. **Salary of auditor.** That the law, as it appears in section ninety-eight (98) of the code, be and the same is hereby amended by striking from the second line of said section the word "twenty-two" and inserting in lieu thereof the word "thirty-six".

SEC. 3. **Salary of treasurer.** That the law, as it appears in section one hundred fifteen (115) of the code, be and hereby is amended by striking from the second line of said section the word "twenty-two" and inserting in lieu thereof the word "thirty-six".

SEC. 4. **Salary of attorney general.** That the law, as it appears in section two hundred eleven (211) of the code, be and the same is hereby amended by striking from the second line of said section the word "four" and inserting in lieu thereof the word "five".

SEC. 5. **Salary of clerk of supreme court.** That the law, as it appears in section two hundred five (205) of the supplement to the code, 1907, be and the same is hereby amended by striking from the second line of said section the word "twenty-two" and inserting in lieu thereof the word "twenty-seven".

SEC. 6. **No additional compensation.** No other or additional compensation shall be paid by the state of Iowa to any of the officers herein named for services rendered to the state.

Approved April 19 A. D. 1913.

## CHAPTER 8.

## STATE EXAMINERS FOR COUNTIES AND ESTABLISHING A UNIFORM SYSTEM OF ACCOUNTS.

H. F. 259.

AN ACT creating the office of state examiners for counties, fixing their compensation, duties, terms of office and method of appointment, providing for a system of public accounting and supervision of county officers, establishing a uniform system of accounts, reports and audits for counties, and providing penalties for violations of this act. [Additional to chapter three (3), title two (II) of the code relating to executive department.]

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

**SECTION 1. Auditor of state appoints—term of office—bond—compensation—appropriation—counties refund.** That within thirty days (30) from and after the taking effect of this act, the auditor of state shall appoint not less than four (4), nor more than eight (8) state examiners for counties, hereinafter referred to in this act as "examiners", who shall be suitable persons of recognized skill, familiar with the system of accounting used in county offices, and versed in the laws relating to county affairs, who shall, at all times, be subject to the control and under the direction and supervision of the auditor of state. They shall hold office for a term of four (4) years, and be subject to removal for cause by the auditor of state. They shall receive as compensation, the sum of six (\$6.00) dollars per day when actually employed, and shall be paid in addition, their actual and necessary expenses incurred in the performance of the duties of their office. The auditor of state shall appoint such additional clerks and assistants as are needed, and shall fix a reasonable compensation therefor, and he may contract such other expenses as shall be necessary in the performance of the duties provided by this act but the total amount to be expended for all purposes incurred under the provision of this act shall not exceed \$20,000.00 annually. Such compensation and other expenses as indicated herein shall be paid by warrants drawn by the auditor of state upon the state treasurer, and there is hereby appropriated out of any money in the state treasury, and not otherwise appropriated, the sum of five thousand dollars (\$5,000.00), or so much thereof as may be necessary. Before the compensation or expenses of any examiner, clerk or assistant, shall be paid, a detailed and itemized statement shall be prepared by said examiner, and duly verified, which verification shall aver that the account is just, reasonable, and wholly unpaid. Said claims shall be approved by the auditor of state and afterwards presented and allowed by the executive council. As soon as an examination for any county has been completed, and the expenses thereof paid by this state, the auditor of state shall forthwith file with the auditor of the county so examined, a claim for the full amount so paid by this state; which claim, when so filed, shall become a legal and valid claim against the county, payable from its general funds, as all other claims are paid. Before entering upon the discharge of the duties of his office, each examiner shall give a bond in the penal sum of two thousand (\$2,000.00) dollars conditioned as provided in section eleven hundred eighty-three (1183) of the code, the same to be approved and filed as are the bonds of other state officers.

**SEC. 2. Uniform system installed.** The auditor of state shall formulate, prescribe, approve, and install a system of books, blanks, records, vouchers, receipts, and all other forms necessary to secure a complete system of accounting for county officers, which system shall be uniform for all accounts of the same class, and they shall, from time to time, formulate, prescribe, and install such changes in the system of bookkeeping and accounting as shall be necessary in order to conform to changes in the law; and it is hereby made the express duty of the examiners to assist the respective officers in installing such systems in each of the counties throughout the state.

**SEC. 3. Date of adoption—refusal—penalty.** That in order to secure uniformity, all county officers are hereby directed to adopt, on or before July 1st, 1914, the system formulated for said county office, by the state auditor, and in case of refusal or neglect to comply with this provision of the law within thirty days (30) after request from the auditor of state, the official so delinquent shall forfeit to the state, the sum of \$100.00, to be recovered by the state of Iowa, in an action brought against the delinquent official and his bondsmen by the county attorney of said county; and one-half of said penalty when recovered, shall be paid into the treasury of the county, and the other half into the treasury of the state of Iowa. An action in mandamus may be brought by the county attorney, or by any citizen of the county, to secure a compliance with the provisions of this statute.

**SEC. 4. Examination—powers and duties of examiner—report.** That it shall be the duty of the auditor of state to examine, or cause to be examined, at least once each year and oftener if in his judgment conditions require, all county officers and offices receiving or disbursing public funds, and he is hereby given full power to examine personally, or through his examiners, all accounts and all official affairs of every county office and officer receiving or disbursing public funds. On every such examination inquiry shall be made as to the financial condition and resources of each county; whether the first cost prices paid for improvements, materials, supplies, merchandise, etc., are in excess of the first cost prices paid for the same character of improvements, materials, supplies and merchandise by other counties of the state; whether the laws of the state, and the requirements of the auditor of state have been complied with; also into the methods and accuracy of the accounts and reports of the office so examined. Such examination shall be made without notice. The auditor of state, or any examiner, when engaged in making any examination provided for in this act, or when engaged in any official duty devolving upon him as such, shall have, for the purpose of making an examination or inventory, the right to enter into any county office and examine any books, papers, or documents contained therein, or belonging thereto, and shall have access, in the presence of the custodian thereof, or his deputy, to the cash drawers and cash in the custody of such officer, and they shall also have the right during business hours, to examine the public accounts of the municipality under examination, in any depository which has such public funds in its custody pursuant to the laws of this state. The state auditor, or any of his examiners, when engaged in making any examination of any office, officer, board, or institution, or any other examination authorized by this act, is hereby empowered to issue subpoenas for witnesses to appear before him in person, or to produce books and papers before him for inspection and examination. Such subpoena shall be served by any person authorized to serve civil process from any court in this state. In case any witness duly subpoenaed refuses to attend, or refuse to produce documents, books and papers as required in subpoena, or shall attend and refuse to make oath or affirmation, or being sworn, or affirmed and

shall refuse to testify when called upon so to do, then the state auditor or the examiner may apply to the district court, or any judge of said district, having jurisdiction thereof for the enforcement of attendance and answers to questions as provided by law in the matters of taking depositions. They shall also have the authority to administer oaths and to examine such witnesses under oath orally or by interrogatories propounded touching the matters under investigation and examination, and such oral examination may be taken in shorthand, and transcribed, and the reasonable expense thereof shall be paid in the same manner as the expenses of the examiner is paid. Willful false swearing in such examination shall be perjury, and shall be punishable as such. A report of such examination shall be made in triplicate, signed, and verified under oath by the officer making the examination; one copy to be filed with the auditor of state; one copy with the officer under investigation, and one copy with the auditor of the county whose officer is under investigation. In the event that such examination discloses any of the grounds of removal mentioned in section 1, chapter 78 of the acts of the thirty-third general assembly, a fourth copy shall be provided and filed by the auditor of state in the office of the attorney general of the state, and the attorney general shall thereupon take such action as, in his judgment, the facts and circumstances warrant. It shall be unlawful for any examiner to make any disclosure of the result of any investigation, except as he shall make the same to the auditor of state, county auditor or to any court, and a violation of this provision shall be ground for removal.

**SEC. 5. Examination—how secured—expenses—how paid.** Any township, school, or municipal corporation may secure an examination of its financial transactions and the condition of its funds, and a report thereon by the auditor of state or one of his examiners upon application to the auditor of state, provided said application is accompanied by a petition signed by twenty-five (25) or more tax payers of the township, school or municipal corporation desiring an investigation and requesting such an examination and setting forth facts which, in the opinion of the state auditor, shall justify such action. As soon as examination for any such municipal corporation has been completed, and the expenses thereof paid by this state, the auditor of state shall forthwith file a claim against the municipal corporation so examined; which claim when so filed, shall become a legal and valid claim against said municipal corporation, payable from its general funds as all other claims are paid.

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

Approved April 17 A. D. 1913.

## CHAPTER 9.

### PENSIONS FOR DISABLED AND RETIRED FIREMEN.

H. F. 90.

AN ACT to repeal section five (5) of chapter sixty-one (61) of the acts of the thirty-third general assembly, as amended by chapter fifty (50) of the acts of the thirty-fourth general assembly, and to enact a substitute therefor relating to pensions for disabled and retired firemen.

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

**SECTION 1. Repeal—who entitled to pensions—amounts—how paid—exempt from liability for debts.** That section five (5) of chapter sixty-one (61) of the acts of the thirty-third general assembly, as amended by chapter fifty

(50) of the acts of the thirty-fourth general assembly be repealed and the following is enacted in lieu thereof:—

“Any member of an organized paid fire department within the provisions of this act who shall have served twenty-two (22) years or more in such department and shall have reached the age of fifty (50) years, or who shall, while a member of such department, become mentally or physically permanently disabled from performing the duties of a fireman, shall be entitled to be retired and upon retirement he shall be paid out of the firemen’s pension fund of the city in which such department is located, a monthly pension equal to one-half the amount of salary received by him monthly at the date he became entitled to retirement. Provided, however, that no member who has not served five years or more in such department shall be entitled to be retired and paid a pension under the provisions of this act on account of being mentally or physically permanently disabled, unless such disability was contracted while engaged in the performance of his duties or by reason of following the occupation of such fireman. Provided, further, that the chief officer of any fire department shall have the power to assign any member of the department, retired or drawing pensions under this act, to the performance of light duties in such fire department. The question of disability shall be determined by the trustees upon the advice of a physician appointed by the board of trustees for that purpose. Upon the death of any member of such fire department while in the service, or of any member who shall have been retired, leaving a widow or minor children or dependent father or mother surviving him, there shall be paid out of said fund as follows: To the surviving widow, so long as she remains unmarried and of good moral character, a pension of twenty dollars (\$20.00) per month. If there be no surviving widow, or upon the death or remarriage of such widow, then to his dependent father and mother, if both survive, or to either dependent parent, if one survive, twenty dollars (\$20.00) per month. To the guardian of each surviving minor child under sixteen (16) years of age, six dollars (\$6.00) per month. Provided, however, that the aggregate of all such payments shall not exceed one-half of the amount of the salary of such member at the time of his death or retirement. If any such member shall have served twenty-two (22) years in such department but shall not have reached the age of fifty years, he shall be entitled to retirement as above; provided, however, that no pension shall be paid while he lives until he reaches the age of fifty (50) years. The provisions of this bill shall apply to volunteer or call members of a paid fire department, excepting that, as to such volunteer or call members, the amount of pension to be paid shall be such as the board of trustees shall fix or determine. After any member shall become entitled to be retired, such right shall not be lost or forfeited by discharge or for any other reason except conviction for felony. All pensions paid under the provisions of this act shall be exempt from liability for debts of the person to or on account of whom the same as [are] paid and shall not be subject to seizure upon execution or other process.”

Approved April 17 A. D. 1913.



## CHAPTER 10.

## INDEBTEDNESS OF INDEPENDENT SCHOOL DISTRICTS.

H. F. 667.

AN ACT to amend section one (1) of chapter one hundred forty-five (145) acts of the thirty-fourth (34th) general assembly, relative to the limit of indebtedness of independent school districts.

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

SECTION 1. **Indebtedness authorized.** That section one (1) of chapter one hundred forty-five (145) acts of the thirty-fourth (34th) general assembly be and the same is hereby amended by striking from the eighth (8th) line of said section the word "four" and inserting in lieu thereof the word "five".

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

Approved April 18 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 25, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 11.

## PAYMENT OF COURT COSTS AND OTHER EXPENSES INCURRED BY STATE IN SUITS INSTITUTED BY STATE DEPARTMENTS.

H. F. 698.

AN ACT to amend the law as the same appears in chapter two (2) acts of the thirty-fourth general assembly authorizing the executive council to pay court costs taxed to or other expenses incurred by the state in any suit or proceeding instituted by or against any of the state departments. [Additional to chapter seven (7) of title two (II) of the code relating to executive council.]

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

SECTION 1. **Court costs—how paid.** That the law as it appears in chapter 2, acts of the thirty-fourth general assembly be and the same is hereby amended by inserting between the words "by" and "any" in the fourth line of section 1 of said act the words "or against", and by inserting between the words "departments" and "in" in the same line the word "or".

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

Approved April 23 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader May 1, 1913, and in the Des Moines Capital April 30, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 12.

## EXECUTIVE COUNCIL.

S. F. 451.

AN ACT granting additional powers to the executive council. [Additional to chapter seven (7) of title two (II) of the code relating to executive council.]

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

**SECTION 1. Contract for improvements—joint action—warrants.** That whenever in the improvements of the streets and alleys abutting property owned by the state of Iowa in cities of the first class, including cities acting under the commission plan of government and including cities acting under special charter, it requires the joint action of the city and the state to make and complete such improvement, the executive council is empowered and authorized, when in its judgment it is advisable and proper and to the best interest of the state, to consent to the making of such improvements and to contract and pay for such portion thereof as in its judgment may be equitable and just. Such contracts shall be made and drawn as provided in chapter seven (7) of title two (II) of the supplement to the code, 1907, and warrants drawn for the payment of such improvements so authorized by the council shall be paid out of any funds in the 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 the city of Des Moines, Iowa.

Approved April 25. A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader May 1, 1913, and in the Des Moines Capital April 30, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 13.

## EXECUTIVE COUNCIL.

S. F. 214.

AN ACT authorizing the executive council of Iowa to incur expenses and make expenditures to procure data, make investigations and provide things not otherwise provided to enable said executive council to perform the duties imposed by law, and making appropriation therefor. [Additional to chapter seven (7) of title two (II) of the code relating to the executive council.]

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

**SECTION 1. Duty relative to procuring data—capital stock—tax adjustment—census.** The executive council is authorized to incur such expense as it may find necessary to make investigations to determine the facts affecting or relating to any duty that is now or may hereafter be imposed upon said council by law. Its authority shall extend to and include the procuring of data for the

determination of the value at which property may be accepted by corporations in payment for issues of capital stock; the investigation of property values for the purpose of assessment and taxation and for the purpose of adjusting the valuation of property of taxing districts and counties; matters relating to the census to be made under chapter 8, title II of the supplement to the code, 1907, or amendments thereto; matters relating to official expenses and expense accounts; matters relating to public revenues or to procure anything not otherwise provided, necessary to enable said executive council to properly or adequately perform any duty imposed by law. It may also incur the necessary expenditure to perform or to cause to be performed any duty imposed by law upon the executive council which the members or its regular employees are unable to perform, or for which the statute imposing the duty fails to make the necessary provision for the execution thereof.

**SEC. 2. Expenditures—order made—recorded.** Before incurring any expenditure authorized in section 1 of this act, an order shall be made and recorded in the records of the executive council setting forth the necessity for incurring the same and fixing the maximum amount that may be so expended in each such case.

**SEC. 3. Expenditures—personal service.** No expenditure for personal service, per diem, or salaries shall be authorized for the employment of any person for a duty that may be performed by a member of the council or its regular employees without neglect of the usual duties of the members or said employees. Expenditures authorized for personal service, per diem or salaries shall be made only upon the unanimous, affirmative vote of all members of the executive council and before any person shall be employed the rate of compensation of salary shall be determined and the aggregate amount that may be expended in each case shall be determined and recorded in the records of the executive council. Any person so employed shall be selected on account of especial fitness for the labor to be performed and the record of employment shall contain a statement of the peculiar fitness of such employe for the special duty to be performed.

**SEC. 4. Necessary expenses.** Members of the executive council and its regular employees shall be paid no additional salary or compensation for special service but shall receive their necessary traveling expense, including subsistence when absent from the seat of government.

**SEC. 5. Appropriation.** There is hereby appropriated out of any money in the state treasury not otherwise appropriated an amount sufficient to pay the expenditures authorized by this act.

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

Approved April 12 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital April 19, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 14.

## EXTENSION AND IMPROVEMENT OF STATE CAPITOL GROUNDS.

H. F. 669.

AN ACT to provide for the levy of a special tax upon the assessed valuation of the taxable property of the state for a period of ten years for the purchase of real estate for the extension and for the improvement of the state capitol grounds: To define the limits of said extension: To authorize the purchase by executive council of all grounds within said limits: To adopt a plan for the location of buildings, monuments, etc.; on said extended ground, and to provide for the sale of certain real estate known as "Governor Square." [Additional to chapter seven (7) of title two (II) of the code relating to the executive council.]

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

**SECTION 1. Special tax—purchase real estate.** That for the purpose of providing for the purchase of real estate for the extension of the capitol grounds and improvement of the same, there shall be levied annually for a period of ten (10) years, commencing with the first levy made after the passage of this act, a special tax as follows; in each of the years 1913 and 1914 one-half mill on the dollar of the taxable property in the state, and in each of the remaining eight years such rate of levy to be fixed by the executive council, as will yield approximately one hundred and fifty thousand dollars (\$150,000) annually. The proceeds of such levies shall be carried into the state treasury to the credit of a fund to be called the capitol grounds extension and improvement fund. The amount so realized by said levies shall be in lieu of all of the appropriations for said purposes during the said period of ten (10) years.

**SEC. 2. Plat.** That for the purpose of the extension of the capitol grounds the executive council is hereby authorized, empowered and directed to purchase from time to time within said period of ten (10) years any or all of the real estate not already owned by the state of Iowa within the following limits: beginning at a point where the east line of Pennsylvania avenue crosses the north line of East Locust street, thence northerly along the east line of Pennsylvania avenue to the north line of the alley between Locust street and Grand avenue, thence easterly along the north line of said alley between Locust street and Grand avenue to a point one hundred and thirty (130) feet west of the west line of East Ninth street, thence northerly parallel with the west line of East Ninth street to the south line of Des Moines street, thence easterly to a point where the south line of Des Moines street crosses the east line of East Twelfth street, thence southerly to where the east line of East Twelfth street crosses the north line of East Grand avenue, thence easterly to where the north line of East Grand avenue crosses the east line of East Thirteenth street, thence southerly to where the east line of East Thirteenth street crosses the south line of Walnut street, thence westerly along the south line of Walnut street to where the same crosses the east line of East Twelfth street, thence southerly to the north line of the right of way of the Des Moines Union Railway Company, thence westerly along the north line of the right of way of the Des Moines Union Railway Company to the east line of the alley running north and south east of East Seventh street, thence northerly along the east line of said alley to the south line of East Locust street, then northwesterly to the place of beginning.

**SEC. 3. Erection of buildings.** That all buildings, monuments, statuary, memorials, fountains and improvements hereafter erected upon said capitol grounds shall be located in accordance with the plan covering said extended grounds as contemplated herein submitted as the Allison memorial commission plan now on file in the office of the secretary of state and that said grounds shall be laid out with respect to drives, streets, avenues, malls, walks, bridges, terraces and other improvements in all respects as contemplated and suggested by said plan and said plan is hereby adopted and made a part of this act.

**SEC. 4. Options—purchase—how paid.** That the executive council is hereby authorized, empowered and directed to acquire any or all the real estate included within the territory described in section two hereof for the state and may purchase the same on option or contracts or in any other way which said council may deem expedient but payment for said real estate shall be made only upon the certificate of the attorney general that the vendor has furnished the state an abstract of title showing perfect title of record. The executive council may make said purchase or enter into said contracts at any time within said period of ten (10) years at its discretion and as the amount of money in said fund at any time may enable them to do but only after the most diligent inquiry and investigation as to the fair, just and reasonable value of said property. Payment for said real estate may be made by the said executive council certifying to the state auditor the amount due to any person at any time, and the auditor then drawing a warrant in his favor on the state treasury payable out of the fund herein created.

**SEC. 5. Condemnation.** That if the executive council shall at any time be unable to purchase said real estate, or any part of it at such price or prices as it may deem just and reasonable upon its request the attorney general shall on behalf and in the name of the state and in accordance with the statute applicable to such cases institute and prosecute to a final determination an action or actions for the condemnation of the premises to said use as is contemplated by this act.

**SEC. 6. Leases.** That the executive council shall have charge of all buildings that may be on any of the grounds acquired under the provisions of this act and may lease any or all of said buildings and grounds on behalf of the state until, in the judgment of said council, it is advisable to remove them. That at such times said buildings may be sold by said council or are razed and the salvage thereon sold or such other disposition made of said buildings as said council may deem to the best advantage of the state. And all money realized from such sources and from rentals shall be carried into the state treasury to the credit of the capitol grounds extension and improvement fund.

**SEC. 7. Sale Governor Square.** That the executive council is hereby authorized, empowered and directed to sell or cause to be sold either as it now stands or to cause the same to be platted and subdivided into lots and sold in parcels the real estate now owned by the state known as Governor Square and more particularly described as follows, to-wit:—commencing at a point south thirty-two degrees west thirty minutes west, one and sixty-five one hundredths chains from the northwest corner of the southwest quarter of section two, township seventy eight north range twenty-four west of the fifth principal meridian thence north seventy-four degrees, thirty minutes east, six hundred eighty feet to a stone, thence south fifteen degrees thirty minutes east three hundred and sixty feet, thence south seventy-four degrees thirty minutes west six hundred eighty feet to a stone, thence north fifteen degrees thirty minutes west three hundred sixty feet to the place of beginning containing five and sixty

one-hundredths acres more or less. All proceeds derived from the sale of said real estate, except the expense of selling the same including agent's commission, if any, shall be carried into the state treasury to the credit of the capitol grounds extension and improvement fund herein created. All patents or deeds of conveyance to said above described real estate shall be executed and acknowledged by the governor in the name of the state upon resolution of the executive council authorizing such conveyance.

**SEC. 8. Only special fund to be used.** That no part of the purchase price of any of said grounds nor of any warrants or certificates issued in payment for the same and no part of the interest accruing thereon shall ever be paid from the general revenues or funds of the state or out of any fund or from the proceeds of any tax other than funds arising from the tax provided for herein and from the sale of the real estate herein authorized to be sold or from the proceeds or accumulations thereof.

**SEC. 9. Interest bearing certificates—how paid.** That for the purpose of accomplishing the earliest possible completion of the work contemplated herein and the carrying out of the plans provided for in this act the executive council may anticipate the collection of the tax herein authorized to be levied for the extension and improvement of the capitol grounds, and for that purpose may issue interest bearing warrants or certificates carrying a rate of interest not to exceed five per cent per annum to be denominated "capitol grounds extension and improvement warrants or certificates and said warrants or certificates and interest thereon shall be secured by said assessment and levy and shall be payable out of the respective funds hereinbefore named, pledged to the payment of the same, and no warrants shall be issued in excess of taxes authorized or to be levied to secure the payment of the same. It shall be the duty of the state treasurer to collect said several funds and to hold the same separate and apart in trust for the payment of said warrants or certificates and interest and to apply the proceeds of said funds pledged for that purpose to the payment of said warrants or certificates and interest. Such warrants or certificates shall be issued in sums of not less than one hundred nor more than one thousand dollars each running not more than ten years bearing interest not exceeding five per cent per annum, payable annually or semi-annually and shall be substantially in the following form.

The state of Iowa, for value received, promises to pay to bearer .....  
 ..... dollars, lawful money of the United States of America, on .....  
 ..... with interest on said sum from the date hereof until paid,  
 at the rate of ..... per cent per annum, payable ..... an-  
 nually on the first day of....., and ..... in each  
 year, both principal and interest payable at Des Moines, Iowa. This warrant  
 or certificate is issued by the state of Iowa pursuant to the provisions of sec-  
 tion ....., chapter ....., of the acts of the thirty-fifth gen-  
 eral assembly of Iowa. And it is hereby certified and recited that all acts,  
 conditions and things required by the laws and constitution of the state of  
 Iowa to be done precedent and in the issue of this warrant or certificate, have  
 been properly done, happened and been performed in regular and due form,  
 as required by law.

In testimony whereof said state, by its executive council, has caused this warrant or certificate to be signed by its chairman, and attested by its secretary, with the seal of said executive council attached this ..... day of .....

.....  
Chairman of the Executive  
Council of the State of Iowa.

Attest:

.....  
Secretary of the Executive Council  
of the State of Iowa.

SEC. 10. **Certificates—how issued.** That all warrants or certificates issued under the provisions of this act shall be issued pursuant to and in conformity with a resolution adopted by the executive council, which shall specify the amount authorized to be issued, purpose for which issued, the rate of interest they shall bear, and whether payable annually or semi-annually, the place where the principal and interest shall be payable, and when to become due, and such other provisions, not inconsistent with law, in reference thereto, as the council shall think proper, which resolution shall be entered of record upon the minutes of the proceedings of the executive council, and a true and complete copy thereof printed on the back of each warrant or certificate, (which resolution shall constitute a contract between the state and the purchasers or holders of said warrants or certificates.)

SEC. 11. **Certificates deposited with treasurer of state—register.** That when warrants or certificates have been executed as aforesaid, they shall be delivered to the treasurer of state of the state of Iowa and his receipt taken therefor, who shall register the same in a book provided for that purpose, which shall show the number of each warrant or certificate, its date, date of sale, amount, date of maturity, and the name and address of the purchaser, which record shall at all times be open to the inspection of the citizens of said state. The treasurer of state of the state of Iowa shall thereupon certify upon the back of each warrant or certificate as follows:

“This warrant (or certificate) duly and properly registered is in my office this ..... day of .....

.....  
Treasurer of State of the state of Iowa.

and shall stand charged on his official bond with all warrants or certificates so delivered to him and the proceeds thereof.

SEC. 12. **Sale—certificates—proceeds.** The treasurer of state of the state of Iowa shall, under resolution and the direction of the executive council, sell the warrants or certificates for cash on the best available terms, and the proceeds shall be applied and exclusively used as hereinbefore provided and for the purposes for which said warrants or certificates are issued. In no case shall they be sold for a less sum than their face value, and all interest accrued at the date of sale. After registration the treasurer of state of the state of Iowa shall deliver said warrants or certificates to the purchaser thereof. If, in the judgment of the executive council, it should be deemed expedient warrants or certificates may be issued direct to the vendor in payment for any property purchased under the provisions of this act.

Approved April 10 A. D. 1913.

## CHAPTER 15.

## PUBLIC OFFICERS PROHIBITED FROM DIVULGING CONTENTS OF SEALED BIDS.

H. F. 673.

AN ACT to prohibit public officers or deputies from divulging any part of the contents of sealed bids and to fix and declare the liquidated damages inuring in favor of municipal corporations by reason of the violation of such prohibition. [Additional to chapter seven (7), title two (II) relating to the executive department.]

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

SECTION 1. **Violation—damages.** No public officer or deputy thereof, if any, shall directly or indirectly or in any manner whatsoever, at any other time or in any other manner than as provided by law, open any sealed bid or convey or divulge to any person any part of the contents of a sealed bid, on any proposed contract concerning which a sealed bid is required or permitted by law. A violation of the provisions of this section shall, in addition to criminal liability, render the violator liable, personally and on his bond, if any, to liquidated damages in the sum of one thousand dollars (\$1,000) for each violation, to inure to, and be collected by the state, county, city, town, school district or other municipal corporation of which the violator is an officer or deputy.

SEC. 2. **Witness required to testify—evidence not incriminating.** In any action in any court wherein the matter of a violation of the preceding section is at issue, no witness shall be privileged from testifying to any matter or from producing any books, papers, or letters, on the ground that the same might or would tend to render such witness criminally liable, but such witness shall not be prosecuted for any offense whatever growing out of or connected with the matters and things so testified to or produced by him, provided such witness shall not be exempt from prosecution for perjury committed in so testifying.

Approved April 17 A. D. 1913.

## CHAPTER 16.

## ADMISSIONS TO THE SOLDIERS' HOME.

S. F. 75.

AN ACT to repeal chapter one hundred sixty-six (166) of the acts of the thirty-third general assembly and to enact a substitute therefor relating to payments for their support by members of the soldiers' home.

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

SECTION 1. **Repeal—admission to members who pay their own support—conditions.** That chapter one hundred sixty-six (166) of the acts of the thirty-third general assembly is hereby repealed and in lieu thereof is enacted the following:

It shall be lawful to receive in the soldiers' home persons who have sufficient means for their own support but are otherwise eligible to become mem-



bers of the home, on payment of the cost of their support, which cost shall be fixed from time to time by the board of control of state institutions. All money paid under the provisions of this act shall be received by the commandant and remitted each month to the treasurer of state and placed to the credit of the support fund of the home. Provided, however, that no person having sufficient means for his or her own support shall be received or permitted to remain in the home unless there be room for all eligible applicants who do not have such means, but pension money received by any member of the home from the United States government shall not be taken from him for his support in the home.

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

Approved March 13 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader March 14, 1913, and the Des Moines Capital March 15, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 17.

### LEVY OF SPECIAL TAXES FOR STATE INSTITUTIONS.

S. F. 550.

AN ACT providing for the levy of special taxes upon the assessed valuation of the taxable property of the state for the erection and improvement of buildings, for appurtenances and connections for the Iowa soldiers' home, Iowa soldiers' orphans' home, school for the deaf, institution for feeble-minded children, state sanitorium for the treatment of tuberculosis, state industrial schools, state hospitals, penitentiary, reformatory, state colony for epileptics, Iowa industrial reformatory for females and district custodial farm, and for the purchase of land and to develop and maintain industries, and repealing acts and parts of acts in conflict with this act. [Additional to section one hundred seventy-b (170-b) of the supplement to the code, 1907, relating to the state tax levy.]

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

SECTION 1. **Buildings and appurtenances—funds held by state treasurer.** That for the purpose of providing for the erection and improvement of buildings, for appurtenances and connections, for the Iowa soldiers' home, Iowa soldiers' orphans' home, school for the deaf, institution for feeble-minded children, state sanitorium for the treatment of tuberculosis, state industrial schools, state hospitals, penitentiary, reformatory, Iowa industrial reformatory for females, district custodial farm, and state colony for epileptics, for the purchase of land for one or more of said institutions, including a new location for the Iowa industrial reformatory for females, and for establishing and maintaining industries in any or all of said institutions, there shall be levied annually for five (5) years a special tax of one-half mill on the dollar upon the assessed valuation of the taxable property of the state and the proceeds thereof shall be paid into the state treasury to the credit of the institutions specified. Said levy shall first be made in the year 1913, and annually thereafter. The money realized from such levies shall be held by the treasurer of state for the institutions and purposes herein stated and shall be

drawn from the state treasury on vouchers and abstracts executed and approved as provided by the law as it appears in sections twenty-seven hundred twenty-seven-a41, twenty-seven hundred twenty-seven-a42 and twenty-seven hundred twenty-seven-a43 of the supplement to the code, 1907, so far as applicable, and when not applicable upon vouchers and abstracts approved by the board of control of state institutions.

**SEC. 2. Funds—how expended—procedure in case of fire.** No part of the levies herein provided for shall be expended for new buildings the probable cost of which shall exceed five thousand dollars, without first submitting to the general assembly for its approval plans and specifications prepared by an architect, together with estimates of the cost of such buildings, provided, that if the board of control of state institutions deem it advisable to make any deviation from or addition to the plans, specifications and estimated cost so submitted to the general assembly, the board shall first secure the approval thereof by a majority vote of the executive council but the executive council shall not approve any deviation from such plans and specifications during any session of the general assembly nor which will probably cost more than twenty-five thousand dollars as to any one building. The executive council may, however, during the interim between sessions of the general assembly on application of said board, approve plans, specifications and expenditures for buildings the necessity for which is created by fire or other casualty.

**SEC. 3. Acts in conflict repealed.** All acts and 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 18 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 25, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 18.

### DAILY ACCOUNTING TO STATE TREASURER OF ALL FEES.

H. F. 407.

AN ACT repealing section one hundred and seventy-d (170-d) of the supplement to the code, 1907, and to enact a substitute in lieu thereof requiring all boards, commissions, departments, and officers of state to turn into the state treasury all fees collected.

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

**SECTION 1. Repeal—fees.** That section one hundred and seventy-d (170-d) of the supplement to the code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

“That all officers of state, elective or appointive, all boards, commissions and departments, except the department of agriculture, shall turn into the state treasury or bank or depository to the credit of the state treasury, as designated by the state treasurer, not later than the third day succeeding the

collection thereof, ninety per cent of all fees commissions and moneys collected or received with an itemized statement of sources from which received and the fund to be credited; and shall also file with the auditor of state a duplicate of such statement. The balance actually collected in cash remaining in the hands of any officer, board, or department, shall not exceed the sum of five thousand dollars (\$5,000.00) and no money collected shall be held more than thirty days."

**SEC. 2. Acts in conflict repealed.** All acts or parts of acts in conflict with this act are hereby repealed.

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

Approved April 19 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital May 6, 1913.

W. S. ALLEN,  
Secretary of State.

#### CHAPTER 19.

#### COMMITTEE ON RETRENCHMENT AND REFORM. EMPOWERED TO EMPLOY EXPERT ACCOUNTANTS AND EFFICIENCY ENGINEERS.

H. F. 552.

AN ACT authorizing and empowering the joint committee on retrenchment and reform to employ expert accountants and efficiency engineers, to institute reform, and making an appropriation therefor. [Additional to chapter nine (9) of title two (II) of the code relating to the executive department.]

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

**SECTION 1. Committee assistants.** That the joint committee on retrenchment and reform is hereby authorized and empowered to employ expert accountants and efficiency engineers to assist said committee in the performance of its duty as prescribed by law.

**SEC. 2. Powers.** Said joint committee on retrenchment and reform is hereby authorized and empowered to institute such changes in the administration of public affairs as will promote the efficiency and economical administration of the affairs of the state in its various departments.

**SEC. 3. Appropriation.** There is hereby appropriated the sum of ten thousand dollars (\$10,000.00), or so much thereof as may be necessary, out of the general funds of the state not otherwise appropriated, with which to meet the expenses contemplated by 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 Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved March 17 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital March 19, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 20.

## COMMITTEE ON RETRENCHMENT AND REFORM.

H. F. 519.

AN ACT to amend section one hundred eighty-one (181) of the code relating to joint committee on retrenchment and reform.

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

**SECTION 1. Committee on retrenchment and reform.** That section one hundred eighty-one (181) of the code be amended by adding after the comma following the word "respectively" in the third line of said section the following "and two (2) members of the minority party from the senate and two (2) members of the minority party from the house."

**SEC. 2. Minority members added.** That said section one hundred eighty-one (181) of the code be amended by adding thereto the following; "The minority members hereinbefore provided for shall be appointed by the president of the senate and the speaker of the house, respectively, and if there be more than one (1) minority party represented in either the house or senate, consisting of five or more members, one (1) member shall be appointed from each of said minority parties and if there be more than two (2) such minority parties, the appointment shall be from the two (2) minority parties having the greatest representation."

**SEC. 3. Additional authority granted—organization—expenses—how paid.** That said section one hundred eighty-one (181) of the code is hereby amended by adding thereto additional to the amendment in section two (2) hereof, the following; "The authority granted by law to the joint committee on retrenchment and reform shall continue after adjournment of the legislature and until the succeeding legislature shall reconvene and organize, with the same force and effect as is now granted by law to such committee during the period the legislature is in session. Said committee shall organize by the election of one (1) of its members as chairman and another of its members as secretary and may meet at such times and places as may be ordered by resolution or upon call of the chairman and three (3) other members of said committee, and the actual expenses of attendance at meetings other than those held during the time the legislature is in session shall be presented and audited by the executive council and paid from any funds in the state treasury not otherwise appropriated and said committee shall make a record of its meetings and transactions, which record shall be kept in the office of the secretary of state and shall be open to public inspection."

**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 16 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital April 19, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 21.

## LIABILITY FIXED ON CONTRACTS ENTERED INTO WITH STATE OR ANY MUNICIPAL CORPORATION.

H. F. 380.

AN ACT to fix and declare the liability of persons, firms or private corporations, entering into contracts with the state of Iowa, or with any county, city, town, city organized under special charter, school corporation or with any municipal corporation now existing or hereafter created and to provide for immunity to witnesses in proceedings to establish such liability, and to fix and declare the measure of damages for violation of this act. [Additional to chapter nine (9) of title two (II) of the code relating to duties assigned to two or more officers and general regulations.]

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

**SECTION 1. Certain statutory terms in every contract—obtaining contracts by collusion prohibited—liquidated damages.** The following provision shall be deemed and held to be a part of every contract hereafter entered into by any person, firm or private corporation with the state of Iowa, or with any county, city, town, city acting under special charter, cities acting under commission form of government, school corporation or with any municipal corporation, now or hereafter created, whether said provision be inserted in such contract or not, to-wit:

“The party to whom this contract has been awarded, hereby represents and guarantees that he has not, nor has any other person for or in his behalf, directly or indirectly, entered into any arrangement or agreement with any other bidder, or with any public officer, whereby he has paid or is to pay to any other bidder or public officer any sum of money or anything of value whatever in order to obtain this contract; and that he has not, nor has another person, for or in his behalf, directly or indirectly, entered into any agreement or arrangement with any other person, firm, corporation or association which tends to or does lessen or destroy free competition in the letting of this contract and agrees that the establishment of the falsity of these representations and guaranties, or any of them, and he hereby agrees that in case it hereafter be established that such representations or guaranties, or any of them, are false, he will forfeit and pay not less than five per cent (5%) of the contract price but in no event be less than three hundred dollars (\$300.00), as liquidated damages to the other contracting party.

**SEC. 2. Witness required to testify—evidence not incriminating.** In any action in any court wherein the falsity of such representations and guaranties are at issue, no witness shall be privileged from testifying to any matter or from producing any books, papers, or letters, on the ground that the same might or would tend to render such witness criminally liable, but such witness shall not be prosecuted for any offense whatever growing out of or connected with the matters and things so testified to or produced by him, provided such witness shall not be exempt from prosecution for perjury committed in so testifying.

Approved April 19 A. D. 1913.

## CHAPTER 22.

## ORGANIZATION OF SUPREME COURT.

H. F. 100.

AN ACT to repeal sections one hundred ninety-three (193) and one hundred ninety-four (194) of the code and to enact a substitute therefor providing for an increase in the number of judges in the supreme court of Iowa and providing for a division of said court into sections, and to amend section ten hundred sixty-six (1066) of the supplement to the code, 1907, in reference to the selection of the chief justice of said court.

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

SECTION 1. **Repeal—additional judge.** Section one hundred ninety-three (193) of the code is hereby repealed and the following enacted in lieu thereof. That hereafter the supreme court of Iowa shall consist of seven judges, four of whom shall constitute a quorum to hold court, but one (1) alone thereof may adjourn from day to day or to a certain day or until the next term.

SEC. 2. **Appointment by governor—confirmed by senate—term.** The additional judge provided for in this act shall be filled by appointment by the governor after the taking effect of this act. The governor shall communicate such appointment to the senate. No nomination shall be considered by the senate until the same has been referred to a committee of five to be appointed by the president of the senate without the formality of a motion, which committee shall make its report to the senate in executive session at any time when called for by the senate. The consideration of the nomination by the senate shall not be had on the same legislative day the nomination is referred. The appointee shall be voted on and it shall require the concurrence of two-thirds of all the members elected to the senate to confirm such appointment.

The person so appointed and confirmed shall hold office until the first day of January following the general election in the year 1914 and until his successor is elected and qualified which successor shall, at the general election in the year 1914 and each six years thereafter, be elected for the full term of six years.

SEC. 3. **Repeal—organization.** Section one hundred ninety-four (194) of the code is hereby repealed and the following enacted in lieu thereof:

The court shall organize after the appointment and confirmation of the additional judge provided for by this act and may then be divided into two sections, the chief justice presiding in open court with each of said sections. The said sections so provided for in this act may hold open court separately and cases may be submitted to each section separately in accordance with the rules that shall be provided for by the supreme court. The said supreme court shall also adopt rules for the submission of any case or petition for rehearing whenever differences shall arise between members of either section or whenever the chief justice shall order or direct the submission of said question or petition for rehearing to the whole court. The supreme court shall make all rules and regulations necessary to provide for the submission of cases to the entire bench or to the separate sections herein provided for.

SEC. 4. **Chief justice—how chosen.** Section ten hundred sixty-six (1066) of the supplement to the code, 1907, is hereby amended by striking out the words "and the judge whose term of office shall soonest expire shall be chief justice and when it occurs that two judges shall be equally entitled, they shall

each hold the place of chief justice for one year and the one who is senior in age shall hold for the first of the two years to which they are equally entitled," and insert in lieu thereof the following:

"Of the judges whose terms of office first expire, the senior in time of service shall be chief justice for one year, and, if there be but two of them, the junior for one year, and so on in rotation. If two or more are equal in time of service, then the right to the position and the order in which they serve shall be determined by seniority in age. And at the last term in each year, the supreme court shall determine and enter of record, who, under these rules, shall be chief justice for the year next ensuing."

SEC. 5. **Acts in conflict repealed.** All acts and parts of acts inconsistent with this act are hereby repealed.

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 in Des Moines, Iowa.

Approved April 15 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 16, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 23.

### APPOINTMENT OF ASSISTANT ATTORNEY GENERAL.

S. F. 348.  
AN ACT to repeal section two hundred twelve (212) of the supplement to the code, 1907, relating to the appointment of an assistant attorney general and to his salary, and to enact a substitute therefor.

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

SECTION 1. **Repeal—assistant—salary.** That section two hundred twelve (212) of the supplement to the code, 1907, be and the same is hereby repealed, and the following enacted in lieu thereof:

"He may appoint one (1) assistant who shall be required to devote his entire time to the duties of his office and who shall receive an annual salary of twenty-five hundred dollars (\$2500)."

SEC. 2. **In effect.** This act being deemed of immediate importance shall be in full force and 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 April 19 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader, and the Des Moines Capital April 25, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 24.

## TENTH JUDICIAL DISTRICT.

H. F. 391.

AN ACT to amend the law as it appears in section two hundred and twenty-seven (227) of the supplement to the code, 1907, relative to judicial districts and the number of judges therein and to provide for three judges in the tenth judicial district.

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

SECTION 1. **Number of judges in tenth district.** That the law as it appears in section two hundred twenty-seven (227) of the supplement to the code, 1907 be and the same is hereby amended by striking out the eleventh (11th) paragraph of said section, and inserting in lieu thereof the following:— "The tenth district shall consist of the counties of Delaware, Buchanan, Black Hawk and Grundy, and have three judges."

SEC. 2. **Appointment by governor to fill vacancy.** That upon this act becoming a law, it shall be the duty of the governor to appoint a judge to fill the vacancy which will then exist in the tenth judicial district, and the judge so appointed shall serve until January 1st, 1915 and until his successor is elected and qualified, which successor shall be elected at the general election in 1914 and every four years thereafter.

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

Approved April 9 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and in the Des Moines Capital April 14, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 25.

## JUDICIAL DISTRICTS COMPOSED WHOLLY OF ONE COUNTY.

H. F. 110.

AN ACT to provide for the nomination of district judges in judicial districts composed wholly of one county and having a population of 75,000 or more, at the primary election. [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. **Judges—how nominated and elected.** That in any county of this state which is or shall hereafter become a judicial district of itself and which has a population of 75,000 or more as shown by any national or state census, the judges of the district court of such judicial district shall be nominated at the primary election provided for by the laws of this state and all the provision of the primary law relative to the nomination of county offi-



cers shall apply to the nomination of judges of the district court in such judicial districts.

SEC. 2. **Acts in conflict repealed.** That all acts and parts of acts in conflict herewith are hereby repealed. Provided however, that this act shall not apply when by statute, provision is made for state wide non-political judicial nominations.

Approved April 14 A. D. 1913.

## CHAPTER 26.

### FOURTH AND TWENTY-FIRST JUDICIAL DISTRICTS.

H. F. 546.

AN ACT to provide for the terms of court in the fourth and twenty-first judicial districts [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. **Court—times—places—schedule.** That the judges of the district court of the fourth and twenty-first judicial districts are hereby directed to convene, separately, at some convenient point within their respective districts, on or before the fifteenth day of April, 1913, and determine the times and places of holding their courts and the judges who shall hold the same for the balance of the year 1913 and such determination shall have the effect of cancelling any determination heretofore made. Such determination shall be forwarded to the secretary of state and the clerks of the district court and recorded, as provided by chapter ten (10) of the acts of the thirty-third general assembly.

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.

Approved March 21 A. D. 1913.

I hereby certify that the foregoing Act was published in the Register and Leader and Des Moines Capital March 24, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 27.

### FOURTH JUDICIAL DISTRICT.

H. F. 86.

AN ACT to amend section two hundred twenty-seven (227) of the supplement to the code, 1907, as amended by the thirty-fourth general assembly, and to provide for an additional judicial district and an additional judge for the fourth judicial district.

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

SECTION 1. **Judicial districts.** That section 227 of the supplement to the code, 1907, as amended by the thirty-fourth general assembly, be amended by striking out the word "twenty" in the second line of said section, and inserting in lieu thereof the word "twenty-one."

SEC. 2. **Fourth district—three judges.** That the fourth subdivision of said section be stricken out, and there be inserted in lieu thereof the following: "The fourth district shall consist of the counties of Woodbury and Monona, and have three judges."

SEC. 3. **Twenty-first district—two judges.** That section 227 of the supplement to the code, 1907, as amended by the thirty-fourth general assembly, be amended by adding to said section immediately following the twentieth subdivision thereof the following: "The twenty-first district shall consist of the counties of Cherokee, O'Brien, Osceola, Lyon, Sioux and Plymouth, and shall have two judges."

SEC. 4. **Judge—twenty-first district—term of office.** That the judges now residing in the twenty-first judicial district, as hereby constituted, shall hold office until their terms expire.

SEC. 5. **Judge—fourth district—term of office.** That the judges now residing in the fourth judicial district, as hereby constituted, shall hold office until their terms expire.

SEC. 6. **Vacancy—appointment.** That the vacancy in the said office of district judge in the fourth judicial district, created by this act, shall be filled by appointment by the governor.

SEC. 7. **Election—unexpired term.** The person so appointed, as provided by section 6 hereof, shall hold office until the general election in 1914, or until his successor is elected and qualified. At the general election in 1914, there shall be chosen a district judge to fill the unexpired portion of the vacancy hereby created.

SEC. 8. **Election.** At the general election in 1914, three district judges shall be elected in the fourth judicial district, and whose terms of office shall begin on the first day of January after their election.

SEC. 9. **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 at Des Moines, Iowa.

Approved March 11 1913.

I hereby certify that the foregoing act was published in the Register and Leader March 13, 1913 and in the Des Moines Capital March 12, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 28.

### FIFTEENTH JUDICIAL DISTRICT.

S. F. 287.

AN ACT to amend section two hundred twenty-seven (227) of the supplement to the code, 1907, relating to the division of the state into judicial districts and increasing the number of district judges in the fifteenth judicial district and providing for the appointment of a judge to fill the vacancy and for the election of a judge for the place at the next general election.

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

SECTION 1. **Fifteenth district—additional judge.** The fifteenth (15th) subdivision of section two hundred twenty-seven (227), supplement to the code, 1907, be and the same is hereby amended by striking out the word "four" as the same appears in the third line of said sub-division and substituting in lieu thereof the word "five" so that the said subdivision will read as follows:

“Fifteenth: the fifteenth (15th) district shall consist of the counties of Pottawattamie, Cass, Shelby, Audubon, Montgomery, Mills, Page, Fremont and Harrison and shall have five judges.”

SEC. 2. **Vacancy—appointment.** The vacancy in the said office of district judge in the fifteenth (15th) judicial district created by this act shall be filled by appointment by the governor; and the person so appointed shall hold his office until the general election in the year nineteen hundred fourteen (1914) or until his successor is elected and qualified.

The term of the additional judge elected at the general election in the year 1914, shall commence on the first Monday in January, 1915.

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

Approved April 19 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 23, 1913 and in the Des Moines Capital April 28, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 29.

### TRANSFER OF JUDGES.

S. F. 558.

AN ACT to provide for the transfer of judges from one judicial district to another in certain cases. [Additional to chapter five (5) of title two (II) of the code relating to district court.]

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

SECTION 1. **Judges—how transferred.** When, from any cause, the business of the district court of any judicial district of this state can not be disposed of within a reasonable time by the judges elected within and for such district, then upon the filing of a petition signed by five or more resident attorneys of such district with the clerk of the supreme court, addressed to the chief justice thereof, setting forth the facts, the chief justice, being satisfied that the business of such judicial district demands an additional judge for a temporary period of time to dispose of such business or assist in the disposal of such business, shall name and transfer a judge from some other judicial district where the business of such district will warrant, to the place in the judicial district for which such petition is filed, who shall hold a term of court for such length of time as the chief justice of the supreme court may determine. The judge so transferred, shall be allowed and paid all reasonable and actual expenses while in the performance of his duties in said temporary character, in addition to his salary.

SEC. 2. **Duties.** Upon the order being made for the transfer of such judge as contemplated by this act, such order shall be filed in the office of the clerk of the district court of the county where such judge shall hold a term or part thereof; thereupon the proper officers, as by statute provided, shall pro-

ceed and are hereby empowered as by statute provided to draw a grand jury and trial jury, if necessary, which shall have the same force and effect as if drawn for a regular term and upon the order of a judge elected for such district in the usual and ordinary transaction of business of such district.

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 25 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader May 1, 1913, and in the Des Moines Capital April 30, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 30.

### APPOINTMENT OF TRUSTEES BY DISTRICT COURT.

H. F. 115.

AN ACT creating cities, including cities under commission form of government, incorporated towns, and civil townships wholly outside of any city or incorporated town, trustees for funds bequeathed or donated for the permanent maintenance of property within cemeteries; and to amend the law as it appears in section two hundred fifty-four-a-twelve (254-a-12) of the supplement to the code, 1907, relating to the appointment of trustees by the district court to manage, control, and invest cemetery funds; and to amend the law as it appears in section seven hundred forty (740) of the supplement to the code, 1907, and as amended by chapter forty-seven (47) of the acts of the thirty-third general assembly, relating to the maintenance of certain institutions of benevolence, including hospitals.

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

SECTION 1. **County auditor to act as trustee—when.** That the law as it appears in section 254-a-12 of the supplement to the code, 1907, be and the same is hereby amended by inserting, after the comma following the word "cemeteries" in the fourth line of said section, the following words "unless otherwise provided by law,".

SEC. 2. **Civil townships.** That the law as it appears in section 740 of the supplement to the code, 1907, be and the same is hereby amended by inserting, after the word "towns" in the first line of the said section a comma (,), and after the comma so inserted the words "civil townships wholly outside of any city or incorporated town,".

SEC. 3. **Taking property by gift or bequest—repeal.** That the law as it appears in section 740 of the supplement to the code, 1907, as amended by chapter 47 of the acts of the thirty-third general assembly, be and the same is hereby amended by adding thereto the following: "That cities, including cities under commission form of government and cities under special charter, incorporated towns and civil townships wholly outside of any city or incorporated town shall for the purposes of this act be and they are hereby created trustees in perpetuity, and are authorized and required to accept, receive and expend all moneys and property donated or left to it by bequest, to be used in caring for the property of the donor in any cemetery, or in accordance with

the terms of such donation or bequest, and the money or property thus received shall be used for no other purpose whatever. That the mayor and council of such cities and towns, and the township trustees of civil townships wholly outside of any city or incorporated town shall have authority to receive and invest all moneys and property, so donated or bequeathed, in bonds of the United States, or municipal bonds, or certificates, or other evidence of indebtedness issued by authority of and in accordance with the laws of this or any other state, when same are at or above par, and shall use the income from such investment in caring for the property of the donor in any cemetery, or as shall be provided in the terms of such gift or donation. Provided, however, that before any part of the principal may be so invested or used, the said city, incorporated town or civil township shall, by resolution, in accordance with the law as now provided, accept said donation or bequest, and shall, by said resolution, duly provide for the payment of interest thereon at the rate of not less than two per centum per annum, payable annually, to the cemetery fund or to the cemetery association, or to the person having in charge of said cemetery, to be used in caring for or maintaining the individual property of the donor in said cemetery, all to be in accordance with the terms of the donation or bequest.

All acts or parts of acts in conflict herewith are hereby repealed."

Approved April 14 A. D. 1913.

#### CHAPTER 31.

#### MAINTENANCE OF DEPENDENT CHILDREN WHOSE MOTHERS ARE WIDOWS.

H. F. 11.

AN ACT to amend section two hundred fifty-four a 20 (254-a20) of the supplement to the code, 1907, providing for the maintenance of dependent children whose mothers are widows.

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

**SECTION 1. Dependent children—mother—widow—proper guardian.** That section two hundred fifty-four-a-20 (254-a20) of the supplement to the code, 1907, be and it is hereby amended by inserting in said section, after the word "provided" and before the word "the" in the ninth line of said section, the following:

"If the court finds that the mother of such dependent or neglected child is a widow, and if the court further finds that such mother is poor and unable to properly care for said child, but is otherwise a proper guardian, and that it is for the welfare of such child to remain at home, the court may enter an order finding such fact and fixing an amount of money necessary to enable such mother to properly care for such child, and thereupon it shall be the duty of the county board of supervisors, through its overseer of the poor or otherwise, to pay to such mother, at such times as said order may designate, the amount so specified for the care of such dependent or neglected child until further order of the court; providing, however, that the amount to be paid for the care of any such child shall not exceed the sum of two dollars per week; and provided further that such payment shall cease upon any such child attaining the age of fourteen years.

SEC. 2. **Term defined.** Any mother whose husband is an inmate of any institution under the care of the board of control, shall, for the purposes of this act, be considered a widow, but only while such husband is so confined.

Approved April 19 A. D. 1913.

## CHAPTER 32.

### CLERK OF THE SUPERIOR COURT.

S. F. 32.

AN ACT to amend the law as it appears in section two hundred sixty-five (265) of the code relating to the clerk of the superior court.

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

SECTION 1. **Deputy—shall be city recorder or city clerk.** That section two hundred sixty-five (265) of the code be and the same is hereby amended by striking from said section the period after the word "court" in the third line thereof, and inserting after the word "court" the following: "and the city recorder or city clerk shall be deputy clerk of said court and may perform the duties of his principal as clerk of said court".

Approved March 13 A. D. 1913.

## CHAPTER 33.

### CRIMINAL REPORTS AND STATISTICS.

H. F. 489.

AN ACT to repeal section two hundred ninety-three (293) of the code, and chapter three (3) of the acts of the thirty-third general assembly, and to enact a substitute therefor relating to the keeping of criminal statistics by the clerk of the district court and the reporting of same to the board of parole.

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

SECTION 1. **Repeal—clerk of district court—report criminal statistics to board of parole.** That section two hundred ninety-three (293) of the code and chapter three (3) of the acts of the thirty-third general assembly be and the same are hereby repealed and the following enacted in lieu thereof:

"The clerk of the district court is required to report to the board of parole on or before the fifteenth day of July of each year, the number of convictions for all crimes and misdemeanors in that court in his county for the year ending June 30th preceding, and such report shall show the character of the offense and the sentence imposed, the occupation of the convict, whether he can read or write; also the number of cases tried on which there were verdicts of acquittal, or cases in which were dismissals by the court without trial, and what crimes the indictments in cases of acquittal or dismissal were for; also the expenses of the county for criminal prosecutions during the

year, including jurors fees in all criminal cases; jurors meals while in the trial of criminal cases; all bailiff's fees for services while in attendance of the court on jury during the trial of criminal cases; the expense incurred in taking convicted prisoners to prison or jail attorney's fees allowed in the attendance of criminals; all the fees of grand jurors; all fees paid witnesses in the trial of criminal cases; all fees paid to the court reporter for reporting the trial of criminal cases and for transcripts made at the expense of the county in criminal cases; all fees paid to witnesses brought before the grand jury; all fees paid to the clerk of the grand jury and compensation of the bailiff in attendance upon the grand jury; all fees and expenses of the sheriff and other officers paid by the county for services in connection with the work of the grand jury; all expenses made in connection with the jail, including board of prisoners; all jurors fees, jurors meals, witness fees, constable's fees, and justice fees paid by the county in all criminal cases before a justice of the peace, magistrate or police court; the compensation of the county attorney and his assistant and expenses in criminal cases."

Approved April 18 A. D. 1913.

## CHAPTER 34.

### CRIMINAL STATISTICS BY COUNTY AUDITOR.

H. F. 488.

**AN ACT** to repeal section four hundred seventy five (475) of the code and to enact a substitute therefor relating to the criminal statistics to be kept by the county auditor and the reporting of same by the county auditor to the clerk of the district court.

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

**SECTION 1. Repeal.** That section four hundred seventy five (475) of the code be and the same is hereby repealed and the following enacted in lieu thereof.

**SEC. 2. County auditor—report expense criminal prosecutions.** The county auditor shall report to the clerk of the district court on or before the fifth day of July of each year, the expenses of the county in criminal prosecutions during the year ending June 30th preceding, including but distinguishing the compensation of the county attorney, and such report shall be so made as to include all the items of criminal expenses which appear in the records of his office and are required to be reported by the clerk of the district court to the board of parole as set out in section two hundred ninety three (293) of the code, and the clerk of the district court shall furnish to the auditor the blanks to be used in making such report.

Approved April 2 A. D. 1913.

## CHAPTER 35.

## COMPENSATION OF CLERKS AND DEPUTIES OF THE DISTRICT COURT.

S. F. 471.

AN ACT to amend the law as it appears in section two hundred ninety eight (298) of the supplement to the code, 1907, as amended by chapter sixteen (16) of the acts of the thirty third general assembly, relating to the compensation of clerks of the district court and their deputies.

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

SECTION 1. **Compensation in certain counties.** That section two hundred ninety-eight (298) of the supplement to the code, 1907, as amended by chapter sixteen (16) of the laws of the thirty-third general assembly be and the same is hereby amended by striking out the words and figures, eight thousand dollars (\$8,000.00) in the seventh and eighth lines of section one (1), of chapter sixteen (16) of the acts of the thirty-third general assembly, and by inserting in lieu thereof the words and figures, ten thousand dollars (\$10,000.00), and also by adding to said section after the figures "\$10,000.00" the following words, "that each of the two chief deputy clerks shall be allowed a salary of not less than fourteen hundred dollars (\$1,400.00) per annum."

Approved April 18 A. D. 1913.

## CHAPTER 36.

## COUNTY ATTORNEYS AND THEIR DUTIES.

H. F. 591.

AN ACT specifying qualifications for county attorneys additional to chapter nine (9), title three (3) of the code.

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

SECTION 1. **Qualifications.** County attorneys shall be qualified electors of their respective counties, duly admitted to practice as attorneys and counselors in the courts of this state as provided in chapter ten (10) title three (3) of the code and amendments thereto; provided however, that no person shall be qualified for such office whose license to practice has been revoked or suspended, while the same remains revoked or suspended.

Approved April 17 A. D. 1913.



## CHAPTER 37.

## ADMISSION OF ATTORNEYS TO PRACTICE IN THIS STATE.

S. F. 426.

AN ACT to repeal section three hundred thirteen (313) of the code and to enact a substitute therefor relating to the admission to the practice of law in this state of attorneys having been duly admitted to practice in other states.

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

**SECTION 1. Repeal—practitioners of other states.** That the law as it appears in section three hundred thirteen (313) of the code be and the same is hereby repealed and the following enacted in lieu thereof:

Any person a resident of this state having been admitted to the bar of any other of the United States may, in the discretion of the court, be admitted to practice in this state without examination or proof of period of study, as hereinbefore provided, on proof of the other qualification required by this chapter, and on satisfactory proof that he has practiced law regularly for not less than one year in the state where admitted to practice, after having been admitted to the bar according to the laws of such state.

Approved April 11 A. D. 1913.

## CHAPTER 38.

## INVESTMENT OF FUNDS BY EXECUTORS, ADMINISTRATORS, TRUSTEES AND GUARDIANS.

S. F. 13.

AN ACT to repeal section three hundred sixty-four (364) of the code, relating to investment of money and to enact a substitute therefor.

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

**SECTION 1. Repeal—investments—in what to be made.** That section three hundred sixty-four (364) of the code, be and the same is hereby repealed and the following enacted in lieu thereof:

“Where investment of funds are to be made, including those to be made by executors, administrators, trustees and guardians, and no mode of investment is pointed out by statute, they may be made in the stocks or bonds of this state, or of those of the United States, or in bond or mortgage upon real property of the clear, unincumbered value of twice the investment or under order of court in bonds issued by or under the direction of cities, towns, counties, school or drainage districts of this state.

Approved April 4 A. D. 1913.

## CHAPTER 39.

## COUNTY HOSPITALS.

H. F. 418.

AN ACT to repeal section ten (10) of chapter twenty-six (26) acts of the thirty-third (33rd) general assembly, and to enact a substitute therefor, relating to the maintenance of county hospitals.

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

**SECTION 1. Repeal—appropriation for improvement and maintenance.** That section ten (10) of chapter twenty-six (26) of the acts of the thirty-third (33rd) general assembly, be and the same is hereby repealed, and the following is enacted in lieu thereof:

“In counties exercising the rights conferred by the act, the board of trustees of said hospital shall at its regular August meeting each year, determine and fix the amount necessary for the improvement and maintenance of any such public hospital so established, during the ensuing year, in addition to the tax for the hospital fund herein before provided for, and the president and secretary of the board shall certify the same to the county auditor of such county before September first of each year: and the board of supervisors of said county shall at its September session following, levy a sufficient tax upon the assessed value of the taxable property in the county as will produce said sum for the ensuing year, but said levy shall not exceed one (1) mill on such assessed valuation.

**SEC. 2. Acts in conflict repealed.** All acts and parts of acts in conflict with this act and provision, are hereby repealed.

Approved April 9 A. D. 1913.

## CHAPTER 40.

## SEGREGATION AND SUPPORT OF INDIGENT PERSONS AFFLICTED WITH PULMONARY TUBERCULOSIS.

S. F. 466.

AN ACT to authorize the board of supervisors of each county in this state to make provision for the segregation, care and support of indigent persons afflicted with pulmonary tuberculosis in advanced stages. [Additional to chapter two (2) of title four (IV) of the code relating to board of supervisors.]

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

**SECTION 1. Board of supervisors—duties—separation and maintenance of persons suffering from pulmonary tuberculosis.** That the board of supervisors of each county in this state is hereby authorized to provide for the separation and maintenance of persons financially unable to provide for themselves, who have no relatives liable for their support and who are suffering from pulmonary tuberculosis farther advanced than the incipient stages.

Such provision may be made by constructing or otherwise securing and equipping suitable buildings and operating them or by placing the persons designated in institutions designed and prepared to give them suitable care and treatment, and the board of supervisors may allow for the care and support of each patient in such institution a sum not exceeding fifteen dollars per week. Provided that in counties of fifteen thousand, or over, population, a sum not to exceed five thousand dollars (\$5,000), and in counties of less than fifteen thousand population a sum not to exceed two thousand dollars (\$2,000) may be appropriated for constructing, acquiring and equipping buildings without a vote of the qualified electors. The board of supervisors may submit the question of expending a greater amount than above specified to a vote of the people at any general election, and may for such purposes expend the amount by said vote authorized.

**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 12 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 19, 1913.

W. S. ALLEN,  
*Secretary of State.*

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## CHAPTER 41.

### DEPENDENT SOLDIERS' AND SAILORS' TAX.

H. F. 119.

**AN ACT** to amend section four hundred and thirty (430) of the supplement to the code, 1907, as amended by chapter twenty-five (25) of the laws of the thirty-fourth general assembly relative to the dependent soldiers' and sailors' tax.

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

**SECTION 1. Erection of monuments.** That section four hundred and thirty (430) of the supplement to the code, 1907, as amended by chapter twenty-five (25) of the laws of the thirty-fourth general assembly be, and the same is hereby amended by striking out of the third line the word "fifty" and inserting in lieu thereof the word "thirty".

Approved April 9 A. D. 1913.

## CHAPTER 42.

## INJURIES TO DOMESTIC ANIMALS BY DOGS OR WOLVES.

S. F. 114.

AN ACT to amend section 458-c, of the supplement to the code, 1907, and chapter 32 of the acts of the thirty third general assembly, relating to the payment of claims for injuries to domestic animals.

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

SECTION 1. **Claims for damages—how allowed and paid.** That section 458-c of the supplement to the code, 1907, be and the same is hereby amended by striking out the words “not exceeding seventy-five (75) per cent. of” following the word “for” in the twentieth (20) line of said section, and also by striking out all that part of section one (1) of chapter thirty-two (32) of the acts of the thirty third general assembly following the period in line seven (7).

Approved April 4 A. D. 1913.

## CHAPTER 43.

## COUNTY AUDITOR.

Sub. for S. F. 186.

AN ACT to repeal section four hundred seventy nine (479), supplement to the code, 1907, and to enact a substitute therefor relating to the compensation of county auditors.

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

SECTION 1. **Repeal—compensation.** That section four hundred seventy nine (479), supplement to the code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

County auditors shall receive an annual compensation for all services as follows:

In counties having a population of less than fifteen thousand (15,000), fourteen hundred dollars (\$1,400.00).

In counties having a population of fifteen thousand (15,000) and less than twenty thousand (20,000), fifteen hundred dollars (\$1,500.00).

In counties having a population of twenty thousand (20,000) and less than twenty five thousand (25,000), sixteen hundred dollars (\$1,600.00).

In counties having a population of twenty five thousand (25,000) and less than thirty thousand (30,000), seventeen hundred dollars (\$1,700.00).

In counties having a population of thirty thousand (30,000) and less than thirty five thousand (35,000), eighteen hundred dollars (\$1,800.00).

In counties having a population of thirty five thousand (35,000) and less than forty thousand (40,000), two thousand dollars (\$2,000.00).

In counties having a population of forty thousand (40,000) and less than fifty thousand (50,000), twenty two hundred dollars (\$2,200.00).

In counties having a population of fifty thousand (50,000) and less than sixty thousand (60,000), twenty five hundred dollars (\$2,500.00).

In counties having a population of sixty thousand (60,000) and less than seventy thousand (70,000), twenty seven hundred fifty dollars (\$2,750.00).

In counties having a population of seventy thousand (70,000) or over, three thousand dollars (\$3,000.00).

In counties having a population of one hundred thousand (100,000) or over, three thousand, three hundred dollars (\$3,300.00).

In counties having a population of more than twenty thousand, the board of supervisors may allow such additional compensation to the deputy or clerks as they may deem reasonable.

Approved April 18 A. D. 1913.

#### CHAPTER 44.

##### COUNTY TREASURER.

S. F. 884.

AN ACT to amend the law as it appears in sections four hundred ninety (490) of the supplement to the code, 1907, and four hundred ninety-one (491) of the code, 1897, relating to the compensation of county treasurers and their deputies.

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

**SECTION 1. Compensation.** That the law as it appears in section four hundred ninety (490) of the supplement to the code, 1907, be and the same is hereby amended by striking out the word "thirty" in line eighteen (18) thereof and substituting in lieu thereof the word "twenty-five".

**SEC. 2. Deputies—qualification—compensation—other assistants.** That the law as it appears in section four hundred ninety-one (491) of the code, 1897, be and the same is hereby amended by striking out the word "thirty" in line nineteen (19) thereof, and substituting in lieu thereof the word "twenty-five".

Approved April 15 A. D. 1913.

#### CHAPTER 45.

##### DEPUTY COUNTY TREASURER.

H. F. 684.

AN ACT to amend section four hundred ninety-one (491) of the code, relative to deputy and clerk hire in the office of treasurer of counties containing a population of less than ten thousand.

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

**SECTION 1. Deputy—qualifications—compensation—other assistants.** That section four hundred ninety-one (491) of the code be and the same is hereby amended by inserting after the word "thousand" in the sixteenth (16th) line thereof the words "except in cases where such county is doing a drainage business in an amount requiring additional help.

Approved April 19 A. D. 1913.

## CHAPTER 46.

## COUNTY RECORDER.

H. F. 358.

AN ACT to repeal section four hundred ninety-five (495) of the supplement to the code, 1907, and to enact a substitute therefor, relating to the duties and compensation of county recorder.

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

SECTION 1. **Repeal—fees to be reported and paid—compensation.** That section four hundred ninety-five (495) of the supplement to the code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

“The recorder shall report quarterly, under oath, to the board of supervisors, on blanks furnished by the auditor, all fees collected by him, and certify under oath that he has collected all fees for recording instruments provided by law; shall make annual settlement with the board of supervisors on the first Monday in January of each year, and pay into the county treasury all fees received by him. And the recorder shall receive as full compensation for all services the sum of twelve hundred dollars (\$1,200.00) per annum in counties having a population of less than fifteen thousand (15,000), and fourteen hundred dollars (\$1,400.00) in counties having a population of more than fifteen thousand (15,000) and less than twenty-five thousand (25,000), and fifteen hundred dollars (\$1,500.00) in counties having a population of over twenty-five thousand (25,000) and less than thirty-five thousand (35,000), and sixteen hundred dollars (\$1,600.00) in counties having a population of over thirty-five thousand (35,000) and less than fifty thousand (50,000), and eighteen hundred dollars (\$1,800.00) in counties having a population of over fifty thousand (50,000) and less than sixty thousand (60,000), and two thousand dollars (\$2,000.00) in counties having a population of sixty thousand (60,000) or over.”

Approved April 23 A. D. 1913.

## CHAPTER 47.

## COMPENSATION OF SHERIFF FOR BOARDING PRISONERS.

H. F. 58.

AN ACT to repeal paragraph sixteen (16) of section five hundred eleven (511) of the supplement to the code, 1907, as amended by chapter thirty-six (36) of the acts of the thirty-third general assembly and to enact a substitute therefor relating to the boarding and lodging of prisoners.

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

SECTION 1. **Repeal—fees for boarding and lodging prisoners.** Paragraph sixteen (16) of section five hundred eleven (511) of the supplement to the code 1907, as amended by chapter thirty-six (36) of the acts of the thirty-third general assembly is hereby repealed and the following enacted in lieu thereof:

“16. For boarding prisoners, a compensation of twelve and one-half cents for each meal, and not to exceed three meals in twenty-four consecutive hours.

and for each night's lodging the sum of twelve and one-half cents, provided that in counties having a population of fifty thousand or over, the board of supervisors may fix the compensation of the sheriff for boarding and lodging prisoners, at a rate not exceeding the above."

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

Approved February 18th, 1913.

I hereby certify that the foregoing act was published in the Register and Leader February 21, 1913 and in the Des Moines Capital February 20, 1913.

W. S. ALLEN,  
Secretary of State.

#### CHAPTER 48.

##### PUBLICATION OF NOTICES.

H. F. 574.

AN ACT to repeal section five hundred forty-nine (549) of the code and to enact a substitute therefor, relating to the publication of notices.

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

SECTION 1. **Repeal—may designate newspaper printed in foreign language.** That section five hundred forty-nine (549) of the code be and the same is hereby repealed and the following enacted in lieu thereof:

"The clerk of the district court, sheriff, auditor, treasurer and recorder shall each designate the newspapers printed in the English or foreign language in which the notices pertaining to his office shall be published, and the board of supervisors shall designate the papers in which all other county notices shall be published. Any person now empowered under the law to designate the newspaper in which he desires to publish legal notices may select the newspaper printed in the English or foreign language. Such notice, however, must be printed in the English language."

Approved April 18 A. D. 1913.

#### CHAPTER 49.

##### EMISSION OF SMOKE IN CERTAIN CITIES.

Sub. for S. F. 103.

AN ACT declaring the emission of smoke within the corporate limits of certain cities, including cities acting under special charter, to be a public nuisance and conferring upon such cities additional powers for the abatement of such nuisances and repealing chapter thirty-seven (37) of the laws of the thirty-fourth general assembly. [Additional to chapter four (4) of title five (V) of the code, relating to general powers of cities and towns.]

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

SECTION 1. **Declared a nuisance.** The emission of dense smoke within the corporate limits of the cities of the state, including cities acting under commission form of government, now or hereafter having a population of thirty thousand or over and in cities acting under special charter now or hereafter having a population of sixteen thousand or over, is hereby declared a nuisance.

SEC. 2. **Abatement.** Every such city is hereby empowered to provide by ordinance for the abatement of such nuisance either by fine or imprisonment or by action in the district court of the county in which such city is located, or by both; such action to be prosecuted in the name of the city. They may also by ordinance provide all necessary rules and regulations for smoke inspection and the abatement and prevention of the smoke nuisance.

SEC. 3. **Repeal.** That chapter thirty seven (37) of the laws of the thirty fourth general assembly be and the same is hereby repealed.

Approved March 20 A. D. 1913.

## CHAPTER 50.

### LEVY OF CEMETERY TAX.

H. F. 675.

AN ACT to amend the law relating to the levy of taxes for the support of cemeteries as the same appears in chapter thirty-eight (38) of the acts of the thirty-third general assembly, amendatory of sections five hundred eighty-six (586) and eight hundred ninety-four (894) supplement to the code, 1907.

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

SECTION 1. **Cemetery tax—may be used for abandoned cemeteries.** That the law as it appears in section one (1) chapter thirty-eight (38) of the acts of the thirty-third general assembly, amendatory of section five hundred eighty-six (586), supplement to the code, 1907, be and the same is hereby amended by adding to said section at the end thereof the following: "And the said tax may be so expended for the support and maintenance of any such cemetery after the same has been abandoned and is no longer used for the purpose of interring the dead."

SEC. 2. **Private or incorporated cemetery associations.** That the law as it appears in section two (2) of chapter thirty-eight (38) of the acts of the thirty-third general assembly, amendatory of paragraph eleven (11) of section eight hundred ninety-four (894) of the supplement to the code, 1907, be and the same is hereby amended by adding thereto at the end thereof the following: "And the said tax may be so expended for the support and maintenance of any such cemetery after the same has been abandoned and is no longer used for the purpose of interring the dead."

Approved April 19 A. D. 1913.



## CHAPTER 51.

## EXTENDING LIMITS OF CITIES AND TOWNS.

H. F. 43.

AN ACT to amend section six hundred fifteen (615) of the supplement to the code, 1907, relative to the extension of the limits of cities and towns.

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

SECTION 1. **Extension—how effected.** That section six hundred and fifteen (615) of the supplement to the code, 1907, be and the same is hereby amended by striking out the period (.) following the word "consecutively" in the eleventh line thereof, and inserting a semi-colon (;) in lieu thereof, and to insert after said semi-colon (;) the following "provided, however, that where no newspaper is published in such city or town, such proclamation shall be posted for an equal length of time in five public places within the corporate limits of said city or town, one of which shall be on the door of the mayor's office."

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 in Des Moines, Iowa.

Approved March 11th, 1913.

I hereby certify that the foregoing act was published in the Register and Leader March 14, 1913 and in the Des Moines Capital March 13, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 52.

## TAXATION FOR PUBLIC LIBRARIES.

H. F. 44.

AN ACT to amend section six hundred sixteen (616) of the code relative to taxation of unplatted lands within the limits of cities and towns.

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

SECTION 1. **Unplatted land within city limits not exempt.** That section six hundred sixteen (616) of the code be and the same is hereby amended by adding thereto the following: "Said lands shall not be exempt from taxation for library purposes as provided by section seven hundred thirty two (732) of the supplement to the code, 1907, as amended by chapter forty six (46) of the acts of the thirty-third general assembly".

Approved February 18th, 1913.

## CHAPTER 53.

## CLASSIFICATION OF CITIES AND TOWNS.

H. F. 384.

AN ACT to amend the law as it appears in section six hundred thirty-nine (639) of the code relating to the classes of cities and towns.

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

**SECTION 1. Change of class.** That the law as it appears in section six hundred thirty-nine (639) of the code, be and the same is hereby amended by adding to said section the following:

“Provided, however, that any city at the time of taking effect of the code having a population sufficient to be classed either as a city of the first or second class shall remain in such class, and shall not be affected in its classification by a subsequent loss of population unless in cities of the second class, as shown by the last state or federal census, the population shall have dropped below fifteen hundred (1,500) and in cities of the first class below ten thousand (10,000).

**SEC. 2. In effect.** This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Register & Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa, both of which publications shall be without expense to the state.

Approved March 17th, 1913.

I hereby certify that the foregoing act was published in the Register and Leader March 21, 1913 and in the Des Moines Capital March 20, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 54.

## ELECTION AND APPOINTMENT OF CERTAIN OFFICERS IN CITIES AND TOWNS.

S. F. 177.

AN ACT to repeal the law as it appears in sections six hundred forty-eight (648), and six hundred fifty-one (651), of the supplement of the code, 1907, and to enact substitutes therefor, relative to the election and appointment of certain officers in cities and towns.

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

**SECTION 1. Repeal—elective officers in cities of second class.** That section six hundred forty-eight (648) of the supplement to the code, 1907, and the law as it appears therein, is hereby repealed and the following enacted in lieu thereof: “In cities of the second class there shall be elected biennially a mayor, treasurer and assessor.”

**SEC. 2. Repeal—officers appointed by council.** That section six hundred fifty-one (651) of the supplement to the code, 1907, and the law as it appears

therein, 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 the second class shall appoint a city solicitor."

Approved April 4 A. D. 1913.

## CHAPTER 55.

### LOANING AND DEPOSITING OF PUBLIC FUNDS.

Sub. for S. F. 40.

AN ACT relating to the loaning and depositing of public funds by city treasurers. [Additional to section six hundred sixty (660), chapter two (2) title five (V) of the code relating to city and town government.]

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

**SECTION 1. Treasurer deposits—daily balances—interest—bond by bank.** That treasurers of cities of the first and second class, cities operating under special charter and cities under the commission form of government shall, with the approval of the city council as to place and amount of deposit, by resolution entered of record, deposit all city funds in any bank or banks in the city to which the said funds belong, at interest at the rate of not less than two (2) per cent per annum on ninety (90) per cent of the daily balances payable at the end of each month, all of which interest shall accrue to the benefit of the general city fund; but before such deposit is made in any bank it shall file a bond for double the amount deposited with sureties to be approved by the treasurer and the city council and conditioned to hold the treasurer harmless from all loss by reason of such deposit or deposits; provided that in cases where an approved surety company's bond is furnished said bond may be accepted in an amount of ten (10) per cent more than the amount deposited. Said bonds shall be filed with the city clerk and action shall be brought thereon by the treasurer or the city as the council may elect.

**SEC. 2. Local banks—other banks.** If no bank or banks in the city will accept said deposits under the terms and conditions of this act then the said funds shall be deposited in any bank or banks in the state who will accept said funds under the terms and conditions of this act.

**SEC. 3. Private use of funds prohibited.** No treasurer shall loan or in any manner use for private purposes any funds coming into his hands as such treasurer.

**SEC. 4. Expense of procuring bond—how paid.** That if the city treasurer shall request it the city shall pay the reasonable expense of procuring the bond for the city treasurer not exceeding one-half of one per cent per annum upon the amount thereof.

Approved April 15 A. D. 1913.

## CHAPTER 56.

## COMPENSATION OF COUNCILMEN AS MEMBERS OF THE BOARD OF REVIEW.

H. F. 554.

AN ACT to amend the law as it appears in section six hundred sixty-nine (669) of the supplement to the code, 1907, relating to the compensation of councilmen when acting as members of the board of review.

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

SECTION 1. **Compensation—how paid.** That the law as it appears in section six hundred sixty-nine (669) of the supplement to the code, 1907, be and the same is hereby amended as follows:

1. By inserting after the word "duties" and before the semicolon in the fifth (5th) line of said section the words "except when acting as members of the board of review, for which service they shall receive not more than two dollars a day for each day when acting as a board of review, to be paid out of the county treasury."

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 Capital, newspapers published in Des Moines, Iowa.

Approved April 17 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 19, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 57.

## COMPENSATION OF ASSESSORS AND DEPUTIES.

H. F. 81.

AN ACT to repeal section six hundred seventy four (674) of the supplement to the code 1907, and to enact a substitute therefor relating to the compensation of assessors in cities and towns.

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

SECTION 1. **Compensation in certain cities.** That section six hundred seventy four (674) of the supplement to the code 1907, be and the same is hereby repealed and the following enacted in lieu thereof.

"City and town assessors and their deputies shall receive the same compensation as township assessors, which shall be determined in the same manner and payable from the county treasury. Except, that in cities including those under the commission form of government having a population of twenty thousand (20,000) or over the compensation of the assessor shall not be more than eighteen hundred dollars (\$1,800.00) per annum, to be fixed by the board of supervisors, and that of the deputies at not more than three dollars and

fifty cents (\$3.50) per calendar day, Sunday excepted, to be fixed by the board of supervisors. Provided, however, that in cities where extra or special services are to be performed by the assessor the board of supervisors may by special contract with the assessor determine the compensation to be paid."

SEC. 2. **In effect.** This act being deemed of immediate importance shall be in full force and 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 April 3 A. D. 1913.

I hereby certify that the foregoing Act was published in the Register and Leader April 7, 1913 and in the Des Moines Capital April 5, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 58.

### TRANSFER OF CERTAIN CASES FROM MAYOR'S COURT.

Sub. for S. F. 254.

AN ACT to amend the law as the same appears in sections six hundred ninety-one (691) and six hundred ninety-two (692) of the code, relating to the jurisdiction in actions for the violation of city or town ordinances and providing for the transfer of cases from mayor's court to a justice of the peace court in certain cases.

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

SECTION 1. **Transfer—how made—fees.** That the law as the same appears in section six hundred ninety-one (691) of the code, be and the same is hereby amended by adding to said section the following, after the period following after the word "be", in the last line thereof:

When an information is filed before a mayor of any city or town for the violation of an ordinance of such city or town, the mayor having jurisdiction as provided in this section, may upon his own motion only, at any time after the information is filed and before the trial, transfer the case for further proceedings to any justice of the peace court within such city or town, and the justice of the peace, for the further proceedings in the case to whom the case is transferred, shall have jurisdiction thereof to the same extent and with the same power and like limitations as the mayor of such city or town. The fees taxable after the transfer of the case fixed by ordinance shall be paid by the city or town as the case may be to the justice before whom the case is tried.

SEC. 2. **Procedure—appeal—judicial notice of ordinances.** The law as the same appears in section six hundred ninety-two (692) of the code, shall apply to this act.

Approved April 2 A. D. 1913.

## CHAPTER 59.

## MEMBERSHIP IN LEAGUE OF IOWA MUNICIPALITIES.

H. F. 474.

AN ACT to amend section six hundred and ninety-four-a (694-a) of the supplement to the code 1907, relating to membership fees and dues in league of Iowa municipalities.

*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 and under the commission plan of government may by resolution appropriate money out of the general fund and pay dues in the league of Iowa municipalities not to exceed annually the following amounts: Municipalities less than two thousand, ten dollars (\$10.00); from two thousand to five thousand, twenty dollars (\$20.00); from five thousand to ten thousand, thirty dollars (\$30.00); from ten thousand to thirty thousand, forty dollars (\$40.00); from thirty thousand to fifty thousand, fifty dollars (\$50.00); all over fifty thousand, sixty dollars, (\$60.00); and in addition may pay the actual expenses of not more than two delegates to the meetings of such league.

**SEC. 2. Accounting—reports—publication.** At the annual meeting of the league in 1913, the chief clerk of the state municipal accounting department shall meet with the league and formulate a system of accounting and reports to be adopted by the league and thereafter the league shall keep and make such accounts and reports as shall be required by said department, and the same shall be annually checked by the municipal accounting department and published in the volume of municipal accounts.

**SEC. 3. Repeal.** That section six hundred and ninety four-a, (694-a), supplement to the code, 1907, be and the same is hereby repealed.

Approved April 17 A. D. 1913.

## CHAPTER 60.

## PREVENTION OF NUISANCES,—REGULATION OF SLAUGHTER HOUSES AND OTHER PLACES.

H. F. 290.

AN ACT to amend section six hundred ninety-six (696) of the supplement to the code, 1907, relating to the prevention of nuisances and the regulation of slaughter houses and other such places by cities and towns and making said section applicable to cities acting under special charter.

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

**SECTION 1. Regulation.** Section six hundred ninety six (696) of the supplement to the code, 1907, is hereby amended by striking out the word "and" immediately following the words "offensive or unhealthy" in the second line of said section, and by striking out the semi-colon after the word "abated" in the third line of said section and inserting in lieu thereof a comma; and by adding to the said section the following:—

“In addition to any right of abatement of any public or private nuisance, they shall have the right to prohibit the same by ordinance and to punish by fine or imprisonment for the violation thereof.”

SEC. 2. **Applicable to cities under special charter.** Section six hundred ninety-six (696) of the code is hereby made applicable to cities acting under special charter.

Approved April 19 A. D. 1913.

## CHAPTER 61.

### REGULATION AND INSPECTION OF PLUMBING.

H. F. 646.

AN ACT granting to cities of all classes and towns power to license and regulate plumbers: to determine the qualifications and provide for the examination thereof: to prescribe rules and regulations for the installation of plumbing and the inspection thereof and to provide for the removal of plumbing installed in violation of the manner prescribed and to impose penalties for a violation of ordinances enacted under this act and to amend section seven hundred (700) of the supplement to the code, 1907.

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

SECTION 1. **License—board of examiners—penalty.** Cities and towns, including cities acting under commission form of government and cities acting under special charter shall have power to regulate and license plumbers: to create a board of examiners to determine the qualifications thereof: to prescribe rules and regulations for the installation of plumbing work and materials: to provide for the inspection of such work, materials and manner of installation: to compel the removal of plumbing installed in violation of the manner prescribed and to impose penalties within the limits of section six hundred eighty (680) of the code for a violation of the ordinances enacted hereunder.

SEC. 2. **Amended as to plumbers.** Section seven hundred of the supplement to the code, 1907 is hereby amended by striking the word “plumbers” from the ninth (9) line of said section.

Approved April 16 A. D. 1913.

## CHAPTER 62.

### GRANTING OF LICENSES TO TRANSIENT MERCHANTS.

S. F. 333.

AN ACT providing for the license of certain classes of temporary or transient merchants doing business in cities or incorporated towns, defining the same and the manner of issuing licenses, regulating and advertising and representation of such merchants and providing for penalties for the violation thereof: [Additional to chapter four (4) title five (V) of the code relating to general powers of cities and towns.]

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

SECTION 1. **License required.** That hereafter it shall be unlawful for any temporary or transient merchant to engage in, do or transact any business as such within any city or incorporated town without first having obtained a license as hereinafter provided.

**SEC. 2. License—how secured—fee—non-transferable.** Any temporary or transient merchant desiring to engage in, do or transact business in any county in this state, shall file an application for license for that purpose with the auditor of the county in which he desires to do business, which application shall state his name, his proposed place of business, the kind of business proposed to be conducted and the length of time for which he desires to conduct such business. Such temporary or transient merchant shall pay to the treasurer of such county a license fee of two hundred dollars and the treasurer of such county shall issue to such person duplicate receipts therefor; such temporary or transient merchant shall thereupon file the treasurer's receipt for such payment, together with the bond and appointment of agent for service of notice of suit as hereinafter provided, with the auditor of such county, who shall thereupon issue to such temporary or transient merchant a license to do business at the place described in the application and the kind of business to be done shall be described in such license. No license shall be good for more than one person, unless such person shall be the member of a co-partnership, nor for more than one place of business, and shall be good for a period of one year from the date of its issuance. The auditor shall keep a record of such licenses in a book which shall at all times be open to public inspection.

**SEC. 3. Bond—county auditor authorized agent for service of notice.** Before a license shall issue as herein provided, the applicant shall execute and deliver to the county auditor a good and sufficient bond in the amount of one thousand dollars with surety or sureties to be approved by the county auditor. Said bond shall run to the county auditor as obligee and shall be for the protection of all persons, firm or corporation who may have claims against the obligor arising out of said business and any such person, firm or corporation may sue thereon in his or in its own name. At the time of delivering such bond to the county auditor, the obligor shall also deliver to the county auditor a duly executed instrument making the county auditor the agent of the obligor for the purpose of being served with original notice of suit on said bond.

**SEC. 4. Fraudulent advertising prohibited—penalty.** It shall be unlawful for any temporary or transient merchant to advertise, represent or hold out any goods, wares, or merchandise, as being sold as an insurance, bankrupt, railway wreck, insolvent, assignee, trustee, executor, administrator, receiver, syndicate, wholesale, manufacturer or closing out sale, or as a sale of any goods, wares or merchandise damaged by smoke, fire, water or otherwise, unless such temporary merchant shall file with the county auditor an affidavit showing all the facts relating to the reasons for and character of such sale so to be advertised or represented, and showing that the goods, wares and merchandise of such sale are in fact in accordance with such advertisements and representations; such affidavit shall include a statement of the names of the persons from whom the goods, wares and merchandise so to be advertised or represented, were obtained, and the date of the delivery of said goods to the applicant and the place from which said goods, wares and merchandise were last taken, and all details necessary exactly to locate and fully to itemize all goods, wares and merchandise so to be advertised and represented. If such affidavit shall fail to show that such goods, wares and merchandise of such sale are in accordance with the proposed advertisements or representations as shown in such affidavit, or fails to disclose the facts as herein required, or if the county auditor learns that the said affidavit is untrue in any particular, then the county auditor shall refuse such applicant a license for such sale. Should a license be issued to such applicant it shall state that such person is authorized and licensed to sell such goods, wares and merchandise, and adver-



tise, represent and hold out the same as being sold as such insurance bankrupt, railway wreck, insolvent, assignee, trustee, executor, administrator, receiver, syndicate, wholesale, manufacturer or closing out sale of any goods, wares and merchandise, or as being damaged by smoke, fire, water, or otherwise, or in any similar manner present any other fact, as shown by such affidavit. Such affidavit shall be sworn to by the applicant before a person authorized to administer oaths. If the applicant be a partnership it shall be sworn to by a member of such partnership, or if the applicant be a corporation it shall be sworn to by one of the officers of such corporation. Every person making a false statement of any fact in such affidavit shall be deemed guilty of perjury and shall be punished for such offense as provided by the laws of Iowa.

**SEC. 5. Terms defined.** The words "temporary or transient merchant" for the purposes of this act shall include all persons, firms and corporations, both as principal and agent, who engage in, do or transact any temporary or transient business, either in one locality or more or by traveling from one or more places in this state, selling goods, wares or merchandise and who for the purpose of carrying on such business hire, lease or occupy a building, structure or car, for the exhibition and sale of such goods, wares or merchandise.

**SEC. 6. Evidence.** Provided, further, that whenever it appears that any such stock of goods, wares and merchandise has been brought into any county in this state by a person, firm or corporation who has not previously conducted a merchandise business therein, and it is claimed that such stock is to be closed out at reduced prices, such facts shall be prima facie evidence that the person, firm or corporation so offering such goods for sale is a transient merchant as defined in this act.

**SEC. 7. Complaint—bond—affidavit—permanent merchant defined.** If complaint be made to the county auditor that any person, firm or corporation doing business in any city or incorporated town within the county is a transient merchant and such person, firm or corporation shall claim to be a permanent merchant, the county auditor shall require of such person, firm or corporation, and he or it shall furnish, a bond in the sum of one thousand dollars, with surety or sureties to be approved by the county auditor. Such bond shall run to the county auditor as obligee and it shall secure the payment of the license in the event that such person, firm or corporation does not continue in the business which he or it is conducting in such city or incorporated town for a period of one year from the time when such business was started; said bond shall also be for the protection of all persons, firms or corporations having claim or claims against the obligor arising out of said business as provided in section three hereof. At the time of delivering such bond to the county auditor the obligor shall also deliver to the county auditor a duly executed instrument making the county auditor the agent of the obligor for the purpose of being served with original notice of suit on said bond. Such merchant so complained against shall also furnish to the county auditor the affidavit required in section four hereof before advertising or holding out any goods, wares or merchandise as being sold as an insurance, bankrupt, railway wreck, insolvent, assignee, trustee, executor, administrator, receiver, syndicate, wholesale, manufacturer or closing out sale, or as a sale of any goods, wares or merchandise damaged by smoke, fire, water or otherwise. But after such merchant has been conducting the particular business in which he or it is engaged in such city or incorporated town for a period of one year, such merchant shall be held to be a permanent merchant and the provisions of this act shall no longer be applicable to such merchant.

SEC. 8. **Exceptions.** The provisions of this act shall not apply to sales made to dealers by commercial travelers or selling agents in the usual course of business or to sheriffs, constables, bona fide assignees, receivers or trustees in bankruptcy, or other public officers selling goods, wares, and merchandise according to law, nor to any person selling farm and garden products.

SEC. 9. **Authority defined.** Nothing in this act contained shall be construed as prohibiting or in any way limiting or interfering with the right of any city or incorporated town to regulate or license the carrying on within such municipality the business of a transient merchant as in this act defined, in any case where authority has been or shall hereafter be conferred upon it so to do, but the requirements of this act shall be in addition thereto.

SEC. 10. **Fees paid into general fund.** All license fees collected under this act shall be paid into the general revenue fund of the county.

SEC. 11. **Penalty—double tax.** Any person violating the provisions of this act or conducting any such business after the expiration of the license shall be guilty of a misdemeanor, whether he be the owner of goods, wares and merchandise sold or carried by him or not, and on conviction thereof shall forfeit and pay into the county treasury, in addition to the penalty imposed therefor, double the amount of the tax for one year, as fixed in section 2 hereof.

Approved April 18 A. D. 1913.

## CHAPTER 63.

### REGULATIONS FOR ERECTION OF BUILDINGS.

H. F. 456.

AN ACT authorizing cities and towns including those acting under special charter and cities under the commission form of government to adopt a building code and to provide penalties for violation thereof. [Additional to chapter four (4), title five (V) of the code relating to general powers of cities and towns.]

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

SECTION 1. **Building code—penalty.** Cities and towns, including cities under special charter and cities under the commission form of government, shall have the power to adopt by ordinance, a building code, providing for the districting of such cities into one or more districts, establishing reasonable rules and regulations for the erection, reconstruction and inspection of buildings of all kinds within their limits and for a fee for such inspection and providing penalties for violation thereof.

Approved April 8 A. D. 1913.

## CHAPTER 64.

## PROTECTION AGAINST FIRES.

Sub. for S. F. 178.

AN ACT to repeal the law as it appears in section seven hundred eleven (711) of the code and to enact a substitute therefor relating to the powers of cities and towns to enact ordinances for protection against fires, accidents from electrical apparatus, to establish fire limits, to prohibit within such limits the erection of buildings and structures of certain construction and providing for the cost or removal or taking down of buildings erected in violation of such ordinances.

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

**SECTION 1. Repeal—fires—electrical apparatus—fire limits—removal of buildings.** That section seven hundred eleven (711) of the code and the law as it appears therein be and the same is hereby repealed and the following enacted in lieu thereof:—

“Cities, including cities acting under special charters and cities acting under commission form of government, and towns shall have power to make regulations for protection against fire and electrical apparatus, to establish fire limits, to prohibit within such limits the erection of all buildings and structures of every kind, additions thereto, substantial alterations thereof involving partial rebuilding, not constructed of fire proof materials, in whole or in part, as prescribed by ordinance, and to remove or take down any building or structure or part thereof erected contrary to such ordinances and to collect the cost thereof from the owner.

**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 April 3 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 7, 1913 and in the Des Moines Capital April 5, 1913.

W. S. ALLEN,  
*Secretary of State*

## CHAPTER 65.

## ORGANIZATION, EQUIPMENT AND TAX LEVY FOR FIRE DEPARTMENTS.

H. F. 312.

AN ACT to confer certain powers on cities organized under the commission form of government and on cities having a population of five thousand (5000) or more organized under chapter two (2) of title five (5) of the code, and cities organized under special charter, relating to the organization, equipment and operations of fire departments and providing for the levy and collection of a special tax for the use and benefit of such fire departments and granting power to anticipate said tax and to issue fire fund certificates or bonds. [Additional to chapter four (4), of title five (5) of the code relating to general powers of cities and towns.]

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

**SECTION 1. Power of certain cities to levy special tax for maintaining fire departments.** Cities organized under the commission form of government, and cities having a population of five thousand (5000) or more organized under chapter two (2) of title five (5) of the code, and cities organized under special charter shall have power to levy a special tax of not to exceed one and one

half mills each year, upon all taxable property in said city, for the purpose of acquiring property for the use of the fire department and equipping the same. No part of the general fund shall be used for equipping said fire department. Nothing in this act shall be held to extend the power of such cities to make annual levies for general and special taxes in excess of forty-eight (48) mills.

**SEC. 2. Maximum tax levy—maturity.** Such cities shall have the power after the purchase of the property and equipment, by ordinance or resolution, to levy at any one time the whole or any part of the cost of such property and equipment upon such taxable property and determine the percentage of tax, not exceeding one and one-half mills, to be paid each year, and the number of years not exceeding ten, given for the maturity of each installment thereof. Certificates of such levy shall be filed with the county auditor in which said city is located, setting forth the amount of percentage and maturity of said tax, or each installment thereof, 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, and collected as other taxes.

**SEC. 3. Fire fund bonds.** Any such city may anticipate the collection of taxes authorized to be levied for a fire fund for the equipment, or purchase of property for the fire department, and for that purpose may issue fire fund 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. 4. Bonds secured by assessments.** 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 on receipt of such funds, to hold the same separate and apart in trust for the payment of said certificates, bonds and interest and to apply the proceeds of such funds to the payments of said certificates, bonds and interest.

Approved April 17 A. D. 1913.

## CHAPTER 66.

### AUTHORITY OF CITIES AND TOWNS TO CONTRACT TO PURCHASE HEAT, GAS, WATER AND ELECTRIC CURRENT AND TO SELL THE SAME.

H. F. 212.

AN ACT to amend the law as it appears in section seven hundred twenty (720) supplement to the code, 1907, as amended by chapter forty-four (44) acts of the thirty-third (33) general assembly, and chapter thirty-four (34) acts of the thirty-fourth (34) general assembly and to authorize cities and towns to enter into contracts to purchase heat, gas, and electric current, and to sell the same.

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

**SECTION 1. Heat—gas—water—electric current—buy and sell.** That the law as it appears in section seven hundred twenty (720) of the supplement to the code, 1907, as amended by chapter forty-four (44) acts of the thirty-third (33) general assembly, and chapter thirty-four (34) acts of the thirty-fourth (34) general assembly be, and the same is hereby amended by adding thereto

after the period following the word "renewed" in the tenth line thereof, the following: "And they shall have power to enter into contracts with persons, corporations or municipalities for the purchase of heat, gas, water, and electric current for either light or power purposes, and shall have power to sell the same either to residents of such municipality, or to others, including corporations, and to erect and maintain the necessary transmission lines therefor either within or without the corporate limits, to the same extent in the same manner, and under the same regulations, with the same power to establish rates and collect rents as is or hereafter may be provided by law for cities having municipally owned plants", and by inserting after the word "amended" in the twelfth line of said section as amended by chapter thirty-four (34) acts of the thirty-fourth (34) general assembly the following: "or contract of purchase entered into".

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, said publication to be without expense to the state.

Approved April 17 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 21, 1913, and in the Des Moines Capital April 19, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 67.

### POWER OF CITIES AND TOWNS TO SELL PRODUCTS OF CERTAIN MUNICIPAL PLANTS.

H. F. 131.

AN ACT to amend the law as it appears in section seven hundred twenty-four (724), supplement to the code 1907, and in section eight hundred ninety-four (894), supplement to the code 1907 relating to the powers of cities and towns.

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

SECTION 1. **Rates—taxes—heat—water—gas—electric current.** That the law as it appears in section seven hundred twenty-four (724) supplement to the code, 1907, be and the same is hereby amended by inserting immediately after the comma, following the word "plants" in line two thereof the following: "and shall have the power to sell the products of such municipal heating plants, waterworks, gas works or electric light or electric power plants, to any municipality, individual or private corporations outside of the city or town limits as well as to individuals or corporations within its limits, and to erect in the public highway the necessary poles upon which to construct transmission lines, and".

SEC. 2. **Municipality.** That the law as it appears in subdivision eight (8) of section eight hundred ninety-four (894) supplement to the code 1907, be and the same is hereby amended by inserting after the word "any" in line three of said paragraph the word "municipality."

**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, said publication to be without expense to the state.

Approved April 16 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 21, 1913 and in the Des Moines Capital April 19, 1913.

W. S. ALLEN,  
*Secretary of State.*

### CHAPTER 68.

#### LEVYING OF LIBRARY TAX.

H. F. 306.

AN ACT to amend sections seven hundred thirty-two (732), and eight hundred ninety-four (894), of the supplement to the code, 1907, relative to the levying of taxes for public libraries.

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

**SECTION 1. Library tax—certain cities.** That section seven hundred thirty-two (732) of the supplement to the code, 1907, be amended by striking out the word "three" in line two (2) thereof and substituting the word "five" in its place; and by striking out from lines three (3), four (4), and five (5) thereof the following words; "having a population of not more than six thousand (6,000) and not exceeding two mills on the dollar in all other cities."

**SEC. 2. Other taxes—certain cities.** That section eight hundred ninety-four (894), of the supplement to the code, 1907, be amended by striking out the word "three" in line seven (7), of paragraph four (4) thereof, and substituting the word "five" in its place; and by striking out from paragraph four (4) thereof the following words in lines eight (8), nine (9), and ten (10) of said paragraph, "having a population of not more than six thousand (6000), and not exceeding in any one year two mills on the dollar in all other cities."

Approved April 16 A. D. 1913.

### CHAPTER 69.

#### TRANSFER OF LIBRARY FUNDS.

H. F. 3.

AN ACT to amend Sec. seven hundred thirty-two (732), of the supplement to the code, 1907, in relation to library funds and transfer thereof.

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

**SECTION 1. Library fund—maintenance fund.** That section seven hundred thirty-two (732), of the supplement to the code, 1907, be, and hereby is, amended by adding the following at the end thereof:

When any public library building shall be fully completed and paid for and a balance remains in the library building fund, the library trustees are authorized to transfer such excess to the maintenance fund; provided that this shall not be construed to authorize a levy of tax for building purposes after the library has been erected with intent to take advantage of this act to increase the library income for maintenance purposes.

Approved March 29 A. D. 1913.

## CHAPTER 70.

## FREE PUBLIC LIBRARIES.

H. F. 464.

AN ACT to repeal sections seven hundred twenty-nine-a (729-a), five hundred ninety-two-a (592-a) and seven forty-one-n (741-n), supplement to the code, 1907, and to enact substitutes therefor; to amend sections four hundred twenty-two (422), supplement to the code, 1907; and section twenty-eight hundred six (2806) of the code; all relating to the benefits of free public libraries and to confer additional powers upon boards of library trustees, township trustees, boards of county supervisors, boards of school directors, and city and town councils, in relation thereto.

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

**SECTION 1. Repeal—powers of library trustees.** Section 729-a of the supplement to the code, 1907, is hereby repealed and the following is enacted as a substitute therefore [therefor]:

“The board of library trustees of any free public library shall have power to contract with any school corporation, the township trustees of any civil township, the board of supervisors of the county in which said library is situated, and the council of any city or town, whether such school corporation, civil township, or city or town be in the same county in which such library is situated or in an adjoining county, for the free use of said library by the residents of such school corporation, civil township, county, city or town, by one or more of the following methods in whole or in part:

First: By lending the books of such library to such residents on the same terms and conditions as to residents of the city or town in which said library is situated.

Second: By the establishment of depositories of books of such library to be loaned to such residents at stated times and places.

Third: By the transportation of books of such library by wagon or other conveyance for lending the same to such residents at stated times and places.

Fourth: By the establishment of branch libraries for lending books to such residents.

Such contracts, unless otherwise provided therein, shall remain in force for five years, unless sooner terminated by a majority vote of the electors of such school corporation, civil township, county, city or town.”

**SEC. 2. Repeal—township trustees—power to contract for use of public libraries—special fund.** Section 592-a of the supplement to the code, 1907, is hereby repealed and the following is enacted as a substitute therefore [therefor]:

“The township trustees of any civil township shall have power to contract with any free public library for the free use of such library by the residents of said township, as provided in section one of this act and to pay such library the amount agreed therefor, and to levy annually, at the April meeting, a tax not exceeding one mill on the dollar on the taxable property of the township, the fund derived from which shall constitute a special fund to be known as the library fund, and shall be used exclusively for the purposes contemplated in this section. When a majority of the resident tax payers, as shown by the last preceding assessment list of such civil township, petition the trustees thereof in writing to enter into such contract, and such library gives

its written consent thereto, it shall be the duty of such trustees to execute such contract. When any such contract is made, whether on petition of the resident tax payers or without such petition, a tax in an amount sufficient to pay such library the consideration agreed upon, not exceeding one mill on the dollar, shall be annually levied by such trustees and their successors, until such contract is terminated by its own provisions or by a majority vote of the electors of such township."

**SEC. 3. Repeal—city or town councils—power to contract for use of public libraries.** Section 741-n of the supplement to the code, 1907, is hereby repealed and the following is enacted as a substitute therefore [therefor]:

"The council of any city or town in which there is no free public library shall have power to contract with any free public library for the free use thereof by the residents of such city or town, as provided in section one of this act, and to pay such library such an amount as may be agreed upon therefor, and to levy annually on the taxable property of such city or town a tax not exceeding one mill on the dollar to be used exclusively for such purpose. When a majority of the resident tax payers, as shown by the last preceding assessment list of such city or town, petition the council thereof in writing to enter into such contract, and such library gives its written consent thereto, it shall be the duty of such council to execute such contract, and when any such contract is made, whether on petition of the resident tax payers or without such petition, a tax in amount sufficient to pay such library the consideration agreed upon, not exceeding one mill on the dollar, shall be annually levied by such council until such contract is terminated."

**SEC. 4. Powers specified.** Section 422 of the supplement to the code, 1907, is hereby amended by adding thereto the following:

"24. To contract with any free public library in the county for the free use of the books thereof by the residents of the county outside of the cities and towns therein, as provided in section one of this act which contract when made shall supersede all contracts made by townships or school corporations, and to levy annually on the taxable property of the county outside of cities and towns a tax of not more than one mill on the dollar to be used exclusively for that purpose."

**SEC. 5. School taxes—board of directors—power to contract for use of public libraries.** Section 2806 of the code is hereby amended by adding thereto the following:

"The board of directors of any school corporation in which there is no free public library shall have power to contract with any free public library for the free use of such library by the residents of such school district as provided in section one of this act and to pay such library the amount agreed therefor, and to certify annually a tax not exceeding one mill on the dollar of the taxable property of such district, to be used exclusively therefor; and during the existence of such contract a tax sufficient to pay such library the consideration agreed upon, not exceeding one mill on the dollar, shall be certified annually by such board. Each school corporation making such contract shall, during the existence of such contract, be relieved from the requirements of sec. 2823-n of the supplement to the code, 1907. This section shall not be construed to apply in townships where a contract is in existence under the provisions of sec. 2 of this act."

Approved April 16 A. D. 1913.



## CHAPTER 71.

## ELECTION OF CITY HOSPITAL TRUSTEES.

Sub. for S. F. 206.

AN ACT to amend the law as it appears in section seven hundred forty-one-o (741-o) supplement to the code, 1907, relating to the election of city hospital trustees.

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

SECTION 1. **Hospital trustees.** That the law as it appears in section seven hundred forty one-o (741-o), of the supplement to the code, 1907, be and the same is hereby amended by inserting following the word "general" in the second (2nd) line of said section the word "city."

Approved March 25 A. D. 1913.

## CHAPTER 72.

## PURCHASE OF GROUND AND ERECTION OF CITY HALL.

H. F. 84.

AN ACT to amend section seven hundred forty-one-d (741-d) of the supplement to the code, 1907, relating to the power to erect a city hall and to purchase the ground therefor in certain cities.

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

SECTION 1. **City hall.** Section seven hundred forty-one-d (741-d) of the supplement to the code, 1907, is hereby amended by striking out of the first and second lines thereof the words "fifty (50) thousand" and inserting in lieu thereof the words "thirty five hundred", and by inserting after the word over in the second line the following: ", and those acting under special charter,"

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

Approved February 21st, 1913.

I hereby certify that the foregoing act was published in the Register and Leader February 24, 1913, and in the Des Moines Capital February 22, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 73.

## SINKING FUND USED FOR PURCHASE OF WATER WORKS.

S. F. 277.

AN ACT to authorize the use and expenditure of the sinking fund provided for in chapter five (5) of title V of the code.

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

SECTION 1. **Water works.** In all cities of the first class, where a sinking fund has been accumulated as provided in chapter five (5) title V, of the code, and in which waterworks have not been purchased under said chapter, such cities are hereby authorized to use and apply such sinking fund and all accumulations thereof upon the cost of waterworks purchased or erected under the provisions of sections seven hundred twenty (720), seven hundred twenty one (721), seven hundred twenty two (722) of the supplement to the code, 1907, as amended by chapter forty five (45), acts of the thirty third general assembly, and chapter thirty five (35), acts of the thirty fourth general assembly.

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, without expense to the state.

Approved April 18 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 26, 1913, and in the Des Moines Capital April 25, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 74.

## POWER GIVEN TO CERTAIN CITIES AND TOWNS TO CREATE A DEPARTMENT OF PUBLIC DOCKS.

S. F. 380.

AN ACT to provide for the improvement of the water and harbor fronts of incorporated or chartered cities and towns situated on navigable waterways within or bordering on the state of Iowa; for the acquirement, construction, maintenance and operation of public docks, and for the acquirement by condemnation or otherwise of lands or rights or interest therein for same; to create a department to be administered by a board to carry on such work and to regulate and control the construction, maintenance and operation of belt railways, wharves, docks, slips, quay walls, piers, basins, other water-front lands or rights or interests therein, in said cities and towns; to authorize the issuance and sale of bonds and to levy a tax for carrying out the above purposes. [Additional to chapter four (4) of title five (V) of the code, relating to the general power of cities and towns.]

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

SECTION 1. **Departments—how created.** The city council or board of commissioners in any incorporated town or city, including cities under commission plan and those under special charter now or hereafter situated on any natural or artificial navigable waterway within or bordering upon the state of Iowa, may when in their judgment expedient create a department known as the "department of public docks", providing that before said commission may go into operation, the question shall be submitted to the qualified electors of said city or town at a regular or special election called for that purpose, and

provided further, that a majority of those voting at said election shall vote in favor of the creation of such department of public docks.

**SEC. 2. Appointed by mayor—term of office—organization—rules and regulations—removal.** The department of public docks shall be administered by a dock board consisting of three members to be known as commissioners of public docks. Within three months, or as soon as possible after the time when this act shall go into effect, the mayor of the municipality shall appoint with the approval of the municipal council as members of the dock board, three commissioners of public docks who have been residents of the municipality in which they are appointed for a period of not less than five years, and who shall not at the time of their appointment or during their term of office be interested in or be employed by any common carrier, and said board shall act without compensation. Said commissioners when first appointed shall hold office for a term of one, two and three years respectively and shall determine by lot among themselves which commissioners shall hold the said respective terms. Thereafter, one commissioner with the said qualifications shall be appointed annually by the mayor and the term of office of such commissioner shall be three years. The members of the board shall qualify by taking oath for the faithful performance of their duties. Within ten days after their appointment the commissioners shall meet and organize the dock board by the election from among their number of a president and a secretary of said board, and shall from time to time adopt rules and regulations for the government of their department and to govern their proceedings, which shall be adopted by resolution recorded in a book kept by the board and known as "book of rules and regulations", and said rules and regulations shall be in force after publication in some newspaper published and circulated in the municipality. The dock board shall maintain an office and keep a record of all of its proceedings and acts, and books of account showing all of its financial transactions, which records and books of accounts shall at all times be open to public inspection. If any commissioner shall at any time during his said incumbency cease to have the qualifications required by this act for his appointment, or shall willfully violate any of his duties under the law, such commissioner shall be removed by the mayor after written charges have been preferred against him and a due hearing of such charges has been had by the mayor upon reasonable notice to such commissioner. Vacancies occurring in the board through resignation, or otherwise shall be filled by the mayor for the unexpired term.

**SEC. 3. Powers—duties.** The board shall have power and it shall be its duty for and in behalf of the city or town hereinafter called the municipality, for which it is organized;

(a) **General plan.** To prepare or cause to be prepared a comprehensive general plan for the improvement of its harbor and water-front making provision for the needs of commerce and shipping and providing for the construction of such docks, basins, piers, quay walls, wharves, warehouses, tunnels, belt railway connecting with all railway lines within the municipality, and such cranes, dock apparatus and machinery equipment as it may deem necessary for the convenient and economical accommodation and handling of water craft of all kinds and of freight and passengers, and the free interchange of traffic between the waterway and the railways and the railways and the waterway; which plan shall be filed in the office of the board and be open to public inspection, and which may from time to time be changed, altered or amended by the board as the requirements of shipping and commerce and the advance of knowledge and information on the subject may suggest.

(b) **Power to condemn.** To purchase or acquire by condemnation or other lawful means, such personal property, lands or rights or interests therein, including easements, as may be necessary for use in the provision and in the construction of any public owned harbor, dock, basin, pier, slip, quay wall, wharf, warehouse, or other structures, and in the construction of a belt railway and railway switches, and appurtenances as provided for in such plan as may be adopted by the board. If the board shall deem it proper and expedient that the municipality shall acquire possession of such wharf property, lands or rights or interests therein, including easements, and no price can be agreed upon between the board and the owner or owners thereof, the board may direct the municipal corporation attorney to take legal proceedings to acquire same for the municipality in manner as is or may be provided by the general laws of the state of Iowa in the case of corporations having the right of eminent domain. The title of all lands, property and rights acquired by the board shall be taken in the name of the municipality it represents.

(c) **Exclusive control.** The board shall have exclusive charge and control of the wharf property belonging to the municipality including belt railway located in whole or in part thereon, all the wharves, piers, quay walls, bulkheads, and structures thereon and waters adjacent thereto, and all the slips, basins, docks, water-fronts, the structures thereon and the appurtenances, easements, uses, reversions and rights belonging thereto, which are now owned or possessed by the municipality, or to which the municipality is or may become entitled, or which the municipality may acquire under the provision hereof or otherwise. The board shall have the exclusive charge and control of the building, rebuilding, alteration, repairing, operation and leasing of said property and every part thereof, and of the cleaning, grading, paving, sewer-ing, dredging and deepening necessary in and about the same.

(d) **Jurisdiction over abutting public property—right to construct certain improvements.** The board is hereby vested with jurisdiction and authority over that part of the streets and alleys and public grounds of the municipality which abut upon or intersect its navigable waters, lying between the harbor line and the first intersecting street measuring backward from high water mark, to the extent only that may be necessary or requisite in carrying out the powers vested in it by this act; and it is hereby declared that such jurisdiction and authority shall include the right to build retaining or quay walls, docks, levees, wharves, piers, warehouses, or other constructions, including belt railway and railway switches, across and upon such streets and alleys and public grounds, and to grade, fill and pave the same to conform to the general level of the wharf, or for suitable approaches thereto; Provided that such improvements shall be paid for out of funds in the hands of the board and not by assessments against abutting property.

(e) **Control—collect tolls.** The board is also vested with exclusive government and control of the harbor and water-front consistent with the laws of the United States governing navigation, and of all wharf property, belt railway, wharves, piers, quay walls, bulkheads, docks, structures and equipment thereon, and all the slips, basins, waters adjacent thereto and submerged lands and appurtenances belonging to the municipality, and may make reasonable rules and regulations governing the traffic thereon and the use thereof, with the right to collect reasonable dockage, wharfage, sheddage, storage, cranage fees, and tolls thereon, as hereinafter provided.

(f) **Buildings—approval of plans—rules—ordinances—publication.** The board shall have power to make general rules and regulations for the carrying out of the plans prepared and adopted by it for the building, rebuilding,

repairing, alteration, maintenance and operation of all structures, erections, or artificial constructions upon or adjacent to the water-front of the municipality, whether the same shall be done by the board or by others; and except, as provided by the general rules of the board, no new structures, or repairs upon or along said water-front shall be undertaken, except upon application to the board and under permit by it and in accordance with the general plans of the board and in pursuance of specifications submitted to the board and approved by it upon such application. The general rules and regulations of the board whenever adopted by it shall be embodied in the form of ordinances and certified copies thereof shall, forthwith upon their passage, be transmitted to the clerk of the municipality who shall cause the same to be transcribed at length in a book kept for that purpose and the same shall be included in any compilation or publication of the ordinance of the municipality. Upon filing any such certified copy of any such ordinances, the said clerk shall forthwith cause the same to be published once in some newspaper of general circulation published in the municipality, or if none is there published then in the next nearest newspaper published in this state and the said ordinance shall be in force and effect from and after the date of said publication. Provided, however, that if the said ordinances are included in any book or pamphlet of ordinances published by said municipality, no other publication shall be required, and they shall be in force and effect from the date said book or pamphlet is published. The said ordinances of the board shall not be considered or construed as ordinances of said municipality, except as they may be adopted as ordinances of said municipality, and the provisions of the code and statutes of the state now or hereafter enacted relative to ordinances of cities and towns, shall not apply to ordinances passed by said board unless express reference be made thereto in said statutes.

(g) **Tolls—fees—schedule.** The board shall have the power to fix and regulate and from time to time to alter the tolls, fees, dockage, wharfage, crantage, sheddage, storage and other charges for all public owned docks, levees, belt railway, piers, quay walls, slips, basins, wharves and their equipment, or the use of any portion of the water-front of the municipality, which charges and rates shall be collectible by the board and shall be reasonable with a view only of defraying the necessary annual expenses of the board in constructing and operating the improvements and works herein authorized; a schedule of such charges and regulations shall be enacted by the board in the form of ordinances and a certified copy thereof shall be transmitted to the clerk of the municipality in like manner as other ordinances of the board before the same shall go into or be in effect, and a copy of same shall be kept posted in a conspicuous place in the office of the board.

(h) **Assistants—additional employes.** The board shall have power to employ such assistants, employees, clerks, workmen and laborers as may be necessary in the efficient and economical performance of the work authorized by this act. All officers, places and employments in the permanent service of the board shall be provided for by ordinance duly passed by the board and the same shall be transmitted to the clerk of the municipality as provided for other ordinances of the board.

(i) **Complete plans approved—proposal for bids.** In the construction of docks, levees, wharves and their appurtenances, or in contracting for the construction of any work or structures authorized by this act, the board shall proceed only after full and complete plans, (approved by the board) and specifications for said work have been prepared and submitted and filed with the

board by its engineer for public inspection, and after public notice asking for bids for the construction of such work based upon such plans and specifications has been published in some newspaper of general circulation published within the municipality, or if none so published, then in the nearest newspaper published in this state, which publication shall be made at least thirty days before the time fixed for the opening of said bids and contracting for such work, and such contract may then be made with the lowest responsible bidder therefor; unless the board deems the bids excessive or unsuitable, in which event it may proceed to re-advertise for bids, or the board may do the work directly purchasing such materials and contracting for such labor as may be necessary without further notice or proposals for bids; except that it shall make no purchase of materials in amounts exceeding \$500.00 except by public letting upon ten day's notice published as aforesaid specifying the materials proposed to be purchased. Provided, however, that said public letting shall not be required in case no satisfactory bids are received, or in case of an emergency where the delay of advertising and public letting might cause serious loss or injury to the work. The board shall, in all cases, have the right to reject any and all bids, and may either re-advertise therefor, contract with others at a figure not exceeding the lowest bidder without further advertising, or do the work directly as hereinbefore provided.

(j) **Tax levy—dock fund.** To defray the expense of exercising the powers conferred by this act, or any portion of such expense in excess of the income from the aforesaid rates and charges to be collected by the board, the council of the municipality shall levy a special tax upon the taxable property of the municipality, not exceeding two (2) mills on the dollar and which if there is a bond issue as herein provided may be levied and made payable for a period not exceeding ten (10) years or the term for which the bonds may be issued, and any portion of which may be pledged to the payment of such bonds and which portion shall be set apart as a sinking fund for the payment thereof, and which bonds may be by said municipality made payable out of said funds, only, or may be made payable as general indebtedness of said municipality. The provisions of section 1306-b of the supplement to the code of Iowa shall not apply to said indebtedness evidenced by such bonds. The board shall annually make to the council a report of the receipts and disbursements made by or on account of said board, and shall file with the council an estimate of the amounts necessary to be raised by taxation to defray the expenses of the board. The council shall at the time of levying annual taxes levy a sufficient tax not exceeding said two (2) mills to meet the said estimate and which shall be collected as other taxes and paid over to the treasurer of the municipality and by him credited to the fund to be known as the "dock fund".

(k) **Bonds.** Whenever said dock board shall deem it necessary or advisable to issue bonds for the purpose of constructing any of the works or improvements herein authorized or purchasing property for said purpose, the said board shall petition the council of the municipality to issue such bonds stating the purpose for which said bonds are requested and thereupon the council shall issue the said bonds if the municipality is not thereby indebted in excess of the limit imposed by section 3 of article II of the constitution of the state of Iowa; or if the council does not deem it advisable to issue said bonds, if the same would not be in excess of said limitation, the council shall submit the question of issuing said bonds to the voters of said municipality and if a majority of said voters voting at a special election or general election vote in favor thereof said bonds shall be issued. The proceeds of said bonds when issued shall be paid to the municipal treasurer and credited to the "dock

fund". If the municipality is already indebted beyond the said limitation the council may if it deem it advisable, levy a special tax not exceeding two (2) mills on the dollar per annum for the purpose of paying bonds and which may be levied for a period not exceeding ten years or the term of the bonds and in anticipation of the collection of the said tax, bonds may be issued for the said purpose designated in said petition, and which bonds shall be payable only out of the proceeds of said special tax already levied at the time of their issuance and the municipality shall not be indebted on said bonds or any further obligated than to collect and apply the proceeds of said tax to the liquidation of said bonds.

(1) **Funds—how disbursed.** All funds collected by the dock board, of [or] by the municipality for dock purposes from the proceeds of taxes, bonds or otherwise, shall be deposited with the treasurer of the municipality and disbursed by him only upon warrants or orders duly signed by the president and countersigned by the secretary of the dock board and which shall state distinctly the consideration for which same are drawn, and a permanent record shall be kept by the board of all warrants or orders so drawn showing the date, amount, consideration and to whom payable, when paid the same shall be cancelled and kept on file by the treasurer of the municipality. The books of the board shall from time to time be audited by the municipal auditor under the direction of the mayor in such manner and at such times as he may direct or prescribe, and all of said books and records of the board shall at all times be open to public inspection.

**SEC. 4. Applicable to special charter cities.** This act shall be applicable also to cities acting under special charter, or exercising powers conferred by special charter.

**SEC. 5. Acts in conflict repealed—under control state railroad commissioners.** All laws in conflict with this act are hereby repealed. That all state regulations for the control and operation of railroads, common carriers and public utilities shall apply to and have full force and effect in regard to all powers, duties and actions of the department of public docks and the same shall be subject to and under the control of the state board of railroad commissioners or the public utility commission now or hereafter established by law.

**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 23 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader May 16, 1913 and in the Des Moines Capital May 15, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 75.

## STREETS AND PUBLIC GROUNDS.

S. F. 427.

AN ACT to amend section seven hundred fifty-one (751) of the code relating to streets and public grounds.

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

**SECTION 1. Improvements—how paid.** That section seven hundred fifty-one (751) of the code be and the same is hereby amended by adding thereto the following:

That in all cities having a population of more than thirty thousand (30,000), such cities shall have the power to extend, improve and repair streets, highways, avenues, alleys, public grounds, wharfs, landings and market places within their limits. The expense of such extension, improvement and repairs may be paid from the general fund or from the highway or poll taxes of such cities or towns, or partly from each of such funds or by assessing all or any portion of the cost thereof on abutting property according to the benefits derived from such extension, repairs or improvement as provided in chapter seven (7) of title five (5) of the code, and amendments thereto.

**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 Des Moines, Iowa.

Approved April 25 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader May 1, 1913 and in the Des Moines Capital April 30, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 76.

## LEVY AND COLLECTION OF SPECIAL ASSESSMENTS IN CITIES AND TOWNS.

Sub. for S. F. 424.

AN ACT to regulate the levy and collection of special assessments in cities and towns and cities acting under special charter and cities under commission plan of government. Amendatory to chapter seven (7), title five (V) of the code.

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

**SECTION 1. Assessing cost of improvements.** Whenever after January 1, 1914, any city or town council, including the councils of cities acting under special charter, levies any special assessment for street improvement as provided by section seven hundred ninety-two (792) of the code and amendments thereto and supplementary thereof, the same shall be made in accordance with the provisions of section seven hundred ninety two a (792-a) of the supplement to the code, 1907, and shall be limited to the amount to be assessed



against private property, against all lots and parcels of land according to area so as to include one half of the privately owned property between the street improved and the next street whether such privately owned property abut upon said street or not but in no case shall privately owned property situated more than three hundred (300) feet from the street so improved be so assessed. In case of improvement upon any alley, such assessment shall be confined according to area to privately owned property within the block or blocks improved and if not platted into blocks for not more than one hundred and fifty (150) feet from such improved alley.

SEC. 2. **Acts in conflict repealed.** All acts and parts of acts in conflict herewith are hereby repealed.

Approved April 19 A. D. 1913.

## CHAPTER 77.

### SALE OF SALVAGE IN STREET IMPROVEMENTS.

S. F. 99.

AN ACT amending section seven hundred ninety two (792) of the code, relating to street improvements.

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

SECTION 1. **Re-paving—sale of salvage—notice to owner.** That section seven hundred ninety two (792) of the code be amended by adding to said section the following:

“And upon the repaving of streets, avenues or alleys they shall have power to dispose of the waste material and salvage from the old pavement under such rules and regulations as the council by resolution may direct, the proceeds derived from the sale of such waste material and salvage to be equitably applied upon the cost of the new improvement.” Provided, however, no salvage may be sold hereunder until the owner, or his agent, of abutting property shall have been given ten days notice in writing requiring him to elect whether he himself desires such salvage, which notice shall be personally served on the owner or his agent, or, if neither be found, by posting in a conspicuous place on the abutting property. The election, if made, shall be in writing and filed with the city clerk. Any owner electing to take his salvage shall not be entitled to a pro rata distribution derived from the proceeds of sale of any salvage hereunder.

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, newspapers published at Des Moines, Iowa.

Approved April 17 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital April 19, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 78.

## STREET IMPROVEMENTS, SEWERS AND SPECIAL ASSESSMENTS.

Sub. for S. F. 85.

AN ACT to repeal section seven hundred ninety three (793) of the code relating to street improvement, sewers and special assessments and to enact a substitute therefor.

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

**SECTION 1. Repeal—how ordered.** That section seven hundred ninety three (793) of the code be and the same is hereby repealed, and the following enacted in lieu thereof:

“The construction or reconstruction of such improvement shall not be ordered made until three-fourths of all the members of the council shall by vote assent thereto, provided that in cities under the commission plan of government with but three members in the council a two thirds vote shall be sufficient, unless the same be petitioned for by the owners of the majority of the linear front feet of the property abutting thereon; but a majority of the council may provide for repairing said improvements.

Approved March 8th A. D. 1913.

## CHAPTER 79.

## ASSESSMENT TO ABUTTING PROPERTY IN SPECIAL CHARTER CITIES.

S. F. 307.

AN ACT to make section eight hundred seven (807) of the code applicable to cities acting under special charter.

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

**SECTION 1. Applicable to special charter cities.** That section eight hundred seven (807) of the code be and the same is hereby made applicable to cities acting under special charter.

Approved April 3 A. D. 1913.

## CHAPTER 80.

## LIEN OF TAXES WHERE COLLECTED IN TWO OR MORE PLACES.

H. F. 404.

AN ACT to amend section eight hundred sixteen (816) of the code relating to lien of tax.

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

**SECTION 1. Lien of tax.** That section eight hundred sixteen (816) of the code be amended by adding thereto the following:

“provided, that in all counties where taxes are collected in two or more places, no lien shall attach on any property for special taxes until on and after the notices and certificates provided for in this section have been filed in the office of the auditor in the place where said special taxes are collected.”

“The auditor shall keep a book properly ruled for that purpose and enter thereon under its tract number all of such notices immediately following the filing of the same.”

Approved April 19 A. D. 1913.

## CHAPTER 81.

## ASSESSMENT OF PROPERTY FOR RECONSTRUCTION OF STREET IMPROVEMENTS.

S. F. 245.

AN ACT to amend section eight hundred twenty (820) of the code fixing time in which the city council or board of public works, where such board exists, shall ascertain the cost and prepare the assessment, plat and schedule relative to the special assessment of property for the making or reconstruction of street improvements.

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

SECTION 1. **Assessment of cost.** Section eight hundred twenty (820) of the code is hereby amended by inserting after the word "shall" in the fifth (5th) line thereof the following:

"within twenty days following the completion of the making or reconstruction of said street improvement or sewer."

Approved April 3 A. D. 1913.

## CHAPTER 82.

## ASSESSMENTS FOR STREET IMPROVEMENTS AND SEWER.

S. F. 349.

AN ACT to amend the law as it appears in section eight hundred twenty-five (825) of the code, relating to street improvements and sewers.

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

SECTION 1. **Levy of assessment—installments—acceptance by city council.** That the law as it appears in section eight hundred twenty-five (825) of the code be and the same is hereby amended by inserting after the word "assessment" in the eighteenth (18th) line of said section the following: "from date of acceptance of the work by the city council"; and by inserting after the word "interest" in the twenty-sixth (26th) line of said section the following: "from the date of acceptance of the work by the city council".

Approved April 10 A. D. 1913.

## CHAPTER 83.

## RE-ASSESSMENT FOR LOCAL IMPROVEMENTS WHERE PREVIOUS ASSESSMENT IS VOID.

S. F. 508.

AN ACT to amend section eight hundred thirty-six (836) of the code, in reference to reassessment for local improvements.

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

SECTION 1. **Re-levy.** That section eight hundred thirty-six (836) of the code, be and the same is hereby amended by adding thereto the following, to-wit:

"Whenever any such special tax or assessment upon property not by law exempt therefrom, shall have been heretofore, or shall be hereafter, adjudged to be void for any jurisdictional defect, and the city adjudged liable to pay the same, the city council shall, as to such property have power, by resolution or ordinance, to cause to be prepared a schedule and proposed re-assessment in proportion to and not in excess of benefits, and to cause notice thereof to be

given, and to hear objections thereto and make necessary corrections, as provided by section eight hundred twenty-three (823) of the code, as amended by chapter forty-two (42) of the laws of the thirty-fourth (34) general assembly, and thereupon the council shall re-assess and re-levy such special tax or special assessment as so corrected, with the same force and effect as if jurisdiction had been acquired in the first instance, and all subsequent proceedings had been regularly and legally had.

**SEC. 2. 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 Des Moines Capital, newspapers published at Des Moines, Iowa.

Approved April 17 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 21, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 84.

### STREET IMPROVEMENTS IN INCORPORATED TOWNS.

H. F. 476.

AN ACT to amend section one (1) of chapter forty-three (43) acts of the thirty-fourth general assembly relating to street improvements in towns, and to the levy of special taxes therefor.

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

**SECTION 1. Improvement fund applicable in incorporated towns.** That section one (1) of chapter forty-three (43) acts of the thirty-fourth general assembly is hereby amended by adding thereto the following:

“that all of the provisions of sub-division two (2) of section eight hundred ninety-four (894) of the code shall be applicable and apply to incorporated 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 Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved April 19 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 25, 1913 and in the Des Moines Capital April 28, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 85.

## ASSESSMENT FOR CONSTRUCTION OF MAIN SEWERS.

S. F. 334.

AN ACT providing for the assessment of the cost of main sewers to the property within the territory drained and defining adjacent property relative thereto, and amending section eight hundred forty d, (840-d), of the supplement to the code, 1907, relating to the construction of main sewers and paying the cost thereof.

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

**SECTION 1. Assessment may cover entire drainage area.** That section eight hundred forty-d (840-d), of the supplement to the code, 1907, be amended by adding thereto the following;—

In addition to the foregoing powers cities including cities under special charters shall have the power to assess the whole or any part of the cost of the construction of any main sewer or system of main sewers to the respective lots, tracts or parcels of ground as adjacent property which are included within a district to be fixed by the council, which may include all territory within the drainage area of such main sewer or main sewer system. And all such lots, tracts or parcels of ground which are subject to be furnished with sewer connection or drained by such main sewers or main sewer system shall be considered as adjacent property. Provided this act shall not apply to cities having a population of more than 47,000.

**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.

Approved April 11 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital April 14, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 86.

## FLOOD PROTECTION BONDS IN CERTAIN CITIES.

S. F. 435.

AN ACT authorizing the issue of flood protection bonds by cities of the first class and cities acting under the commission plan of government. [Additional to chapter eight-a (8-a) of title five (V) of the supplement to the code, 1907 relating to protection of property from floods.]

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

**SECTION 1. Bonds—limitation.** That cities of the first class, including cities acting under the commission plan of government, having more than twenty-four thousand (24,000) population are hereby authorized to contract indebtedness and to issue bonds for the purpose of protecting the lots, lands and property within their limits from danger and damage from floods and

highwater by deepening, widening, straightening, altering or changing and otherwise improving water courses within their limits and by constructing levees, embankments and other works. Such bonds shall be payable in not exceeding twenty (20) annual installments and bear interest at not exceeding five percentum (5%) per annum, and shall be made payable at such place and be of such form as the city council shall, by ordinance, designate; but no city shall become indebted in excess of five percentum (5%) of the actual value of the taxable property of said city as shown by the last preceding assessment roll.

SEC. 2. **Additional power to certain cities.** This act shall be construed as granting additional power without limiting the power already existing in cities of the first class including cities acting under the commission plan of government.

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 the Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved April 17 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital April 19, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 87.

### ADDITIONAL POWERS TO CITIES ORGANIZED UNDER THE COMMISSION FORM OF GOVERNMENT.

S. F. 436.

AN ACT granting additional powers to cities organized under the commission plan of government, and amending section one (1) of chapter sixty-seven (67), laws of the thirty-third general assembly.

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

SECTION 1. **Flood protection—divided into districts—power to continue levy—application of proceeds.** That section one (1) of chapter sixty-seven (67) laws of the thirty-third general assembly be and the same is hereby amended by inserting after the word "into" in the tenth line of said section one (1) the word "parts", and by inserting after the word "each" in the twelfth line thereof the word "part", and by inserting after the word "any" in the twelfth line the word "part", and by inserting after the word "any" in the thirteenth line the word "part", and by adding to said section the following:

"And provided further, that whenever in any such city the tax provided for in said chapter eight-a of title V of the supplement to the code of 1907 has not been levied beginning on the date fixed in the resolution of necessity and in the proposition submitted to a vote of the electors, and a part of the period in which such levy is authorized to be made by such vote has expired without such levy having been made, and no certificates or bonds have been issued or sold for the payment of the improvement as provided in said chapter and title, the council shall have the power to continue the levy provided for in said chapter and title, and in the proposition theretofore submitted to a vote of the electors for a period not exceeding twenty (20) years,

including the several years, if any, for which such tax has heretofore been levied; and it is hereby made the duty of the council to make the levy in the manner provided in sections 849-c and 849-e of chapter eight-a of title V of the supplement to the code, of 1907, and to appropriate and apply the proceeds collected after January 1, 1914, from such tax so levied to the payment of flood protection bonds issued by such city under senate file No. 435 enacted by the thirty-fifth general assembly, if any such there be," so that the section when amended will read as follows:

"That the law as it appears in title V, chapter fourteen-c (14-c) of the supplement to the code, 1907, be amended by adding thereto the following additional provisions for the government of cities now or hereafter organized under said act:

"That whenever in any such city proceedings have been or shall be begun for the purpose of providing flood protection under the provisions of chapter eight-a of title V of the supplement to the code, 1907, the council shall have power after the election in said chapter provided for has been had, and without again submitting the matter at an election, to divide the work into parts, sections or districts, and determine what property would be benefited by the work or improvement in each part, section or district; to omit parts of said work or any part, section or district; and to contract for any part, section or district separately and proceed therewith the same as if the entire work or improvement was contracted for, done or made. And provided further, that whenever in any such city the tax provided for in said chapter eight-a of title V of the supplement to the code, 1907, has not been levied beginning on the date fixed in the resolution of necessity and in the proposition submitted to a vote of the electors, and a part of the period in which such levy is authorized to be made by such vote has expired without such levy having been made, and no certificates or bonds have been issued or sold for the payment of the improvement as provided in said chapter and title, the council shall have the power to continue the levy provided for in said chapter and title, and in the proposition theretofore submitted to a vote of the electors for a period not exceeding twenty (20) years, including the several years, if any, for which such tax has heretofore been levied; and it is hereby made the duty of the council to make the levy in the manner provided in sections 849-c and 849-e of chapter eight-a of title V of the supplement to the code of 1907, and to appropriate and apply the proceeds collected after January 1, 1914, from such tax so levied to the payment of flood protection bonds issued by such city under senate file No. 435 enacted by the thirty-fifth general assembly, if any such there be,"

**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 in the city of Des Moines, Iowa.

Approved April 16 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital April 19, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 88.

## ANNUAL TAX LEVY FOR PARK PURPOSES.

H. F. 481.

AN ACT to repeal section eight hundred fifty-c (850-c) of the supplement to the code, 1907, as amended by chapter fifty-seven (57) of the acts of the thirty-third general assembly and chapter forty-four (44) acts of the thirty-fourth general assembly relating to the tax levy for park purposes, and to enact a substitute therefor.

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

**SECTION 1. Repeal—amount of tax levy—additional levy in certain cities—bonds.** That section eight hundred fifty-c (850-c) of the supplement to the code, 1907, as amended by chapter fifty-seven (57) of the acts of the thirty-third general assembly and chapter forty-four (44) acts of the thirty-fourth general assembly, be and the same is hereby repealed and the following enacted in lieu thereof:

“The board shall on or before the first day of August of each year, determine and fix the amount or rate not exceeding two and one-half (2½) 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 (25,000) said board is further authorized in its discretion to certify to the county auditor and to cause to be collected an additional tax for park purposes of one (1) mill on the dollar on all taxable property of the city to be used for the sole and only purpose of purchasing and paying for real estate. The board may anticipate the collection of said additional tax authorized to be levied for the purchase of real estate for park purposes and for that purpose may issue park certificates or bonds with interest coupons and the provisions of chapter twelve (12), title V of the code shall be operative as to such certificates, bonds and coupons in so far as they may be applicable. The proceeds of such tax shall be kept as a separate fund and shall be used for the purpose of paying certificates or bonds and coupons issued thereupon and for no other purpose whatsoever.”

Approved April 18 A. D. 1913.

## CHAPTER 89.

## TAX LEVY FOR PARK IMPROVEMENTS.

H. F. 42.

AN ACT to amend the law as it appears in section 850-c of the supplement to the code, 1907, as amended by chapters 56 and 57 of the acts of the 33rd general assembly and chapter 44 of the acts of the 34th general assembly relating to the tax levy for park purposes.

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

**SECTION 1. Additional levy in certain cities for certain years.** The law as it appears in section 850-c of the supplement to the code, 1907, as amended by chapters 56 and 57 of the acts of the 33rd general assembly and chapter 44 of the acts of the 34th general assembly, is hereby amended by adding to said section the following:



In all cities where said board shall have prior to January 1, 1914, made purchase of property for park purposes by means of the additional tax of one mill authorized by the provisions of chapter 57 of the acts of the 33rd general assembly and chapter 44 of the acts of the 34th general assembly, the said board is authorized in its discretion to certify to the county auditor for the years 1914, 1915, 1916, 1917 and 1918 and cause to be collected an additional tax of one mill each year to be used for the sole and only purpose of grading, beautifying and otherwise improving any lands acquired for park purposes by means of the tax so authorized or for acquiring and improving any drive-way or boulevard connecting one park with another.

Approved February 18th, 1913.

## CHAPTER 90.

### RIVER FRONT IMPROVEMENT COMMISSIONS.

H. F. 606.

AN ACT to amend the law as it appears in sections eight hundred seventy-nine-d (879-d), and eight hundred seventy-nine-g (879-g), supplement to the code, 1907, and to repeal section eight hundred seventy-nine-o (879-o), supplement to the code, 1907, relative to the powers and duties of river front improvement commissions.

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

**SECTION 1. Title to river beds—lost boundaries established.** That the law as it appears in section eight hundred seventy-nine-d (879-d), supplement to the code, 1907, be and the same is hereby amended by adding thereto at the end thereof the following:—

“Where the original boundary lines separating the land under the control of said commission from the land of the state or of any adjoining land owner, or the monuments marking the same are now or shall hereafter become lost, destroyed or in dispute, said commissioners may proceed to have said boundary lines established in the manner provided in chapter five (5) title twenty-one (XXI) of the code, and any proceeding heretofore instituted or action heretofore brought as provided in said chapter five (5) title twenty-one (XXI) of the code, is hereby legalized and validated as to the form of procedure used therein.”

**SEC. 2. Additional powers—tax levy—river front improvement fund.** That the law as it appears in section eight hundred seventy-nine-g (879-g) supplement to the code, 1907, be and the same is hereby amended by adding thereto at the end thereof the following:—

“The commission shall subject to the approval of the city council in each year determine and fix the amount or rate, not exceeding two (2) mills on the dollar, on the taxable value of the taxable property of such city, to be levied, collected and appropriated for the ensuing year for the purpose of paying for real estate, riparian and other rights, for improvements, and for accomplishing the purposes of the creation of said commission and to provide for the payment of interest upon bonds and to retire such bonds, if any, and to meet the necessary expenses incident to the business of said commission.

Said commission shall, on or before the first Monday in September of each year, certify to the county auditor the amount or rate of taxes so fixed, to

be known as 'riverfront improvement fund,' and when collected the same to be paid over to the treasurer of the commission, and by him paid out on its orders, and the board of supervisors of the county in which said city is situated shall levy said tax as fixed by said commission."

**SEC. 3. Repeal—cities affected.** That the law as it appears in section eight hundred seventy-nine-o (879-o), supplement to the code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

The provisions of chapter nine-a (9-a), title five (5) of the supplement of the code, 1907, shall apply only to cities acting under special charter and cities of the first class acting under the general incorporation laws and cities acting under the commission form of government having a population of less than twenty-five thousand (25,000), provided, however, that the increase in population of any city subsequent to the establishment or appointment of a riverfront improvement commission therein shall in no manner invalidate or affect the title, standing or authority of such commission.

Approved April 19 A. D. 1913.

#### CHAPTER 91.

##### SPECIAL TAX BY CERTAIN CITIES FOR GAS OR ELECTRIC LIGHT OR POWER.

H. F. 134.

AN ACT to amend the law as it appears in paragraph eight (8) of section eight hundred and ninety-four (894) of the supplement to the code, 1907, relating to the levy of special taxes by cities.

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

**SECTION 1. Cities affected.** That the law as it appears in paragraph eight (8), of section eight hundred and ninety-four (894) of the supplement to the code, 1907, be amended by adding thereto the following; providing that the cities of 5000 or less, there may be in any one year a tax not exceeding seven mills on the dollar.

Approved April 1 A. D. 1913.

#### CHAPTER 92.

##### TRANSFER OF CERTAIN UNCLAIMED FUNDS IN THE TREASURY OF THE COUNTY.

Sub. for S. F. 219.

AN ACT to provide for the transfer to the city or town treasurer of unclaimed funds in the treasury of the county where such unclaimed funds are the proceeds of an invalid tax levied to pay for the construction of an electric light plant for such city or town, and making the same a part of the general fund of such city or town. [Additional to chapter eleven (11) of title five (V) of the code relating to funds of cities and towns.]

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

**SECTION 1. Taxes held invalid—transferred to general fund.** In any county of this state where a special tax has been levied to pay for the construction of an electric light plant for any city or town, and such tax is held invalid, and the same or any part thereof has remained uncalled for in the treasury of the county for a period of five (5) or more years preceding the passage of this act, the board of supervisors of such county shall cause such unclaimed fund to be transferred and paid to the treasurer of the city or

town in which such tax was levied, the same to be by the treasurer of such city or town credited to the general fund.

**SEC. 2. Refund upon satisfactory evidence.** The money so transferred and paid to the treasurer of such city or town, and so credited to the general fund or any part thereof, shall be paid at any time within five (5) years from the receipt thereof to any person who is shown to be entitled thereto by evidence satisfactory to the city council or to the district court of the county in which such tax was levied and paid. Payment shall be made from the general fund of the city in the manner provided for the payment of other claims from that fund.

Approved March 29 A. D. 1913.

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### CHAPTER 93.

#### REAL ESTATE SITUATED IN SPECIAL CHARTER CITIES NOT PLATTED BY COUNTY AUDITOR.

S. F. 396.

AN ACT amending section nine hundred twenty two (922) of the supplement to the code, 1907, relating to plats by auditor, providing that no such plats shall be made for real estate situated in cities acting under special charter.

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

**SECTION 1. Amended—special charter cities.** That section nine hundred twenty two (922) of the supplement to the code, 1907, be and the same is hereby amended by adding thereto the following:—"Real estate situated in cities acting under special charter shall not be platted by the auditor under this section.

Approved April 15 A. D. 1913.

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### CHAPTER 94.

#### FILLING OF VACANCIES IN CITY COUNCILS IN SPECIAL CHARTER CITIES.

S. F. 18.

AN ACT to amend section nine hundred thirty-seven (937) of the code, relating to the filling of vacancies in the office of alderman in cities under special charters.

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

**SECTION 1. Council.** That section nine hundred thirty seven (937) of the code be and the same is hereby amended by adding thereto the following: "Vacancies in the office of alderman shall be filled by the remaining members of the council, of said city. The vacancy shall be filled within thirty days after the same has occurred at a regular or special meeting and a majority vote of the remaining members of the city council shall be necessary to fill the same."

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 printed in the city of Des Moines, Iowa, such publication to be without expense to the state.

Approved February 19th A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader February 21, 1913, and in the Des Moines Capital February 20, 1913.

W. S. ALLEN,  
*Secretary of state.*

## CHAPTER 95.

### IMPROVEMENT OF WATER FRONTS IN SPECIAL CHARTER CITIES.

H. F. 509.

AN ACT to repeal section one (1) of chapter forty-nine (49) of the acts of the thirty-fourth general assembly relating to the improvement of water fronts in cities acting under special charter and enacting a substitute therefor and to amend section two (2) of chapter forty-nine (49) of the acts of the thirty-fourth general assembly relating to the levee improvement commission in such cities.

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

SECTION 1. **Repeal—levee improvement commission—term of office—bond.** That section one (1) of chapter forty-nine (49) of the acts of the thirty-fourth general assembly be and the same is hereby repealed and the following enacted in lieu thereof:—Any city acting under special charter may establish a levee improvement commission to consist of the mayor, who shall be its chairman, and not more than four other persons to be appointed by the mayor with the approval of the city council. The appointive members shall be residents and qualified electors of the city, and shall hold no other official position in the city, and no member shall receive any salary for his services as a member of such commission. Their term of office shall be fixed by ordinance and shall not exceed six years. Before entering upon their office the appointive members shall each execute a bond in favor of the city in the penal sum of two thousand (\$2,000.00) dollars, with approved fidelity company, surety for the faithful performance of their duties. The expense of this bond shall be paid out of the levee improvement fund.

SEC. 2. **Powers and duties of commission—treasurer.** That section two (2) of chapter forty-nine (49) of the acts of the thirty-fourth general assembly be and the same is hereby amended by striking therefrom the following words in the last paragraph of said section: 'the commissioner of the board of public works' and insert in lieu thereof the following: 'at least one other member of said levee improvement commission'.

Approved April 8 A. D. 1913.

## CHAPTER 96.

## LEVY AND COLLECTION OF SPECIAL TAX FOR DEPARTMENT OF PUBLIC SAFETY.

S. F. 482.

AN ACT to confer additional powers upon certain cities organized under chapter forty-eight (48) of the acts of the thirty-second general assembly of Iowa as the same appears in chapter fourteen-c (14-c) of title five of the supplement to the code 1907, providing for the levy and collection of a special tax for the purchase and maintenance of apparatus and equipment for use in police service in the department of public safety.

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

**SECTION 1. Government of certain cities.** That chapter forty-eight (48) of the acts of the thirty-second general assembly of Iowa as the same appears in chapter fourteen-c (14-c) of title five of the supplement to the code 1907, be and it is hereby amended by adding thereto the following additional provisions for the government of cities now and hereafter organized under said act.

**SEC. 2. Special tax—apparatus—equipment.** The council of any city specified in section one (1) of this act, shall have the power to levy a special tax upon all taxable property in said city, not to exceed one (1) mill on the dollar each year for the purpose of purchasing and maintaining apparatus and equipment for use in police service in the department of public safety, but nothing in this act shall be held to extend the powers of such cities to make annual levies for general and special taxes in excess of forty-eight (48) mills on the dollar of the taxable value of the property therein.

**SEC. 3. Total cost—annual installments—filed with county auditor.** When the whole or any part of the cost of purchasing and maintaining apparatus and equipment for use in police service in the department of public safety of any city organized under chapter forty-eight (48) of the acts of the thirty-second general assembly of Iowa as the same appears in chapter fourteen-c (14-c) of title five of the supplement to the code, 1907, shall be ordered paid from the city fund designated to purchase and maintain apparatus and equipment for use in police service in the department of public safety, to be levied upon all the taxable property within such city, it shall have the power after the purchase of said apparatus and equipment, by ordinance or resolution, to levy at any one time the whole or any part of the cost of such apparatus and equipment upon all the taxable property within such city and determine the whole percentage of taxes necessary to pay the same, and the percentage to be paid each year not exceeding one half of the maximum annual limit of the tax such city may levy for funds to purchase and maintain apparatus and equipment for police service in the department of public safety, and the number of years not exceeding ten (10), 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 taxable 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. 4. Bonds.** Any such city may anticipate the collection of taxes authorized to be levied for the purchase and maintenance of apparatus and equipment for police service in the department of public safety, and for that purpose may issue police equipment fund 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. 5. Certificates—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 such funds pledged for such purpose to the payment of said certificates, bonds and interest.

**SEC. 6. Cities affected.** Provided, however, that this act shall apply only to cities having a population of eighty thousand (80,000) or more as shown by either the last United States or state census.

Approved April 19 A. D. 1913.

## CHAPTER 97.

### MUNICIPAL ACCOUNTING OF CITIES AND TOWNS.

H. F. 149.

AN ACT to amend the law as it appears in section ten hundred and fifty-six a-nine (1056-a 9) of the supplement to the code, 1907, relating to municipal accounting of cities and towns.

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

**SECTION 1. Repealed.** That section ten hundred and fifty-six a-nine (1056-a 9) of the supplement to the code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

**SEC. 1056-a 9. Certified to auditor of state—auditor to publish returns—failure to report—state examiner—compensation.** On or before the first day of May of each year the auditor or clerk of each city or town shall forward to the auditor of state a certified copy of the annual report in a form prescribed as hereinafter provided, and said auditor of state shall publish in a separate volume such returns, showing under appropriate schedules the total receipts and expenditures, assets and indebtedness and related data of all cities and towns in the state together with his comment and recommendations respecting desirable changes in the laws governing financial administration in municipalities. If the auditor or clerk of any city or town shall fail to file his report with the auditor of state within the time hereby prescribed the auditor shall have authority to send an examiner or examiners to said city or town to make the report, and the expense of said examiner or examiners, including per diem for the time so employed, shall be charged against such

delinquent city or town. It shall be the duty of the auditor or clerk who served in such capacity during the time covered by the report, to prepare and file the same, and if the said auditor or clerk has retired from the office the city or town council shall allow him such compensation for preparing the report as its members may deem proper, the same not to exceed five (\$5.00) dollars per day for the time actually employed in such service. Three thousand five hundred (3,500) copies of said report by the auditor of state shall be annually printed on or before December first for general distribution in accordance with law.

Approved April 17 A. D. 1913.

## CHAPTER 98.

### CONSTRUCTION AND MAINTENANCE OF GARBAGE DISPOSAL PLANT.

S. F. 483.

**AN ACT** to confer certain powers on cities organized under chapter forty-eight (48) of the acts of the thirty-second general assembly of Iowa, as the same appears in chapter fourteen-c (14-c) of title five of the supplement to the code 1907, providing for the levy and collection of a special tax for the purchase, equipment, construction and maintenance of a garbage disposal plant.

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

**SECTION 1. Cities affected.** That chapter forty-eight (48) of the acts of the thirty-second general assembly of Iowa, as the same appears in chapter fourteen-c (14-c) of title five (5) of the supplement to the code, 1907, be and it is hereby amended by adding thereto the following additional provisions for the government of cities now and hereafter organized under said act.

**SEC. 2. Tax levy.** The council of any city having a population of eighty thousand (80,000) or more specified in section one (1) of this act shall have the power to levy a tax upon all taxable property in said city not to exceed one (1) mill on the dollar each year for the purpose of acquiring a location for and equipment, maintenance and construction of a garbage disposal plant or system, but nothing in this act shall be held to extend the powers of such cities to make annual levies for general and special taxes in excess of forty-eight (48) mills on the dollar of the taxable value of the property therein.

**SEC. 3. Total cost—annual installments—certificates filed with county auditor.** When the whole or any part of the cost of purchasing a location for and equipment, maintenance and construction of a garbage disposal plant or system by any such city, shall be ordered paid from the city fund designated for such purchase, equipment, maintenance and construction, to be levied upon all taxable property within such city, it shall have the power after purchase of the property, equipment, maintenance and construction of any such plant or system, by ordinance or resolution, to levy at any one time, the whole or any part of the total cost of such plant or system and the maintenance thereof upon all the taxable property within such city and determine the whole percentage of taxes necessary to pay the same, and the percentage to be paid each year not exceeding one half of the maximum annual limit of the tax such city may levy for funds to purchase a location for, maintain, equip

and construct a garbage disposal plant or system, and the number of years not exceeding ten (10) given for the maturity of each installment thereof, but no part of such cost 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 taxable property in said city, certified as correct by the city clerk or auditor, and thereupon said tax shall be placed upon the tax list of the proper county or counties.

**SEC. 4. Bonds.** Any such city may anticipate the collection of taxes authorized to be levied for the purchase of its location and for the equipment, maintenance and construction of a garbage disposal plant or system, and for that purpose may issue garbage disposal plant certificates or bonds with interest coupons, and the provisions of chapter twelve (12) title five (5) of the act shall be operative as to such certificates, bonds and coupons, in so far as they may be applicable.

**SEC. 5. Certificates—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 such funds pledged for that purpose to the payment of said certificates, bonds and interest.

Approved April 19 A. D. 1913.

## CHAPTER 99.

### PARK COMMISSIONERS.

H. F. 36.

**AN ACT** to amend section eight hundred fifty-a (850-a) of the supplement to the code, 1907, relating to the election of park commissioners, and providing for the appointment of park commissioners until the next regular municipal election.

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

**SECTION 1. Election—appointment.** That section eight hundred fifty-a (850-a) of the supplement to the code, 1907 be amended by inserting after the period at the end of said section: "In the event that such ordinance is approved by a majority of the votes cast at such election, the city council shall have the power to appoint three (3) park commissioners to hold such office until the next regular city election."

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

Approved February 18th, 1913.

I hereby certify that the foregoing act was published in the Register and Leader February 21, 1913, and in the Des Moines Capital February 20, 1913.

W. S. ALLEN,  
Secretary of State.



## CHAPTER 100.

## APPOINTMENT AND POWERS OF LIBRARY TRUSTEES IN CERTAIN CITIES.

S. F. 210.

AN ACT to amend the law as it appears in sections ten hundred fifty-six-a-twenty five and ten hundred fifty-six-a-twenty six (1056-a-25 and 1056-a-26) of the supplement to the code, 1907, as amended, and to provide for the appointment and powers of library trustees in certain cities.

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

**SECTION 1. City council—not to exercise powers of library trustees.** That the law as it appears in sections ten hundred fifty-six-a-twenty-five (1056-a-25) of the supplement to the code, 1907, as amended by section seven (7) of chapter sixty-four (64) of the acts of the 33d general assembly, is amended by striking therefrom the words "and board of library trustees" wherever the same occur in said section.

**SEC. 2. City council—not to elect library trustees.** That the law as it appears in section ten hundred fifty-six-a-twenty-six (1056-a-26) of the supplement to the code, 1907 as amended, is amended by striking therefrom the words "three library trustees."

**SEC. 3. Library trustees—five members—powers.** That the board of library trustees in all cities now or hereafter organized under the commission form of government shall consist of five members, (except in cities which have heretofore maintained a library under lease or contract fixing a different number of trustees), and said board shall have and exercise all the powers possessed by library boards in cities not organized and acting under said chapter 14-c.

**SEC. 4. Appointed by mayor—term of office.** The said board of five trustees shall be selected as follows: At the first meeting of the council, or as soon as practicable thereafter, the mayor shall appoint, by and with the approval of the council, five library trustees, one to serve for the period of five years, one for four years, one for three years, one for two years and one for one year, and until their successors are elected and qualify. Upon the election of said five trustees the term of the existing board of nine trustees heretofore acting under the general law shall cease. Annually thereafter there shall be elected in like manner one trustee to serve for five years and to take the place of the trustee whose term first expires.

Provided, however, that in cities already operating under said chapter 14-c of the supplement to the code, 1907, the library board shall continue as now constituted until the meeting of the first council elected after this date and until their successors as such trustees are elected and qualify.

**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 in Des Moines, Polk county, Iowa.

Approved March 25 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader March 27, 1913 and in the Des Moines Capital March 26, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 101.

## PLANTING AND MAINTENANCE OF TREES AND SHRUBBERY UPON THE PUBLIC STREETS.

H. F. 30.

AN ACT to grant power to cities now or hereafter having a population of twenty five thousand or over and organized under chapter fourteen-c (14-c), of title five (5), of the supplement to the code, 1907, and amendments thereto, to assume charge, custody and control of all trees and shrubbery and the planting and maintenance thereof on the public streets and to provide for the payment of the costs thereof. [Additional to chapter fourteen-c (14-c) of title five (V), supplement to the code 1907, relating to government of cities and towns.]

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

**SECTION 1. Cities affected—powers—duties—under supervision department of parks.** Cities now or hereafter having a population of twenty five thousand or over and organized under chapter fourteen-c (14-c), of title five (5), of the supplement to the code, 1907, and amendments thereto, shall have power by ordinance to take and assume charge, custody and control of all trees and shrubbery upon the public streets, and to plant, prune, care for and maintain all trees and shrubbery upon the public streets in such manner as not to interfere with public travel and to pay for the same out of the general fund or to provide by ordinance for assessing the cost thereof upon the lots and parcels of land in front of which such trees or shrubbery are planted and maintained. No power shall exist to remove other than dead, damaged or unsightly trees and shrubbery. The carrying into effect of the provisions of any ordinance enacted hereunder shall be vested in the department of parks and public property.

**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.

Approved April 16 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital April 19, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 102.

## GOVERNMENT OF CERTAIN CITIES.

H. F. 136.

AN ACT to amend the law as it appears in chapter sixty-four (64) of the acts of the thirty-third (33d) general assembly as amended by chapters fifty-two (52), fifty-four (54) and fifty-five (55) of the acts of the thirty-fourth (34th) general assembly relating to the government of certain cities.

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

**SECTION 1. Commission form of government.** That the law as it appears in chapter sixty-four (64) of the acts of the thirty-third (33d) general assembly, as amended by chapters fifty-two (52), fifty-four (54) and fifty-five (55) of the acts of the thirty-fourth (34th) general assembly, all being amendatory to chapter fourteen-c (14-c) of title five (V) supplement to the code, 1907, be and the same is hereby amended by striking from said chapter the word

“seven” wherever said word immediately precedes the word “thousand” and refers to the population of cities, and inserting in lieu thereof in each place the word “two”.

**SEC. 2. Repeal—petition—question submitted—result certified—election of officers.** That the law as it appears in section two (2) of chapter sixty-four (64) of the acts of the thirty-third (33d) general assembly, as amended by chapter fifty-two (52) of the acts of the thirty-fourth (34th) general assembly, amendatory to chapter fourteen-c (14-c) of title five (V) supplement to the code, 1907, be and the same is hereby amended by striking out all that portion following the comma after the figures “1907” in the nineteenth (19th) line thereof down to and including the word “assembly” in the twentieth (20th) line of said section, and inserting in lieu thereof the following: “and amendments thereto”.

**SEC. 3. Office in city hall—salaries.** That the law as it appears in section nine (9) of chapter sixty-four (64) of the acts of the thirty-third (33d) general assembly be and the same is hereby amended by striking out of said section all following the semi-colon after the word “following” in the seventh (7th) line of said section, and inserting in lieu thereof the following:

“The mayor and councilmen shall have an office in the city hall, and their total compensation shall be as follows:

“1. In cities having by the last preceding state or national census a population of less than 25,000, the mayor and councilmen shall receive as their annual salaries the amount to be fixed by ordinance, as follows:

“For the mayor, not to exceed the sum of one hundred fifty dollars (\$150.00) per annum for each one thousand (1000) of population, or major portion thereof, in such city, and for each councilman in such city, not to exceed the sum of one hundred twenty dollars (\$120.00) per annum for each one thousand (1000) population, or major portion thereof; provided, however, that in such city no mayor shall receive a salary greater than the sum of twenty-five hundred dollars (\$2500.00) per annum, nor in such city shall a councilman receive as his annual salary an amount greater than two thousand dollars (\$2000.00) per annum; and provided, further, that from and after the passage of this act, and during the first term of his office under the provisions of this act, the mayor and councilmen shall by ordinance fix their compensation as herein provided for their term of office; but thereafter the salary of any such officer shall not be increased or decreased during the term for which he shall have been elected or appointed.”

2. In cities having by such census a population of 25,000 and less than 40,000, the mayor’s annual salary shall be twenty-five hundred dollars (\$2,500), and each councilman, eighteen hundred dollars (\$1,800).

3. In cities having by such census a population of 40,000 and less than 60,000, the mayor’s annual salary shall be three thousand dollars (\$3,000), and each councilman twenty-five hundred dollars (\$2,500).

4. In cities having by such census a population of 60,000 or more, the mayor’s annual salary shall be thirty-five hundred dollars (\$3,500), and that of each councilman, three thousand dollars (\$3,000).

Approved March 21 A. D. 1913.

## CHAPTER 103.

## DEPARTMENT OF PUBLIC INSTRUCTION.

S. F. 70.

AN ACT to establish a department of public instruction, and to amend section ten hundred and sixty-five (1065) of the supplement to the code, 1907, and to repeal chapter one (1) of title thirteen (13) of the code, and to repeal chapter one (1) of title thirteen (13) of the supplement to the code, 1907, as amended, relative to the office of superintendent of public instruction, and to enact a substitute therefor.

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

**SECTION 1. Superintendent of public instruction—appointment—term of office—vacancies.** The governor shall, during the session of the thirty-sixth general assembly and every four years thereafter, nominate and with the consent of two-thirds of the members of the senate in executive session, appoint a superintendent of public instruction, whose term of office shall commence on the first secular day of July next following his appointment, and shall continue for the period of four years, and until his success is appointed and qualified; and the term of office of the superintendent of public instruction in office at the taking effect of this act is hereby extended until the appointment and qualification of such officer under this act. Vacancies at any time occurring in said office shall be filled by appointment by the governor, but no person so appointed shall hold office beyond the end of the session of the legislature next ensuing, unless approved by the senate as above provided.

**SEC. 2. Qualifications—oath.** The superintendent of public instruction shall, at the time of his appointment, be a graduate of an accredited university or college, or of a four-year course above high school grade in an accredited normal school, and shall have had at least five years' experience as a teacher or school superintendent. He shall, before entering upon his duties, take and subscribe the constitutional oath of office, which shall be filed in the office of the secretary of state.

**SEC. 3. General supervision.** The superintendent of public instruction shall have general supervision and control over the rural, graded and high schools of the state, and over such other state and public schools as are not under the control of the state board of education, or board of control of state institutions, and his office shall be known as the department of public instruction. It shall be his duty:

1. **Inspection.** To ascertain, so far as practicable, by inspection or otherwise, the conditions, needs and progress of the schools belonging to his department.

2. **Recommendations.** To suggest, through public addresses, pamphlets, bulletins, and by meetings and conferences with school officers, teachers, parents, and the public generally, such changes and improvements as he may think desirable, and may publish and distribute such views and information as he may deem important.

3. **Vocational training.** To endeavor to promote among the people of the state a proper interest in the general subject of education, including industrial and commercial education, agriculture, manual and vocational training, domestic science and continuation work.

4. **Classification.** To classify and define the various schools belonging to his department, and to formulate suitable courses of study therefor, and to publish and distribute such classifications and courses of study.

5. **Blanks.** To prescribe the reports, both regular and special, which shall be made by public school officers, superintendents and teachers, and other persons or officers having the custody or control of public school funds or property, and to prepare suitable forms therefor, and to furnish blanks for such reports as are to be made to him.

6. **Days for special observance.** To publish and distribute from time to time leaflets and circulars relative to such days and occasions as he may deem worthy of special observance in the public schools.

7. **Opinions.** To examine and determine all appeals made to him according to law and the rules relating thereto, and to prescribe rules of practice therefor not inconsistent with law. He shall also render written opinions upon questions submitted by school officers pertaining to their duties.

8. **Reports.** He shall, on the first day of January of each year, report to the auditor of state the number of persons of school age in each county.

He shall report biennially to the governor the conditions of the schools under his supervision, including the number and kind of school districts, the number of schools of each kind, the number and value of school houses, the enrollment and attendance in each county for the previous year, any plans matured or measures proposed for the improvement of the public schools, and such financial and statistical information as may be of public importance; he may also include such general information relating to educational affairs and conditions within the state or elsewhere, as he may deem necessary.

9. **Plans and specifications.** He shall, when deemed necessary, cause to be prepared and published a pamphlet containing suitable plans and specifications for public school buildings, including the most approved means and methods of heating, lighting and ventilating the same, together with information and suggestions for the proper and economical construction thereof. It is hereby made the duty of the state architect to render such assistance and to perform such services in preparing such plans and specifications as may be requested by the superintendent of public instruction.

10. **Institutes.** He shall appoint county educational meetings or institutes to be held in each county once each year and not more than twice, and shall designate the time and place for holding them. The program therefor, and the instructors and lecturers therein, shall be subject to his approval.

11. **Examinations.** He shall prepare and supply questions for the examination of applicants for teachers' certificates and for the examination of pupils completing the eighth grade in the rural schools.

**SEC. 4. Office—records—assistants—supplies.** The superintendent of public instruction shall have an office in the capitol. He shall file and preserve all reports, documents and correspondence that may be of permanent value, which shall be open to inspection under reasonable conditions, by any citizen of the state. He shall keep a record of the business transacted by him, and shall turn over to his successor all records, papers, reports, documents, books and other state property pertaining to his office. He shall be furnished by the executive council with sufficient office room and clerical and stenographic help, and with all necessary books, blanks, stationery, printing, postage and office supplies, and with the reports of the supreme court of the state.

**SEC. 5. Publication of school laws.** He shall every four years, if deemed necessary, cause to be printed in book form all school laws then in force, with

such forms, rulings and decisions, and such notes and suggestions as may aid school officers in the proper discharge of their duties; a sufficient number of copies shall be sent to the county superintendent of each county to supply the school officers, directors, and superintendents therein. He may cause to be printed in pamphlet form after each session of the general assembly, any amendments or changes in the school laws with necessary notes and suggestions, which shall be distributed as above provided.

**SEC. 6. Reports from officers—penalty.** He may require from time to time reports under oath from all officers and persons who have any authority over, or who have any duties in connection with, public school affairs, or who have, or who have lately had, the custody or control of any public school funds or property. He shall furnish the proper blanks for such reports, and any such officer or person who unreasonably neglects or refuses to make a report required by the superintendent of public instruction shall be deemed guilty of a misdemeanor.

**SEC. 7. Deputy—chief clerk.** He may appoint a deputy whose appointment must be approved by the governor of the state. The qualifications of the deputy shall be the same as required by section two (2) of this act. The deputy shall qualify in like manner as his principal and who, in the absence or inability of the superintendent, shall perform the duties of the office. He shall also appoint a chief clerk and such regular inspectors of the public schools of the state, including rural, graded and high schools, as he may deem necessary, not exceeding three.

**SEC. 8. Compensation.** From and after the taking effect of this act the salary of the superintendent of public instruction shall be four thousand (\$4,000.00) dollars per annum; the salary of his deputy shall be twenty-five hundred (\$2,500.00) dollars per annum; the salary of the regular inspectors in the department of public instruction shall be two thousand (\$2,000.00) dollars per annum each; the salary of the chief clerk shall be fifteen hundred (\$1,500.00) dollars per annum. All such salaries to be paid monthly upon the warrant of the state auditor. The superintendent of public instruction and his deputy and the regular inspectors in his department shall also receive their actual necessary traveling expenses incurred in the performance of their official duties, to be allowed upon an itemized and verified account filed with and approved by the executive council and the state auditor who shall draw his warrant on the state treasurer for the amount allowed.

**SEC. 9. Amended—appointive, not elective.** The law as it appears in section 1065 of the supplement to the code, 1907, is hereby amended by striking out of said section the comma following the words "and attorney general" in the second line of said section and also striking out the words "and superintendent of public instruction" in the second and third lines of said section. And chapter one of title thirteen of the supplement to the code, 1907, as amended, relating to the office of public instruction are hereby repealed and all other acts and parts of acts inconsistent with the provisions of this act are hereby repealed in so far as they may be inconsistent herewith.

Approved April 11 A. D. 1913.

## CHAPTER 104.

## NON-PARTISAN NOMINATION AND ELECTION OF JUDGES.

H. F. 5.

AN ACT providing for the non-partisan nomination and election of judges of the supreme, district and superior courts of Iowa. [Additional to chapters one (1) and three (3) of title six (VI) of the code, relating to election and officers.]

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

**SECTION 1. Nomination—election.** That from and after the passage of this act, all candidates for the office of judge of the supreme, district and superior court, in the state of Iowa, shall be nominated at the regular primary election, and elected at the general election in November, in the manner hereinafter provided.

**SEC. 2. Candidate—petition.** Any person desiring to become a candidate for the office of supreme or district judge at the regular primary election shall, not less than forty (40) days prior to the date of such primary election, file in the office of the secretary of state, a petition favoring his nomination signed by qualified electors as follows: If the person on whose behalf said petition is filed is a candidate for nomination for judge of the supreme court, said petition shall be signed by not less than five thousand (5,000) qualified electors of the state of which at least thirty (30) shall reside in each county of the state, and the name of such candidate shall not appear upon the primary ballot in any county where the petition of the required thirty (30) qualified electors has not been filed. If the person on whose behalf said petition is filed is a candidate for nomination for judge of the district court, said petition shall be signed by not less than five hundred (500) qualified electors of the judicial district for which he is a candidate, and at least fifty (50) of such qualified electors shall reside in each county of such district, and the name of any such candidate shall not be printed upon the primary ballot in any county of such district where the petition signed by the required fifty (50) qualified electors has not been filed. Any person desiring to become a candidate for the office of judge of the superior court at the regular primary election shall, not less than forty (40) days before such primary election, file in the office of the county auditor in the county in which said court is located a petition favoring his nomination signed by not less than two hundred fifty (250) qualified electors of the municipality in which said superior court is located.

**SEC. 3. Non-partisan judiciary ticket—primary.** At all primary elections at which candidates for judges are to be nominated, there shall be provided on each ballot for each political party, a ticket entitled "Non-partisan judiciary ticket", and the names of such candidates as shall have complied with the requirements of this act shall be placed thereon in the same order as the names of the party candidates, but without any party designation; and the ticket shall be the same on all ballots, except as varied to change the alphabetical rotation. The number of judges each elector is entitled to vote for shall be stated on the ballot. Each elector shall be allowed to vote at each primary for twice as many candidates to be nominated as there are number of places to be filled at the election. In case of a tie vote which leaves it unsettled as to which candidates are nominated, the secretary of state shall determine it by lot, except as to superior judge in which case the county auditor instead of the secretary of state shall determine who is nominated in the same manner by lot.

**SEC. 4. Non-partisan judicial ticket—election.** At the general election in November there shall be placed on the ballots a separate ticket entitled non-partisan judicial ticket, upon which shall be placed the names of the candidates nominated for judges of the supreme court, district, or superior courts in the state, and in the several districts and cities who have been nominated as herein provided. The names of all candidates shall be placed on said ticket and in the same order as far as possible as other candidates and with the same provisions with reference to alphabetical rotation and the number of candidates for each office to which the elector is entitled to vote. The candidate or candidates on such judicial ticket receiving the highest number of votes shall be considered elected.

**SEC. 5. Withdrawals—vacancies.** The method of withdrawal, filling vacancies, conducting such primary and general elections, of preparation of the ballot, of canvassing the vote, of announcing the result, of recounting the ballot, of publishing notice of nomination and election, and the penalty for the illegal voting, misconduct of the election officials, and the making of the sworn return of nomination and election expenses, shall, so far as applicable, be the same as now provided for the regular primary and general election laws of Iowa.

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

Approved April 11 A. D. 1913.

## CHAPTER 105.

### ELECTION OF UNITED STATES SENATORS BY THE VOTE OF THE PEOPLE.

Sub. for S. F. 417.

AN ACT providing for the election of United States senators by the vote of the people. [Additional to chapter one (1) of title six (VI) relating to elections and officers.]

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

**SECTION 1. Primary and general election—same as state officers.** The names of the candidates of the different parties for United States senator shall, at the primary election and the general election in the year preceding the expiration of the term of office of United States senator, or in case of a vacancy in said office, be placed on the official ballot in the proper place, and there shall be nominated and elected a United States senator or senators, as the case may be, in the manner now provided by law for the nomination and election of state officers, and all provisions of the law pertaining to the nomination and election of state officers, congressmen and presidential electors shall apply to the nomination and election of United States senators in so far as the same may be applicable, the same as though the words "United States senator" were specifically written therein.

Approved April 14 A. D. 1913.



## CHAPTER 106.

## CLERK AND REPORTER OF THE SUPREME COURT.

H. F. 23.

AN ACT to provide for the appointment of clerk of the supreme court, and reporter of the supreme court, to fix the term of office of such officials, and to repeal section one thousand sixty-seven (1067) of the code.

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

**SECTION 1. Repeal.** That section one thousand sixty-seven (1067) of the code be and the same is hereby repealed.

**SEC. 2. Appointment—term of office—vacancies.** The present incumbents of the offices of clerk of the supreme court and reporter of the supreme court shall hold office until the expiration of the time for which they were respectively elected, and until their successors have been appointed and have qualified. Within ninety days prior to the expiration of the term of office of the present clerk of the supreme court and of the present reporter of the supreme court, and every four years thereafter, the members of the supreme court shall appoint a clerk of the supreme court and a reporter of the supreme court who shall hold office for a period of four years and until their successors have been appointed and have qualified. Vacancies shall be filled in the same manner for the unexpired portion of the term.

**SEC. 3. Not applicable.** Chapter fourteen-b (14-b) of title five (V) of the supplement to the code, 1907, shall not apply to any appointment under this act.

Approved April 17 A. D. 1913.

## CHAPTER 107.

## COUNTY SUPERINTENDENT OF SCHOOLS.

H. F. 348.

AN ACT to amend the law as it appears in sections ten hundred seventy-two (1072), twenty-seven hundred forty-two (2742), and twelve hundred seventy-two (1272), supplement to the code, 1907, relating to the office of county superintendent of schools; to repeal section twenty-seven hundred thirty-four-b (2734-b), supplement to the code, 1907, relating to the office of county superintendent of schools and to provide for the election, qualification, duties and compensation of a county superintendent of schools.

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

**SECTION 1. Convention—delegates—expenses—election.** That the law as it appears in section ten hundred seventy-two (1072), supplement to the code, 1907, be and the same is hereby amended by striking out of the sixth (6) and seventh (7) lines thereof the words "a county superintendent of schools", and by adding thereto the following: "On the first Tuesday in April in the year 1915, and each third (3) year thereafter, and whenever a vacancy occurs in the office of county superintendent of schools, a convention shall be

held at the county seat for the purpose of electing a county superintendent of schools, at which convention each school township, city, town or village independent district and each independent consolidated district in the county shall be entitled to one vote. Each such school corporation shall be represented at the convention by the president of the school board, or in his absence or inability to act, by some member of such school board, to be selected by the board. It is further provided, however, that where a congressional township is composed in whole or in part of rural independent districts that such rural independent districts shall be entitled to one vote in the convention, which vote shall be cast by such person as may be selected by the presidents of the component rural independent districts within such township at a meeting to be held at such time and place as the county auditor shall fix in the written notice herein-after provided for. All representatives to such convention shall serve until a county superintendent is elected and qualified. Such conventions shall be called by the county auditor by mailing a written notice to the president and secretary of each school corporation at least ten (10) days prior to the date of such convention and by the publication of such notice in the official newspapers published in the county. The county auditor shall be the secretary of such convention and shall call same to order and submit a list of the school corporations entitled to participate in such conventions. Said convention shall organize by the selection of a chairman and when so organized, shall elect a county superintendent of schools, who shall possess the qualifications required by law and shall hold the office for the term of three years and until his successor is elected and qualified. Such convention, may by a majority vote, select a committee consisting of five members whose duty shall be to investigate the various candidates for the office of county superintendent and report to said convention at a subsequent day to which the convention may adjourn; or by a three-fourths vote of such convention, said committee may be authorized to elect a county superintendent and file its election with the county auditor, and said person shall be deemed duly elected to such office. A majority of representatives herein provided shall constitute a quorum, such representatives to receive ten (10c) cents per mile one way for the distance necessarily traveled in attending such convention, to be paid from the county treasury."

**SEC. 2. Compensation.** That the law as it appears in section twenty-seven hundred forty-two (2742), supplement to the code, 1907, be and the same is hereby amended by adding thereto the following: "provided, however, that from and after the first day of September, nineteen hundred fifteen (1915) county superintendents shall receive the following salary, payable monthly, and the representatives of the school corporations in session may allow them such further sum by way of compensation as may be just and proper:

He shall receive a salary of fifteen hundred dollars a year, the expenses of necessary office stationery and postage, and those incurred in attendance upon meetings called by the superintendent of public instruction; claims therefor to be made by verified statements filed with the county auditor, who shall draw his warrant upon the county treasurer therefor; and the board of supervisors may allow him such further sum by way of compensation as may be just and proper.

**SEC. 3. Repeal—county superintendent—qualifications—duties—deputy.** That the law as it appears in section twenty-seven hundred thirty-four-b (2734-b), supplement to the code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

“Section 2734-b. The county superintendent, who may be of either sex, shall be the holder of a regular five year state certificate or a life diploma, and shall have had at least five (5) years' experience in teaching or superintending, but this provision as to certification and experience shall not apply until September first, 1918, provided that any county superintendent of schools now serving shall be deemed eligible to re-appointment under this act. The county superintendent shall, under the direction of the superintendent of public instruction, serve as the organ of communication between the department of public instruction and the various officers and instructors in his county, and shall transmit or deliver to them all books, pamphlets, circulars or communications designed for them. He shall visit the different schools in his county at least once during the school year and also when requested by a majority of the directors of any school corporation. He shall also, at the request of the superintendent of public instruction, visit and report upon such schools as may be designated. He may appoint a deputy, for whose acts he shall be responsible, and who may act in his stead except in visiting schools and trying appeals, the salary of such deputy to be fixed by the representatives in convention assembled. He shall, on the first Monday of each month, file with the county auditor an itemized and verified statement of his actual and necessary expenses incurred during the previous month in the performance of his official duties within his county, and such expenses shall be paid by the county board of supervisors out of the county fund, but the total amount so paid for any one year for such purposes shall not exceed the sum of two hundred fifty (\$250.00) dollars”.

**SEC. 4. Term of office—vacancy.** The term of office of the county superintendent of schools shall be for three years and until his successor is elected and qualified and such term shall begin on the first secular day of September after his election; and the term of county superintendents now in office are hereby extended until the first day of September, 1915, and until their successors are elected and qualified. Should a vacancy in such office occur, by death, removal, resignation, or otherwise, the county auditor shall at once call a special meeting for the purpose of filling such vacancy.

**SEC. 5. Acts in conflict repealed.** All acts or parts of acts in conflict herewith, are, so far as in conflict, hereby repealed.

Approved April 18 A. D. 1913.

## CHAPTER 108.

### REGISTRATION OF VOTERS.

S. F. 130.

AN ACT to amend section ten hundred seventy-six (1076) supplement to the code 1907, relating to registration of voters.

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

**SECTION 1. Registration.** That section ten hundred seventy-six (1076) supplement to the code 1907, be and the same is hereby amended by adding thereto after the word “state” at the end of the last line in said section, the following:

If any voting precinct or one or more adjoining, contains a village having a population of thirty-five hundred (3500) or more, the board of supervisors of the county shall appoint two registrars for each of such voting precincts for the purpose of registering the voters thereof for general election.

SEC. 2. **Registrars.** One registrar for each political party shall be appointed from names presented by the chairman of the county central committee of the two political parties in each of said precincts casting the greatest number of votes therein at the last general election. In all other respects relating to registration of voters in such precincts, the law applicable to voters at the general election in cities shall be applicable to such voting precincts, and registrars and voters of such voting precincts shall be governed thereby except that the expense thereof shall be paid by the county.

Approved April 17 A. D. 1913.

CHAPTER 109.

NOMINATION AND CANVASS OF VOTE FOR UNITED STATES SENATOR.

H. F. 1.

AN ACT to amend the law as it appears in sections ten hundred eighty-seven-a-ten (1087-a10), ten hundred eighty-seven-a-twenty-two (1087-a22), and ten hundred eighty-seven-a-twenty-seven (1087-a27), of the supplement to the code, 1907, as amended by chapter sixty-nine (69) of the acts of the thirty-third (33d) general assembly, section eleven hundred six (1106) of the supplement to the code, 1907, and sections eleven hundred fifty (1150), eleven hundred fifty-one (1151), eleven hundred fifty-seven (1157), and eleven hundred sixty-two (1162), of the code, and repealing chapter one (1) of the acts of the special session of the thirty-second (32d) general assembly, and enacting a substitute therefor, all relating to the nomination of candidates for the office of senator in the congress of the United States and of the canvass of the vote for senator in the congress of the United States, and providing for nominations for such office in case of vacancy.

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

SECTION 1. **Nomination papers—candidate—affidavit.** That section ten hundred eighty-seven-a-ten (1087-a10) of the supplement to the code, 1907, as amended by section four (4) of chapter sixty-nine (69) of the acts of the thirty-third (33d) general assembly, be and the same is hereby amended by adding thereto the following: In case an elector seeks the nomination for office of senator or representative in the general assembly he shall be furnished, on application to the secretary of state, an affidavit blank in the form as required herein, save that there shall be printed in blank form and on the same sheet of paper, by way of addition thereto, the following statements, either of which he may sign, but if he does not do so, the secretary of state shall not on that account refuse to file his nomination paper:

STATEMENT NO. 1.

I further state to the people of Iowa and of my legislative district, that, during my term of office I will always vote for the candidate for senator in congress from this state who has received the highest number of the people's votes for that position in the entire state at the general election next preceding the election of a senator in congress of the United States without regard to my individual preference.

.....  
Signature of Candidate.

## STATEMENT NO. 2.

I hereby declare that if elected to the office which I seek, I shall consider the vote of the people for senator in the congress of the United States nothing more than a recommendation, and shall feel free to wholly disregard the same.

.....  
Signature of Candidate.

Upon the primary ballot, below the name of such candidate, shall be printed one of the following statements, according to which of the preceding statements, if either, is signed by such candidate:

1. "Promises to abide by vote of the people on United States senator."
2. "Refuses to be bound by vote of people on United States senator."
3. "Refuses to make any statement on United States Senator."

**SEC. 2. Canvass by state board—certificates.** That section ten hundred eighty-seven-a-twenty-two (1087-a22) of the supplement to the code, 1907, as amended by section twelve (12) of chapter sixty-nine (69) of the acts of the thirty-third (33d) general assembly be and the same is hereby amended by inserting after the comma, following the word "people" in the thirteenth (13th) line thereof, and before the word "having" in the fourteenth (14th) line thereof, the following: "including the office of senator in the congress of the United States."

**SEC. 3. State convention—state central committee.** That section ten hundred eighty-seven-a-twenty-seven (1087-a27) of the supplement to the code, 1907, as amended by section sixteen of chapter sixty-nine (69) of the acts of the thirty-third (33d) general assembly be and the same is hereby amended by inserting after the word "state" in the fifteenth (15th) line thereof, and before the word "when" in the fifteenth (15th) line thereof, the following: "including the office of senator in the congress of the United States."

**SEC. 4. Ballot—form.** That section eleven hundred six (1106) of the supplement to the code, 1907, be and the same is hereby amended by inserting therein after the word "designation" in the ninth (9th) line thereof the following: "provided further, however, that at all general elections next preceding the election of a senator in the congress of the United States there shall be placed upon the official ballot the names of all candidates for the office of senator in the congress that have been nominated by any of the methods now, or which may hereafter be provided by law, for the nomination of state officers, the votes for which candidates shall be counted and certified to by the election judges in the same manner as the votes for other candidates."

**SEC. 5. Abstracts.** That section eleven hundred fifty (1150) of the code be and the same is hereby amended by adding thereto the following: "Senators in the congress of the United States."

**SEC. 6. United States senators.** That section eleven hundred fifty-one (1151) of the code be and the same is hereby amended by inserting between the words "for" and "congressman" in the first line thereof, the following: "senators in the congress of the United States."

**SEC. 7. Abstracts forwarded to secretary of state.** That section eleven hundred fifty-seven (1157) of the code be and the same is hereby amended by inserting between the words "electors" and "representatives," in the sixth line thereof, the following: "senators and."

**SEC. 8. Canvass by state board.** That section eleven hundred sixty-two (1162) of the code be and the same is hereby amended by adding thereto the following: "The said board shall at the same time and in the same manner open the abstracts of the vote for senator in the congress of the United States, transmitted to the secretary of state, and canvass the vote therein returned. They shall make an abstract of said returns in duplicate and duly certify the same and deliver the same to the secretary of state, properly sealed, who shall retain the same in his office until the convening of the next general assembly, when he shall transmit one of said certified abstracts to the president of the senate and one to the speaker of the house of representatives, who shall open the same respectively and lay them before the respective houses when the same bodies shall be in session for the election of a senator in the congress of the United States."

**SEC. 9. Repealed—withdrawal—vacancy—how filled.** Chapter one (1) of the acts of the special session of the thirty-second general assembly is hereby repealed, and the following enacted as a substitute therefor:

"In case of death, withdrawal, or inability to act, for any cause, of a party's candidate for senator in the congress of the United States, as expressed in the regular June primary, such vacancy shall be filled by the state convention of said party, held in accordance with the provisions of section ten hundred eighty-seven-a-twenty-seven (1087-a27) of the supplement to the code, 1907, provided that if such vacancy occurs after the holding of said convention and thirty (30) days prior to the holding of the regular November election, said delegates to said convention shall be reconvened within ten days after such vacancy has occurred, by the chairman of said party's state central committee, and a party candidate shall be named in said convention to fill such vacancy. If such vacancy occur too late to be filled in the manner above provided prior to the regular November election, the vote and pledge here provided for shall not be binding upon the members of the general assembly."

Approved March 18th, 1913.

## CHAPTER 110.

### NOMINATION PAPERS IN PRIMARY ELECTIONS.

H. F. 55.

AN ACT to amend section one thousand eighty-seven a-10 (1087 a-10) of the supplement to the code, 1907, as amended by chapter sixty-nine (69) acts of the thirty-third (33rd) general assembly, and chapters fifty-eight (58) and fifty-nine (59) acts of the thirty-fourth (34th) general assembly, relating to nomination papers.

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

**SECTION 1. Nomination papers in certain cases.** That section one thousand eighty-seven a-10 (1087 a-10) of the supplement to the code, 1907, as amended by chapter sixty-nine (69) acts of the thirty-third (33rd) general assembly, and chapters fifty-eight (58) and fifty-nine (59) acts of the thirty-fourth (34th) general assembly, be and the same is hereby amended by adding after the comma following the word "alone" and before the word "with" in the fifty-fourth line the words, "or there shall be filed a nomination paper signed by ten qualified voters of any sub-division of a county", and by inserting after the word "affidavit" in the fifty-fifth line the words, "or such nomination paper".

Approved April 3 A. D. 1913.

## CHAPTER 111.

ELECTION OF NATIONAL DELEGATES AND ALTERNATES AND PREFERENTIAL  
VOTE FOR PRESIDENT AND VICE PRESIDENT.

S. F. 233.

AN ACT to provide for the election of delegates and alternate delegates to national conventions of political parties, for the election of party national committeemen, and delegates to county conventions, and for a preferential vote on president and vice-president of the United States (additional to chapter two-a, title six, supplement to the code, 1907) relating to primary elections, and for submitting to the voters of the several parties the question: "Shall the vote of the state at large or the vote of the congressional district control?"

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

**SECTION 1. Election of delegates—national committeeman.** That from and after the passage of this act in the years in which a president and vice-president of the United States are to be elected, there shall be held a primary election for the election of delegates and alternate delegates to the national conventions of all political parties at which candidates for president and vice-president are to be nominated, for the election of a party national committeeman for each party, and for the election of delegates to county conventions, which shall choose delegates to the state convention.

**SEC. 2. Number of delegates and alternates.** The number of delegates to national conventions to be elected under the provisions of this act for each party shall be the number of delegates for each congressional district, and the number of delegates at large to which each party is entitled as set forth in the call for the national convention by the national committee for each party and certified to the secretary of state by the state chairman of each of the different parties. There shall also be elected one alternate delegate for each district delegate and one alternate for each delegate at large.

**SEC. 3. Primary election.** 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 second Monday in April in the year 1916, and quadrennially thereafter for the election of officers provided in section one of this act, and for the purpose of ascertaining the sentiment of the voters of the state in the respective parties as to candidates for president and vice-president of the United States.

**SEC. 4. Candidate—nomination papers—affidavit.** No candidate for district delegate or alternate or delegates at large or alternate at large to the national convention of any political party, and no candidate for national committeeman shall have his name printed upon the official ballot of his party to be used at the primary election herein provided, unless at least thirty days prior to the day fixed for holding such primary election, a nomination paper shall have been filed in his behalf in the office of the secretary of state in the form and manner provided in section ten hundred eighty-seven-a-ten (1087-a-10), supplement to the code, 1907, and the number of signers of such nomination paper for district delegates and alternate delegates shall be equal to one half the number as is in said section provided for representatives in congress, and the number of signers of such nomination paper for delegates at large and alternate delegates at large and for the office of party national committeeman shall be equal to one half the number as in said section provided for senators in the congress of the United States, and each candidate shall take the oath as provided in said section.

Candidates for delegates to the county conventions shall be elected in the same manner as provided in section ten hundred eighty-seven-a twenty-five (1087-a-25), supplement to the code, 1907, as amended by chapter sixty-nine (69) of the acts of the thirty third general assembly.

No candidate for nomination to the office of president or vice-president of the United States shall have his name printed upon the official ballot of his party as herein provided for, unless at least thirty days prior to the day fixed for holding the primary election herein provided for, he shall cause to be filed in the office of the secretary of state his affidavit that he is eligible to the office for which he is a candidate, and that he is a bona fide candidate for such office, and that he will, in good faith, submit his candidacy to the national convention of his political party. Such affidavit shall be in form and substance as follows:

I, .....being duly sworn, say that I reside in the city of ..... county of ..... and state of.....; 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 bona fide candidate for the office of..... and that I shall in good faith submit my candidacy to the national convention of my political party in the year.....and I 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 in my presence and sworn to (or affirmed) before me by..... this.....day of.....19....

Title of officer.

SEC. 5. Ballot form. The official primary election ballot herein provided for 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 April, 19.....

For president of the United States.

- John B. Sullivan
 Henry Smith
 .....

For vice president of the United States.

- Thomas H. Stevens
 Christopher Swanson
 .....



For party national committeeman.

Theodore Thompson

.....

For delegates at large to national convention.

.....

.....

.....

.....

For district delegates to national convention.

.....

.....

.....

For alternate delegates at large to national convention.

.....

.....

.....

.....

For alternate district delegates to national convention.

.....

.....

.....

For delegates to county convention.

.....

.....

.....

Shall the district delegates to the national convention be instructed by the vote of the state at large?

Yes

No

Shall the district delegates to the national convention be instructed by the vote of the congressional district?

Yes

No

SEC. 6. **Nominations certified to county auditor—notice published.** At least twenty days before the holding of the primary election herein provided for, the secretary of state shall transmit to each county auditor a certified list containing the name and postoffice address of each person for whom a nomination paper has been filed in his office, as provided in section one hereof, 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 an election. Such auditor shall forthwith, upon receipt thereof, publish under the proper party designation the title of each office to be filled, the names and proper designation of all for whom nominations have been filed in the office of the secretary of state, giving the name and address of each, and the number of delegates from each precinct of the county to which each party is entitled, 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 said auditor to publish said notice once each week for two consecutive weeks prior to the said election; each publication 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 cannot be made as herein 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. 7. **Printing.** The names of the candidates of each political party for election to the several offices provided in section one hereof and blank space for delegates to county conventions 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 ballot; each ballot shall be prepared by the county auditor in the same manner as for a general election except as provided in section ten hundred eighty-seven-a-thirteen (1087-a-13), chapter sixty-nine (69) acts of the thirty-third general assembly.

SEC. 8. **Ballots counted—returns.** On the first Monday following the holding of the primary election herein provided for the board of supervisors of each county shall meet, open and canvass the returns in the manner provided in section ten hundred eighty-seven-a-seventeen (1087-a-17), supplement to the code, 1907, as amended, and shall certify the result of said canvass to the county auditor, who shall certify to the county chairman of the respective parties a list of the delegates elected to the county convention; the county auditor shall certify to the secretary of state the result as to all other offices in the form and manner as provided in section ten hundred eighty-seven-a-nineteen (1087-a-19) and ten hundred eighty-seven-a-twenty- (1087-a-20), supplement to the code, 1907, for representation in congress and for the office of senator in congress of the United States.

SEC. 9. **Canvass by state board—certificates.** On the second Monday following the primary election herein provided for, 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 one hereof, the names of all the persons voted for and the number of votes received for each person for each office, the number of votes cast in favor of instructing delegates by the vote of the state at large, the number of votes cast in favor of instructing the delegates by congressional districts, and shall sign and certify thereto. Such canvass and certificates shall be final as to all candidates named herein, and the candidate of each political party for each office to be filled under the provisions of this act having received the highest number of votes in the state or district, as the case may be, shall be held to be duly and legally elected to such office, and shall be entitled to represent his political party as delegate at large or as a district delegate to the national convention, or as party national committeeman, as the case may be, and the alternate delegates herein provided to be elected shall be entitled to represent the state or district of the state, as the case may be, in case the delegate elected fails or refuses to qualify or act.

SEC. 10. **State returns filed—certificate of election.** When the canvass is concluded the board shall deliver the original abstract returns with their certificate, to the secretary of state, who shall file the same in his office and record the abstracts of the canvass by the state board and certificates attached thereto in the book kept by him, known as the "election book"; and shall forthwith issue a certificate of election to each candidate whom the certificate of the executive council shows to have been elected in the state or district, as the case may be, including alternate delegates to the national convention of each political party, and shall forward said certificate by mail to such officer at the postoffice address as shown by the records of his office; and shall certify the vote of the state on president and vice-president to the state chairman of each political party, and each candidate for president and vice president whose names have appeared upon the official primary ballot used at said election, and shall prepare a list of the candidates elected by the several political parties, including alternate delegates in their rank as herein provided, and a certificate as to each office separately for which no candidate was elected, the result of the vote on question of instructing delegates, which result shall be determined by the vote of the entire state and shall forward to the chairman of the state central committee and to the party national committeeman for the state of Iowa, a copy of such list for the party which he represents.

SEC. 11. **Alternates.** The alternate delegates to the national convention, both at large and district delegates of each political party, shall not be entitled to represent such party unless the delegates or some one or more of them should fail or refuse to qualify or act as such delegate, and in such case the alternate delegate receiving the highest number of votes shall be entitled to act in place of the first duly elected delegate who fails to act under the provisions of this chapter for the state or district in which he was elected, and so on, to each alternate delegate.

SEC. 12. **Certain sections made applicable.** Except as herein otherwise provided, sections ten hundred eighty-seven-a-two (1087-a-2), ten hundred eighty-seven-a-three (1087-a-3), ten hundred eighty-seven-a-five (1087-a-5) as amended by chapter sixty-nine (69) acts of the thirty-third general assembly; ten hundred eighty-seven-a-six (1087-a-6) as amended by chapter sixty-nine (69) acts of the thirty-third general assembly; ten hundred eighty-seven-a-seven (1087-a-7), ten hundred eighty-seven-a-eight (1087-a-8); ten hundred eighty-seven-a-nine (1087-a-9), ten hundred eighty-seven-a-eleven (1087-a-11), ten hundred eighty-seven-a-fifteen (1087-a-15), as amended by chapter sixty-nine

(69) acts of the thirty third general assembly; ten hundred eighty-seven-a-sixteen (1087-a-16), ten hundred eighty-seven-a-seventeen (1087-a-17), ten hundred eighty-seven-a-eighteen (1087-a-18) as amended by chapter sixty-nine (69) acts of the thirty third general assembly, ten hundred eighty-seven-a-twenty-four (1087-a-24) as amended by chapter sixty-nine (69) acts of the thirty third general assembly, ten hundred eighty-seven-a-twenty-five (1087-a-25), ten hundred eighty-seven-a-twenty-six (1087-a-26), ten hundred eighty-seven-a-twentyseven (1087-a-27), ten hundred eighty-seven-a-thirty-one (1087-a-31): ten hundred eighty-seven-a-thirty-two (1087-a-32), ten hundred eighty-seven-a-thirty three (1087-a-33) of the supplement to the code, 1907, are hereby made applicable to and shall govern and control in the conduct of the election herein provided.

Approved April 16 A. D. 1913.

## CHAPTER 112.

### ELECTION BOARDS.

S. F. 488.

AN ACT to amend the law as it appears in section ten hundred ninety-three (1093) supplement to the code, 1907, relating to election boards.

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

SECTION 1. **Amended—election boards.** That the law as it appears in section ten hundred ninety-three (1093), supplement to the code, 1907, be and the same is hereby amended by striking from line thirteen (13) of said section the words "those two only whose term shall next expire", and by inserting in lieu thereof the words "the board of supervisors shall determine by lot which two of the three trustees".

Approved April 19 A. D. 1913.

## CHAPTER 113.

### BONDS REQUIRED OF COUNTY SUPERVISORS.

H. F. 58.

AN ACT to amend section eleven hundred eighty-two (1182) of the code, relating to the giving of bonds by public officers and requiring that bonds be given by county supervisors.

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

SECTION 1. **Amended—bond required.** That section eleven hundred eighty-two (1182) of the code, be and the same is hereby amended by striking out the words "county supervisors" in line six of said section.

SEC. 2. **Bond—amount—approved.** That all county supervisors in the state of Iowa shall be compelled to give bonds for the faithful performance of their duties in such sums as shall be approved by one of the district judges of their respective districts where the supervisor resides. The amount of such bond shall not be less than five thousand (\$5000.00) dollars, and shall be approved by and left in the custody of the clerk of the district court.

Approved April 19 A. D. 1913.

## CHAPTER 114.

## TAXATION OF MONEYS AND CREDITS, BANK STOCKS AND BANKING CAPITAL.

S. F. 446.

AN ACT to amend section four (4) of chapter sixty-three (63), acts of the thirty-fourth general assembly, relating to assessment of stocks of national, state and savings banks.

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

**SECTION 1. Refusal by banks to furnish assessor information required, punished.** That chapter sixty-three (63), acts of the thirty-fourth general assembly, be amended by adding to section four (4) thereof the following: "A refusal to furnish the assessor with the list of stockholders and the information required under this section shall be deemed a misdemeanor and any bank or officer thereof so refusing shall be punished by a fine not exceeding five hundred (500) dollars.

Approved April 19 A. D. 1913.

## CHAPTER 115.

## EXEMPTION FROM TAXATION OF PROPERTY OF HONORABLY DISCHARGED SOLDIERS AND SAILORS.

S. F. 357.

AN ACT to amend chapter sixty-two (62) of the acts of the 34th general assembly by striking out the last four (4) lines of section one (1) of said chapter and enacting a substitute therefor relating to the exemption from taxation of property of an honorably discharged union soldier or sailor of the Mexican war or of the war of the rebellion or of the widow of such soldier or sailor.

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

**SECTION 1. What property exempt.** That chapter sixty-two (62) of the acts of the 34th general assembly be and the same is hereby amended as follows: Strike out the last four (4) lines of section one of said chapter and substitute therefor the following:

All soldiers, sailors or widows thereof referred to herein shall receive a reduction of twelve hundred dollars (\$1200.00), the same to be made from the homestead of such soldier or widow, if he or she shall so own a homestead of the value of such exemption, otherwise out of such property as shall be designated and owned by the soldier, sailor or widow. Such designation to be made either to the assessor or by writing filed with the county auditor on or before July 1st, each year.

Approved April 17 A. D. 1913.

## CHAPTER 116.

## EXEMPTIONS OF CERTAIN CLASSES OF PROPERTY FROM TAXATION.

H. F. 451.

AN ACT to amend the law as it appears in section thirteen hundred and four (1304) of the supplement to the code, 1907, as amended by chapter 81 of the acts of the thirty-third general assembly and chapter 61 of the acts of the thirty fourth general assembly, relating to exemptions of different classes of property.

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

**SECTION 1. Property leased to state not exempt.** That section 1304 of the supplement to the code, 1907, as amended by chapter 81 of the acts of the thirty third general assembly and chapter 61 of the acts of the thirty fourth general assembly, be amended by striking out of line two in subdivision one (1) the comma after the word "lands" and the words "and all property leased to the state".

Approved April 19 A. D. 1913.

## CHAPTER 117.

## PROPERTY OF CEMETERY ASSOCIATIONS EXEMPT FROM TAXATION.

H. F. 515.

AN ACT to amend section thirteen hundred four (1304) of the supplement to the code, 1907, as amended by chapter sixty-one (61) of the acts of the thirty-fourth general assembly relating to the exemption of certain classes of property from taxation.

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

**SECTION 1. Amended—exemption.** That paragraph two (2) of section thirteen hundred four (1304) of the supplement to the code, 1907, as amended by chapter sixty-one (61) of the acts of the thirty-fourth general assembly, be and the same is hereby amended by adding after the comma following the word "profit" in the third (3rd) line of said paragraph two (2) the words "for cemetery associations and societies".

Approved April 19 A. D. 1913.

## CHAPTER 118.

## ISSUANCE AND PAYMENT OF BONDS BY CITIES AND TOWNS.

Sub. for S. F. 231.

AN ACT to amend the law as it appears in chapter eighty three (83) acts of the thirty third (33d) general assembly relating to the issuance of bonds in cities and towns.

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

**SECTION 1. Bonds—how issued and paid.** That the law as it appears in chapter eighty three (83) of the acts of the thirty third (33d) general assembly be and the same is hereby amended, by striking from said section, all of that part thereof following the word "majority" in the first line of said section down to and including the word "more", and inserting after the comma following the word "election" in the third (3d) line of said section, the words "provided said affirmative vote be as large as a majority of all the votes cast at the last preceding municipal election."

Approved March 29 A. D. 1913.

## CHAPTER 119.

## ASSESSMENT OF STOCK OF BUILDING AND LOAN ASSOCIATIONS.

S. F. 156.

AN ACT repealing section one thousand three hundred twenty-six (1326) of the code and enacting a substitute in lieu thereof relating to the assessment of stock of building and loan associations.

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

**SECTION 1. Repeal—stock—how assessed—verified statement—assessor.** Section one thousand three hundred twenty-six (1326) of the code is hereby repealed and the following enacted in lieu thereof: "The shares of stock of mutual building and loan, or savings and loan associations, exclusively engaged in such business, shall be assessed and taxed to the individual holders thereof at their place of residence. When such association owns real estate, or maintains a reserve, expense or other fund, or its equivalent, the real estate and the total amount of such fund or funds shall be subject to taxation at the principal place of business of the association and shall be assessed against the association as real estate or other personal property, the tax of same to be paid by the association. Every domestic and domestic local building and loan, or savings and loan association, on or before the 31st day of January of each year, shall furnish to the assessor of the assessment district in which its principal place of business is located a verified statement, showing specifically, with reference to the year preceding the first day of January last past, the total amount of their reserve, expense or other fund, or its equivalent, and the description and value of each tract of real estate owned by such association. The auditor of state shall, on or before the 10th day of February of each year, send to the county auditor of each county a statement of the name and postoffice address of each stockholder of a foreign building and loan, or savings and loan association residing in their respective counties, together with the number of shares owned by each person on the first day of January preceding, and the actual value of each share of stock on said first day of January, which facts shall be reported to him by such associations under the law governing building and loan, or savings and loan associations. It shall be the duty of the county auditor to immediately furnish to each assessor in his county the name of each stockholder in any such foreign association residing in such assessor's district, together with the number of shares held by each person, and the actual value of each share on the first day of January preceding".

Approved April 4 A. D. 1913.

## CHAPTER 120.

COLLECTION OF A TAX UPON COLLATERAL ESTATES, ANNUITIES, LEGACIES,  
BEQUESTS, GIFTS, TRANSFERS AND INHERITANCES.

Sub. for S. F. 176.

AN ACT to amend section one (1) of chapter sixty-eight (68) of the acts of the thirty-fourth general assembly relating to the assessment and collection of a tax upon collateral estates, annuities, legacies, bequests, gifts, transfers and inheritances.

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

**SECTION 1. Property subject to tax—rate.** That section one (1), chapter sixty-eight (68), of the acts of the thirty-fourth general assembly be amended by adding thereto the following: "Real estate sold under order of court shall be released from the lien imposed by this act and the lien shall attach to the proceeds of such sale, provided, that prior to the approval of such sale there shall have been given by the person making such sale a good and sufficient bond conditioned to secure the payment of all tax secured by the lien so released. This provision shall not be construed to relieve from personal liability any person owing such tax or whose duty it is to collect and pay such tax to the treasurer of state."

Approved April 2 A. D. 1913.

## CHAPTER 121.

## COLLATERAL INHERITANCE TAX.

H. F. 633.

AN ACT to amend section twenty-four (24) chapter sixty-eight (68) of the acts of the thirty-fourth general assembly, relating to the payment of collateral inheritance tax.

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

**SECTION 1. Delinquent taxes to draw interest—duplicate receipt.** That section twenty-four (24), chapter sixty-eight (68) of the acts of the thirty-fourth general assembly be, and the same is hereby amended by striking out the period after the word "paid" in the last line thereof and inserting a comma, and adding the following: "and upon payment of such tax the treasurer of state shall forthwith transmit a duplicate receipt, to the clerk of the court of the county in which the estate is being settled, showing the payment of such tax.

Approved April 16 A. D. 1913.



## CHAPTER 122.

## STATE HIGHWAY COMMISSION.

S. F. 439.

AN ACT to create a state highway commission and to provide for the appointment, term of office, compensation, powers and duties of such commission, to provide for the removal of the members of said commission, to create a system of county and township road, bridge and culvert construction and maintenance, and to prescribe the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township, and other officers and employees with reference thereto, to fix the rights of parties contracting with reference to such work, to repeal section two thousand six hundred seventy-four-f (2674-f) of the supplement to the code, 1907, relating to highway commission and to amend section three (3) of chapter twenty-four (24) of the acts of the thirty-fourth general assembly, relating to the county road building fund, and to repeal all acts and parts of acts in conflict with this act. [Additional to chapter two (2) of title eight (VIII) of the code relating to working roads.]

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

**SECTION 1. Location—organization—removal—vacancy—attorney general.** The office of the state highway commission is hereby located at the state college of agriculture and mechanic arts. Said commission shall be composed of three members, one of which shall be the dean of engineering of said college, and the other two (2) members of the commission shall be appointed by the governor immediately upon taking effect of this act, from different political parties for the period of two (2) and four (4) years, from July 1, 1913, and terms of office shall thereafter be four (4) years. Such commission when appointed shall fill the interim between the taking effect of this act and July 1, 1913. Each commissioner shall be subject to removal from office as provided by chapter seventy-seven (77), laws of the thirty-third general assembly. If for any reason, a vacancy occurs in the membership appointed by the governor, he shall fill such vacancy for the remainder of the unexpired term, from the same political party from which the vacancy occurred. The attorney general shall act as attorney for the commission, and shall advise them upon all legal questions arising with reference to the duties of said commission.

**SEC. 2. Salary.** Each of the commissioners appointed by the governor shall receive for his services the sum of ten (\$10.00) dollars per day for each day actually employed in the work of the commission. The total compensation to such commissioner shall not exceed one thousand (\$1000.00) dollars per annum.

**SEC. 3. Duties.** The duties of said commission shall be:

1st. **General plans.** To devise and adopt plans of highway construction and maintenance suited to the needs of the different counties of the state, and furnish standard plans to the counties in accordance therewith.

2d. **Information.** To disseminate information and instruction to county supervisors and other highway officers, answer inquiries and advise such supervisors and officers on questions pertaining to highway improvements, construction and maintenance and of reasonable prices for materials and construction.

3d. **Records.** To keep a record of all important operations of the highway commission and to annually report the same to the governor by the first day of December, which report shall be printed as a public document.

4th. **Assistants.** To appoint such assistants as are necessary to carry on the work of the commission, define the duties and fix the compensation of each, and terminate at will the terms of employment of all employes; provide for necessary bonds, and fix the amount of same.

5th. **Investigations.** To make investigation as to conditions in any county, and to report any violation of duty, either of commission or omission, to the attorney general, who shall take such steps as are deemed advisable by him to correct the same.

6th. **General supervision.** The state highway commission shall have general supervision of the various county and township officers named in this act in the performance of the duties here enjoined, and shall have full power and authority to enforce the provisions of this act.

7th. **Other duties.** To perform all other duties required by law.

SEC. 4. **County engineer—bond—county road system.** The board of supervisors of each county, within thirty days from the taking effect of this act, or as soon thereafter as practicable, shall employ a competent engineer or engineers, whose tenure of office may be terminated by the highway commission, who shall perform the duties as hereinafter provided, and who shall be employed for such length of time and at such compensation as may be fixed by the board of supervisors, and to be paid out of the county fund. Said engineer, or engineers, shall give bonds for the faithful performance of their duties in a sum not less than one thousand (\$1,000.00) dollars, nor more than five thousand (\$5,000.00) dollars. At the time of employing such engineer, or as soon thereafter as practicable, the board shall designate and select from the highways of the county not less than ten (10) per cent, nor more than fifteen (15) per cent of the total mileage, same to be the main traveled roads of the county, and which must connect the principal market places of the county, as well as connect with the county roads in adjoining counties. The system of road, bridge and culvert work herein provided shall apply only to highways outside of the limits of incorporated cities and towns. Such highways so designated for improvement under the supervision of the board of supervisors shall hereafter be known as the county road system.

SEC. 5. **County map—notice of hearing—petition—map sent to commission.** As soon as said county roads are so designated, the board of supervisors shall cause said county roads to be plainly marked on a map, to be furnished by the state highway commission. Said map, after being so marked, shall be deposited with the county auditor, and shall be open to public inspection. At once, upon filing said map, the county auditor shall fix a date of hearing thereon, which shall not be more than twenty (20) days distant from the date of filing same; and ten (10) days notice of the filing of said map with the county auditor and the date of hearing fixed, shall be published in one issue of each of the official county papers. At any time before said hearing is concluded, any ten (10) freeholders of the county may file a petition with the county auditor, asking for any change in said designated roads which may be deemed advisable, which petition shall set forth their reasons for the proposed change, and shall be accompanied by a plat correctly showing such proposed change. If no agreement is reached between the county board and the petitioners at the hearing above provided for, the county auditor shall

forward said map, together with all petitions and plats, if any, showing the proposed changes, to the state highway commission. If no objections are filed and no hearing had, or if agreements have been reached, the map shall nevertheless be forwarded to the state highway commission.

**SEC. 6. Commission—preliminary map—final approval.** The state highway commission shall, upon receipt of said maps, petitions and plats, proceed to examine the same, with a view of determining the correct lines to be followed by the county highway, having regard for volume of traffic, continuity and cost of construction. Such portions of said map as meet with the approval of said commission, may be approved and returned as a preliminary map for immediate use and the original map, when completed in accordance with the decisions of said commission (which decisions shall be final) shall be returned to the county auditor not later than March first 1914, and a copy of same retained in the office of the highway commission.

**SEC. 7. Commission may select county roads—cost of designation charged to county.** Should any county fail to make the designation of county roads, as herein provided, and fail to forward the same to the state highway commission within the time herein provided, said commission shall have the power to make a proper designation of said county roads for said county, and the designation so made shall be final and of the same force and effect as if made by the board of supervisors, and when so made by the commission, said commission shall certify to the county auditor of said county the actual cost of making said designation, and said county auditor shall thereupon issue warrant on the county road funds therefor.

**SEC. 8. Survey and report—length of culverts—bench marks—existing permanent bridges—final survey and report—government corners—penalty.** As soon as any part of said approved map is returned to the county auditor, showing the final designation of county roads, the engineer shall, in writing, divide said roads into sections, designating each section by some appropriate number, name or letter and clearly designating the starting point and terminus of each such sections, and such designation shall be recorded at length in a county road book, whereupon the engineer shall proceed to survey said roads and report to the board of supervisors the plan for the road, bridge, tile and culvert work thereon. Such survey and report shall be on the basis and with the object in view of the permanent improvement of said county roads, both as to bridge, culvert, tile and road work. Said survey and report shall consist of an accurate plan and profile of said roads, showing cuts and fills and outline of grades, with careful attention to surface, and lateral drainage and sub-drainage, and shall show the location of all lines of tile and size thereof and of all bridges and culverts, their length, height and width, and foundation soundings, and an estimate of the watershed relating to each bridge and culvert. Culverts constructed under the provisions of this act shall have a clear roadway of not less than twenty (20 ft.) feet. Proper bench marks shall be established on each permanent bridge and culvert, which shall be duly recorded on both profile and plan of road, for future reference. The engineer shall clearly designate and credit on said plan and profile all existing permanent bridges, culverts and grades. The board may cause all sections to be fully surveyed and a report made thereon before proceeding with the improvement contemplated by this act, or, in order to enable the board to proceed with the most necessary and urgent work, said board may designate the order in which the different sections shall be surveyed and planned, and may order the engineer to survey and report on certain named sections before completing the survey and report on all sections.

Whenever it may become necessary in grading the highways to make a cut which will disturb or destroy, or a fill which will cover up a government or other established corner, it shall be the duty of the engineer to establish permanent witness corners, and make a record of the same, which shall show the distance and direction the witness corner is from the corner disturbed or covered up.

A failure to perform this duty shall subject the engineer to a fine of not less than ten (\$10.00) dollars, nor more than fifty (\$50.00) dollars, to be collected on his bond.

**SEC. 9. Approval—board of supervisors—highway commission—work done according to plan—culverts classified—county fund—township fund.** The survey and report of each section, as soon as completed and approved by the board of supervisors, shall be submitted to the state highway commission, and the board of supervisors may designate to the said commission which sections, in their estimation, should be first passed upon by said state highway commission. The said commission is hereby charged with the duty of passing upon such reports and plans, and, in so doing, shall take into consideration the thoroughness, feasibility and practicability of such plans, and may approve or modify the same. After said survey and plan for each section is passed upon by the state highway commission, they shall be returned to the county auditor with full and explicit directions as to modifications, if there be any. The county auditor shall, upon receipt of the approved and modified survey and plans, record the same at length in a county road book, and the board of supervisors shall thereupon proceed to the construction of the road, bridge, tile and culvert work in accordance therewith, and as herein provided. The duty to construct and maintain all bridges and culverts throughout the county is imposed on the board of supervisors. All culverts having a span of four (4 ft.) feet, or less, may be classified as road work, and may be paid for out of the county road funds.

All culverts over four (4 ft.) feet, and all bridges, shall be paid for out of the county bridge fund.

All other moneys received by the board of supervisors for road purposes, shall be paid out only on the order of the said board, for the purchase of tools, machinery and equipment, or for work done upon the county road system, or for tile and tiling or for culverts classified as road work, as herein provided. All moneys received by the township trustees for road purposes shall be expended for, and upon the township road system.

**SEC. 10. Enlarging of county road system.** Whenever all the roads of the county road system have been improved according to the plans as herein provided, the board of supervisors shall add such roads from the township road system as have been improved by the township in accordance with the general plans and specifications furnished by the engineer and in accordance with the requirements of this act, and if the township roads so improved be not sufficient to use all county funds available for that purpose, the board of supervisors may select additional county roads, following the same proceedings in all regards as herein provided for the original selection and improvement of county roads, but no increase shall be made in the mileage of the county road system until that system is completed.

**SEC. 11. Itemized bills—engineer's certificate—partial payment on contracts—repair work—violation.** All bills for road work, tile and tiling culvert and bridge construction or for repairs designated by the engineer, shall be filed in itemized form and certified to by the engineer before being allowed by the

board and before warrants in payment therefor are drawn by the county auditor. Before any warrant shall be issued by the county auditor upon the funds of the county road system in payment for any work or construction of highways, except for dragging, maintenance or repairs not designated by the engineer, he must secure on this bill the certificate of the engineer employed by the board of supervisors, that such improvement has been made in accordance with the plans and specifications as herein provided, and when so endorsed, warrants may be drawn for the amount so certified by the county engineer: but if said engineer make said certificate when said work was not done in accordance with the plans and specifications, and same be not properly made good without additional cost, then the full cost of making same good may be recovered upon said engineer's bond, and his bond shall be liable therefor.

Partial payments may be allowed by the board on contract work on the basis of the engineer's certified estimates and the percentages specified in the standard specifications of the state highway commission.

Repair work shall be known as work not designated by the highway engineer and work of a temporary character or of immediate necessity and work necessary to maintain finished roads completed under this act.

A violation of this section shall render the county auditor liable on his bond for the amount of said warrant.

**SEC. 12. Standard specifications—manner of letting contract—bids—contract exceeding \$2000. approved by commission—plans and specifications—permanent records—pay roll for day labor.** Standard specifications for all bridges and culverts shall be furnished without cost to the counties by the state highway commission, and the work shall be done in accordance therewith, and when said work is completed and approved a duplicate statement of the cost thereof shall be filed at once with the state highway commission by the county auditor. All culverts and bridge construction, tile and tiling and repair work or materials therefor, of which the engineer's estimated cost shall be one thousand (\$1,000.00) dollars, or less, may be advertised and let at a public letting, or may be let privately at a cost not to exceed the engineer's estimate, or may be build by day labor. All culvert and bridge construction, tile and tiling and repair work, or materials therefor, of which the engineer's estimated cost shall exceed one thousand (\$1,000.00) dollars, shall be advertised and let at a public letting, provided, that the board shall have the power to reject all bids, in which event they may re-advertise, or let privately by submitting contract to the state highway commission for approval, or build by day labor, at a cost not to exceed the lowest bid received. All bids received shall be publicly opened at the time and place specified in the advertisement and shall be recorded in detail, in a book kept for that purpose, by the county auditor; said book shall, at all times, be open to the public for inspection. Any proposed contract which shall exceed the sum of two thousand (\$2,000.00) dollars for any one bridge or culvert, or repairs thereon, shall be first approved by the state highway commission before the same shall be effective as a contract.

Before beginning the construction of any bridge or culvert by day labor or by contract, the plans, specifications, estimate of drainage area, estimates of cost and their specific location shall be filed in the county auditor's office by the engineer. On completion, a detailed statement of cost, and of any additions or alterations to the plans shall be added to the above records by the engineer, all of which shall be retained in the county auditor's office as

permanent records, and when said work is completed and approved a duplicate statement of the cost thereof shall be filed at once with the state highway commission by the county auditor.

The board of supervisors may authorize the county auditor to draw warrants for the amount of pay rolls for labor furnished under the day labor system, when said pay rolls are certified to by the engineer in charge of the work. Said bills shall be passed upon by the board at the first meeting following said payment.

**SEC. 13. Resolution of necessity—notice to trustees—hearing—decision—no appeal—new resolution.** It is hereby made the duty of the board of supervisors, whenever they shall determine to construct a permanent bridge or culvert, the engineer's estimated cost of which exceeds the sum of three hundred (300) dollars, to adopt a resolution of necessity, which shall set forth the determination of said board to construct said bridge or culvert and shall contain the following matters, to wit:

1. The location of such bridge or culvert, which location shall be so plainly pointed out that the same can easily be determined.
2. The material of which such bridge or culvert is to be constructed.
3. The approximate width of the roadway and depth of fill, if any, over the crown or floor of said bridge or culvert.
4. The approximate length of span or arch of said bridge or culvert.
5. The approximate area of the water shed to be drained through said bridge or culvert.
6. The estimated cost of said bridge.
7. The time and place when said board will hear protests, if any, against the construction of said bridge or culvert, which time shall be at least ten (10) days after the date of the last publication of any of said papers, hereinafter specified.

Immediately upon the adoption of said resolution the county auditor shall mail a copy of said resolution to each of the township trustees of the township or townships in which said bridge or culvert is to be located. The county auditor shall also cause said resolution to be published in one issue of each of the official papers of the county.

At the time and place fixed for said hearing, the board shall hear all protests, if any, unless on account of some unforeseen contingency it is unable to do so, in which event a new time and place shall be fixed by the board or county auditor, of which time and place all parties shall take notice. Upon the termination of said hearing, the board shall adopt a resolution stating its final determination to construct said bridge or culvert or to abandon the construction of the same. The decision of the board shall be final and no appeal shall be allowed therefrom. The said resolution of necessity may embrace more than one bridge or culvert.

If the final order of the board is for the construction of said bridge or culvert and the same is not constructed within one (1) year from the date of such final determination, a new resolution of necessity shall be adopted and proceeding had as herein provided. The publication herein provided for shall be paid for at the rate specified in section 441 of the supplement to the code, 1907.

**SEC. 14. Trustees to select druggable roads—road superintendent—township road system—one mill drag fund—annual report.** At every February meeting, or as soon thereafter as possible, the township trustees of each township shall select from its township road system the roads to be

dragged for the year, to be known as draggable roads, and shall employ a superintendent of the township road system, who shall give bond for the faithful performance of his duties in such sum as the township trustees may direct. Said superintendent shall have the general supervision of all dragging and repair work on the township road system, whose term of office and compensation shall be at the discretion of the township trustees. He shall see that the approaches to all the bridges on the said roads are maintained in such manner as to present smooth and uniform surfaces; keep the openings to all culverts and ditches free from weeds, brush and other material that will in any manner prevent the free discharge of surface water. He shall have charge of all draggable roads of the township road system and make contracts for dragging, and shall see that all draggable roads of the township road system are properly dragged at such times as are necessary to maintain such roads in a smooth condition, at such price as is reasonable and necessary to secure such contracts. For this purpose there shall be expended, under the direction of the township trustees, through the road superintendent, upon the township road system not less than the one mill drag tax now authorized by law.

The township trustees shall not allow any bills for dragging, maintenance, or repair work, nor shall warrants in payment therefor be drawn by the township clerk upon funds of the township road system until itemized bills therefor shall have been certified to by the township road superintendent. A violation of this section shall render the township clerk liable on his bond for the amount of said warrant. The compensation of such superintendent for all duties, including any dragging actually performed by him, and the cost of all equipment for dragging, shall be paid for out of the township road funds. He shall at least once each year, or on demand, furnish the township trustees a report of all work done under and by him.

**SEC. 15. Township work—plans and specifications.** Before beginning any work upon the township road system, other than hereinbefore described as repair work, the trustees shall make application to the board of supervisors, who shall furnish them with an engineer, to be paid out of the county fund, who shall survey and lay off such roads according to the plans and specifications as hereinbefore provided for the county road system, and the work shall be done in accordance therewith.

**SEC. 16. Repair and dragging county road system—officers not interested in contracts.** The county board of supervisors and the engineer are charged with the duty of repairing and dragging the county road system as is required to keep same in proper condition, and shall adopt such methods as are necessary to maintain continuously, in the best condition practicable, the entire mileage of this system.

No member of the highway commission, their deputies, or assistants, or any other person in the employ of the commission, no county supervisor, township trustee, county engineer, road superintendent or any person in their employ or one holding an appointment under them, shall be either, directly or indirectly, interested in any contract for the construction or building of any bridge or bridges, culvert or culverts or any improvement of any road or parts of road coming under the provisions of this act.

**SEC. 17. Township clerk—duties—county engineer reports—blanks.** Not later than the first Monday in November, or at any time upon the demand of the township trustees, the township clerk shall report the work accomplished on the township road system in his township; and said township trustees shall, as nearly as practicable, recommend what is to be done upon the town-

ship road system for the succeeding year. A duplicate report of the work accomplished shall be filed by the clerk with the county auditor; and the county engineer, as nearly as practicable, shall credit the same on the township road system of the county road map. It shall also be the duty of the engineer to make a written report to the board of supervisors of the work accomplished upon the roads for the current year, which report shall show what roads of the county and township systems have been completed or partially completed, and credit to such roads shall be shown upon the county road plan not later than November 15th, and a copy of said report shall be immediately forwarded to the state highway commission upon standard printed forms.

All forms and blanks necessary to secure uniformity of records and reports in the systems herein provided, shall be furnished by the state highway commission.

**SEC. 18. Removal of obstructions in highways—telephone and telegraph lines—expense.** County and township boards, charged with the duty of improving public highways, shall have power to remove all obstructions in the highways under their jurisdiction, but fences and poles used for telephone, telegraph or other transmission purposes, shall not be removed until notice, in writing, of not less than ten days has been given to the owner, occupant, or agent of the land enclosed in part by such fence or to the owner or company operating such lines. The notice to any owner or operator of any such telephone, telegraph or transmission line may be served on any agent or officer of such line, and all such fences and poles shall, within the time designated, be removed to such line on the highway, and as designated by the engineer, and if not removed by the date fixed in such notice, same may be forthwith removed by the proper officials. Any new lines, or parts of lines hereinafter constructed, shall be located by the engineer, and shall be removable according to the provisions of this section.

The notice of removal may designate to which side of the highway the said poles shall be removed. Any removal made in compliance with this section shall be at the expense of the owners thereof, without liability on the part of any officer ordering or effecting the removal.

**SEC. 19. Contractors' bonds—limitation of action.** The board of supervisors shall require all contractors to give a bond for the faithful performance of the contract, in such sum as the board of supervisors may deem necessary. The surety on any bond given to guarantee the faithful performance and execution of any work shall be deemed and held, any contract to the contrary notwithstanding, to consent without notice:

1. To any extension of time to the contractor in which to perform the contract when each particular extension does not exceed sixty days.

2. To any change in the plans, specifications or contract when such change does not involve an increase of more than twenty per cent of the total contract price, and shall then be released only as to such excess increase.

No contract shall be valid which seeks to limit the time to less than five (5) years in which an action may be brought upon the bond covering concrete work nor to less than one year upon the bond covering other work.

**SEC. 20. Decision of supervisors and commission final.** The procedure herein provided for the designation and selection of county roads by the board of supervisors and the approval or modification of such selection by the state highway commission, shall exclude all other procedure. And the decision of the board of supervisors and the state highway commission in the designation and selection of the county road system shall be final.



**SEC. 21. Tax levy.** That section three (3) of chapter twenty-four (24) of the acts of the thirty-fourth general assembly is hereby amended by striking from the fourth line of said section the words "not more than".

**SEC. 22. Repeal.** That section two thousand six hundred seventy-four-f (2674-f) of the supplement to the code, 1907, be and the same is hereby repealed.

**SEC. 23. Acts in conflict repealed.** All acts and parts of acts in conflict with this act are hereby repealed.

**SEC. 24. 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 3 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 9, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 123.

### STATE HIGHWAY COMMISSION.

S. F. 536.

**AN ACT** to amend an act passed by the thirty-fifth general assembly and approved on the 3rd day of April, 1913, and entitled "A bill for an act to create a state highway commission and to provide for the appointment, term of office, compensation, powers and duties of such commission, to provide for the removal of the members of said commission, to create a system of county and township road, bridge and culvert construction and maintenance and to prescribe the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township, and other officers and employees with reference thereto, to fix the rights of parties contracting with reference to such work, to repeal section twenty-six hundred seventy-four-f (2674-f), supplement to the code, 1907, relating to highway commission and to amend section three (3) of chapter twenty-four (24) of the acts of the thirty-fourth general assembly, relating to county road building fund and to repeal all acts and parts of acts in conflict with this act."

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

**SECTION 1. County road system—construction—application outside cities and towns.** That section four (4) of the act entitled "A bill for an act to create a state highway commission and to provide for the appointment, term of office, compensation, powers and duties of such commission, to provide for the removal of the members of said commission, to create a system of county and township road, bridge and culvert construction and maintenance and to prescribe the procedure and manner of carrying on such improvements, and the rights, duties and power of county, township, and other officers and employees with reference to such work, to repeal section twenty-six hundred seventy-four-f (2674-f), supplement to the code, 1907, relating to highway commission and to amend section three (3) of chapter twenty-four (24) of the acts of the thirty-fourth general assembly, relating to county road building fund and to repeal all acts and parts of acts in conflict with this act, and passed by the thirty-fifth general assembly and approved on the third (3rd)

day of April, 1913, be and the same is hereby amended by striking from said section four (4) and the following sentence, to-wit:

"The system of road, bridge and culvert work herein provided shall apply only to highways outside of the limits of incorporated cities and towns". And inserting in lieu thereof the following:

"The system of road construction herein provided shall apply only to highways outside of the limits of cities and towns, while the system of bridge and culvert work herein provided for shall apply to all highways throughout the county outside of the limits of cities of the first class."

**SEC. 2. Term of district road superintendent ended—time—township consolidation—road fund—superintendent.** That the act of the thirty-fifth general assembly creating a state highway commission and referred to in the title to this act, be and the same is hereby further amended by striking out section 22 thereof and substituting in lieu therefor the following:

"SECTION 22. The terms of the district road superintendents now serving under the provisions of chapter ninety-eight (98) of the acts of the thirty-third general assembly shall cease and determine on the first day of February, 1914, at which time all road districts within each civil township created under the provisions of said chapter ninety-eight (98) shall become consolidated under one township road district, and all township road funds belonging to said districts of said township shall at once become a general township road fund. The township trustees in all such townships shall at their February meeting, 1914, employ a superintendent of the township road system. Until the first day of February, 1914, all such district road superintendent shall perform within their respective districts the duties imposed upon the superintendent of the township road system, by section fourteen (14) of this act.

That the law as it appears in section twenty-six hundred seventy-four-f (2674-f) of the supplement to the code, 1907, and chapter ninety-eight (98) of the acts of the thirty-third (33d) general assembly be and the same is hereby repealed."

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

Approved April 22nd, A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 24, 1913, and in the Des Moines Capital April 25, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 124.

## ASSESSMENT AND MAINTENANCE OF ROAD DISTRICTS FOR STATE LANDS.

S. F. 510.

AN ACT to amend the law as it appears in chapter ninety-three (93) of the acts of the thirty-third general assembly, relative to the establishment of road districts for state lands and providing for the payment of the cost of maintaining roads therein and the collection of road poll tax within such districts.

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

**SECTION 1. Separate road districts—how maintained.** That section two of chapter ninety-three (93) of the acts of the thirty-third general assembly be amended by striking out the last paragraph therein and inserting in lieu thereof the following:

“That all roads and highways within and adjacent to lands belonging to the state, including those under the supervision of the state board of education, shall constitute a separate road district under the control and supervision of the supervisor appointed by the board of control of state institutions with all the powers, duties and responsibilities imposed upon road supervisors, who shall require all able-bodied males, other than inmates of state institutions, residing within such road district, to perform the labor required by the provisions of section one thousand five hundred fifty (1550) and section one thousand five hundred fifty-one (1551) of the supplement to the code, 1907, and section one thousand five hundred fifty-two (1552) of the code, upon the roads of the district within the counties where such persons reside.

The supervisor shall make a report to the board of control under the provisions of section one thousand five hundred fifty-four (1554) of the supplement to the code, 1907, so far as applicable.

If it appears from such report that any person has failed to perform the two days labor required, or any part thereof, and that the supervisor has neglected to collect the amount of money required to be paid in case of such default, the board of control shall certify the name of such person and the amount due from such person to the county auditor of the county where such person resides, who shall enter the amount on the property tax list as against such person and the treasurer of the county shall collect the same and when collected shall pay the amount so collected to the board of control of state institutions, who shall expend same upon the roads of the state district in the county where such money was collected.

All cost of maintaining, repairing, renewing and improving the roads within the road district containing state lands, except county bridges, after the expenditure of the road poll tax, either in money collected or in labor, shall be paid out of any general funds in the hands of the state treasurer, not otherwise appropriated, upon warrants drawn by the state auditor after certificate of amount due shall have been filed in his office by the board of control.

Approved April 17 A. D. 1913.

## CHAPTER 125.

## REGISTRATION OF HIGHWAY ROUTES.

S. F. 581.

AN ACT to provide for the registration of highway routes, together with the names, color combinations and designs used in marking the same; prohibiting the duplications thereof; and providing penalties for the violation of this act. [Additional to chapter one (1) of title eight (VIII) of the code relating to the establishment of roads.]

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

SECTION 1. **Application—registration—marking.** Any association organized to promote the improvement of any continuous highway not less than twenty-five (25) miles in length may, by making application to the state highway commission, register in the office of said commission the name, detailed route, color combination and design used in marking said route. The highway commission shall have power to determine priority of right in the use of said name, color combination and designs.

SEC. 2. **Blanks—fees.** The application shall be in the form prescribed by the commission upon blanks furnished by it, and shall be properly acknowledged by the president and secretary of the association before a notary. Said application shall be accompanied by a registration fee of five dollars (\$5), which fee shall be returned to the association if the application be not granted.

SEC. 3. **Certificate.** If the state highway commission shall, after investigation, adjudge the application meritorious and the route to be worthy of the protection of this act, it shall issue to the association a certificate which shall designate in detail the name, the starting and the terminal points, the color combination and designs used in marking the route; all of which facts shall be recorded as a part of the permanent records of the commission in a book kept for that purpose.

SEC. 4. **Infringement prohibited.** It shall be unlawful for any person or association of persons to use for similar purposes the name, any recorded color combination and designs herein referred to.

SEC. 5. **Defacement—penalty.** Any person who shall injure or deface any sign board, design or other markings designating routes, shall be subject to the provisions of section forty-eight hundred one (4801) of the code.

SEC. 6. **Cancellation.** When any such highway association ceases to exist or when the interest in the route, name and markings has ceased, the state highway commission may, after proper investigation, cancel the records and registration herein referred to and re-assign the name, color combination, designs, or other markings to any association making application for their use.

SEC. 7. **Fees.** All fees received by the state highway commission under this act shall be turned into the state treasury.

SEC. 8. **Violation—punishment.** Any person or officer of any association violating any of the provisions of this act shall be guilty of a misdemeanor.

Approved April 12 A. D. 1913.

## CHAPTER 126.

## TOWNSHIP CULVERT FUND FOR 1913.

H. F. 695.

AN ACT to create in each township a special culvert fund for the year of 1913, to defray the cost of culverts constructed by the board of supervisors during 1913 upon the township road system. [Additional to chapter two (2) of title eight (VIII) of the code relating to working of roads.]

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

SECTION 1. **Fund set aside—how expended.** Within thirty (30) days after the taking effect of this act, the township trustees shall, for the year of 1913, set aside, from the township road fund, a sum of money equal to one mill on all taxable property of the township, which sum the township clerk shall keep as a separate fund to be known as the 1913 culvert fund, and shall be used only for the payment of culverts constructed in such township on the township road system, by the board of supervisors during the year 1913. The cost of culverts constructed during 1913 in such township on the township road system by the board of supervisors shall, to the extent of such special fund, be paid out of such fund by the trustees, on the certificate of the county auditor as to the correctness of such cost.

Approved April 19 A. D. 1913.

## CHAPTER 127.

## GUARDING UNSAFE PLACES IN PUBLIC HIGHWAYS.

S. F. 467.

AN ACT to prohibit the removal or destruction of articles or things placed in public highways for the purpose of guarding or inclosing unsafe places therein and providing penalties for a violation thereof. [Additional to chapter two (2) of title eight (VIII) of the code relating to working of roads.]

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

SECTION 1. **Removal of guards inclosing unsafe places—penalty.** Whoever shall, without the consent of the person in control thereof, willfully remove, throw down, destroy or carry away from any highway, street, alley, avenue or bridge, any lamp, obstruction, guard or other article or things, or extinguish any lamp or other light, erected or placed thereon for the purpose of guarding or inclosing unsafe or dangerous places in said highway, street, alley, avenue, or bridge, shall be punished by a fine of not more than five hundred dollars (\$500.00), or by imprisonment in the county jail not exceeding one (1) year.

Approved April 16 A. D. 1913.

## CHAPTER 128.

## DESTRUCTION OF WEEDS.

Sub. for S. F. 196.

AN ACT to provide for the destruction of noxious weeds and other weeds upon lands, highways and other places; prescribing penalties for the violation thereof; assessing the costs and expenses of the destruction of the same to the lands and owners thereof; and providing funds with which to destroy the same, and repealing all of chapter ninety-six (96) of the acts of the thirty-third general assembly relating to weeds upon lands and highways.

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

**SECTION 1. Repeal—land owners or tenants to destroy weeds—when.** It shall be the duty of each owner, occupant, person, company or corporation in control of any lands within the state of Iowa, whether the same shall consist of improved or unimproved lands, town or city lots, lands used for railway right of way or depot grounds, lands in which the public has an easement for road, street or other right of way, or lands used for any other purpose whatsoever, to cut, burn, or otherwise entirely destroy all noxious weeds as defined in section two (2) hereof at such times in each year and in such manner as shall prevent the said weeds from blooming or coming to maturity, and to keep the said lands free from such growths of other weeds as shall render the streets or highways adjoining the same unsafe for public travel or shall interfere in any manner with the proper construction or repair of the said streets or highways, and shall cause to be cut, near the surface, all weeds on the streets or highways adjoining said lands between the fifteenth day of July and the fifteenth day of August of each year. But nothing herein shall prevent the land owner from harvesting the grass grown upon the roads along his land in proper season.

**SEC. 2. Noxious weeds.** The following weeds are hereby declared to be noxious weeds; namely, quack grass (*agropyron repens*), Canada thistle (*cirsium arvense*), cocklebur (*xanthium canadense*), wild mustard (*brassica arvensis*), sour or curled dock (*rumex crispus*), smooth dock (*rumex altissimus*), buckhorn or ribbed plantain (*plantago lanceolata*), wild parsnip (*pastinaca sativa*), horse nettle (*solanum carolinense*), velvet weed or button weed (*abutilon theophrasti*), burdock (*arctium lappa*), shoo fly (*hibiscus trinonum*), wild carrot (*daucus carota*) and Russian thistle (*salsola kali*, l. var. *tagrus*).

**SEC. 3. Neglect or refusal to destroy—order—written notice—costs how paid.** If any such owner, occupant, person, company or corporation in control of any such land shall fail or neglect to do the things necessary to prevent the said noxious weeds on any such land from blooming or coming to maturity, or shall permit weeds thereon contrary to the provisions of section one (1) hereof, or if it shall appear that there is danger that any such noxious weeds on any such land may mature, then upon their own motion or upon complaint made to any member thereof, it shall be the duty of the board of trustees of the township in which such land lies or to which such land may be adjacent and within the same county, or of the town council or board of commissioners if within the limits of an incorporated town or city, to make investigation of such condition or complaint, and if it appears that there is danger that any such noxious weeds may mature or that weeds thereon render

or are about to render the streets or highways adjoining the land unsafe for public travel or interfere or are about to interfere in any manner with the proper construction or repair of the said streets or highways, the said board of trustees, town council or commissioners, as the case may be, shall make an order fixing the time within which the weeds shall be prevented from maturing seed or the said weeds shall be destroyed, prescribing the manner of their destruction, and shall forthwith give notice in writing of the said order personally to the owner of the land upon which the same exist if service of such notice can be made within the township in which such land is situated, and if it can not be so served, then by mailing said notice by registered mail to the owner at his last known address, and also by giving a copy of the notice to the person, company or corporation in the apparent control or occupancy of the said land, whose duty it shall also be to mail said notice to the owner, and if the order so made is not substantially complied with by the time fixed in the order and after reasonable notice as herein provided, then it shall be the duty of the board of trustees, town council or commissioners, as the case may be, forthwith to cause said order to be fully performed, and the expense of the same, including the costs of serving said notice and the special meetings of the board of trustees, town council or commissioners, if any were required, shall be advanced out of the township road fund, or town or city general fund, as the case may be; or if the said fund shall be insufficient therefor, the town council, commissioners, or the board of trustees may borrow the money necessary to advance the same by issuing warrants of a like amount upon the road fund, or upon the town or city general fund, and at any meeting of the board they shall assess all of the same against the said land and the owner thereof by a special tax which shall be certified and collected together with interest and penalty after due in the same manner as road taxes unpaid and shall be collected by the county treasurer and when collected shall be paid into the fund upon which said warrants were drawn. Before making said assessment, ten days' notice shall be given such owner of the time and place of meeting of the trustees, council or commissioners, which notice shall also contain a statement of the work done and the expense thereof with costs, and shall be given in the same manner as originally given to owners as hereinbefore provided. At said time and place such owner may appear with the same rights given by law before boards of review upon increase in assessments.

**SEC. 4. Board of trustees—duties.** It shall be the duty of the board of trustees of each township to consider the conditions of all lands and highways within the township and outside of incorporated towns and cities as to noxious weeds, and the town councils and commissions shall have the same duties with reference to lands within their respective towns or cities, and on complaint made to them or on their own motion, whenever it may appear that any of such lands within their jurisdiction are infested with noxious weeds or other weeds, whether about to bloom and mature or not, they shall order their destruction before a date to be fixed in the said notice and prescribe the manner in which the destruction shall be accomplished, notice of which order shall be given as provided in section three (3) hereof, and if the said order shall not be complied with, the board may proceed to cause the said order to be performed and shall certify the expense thereof and it shall be paid and assessed to the lands upon which the same shall have been destroyed and to the owners or owner thereof and be collected in the same manner as is provided for the expense of proceedings under section three (3) hereof.

**SEC. 5. Complaints.** It shall be the duty of all officers directly responsible for the care of public highways to make complaint to the proper township

trustees or town councils or commissions, as the case may be, whenever it shall appear that the provisions of section one (1) hereof may not be complied with in time to prevent the blooming and maturing of noxious weeds or the unlawful growth of weeds, whether in the streets or highways for which they are responsible or upon lands adjacent to the same.

**SEC. 6. Applicable to cities and towns.** All of the provisions of this section relating to the duty of the owner of the lands to prevent the blooming and maturing of noxious weeds thereon and to destroy such growths of other weeds thereon as may interfere with the use of highways shall apply also to cities and towns and the proper officers there as to all streets, highways and lands of any kind within their borders the fee of which shall rest in the public.

**SEC. 7. Posting of notices.** It shall be the duty of the township clerk between the first and the fifteenth days of May of each year to post in two conspicuous places in each school district of the township a notice calling attention to the weed law of the state of Iowa and giving a list of the noxious weeds contained therein and notifying the property owners to meet the requirements of the law.

**SEC. 8. Reports.** It shall be the duty of the township clerk between the fifteenth and thirtieth days of October of each year to make a report to the board of supervisors of the county in which his township is situated as to the presence and location of noxious weeds that have been reported or found within the township and the steps taken to bring about the destruction thereof, a copy of which report shall be forwarded to the board of supervisors to be kept on file and a copy of same to be forwarded by them to the secretary of the Iowa department of agriculture not later than the first day of December following.

**SEC. 9. Penalty.** Any township trustee or road officer or other officer who neglects or fails to perform the duties incumbent upon him under the provisions of this act shall be guilty of a misdemeanor and shall be punished by a fine not exceeding one hundred dollars (\$100.00)

**SEC. 10. Repeal.** Chapter ninety-six (96) of the acts of the thirty-third general assembly is hereby repealed.

**SEC. 11. In effect.** This act, being deemed of immediate importance shall take effect and be in full force after its publication in the Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved April 23 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader May 1, 1913 and in the Des Moines Capital April 30, 1913.

W. S. ALLEN,  
Secretary of State.



## CHAPTER 129.

## DESTRUCTION OF WEEDS.

H. F. 461.

AN ACT to amend the law relating to the destruction of weeds as it appears in sections three (3) and four (4) of chapter ninety-six (96) of the acts of the thirty-third general assembly.

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

**SECTION 1. Destruction on highways.** That the law as it appears in section three (3) of chapter ninety-six (96) of the acts of the thirty-third general assembly be and the same is hereby amended by inserting after the word "trustees" in line twenty-two (22) of said section a comma and the words "or county supervisors".

**SEC. 2. Road funds or general funds may be expended.** That the law as it appears in section four (4) of chapter ninety-six (96) of the acts of the thirty-third general assembly be and the same is hereby amended by inserting after the word "road" in the last line of said section a comma and the words "or general", and by striking from line 2 of said section four the word "public."

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

Approved April 19 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 25, 1913 and in the Des Moines Capital April 28, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 130.

## REGISTRATION AND REGULATION OF MOTOR VEHICLES.

S. F. 250.

AN ACT to repeal sections two (2), six (6), seven (7), eight (8), eleven (11), fifteen (15), sixteen (16) and twenty-two (22), of chapter seventy-two (72) of the acts of the thirty-fourth general assembly, and to enact substitutes therefor, relating to the registration and regulation of motor vehicles.

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

**SECTION 1. Repeal—terms defined.** That section two (2) of chapter seventy-two (72) of the acts of the thirty-fourth general assembly, be and the same is hereby repealed and the following enacted in lieu thereof:

The term "motor vehicle" as used in this act, except where otherwise expressly provided, shall include all vehicles propelled by any power other than muscular power, except motor trucks, motor drays, motor delivery

wagons, traction engines, road rollers, fire wagons and engines, police patrol wagons, ambulances and such vehicles as are run only upon tracks or rails. The term "local authorities" shall include all officers of counties, cities or towns, as well as all boards, committees or other public officials of such counties, cities or towns. The term "chauffeur" shall mean any person operating or driving a motor vehicle as an employee or for hire. The term "owner" shall also include any person, firm, association or corporation renting a motor vehicle or having the exclusive use thereof, under a lease or otherwise, for a period greater than thirty days. The term "public highways" shall include any highway, county road, state road, public street, avenue, alley, park, parkway, or public place in any county, city, town or village, except any speedway which may have been or may be expressly set apart by law for the exclusive use of horses and light carriages. The terms "motor drays", "motor trucks" and "motor delivery wagons" shall include only such described vehicles which have a speed capacity of not more than 10 miles per hour, and which shall be built for and used exclusively for trucking, draying or delivering.

**SEC. 2. Repeal—registration number—two number plates—duplicates—fee.** That section six (6) of chapter seventy-two (72) of the acts of the thirty-fourth general assembly, be and the same is hereby repealed and the following enacted in lieu thereof:

Upon the filing of such application and the payment of the fee hereinafter provided, the secretary of state shall assign to such motor vehicle a distinctive number and, without expense to the applicant, issue and deliver or forward by mail or express to the owner a certificate of registration, in such form as the secretary of state shall prescribe, and two number plates. In the event of the loss, mutilation or destruction of any number plate, the owner of a registered motor vehicle, or manufacturer or dealer, as the case may be, may obtain from the secretary of state a duplicate thereof upon filing in the office of the secretary of state an affidavit showing such facts and the payment of a fee of one dollar; duplicate certificates of registration may be issued by the secretary of state, in like cases, without the payment of any fee therefor.

**SEC. 3. Repeal—registration renewed annually—date of expiration.** That section seven (7) of chapter seventy-two (72) of the acts of the thirty-fourth general assembly, be and the same is hereby repealed and the following enacted in lieu thereof:

Registration shall be renewed annually in the same manner and upon the payment of the annual fee as provided in section eight (8) for registration, to take effect on the first day of January in each year; provided, that the secretary of state shall withhold the re-registration of any motor vehicle the owner of which shall have failed to register the same for any previous period or periods for which it appears that registration should have been made, until the fee for such previous period or periods shall be paid. All certificates of registration issued under the provisions of this act shall expire on the last day of the calendar year in which they were issued.

**SEC. 4. Repeal—annual registration fee—half rate.** That section eight (8) of chapter seventy-two (72) of the acts of the thirty-fourth general assembly, be and the same is hereby repealed and the following enacted in lieu thereof:

The following fee shall be paid to the secretary of state upon the registration or re-registration of a motor vehicle in accordance with the provisions of this act; eight dollars (\$8.00) upon the registration of a motor vehicle hav-

ing a rating of twenty (20) horse power or less; and for each such vehicle which shall exceed twenty (20) horse power in rating, the owner shall pay at the rate of forty (40) cents per horse power; provided, that if a motor vehicle shall have been licensed for four separate successive years under the laws of this state, and for which there shall have been paid four registration fees as provided by statute therefor, or any motor vehicle which shall have been in use for a period of not less than four years prior to August first of such registration period for which registration is about to be made, the annual registration fee thereafter shall be one-half that amount; and further provided, that the annual fee for the registration or re-registration of any electric or steam motor vehicle in accordance with the provisions of this act shall be fifteen dollars (\$15.00); and further provided, that the annual fee for the registration or re-registration of a motor bicycle or motor cycle in accordance with the provisions of this act shall be three dollars (\$3.00); and provided further, that the fee for registering any theretofore unregistered motor vehicle under the provisions of this act, which motor vehicle shall be purchased on or after August first of any year, shall be one-half of the annual fee therefor, for the remainder of that calendar year; and provided further, that each manufacturer or dealer selling or otherwise disposing of motor vehicles, theretofore unregistered in this state, to residents of this state shall report to the secretary of state each such sale made on or after August first of each calendar year; such reports shall be made on blanks to be furnished by the secretary of state upon request, and shall be made in such manner as he may direct; and provided further, that no motor vehicle shall be registered for less than the annual fee because of its having been purchased on or after September first until such manufacturer's or dealer's report shall have been filed as herein provided.

**SEC. 5. May operate 15 days after purchase—application.** That section eleven (11) of chapter seventy-two (72) of the acts of the thirty-fourth general assembly, be and the same is hereby repealed and the following enacted in lieu thereof:

Upon the sale of a motor vehicle by a manufacturer or dealer, the vendee shall at once make application by mail or otherwise for registration thereof, after which he may operate the same upon the public highways without its individual number plates thereon for a period of not more than fifteen (15) days, providing that during such period the motor vehicle shall have attached thereto, in accordance with the provisions hereof, metal number plates to be furnished by the secretary of state to the dealer as provided in Sec. 15 bearing the registration number of the manufacturer or dealer under which it might previously have been operated for demonstration purposes; and provided further, that no manufacturer or dealer shall permit the use of his demonstration or registration number by such vendee until application for registration be so made as aforesaid, and it shall be his duty to assist the vendee in making out and filing his said application for registration, and for that purpose to keep on hand a supply of blanks to be furnished by the secretary of state upon request.

**SEC. 6. Repeal—dealers' numbers—application—plates—duplicates—fee.** That section fifteen (15) of chapter seventy-two (72) of the acts of the thirty-fourth general assembly, be and the same is hereby repealed and the following enacted in lieu thereof:

Every person, firm, association or corporation manufacturing or dealing in motor vehicles may, instead of registering each motor vehicle so manufactured or dealt in, make a verified application upon a blank to be furnished

by the secretary of state, for a general distinctive number for all the motor vehicles owned or controlled by such manufacturer or dealer, such application to contain:

(a) A brief description of each style or type of motor vehicle manufactured or dealt in by such manufacturer or dealer, including the character of the motive power, the amount of such motive power stated in figures of horse power in accordance with the rating established by the association of licensed automobile manufacturers; and

(b) The name, residence, including county and business address, of such manufacturer or dealer.

On the payment of a registration fee of fifteen dollars (\$15.00) such application shall be filed and registered in the office of the secretary of state in the manner provided in section three of this act. The secretary of state shall thereupon assign and issue to such manufacturer or dealer a general distinctive number, and without expense to the applicant, issue and promptly deliver to such manufacturer or dealer a certificate of registration in such form as the secretary of state shall prescribe, and two number plates with a number corresponding to the number of such certificates of registration.

Such number plates or duplicates thereof shall be displayed by every motor vehicle of such manufacturer or dealer when the same is operated or driven on the public highways. Such manufacturer or dealer may obtain as many duplicates of such number plates as may be desired upon the payment to the secretary of state of one dollar for each duplicate set, provided that if a manufacturer or dealer has an established place of business in more than one city or town, such manufacturer or dealer shall secure a separate and distinct certificate of registration and number plates for each such place of business. Nothing in this section shall be construed to apply to a motor vehicle operated by a manufacturer or dealer for private use or for hire, which said motor vehicle or vehicles shall be individually registered as provided in sections seven (7) and eight (8) of this act, but no dealer or manufacturer shall be required to keep more than one car registered for his private use.

**SEC. 7. Repeal—dealers to register annually.** That section sixteen (16) of chapter seventy-two (72) of the acts of the thirty-fourth general assembly, be and the same is hereby repealed and the following enacted in lieu thereof:

Registration provided for in section fifteen (15) shall be renewed annually in the same manner and on the payment of the same fee as provided in section fifteen (15) for original registrations, such renewal to take effect on the first day of January of each year. The provisions of section seven (7) relating to renewals and duration of renewals under this act shall apply to registrations and re-registrations under this section. Within sixty (60) days after the first of January annually, the secretary of state shall prepare and forward to the county attorney of each county a list of the owners of motor vehicles in said county, who may have failed or neglected to pay the registration fee required by this act, whereupon the county attorney shall immediately proceed to enforce the provisions of this act, as herein provided.

**SEC. 8. Repeal—penalty.** That section twenty-two (22) of chapter seventy-two (72) of the acts of the thirty-fourth general assembly, be and the same is hereby repealed and the following enacted in lieu thereof:

The violation of any of the provisions of sections from three to fifteen, both inclusive, of this act shall constitute a misdemeanor punishable by a fine not exceeding fifty dollars; provided, that on conviction for a violation

of sections eight and twelve hereof, or either of them, in case such motor vehicle shall not have been registered as required by this act, the court shall enter judgment against and collect from the person or persons so convicted, in addition to the penalty hereinabove provided, such sum as may be sufficient to pay the proper registration fee for said motor vehicle so unlawfully driven or operated, and forward such fee to the secretary of state at once, for the proper registration of such motor vehicle.

**SEC. 9. 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 12, A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader May 1, 1913, and in the Des Moines Capital April 30, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 131.

### REGULATION OF MEETING AND PASSING VEHICLES ON THE PUBLIC HIGHWAY.

H. F. 490.

AN ACT to regulate the passing of automobiles or other vehicles by another travelling in the same direction. [Additional to chapter two (2) of title eight (VIII) of the code, relating to roads and highways.]

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

**SECTION 1. Repeal—turning to right—rule when approaching from rear—penalty.** That section 1569 of the code be and the same is hereby repealed and the following enacted in lieu thereof: "Persons on horseback, or in vehicles, including motor vehicles, meeting each other on the public highway, shall give one-half of the beaten path thereof by turning to the right. Whenever a person in any vehicles shall approach from the rear upon the public highway and desire to pass, it shall be the duty of the driver or operator of such vehicle ahead to give one-half of the beaten path thereof, upon proper signal or request by turning to the right. The vehicle approaching from the rear shall turn to the left and shall not return to such road or path within less than thirty feet of the team or vehicle which has been passed; provided, however, that such vehicle need not give such right-of-way when it would jeopardize the safety of the driver or operator to do so. Failure to comply with the above shall be deemed a misdemeanor and punishable as such".

Approved April 16 A. D. 1913.

## CHAPTER 132.

## RULES AND REGULATIONS FOR OPERATION OF MOTOR VEHICLES UPON THE PUBLIC HIGHWAY.

Sub. for S. F. 249.

AN ACT amending section nineteen (19) and section thirty (30), chapter seventy-two (72) of the acts of the thirty-fourth general assembly providing additional rules and regulations for the operation of motor vehicles upon public highways within the state of Iowa.

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

**SECTION 1. Care in meeting and passing—rules and regulations.** That section nineteen (19), chapter seventy-two (72), of the acts of the thirty-fourth general assembly be amended by adding thereto the following rules and regulations for the operation of motor vehicles upon public highways:

(1) The operator of a motor vehicle shall turn to the right when meeting another vehicle and in cities and towns shall at all times travel on the right hand side of the street, as near the curb as the condition of the street will permit.

(2) The operator of a motor vehicle, when overtaking and passing another vehicle, shall pass to the left where the surface of the ground will permit and shall not drive to the right until clear of such vehicle.

(3) The operator of a motor vehicle shall, before stopping, turning or changing the course of such vehicle, first see that there is sufficient space to make such movement in safety and shall give a visible or audible signal to the crossing officer, if there be such, or to the drivers of vehicles following, of his intention to make such movement, by raising the hand and indicating with it the direction in which he wishes to turn.

(4) The operator of a motor vehicle, in turning to the right from one street or highway into another, shall turn the corner as near the right hand side as possible; and, in turning to the left from one street or highway into another, shall pass to the right of and beyond the center before turning.

(5) The operator of a motor vehicle, in crossing from one side of a street or highway to the other side thereof, shall turn to the left, so as to head in the direction in which vehicles are moving.

(6) In cities of the first class, it shall be unlawful to stop a motor vehicle unless the right side thereof is next to and parallel with the curb and as near thereto as the condition of the street will permit; provided, that this rule shall not apply in cases of emergency, when the stop is made to avoid accident or to allow pedestrians or vehicles to cross in front of such motor vehicle, or when made in obedience to the signal of a police officer.

(7) In cities and towns, it shall be unlawful for the operator of any motor vehicle to overtake and pass another vehicle at street intersections in the business district.

(8) It shall be unlawful for the operator of a motor vehicle to permit the motor of same to operate in such a manner as to visibly emit an unduly great amount of steam, smoke or products of combustion from exhaust pipes or openings.

(9) It shall be unlawful for the operator or owner of any motor vehicle to operate or permit to be operated upon the streets of any city or town any

motor vehicle which has not a suitable muffler in a proper and efficient working condition and it shall be further unlawful for any person to drive or permit to be driven on the streets of any city or town any motor vehicle with the muffler cut out or not in operation.

(10) It shall be unlawful for any person to cause or permit any motor vehicle to be driven upon any public street or highway by any person under the age of fifteen (15) years.

(11) In cities and towns, motor vehicles turning to the right from one street into another shall have the right of way over vehicles traveling on the street into which same are turning.

(12) In cities and towns, motor vehicles turning to the left into another street shall give the right of way to vehicles traveling on the street into which same are turning.

(13) In cities and towns, it shall be unlawful for the operator of any motor vehicle to leave any such vehicle standing upon any street in the business district thereof within twenty feet of the corner or within twenty feet of any fire hydrant unless such vehicle is in charge of some person capable of driving same.

(14) In cities and towns, no motor vehicle shall be left standing in front of or within fifteen feet of either side of the entrance to any theater, auditorium or other building where large assemblages of people are being held, except in taking on or discharging passengers or freight, and then only for such length of time as is necessary for such purpose.

(15) At theaters and public gatherings in cities or towns, or under unusual circumstances, motor vehicles shall stand or move as directed by the police.

(16) It shall be unlawful for the operator of any motor vehicle or person in charge thereof to leave unattended upon any street or highway a motor vehicle while any part of the machinery is in motion.

SEC. 2. **Prosecutions—procedure.** That section thirty (30), chapter seventy-two (72), of the acts of the thirty-fourth general assembly be amended as follows: by adding, after the word "magistrate", in the third line thereof, the words, "or police judge".

Approved April 11 A. D. 1913.

### CHAPTER 133.

#### APPORTIONMENT OF REGISTRATION FEES OF MOTOR VEHICLES.

S. F. 536.

AN ACT to amend the law as it appears in section thirty-three (33) chapter seventy-two (72), acts of the thirty-fourth general assembly, providing for the expenditure of registration fees of motor vehicles.

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

**SECTION 1. County motor vehicle road fund—how expended—8 per cent to state highway commission.** That the law as it appears in section thirty-three (33), chapter seventy-two (72), acts of the thirty-fourth general assembly, be and the same is hereby amended by adding thereto the following:

"Eight per cent of all moneys paid into the state treasury on and after January 1st, 1913 pursuant to the provisions of this act shall be set aside and shall constitute a maintenance fund for the state highway commission, which

apportionment of said money shall be paid over to the treasurer of the Iowa state college by the state treasurer on the first day of April, 1913, and quarterly thereafter, except that the payment for April, 1913, shall be made within thirty (30) days from the taking effect of this act. Said eight percent shall be used for no other purpose than as a maintenance fund for said state highway commission, and shall be drawn out only on warrants drawn by the treasurer of the Iowa state college on itemized vouchers audited by the state highway commission; and such expenditures shall be entered upon the books of both the secretary and treasurer of the Iowa state college. A full and complete report of all said expenditures shall be published in the annual report required under the act creating the state highway commission.

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 17 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader May 1, 1913, and in the Des Moines Capital April 30, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 134.

### EMPLOYMENT OF PRISONERS ON THE PUBLIC HIGHWAYS.

S. F. 280.

AN ACT providing for the employment of prisoners upon the highways of this state, or in the construction and improvement of any public works. [Additional to chapter two (2) of title eight (VIII) of the code relative to working roads.]

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

SECTION 1. **Able bodied prisoners—labor not to be leased—optional.** The board of control of state institutions with the advice of the warden of any penal institution of this state, is hereby authorized to permit any able-bodied male prisoners to work upon the highways of this state or upon any public works, but such labor shall not be leased to contractors and no prisoners shall be designated or permitted to work upon the highways or any public works whose character and disposition makes it probable that he would attempt to escape, or that he would likely be an unruly or ungovernable prisoner or violate any of the laws of the state while engaged in such work, or whose health would be impaired by such labor; and no prisoner who is opposed to working upon the highways of this state or upon any public works shall be required to perform such labor.

SEC. 2. **Under custody of warden.** Prisoners employed upon the highways of this state, or upon any public works, under the provisions of this act, shall at all times be under the charge and jurisdiction of the warden of the institution to which the prisoner was sentenced; said warden shall designate such guards, officers or agents to direct and supervise such prisoners as he shall deem necessary; said prisoners shall be considered under the custody of the warden at all times even when they are performing services under the honor system and without any guard or officer in their immediate presence.



**SEC. 3. Supervision state highway commission.** The state highway commission shall supervise the work performed under the provisions of this act upon the highways of the state but may co-operate with the board of supervisors and local officials in the performance of said work.

**SEC. 4. Care of prisoners while absent from institutions.** It shall be the duty of the board of control and the warden to prescribe the conditions and manner of keeping and caring for said prisoners while away from any of the penal institutions.

**SEC. 5. Application by board of supervisors—approval—contract.** Whenever a county board of supervisors or other local officials shall desire to use prisoners upon the highways within their respective jurisdictions, they may apply therefor to the state highway commission specifying the number of men desired, the character of work and the amount which they are willing to pay for said labor. If said highway commission can supervise the work and believe said prisoners can be safely and advantageously employed at said place, they shall submit the matter to said board of control and the board of control and warden shall arrange with such board of supervisors or local officials the terms and details of the contract including the compensation to be paid the state for the use of such prisoners.

**SEC. 6. Cost of labor—how paid.** Boards of supervisors, or other local officials authorized to make road improvements, are hereby permitted to employ prisoners to work upon the highways and pay for such services from any funds available for road or bridge work whenever in their judgment such prisoners may be employed advantageously.

**SEC. 7. Prisoners or dependents allowed part of earnings.** The board of control is hereby authorized to allow prisoners who work upon the highways of the state such part of the earnings received by the prisoners as the board shall deem just and equitable over and above the cost of maintenance of such prisoners, and may deduct a part of such earnings and forward direct to the family or person dependent upon such prisoner for support; and said board of control and warden may also provide for the deposit of the earnings of such prisoners in a bank or banks to be given said prisoners upon their release, except such part as may be allowed for current expenses.

**SEC. 8. Clothing not conspicuous.** Prisoners who work upon the highways of the state shall not be required or permitted to work in clothing which will make them look ridiculous or unduly conspicuous.

**SEC. 9. Violation of rules—prisoners returned.** Any prisoner working upon the highway of the state may at any time be returned to the prison for a violation of any of the rules prescribed by the warden or board of control, or for a lack of industry, acts of immorality, or if in the opinion of such warden or guard such prisoners are likely to attempt to escape; or for any other reason or cause making it necessary or advisable to return said prisoners to the penitentiary.

Approved April 18 A. D. 1913.

## CHAPTER 135.

## INDEXING ARTICLES OF CORPORATIONS FOR PECUNIARY PROFIT.

S. F. 206.

AN ACT to amend section one (1) chapter one hundred four (104) acts of the thirty-third (33rd) general assembly, as amended by chapter seventy-three (73) of the acts of the thirty-fourth (34th) general assembly, describing the form of index of articles of incorporation, and making it the duty of the recorder to so index said articles.

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

SECTION 1. **County recorder—index—form.** That section one (1) of chapter one hundred four (104) of the acts of the thirty-third (33rd) general assembly, as amended by chapter seventy-three (73) of the acts of the thirty-fourth (34th) general assembly, be amended by inserting after the word "purpose" in the twelfth line of said section the following:

The county recorder shall keep in his office an index book for articles of incorporation, which shall be ruled and headed substantially after the following form, and shall make entries therein in the order in which they are filed in his office.

## INDEX TO ARTICLES OF INCORPORATION.

Name	Place of Business	Date of Filing			Date of Inst.			Where Recorded		Capital Stock	Remarks
		Mo.	Dy.	Yr.	Mo.	Dy.	Yr.	Bk.	Pg.		

Approved April 11 A. D. 1913.

## CHAPTER 136.

## FOREIGN CORPORATIONS.

S. F. 119.

AN ACT to require foreign corporations owning, controlling, operating or concerned in the operation of any public gas works, electric light plant, electric power plant, heating plant water works, inter-urban or street railway located within the state of Iowa, or the business of such works, plants or railways or owning or controlling stock in any corporation owning, operating or concerned in the operation of any public gas works, electric light plant, electric power plant, heating plant, water works, inter-urban or street railway located within the state of Iowa or the business of such plants or railways to comply with the laws governing the issuance of capital stock of domestic corporations and the making of reports by domestic corporations and to require said foreign corporations to obtain a permit to transact business within the state of Iowa, and conferring upon courts of equity jurisdiction to dissolve and terminate corporations, works, plants or businesses violating this act and providing penalties for violations of this act. [Additional to chapter one (1) of title nine (IX) of the code relating to corporations for pecuniary profit.]

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

**SECTION 1. Capital stock—how issued—certain laws affecting domestic corporations made applicable.** Section 1641-b of the supplement to the code (1907) as amended by chapter 76 of the acts of the 34th general assembly of Iowa, section 1641-c of the supplement to the code (1907) and section 1637 of the code as amended by chapter 104 of the acts of the 33rd general assembly of Iowa and by chapter 75 of the acts of the 34th general assembly of Iowa are hereby made applicable to any foreign corporation which directly or indirectly owns, uses, operates, controls or is concerned in the operation of any public gas works, electric light plant, heating plant, water works, inter-urban or street railway located within the state of Iowa or the carrying on of any gas, electric light, electric power, heating business, water works, inter-urban or street railway business within the state of Iowa or that owns or controls, directly or indirectly, any of the capital stock of any corporation which owns, uses, operates or is concerned in the operation of any public gas works, electric light plant, electric power plant, heating plant, water works, inter-urban or street railway located within the state of Iowa or any foreign corporation that exercises any control in any way or in any manner over any of said works, plants, inter-urban or street railways or the business carried on by said works, plants, inter-urban or street railways by or through the ownership of the capital stock of any corporation or corporations or in any other manner whatsoever, and the ownership, operation or control of any such works, plants, inter-urban or street railways or the business carried on by any of such works or plants or the ownership or control of the capital stock in any corporation owning or operating any of such works, plants, inter-urban or street railways by any foreign corporation in violation of the provisions of this act is hereby declared to be unlawful.

**SEC. 2. Includes so called "holding companies".** The provisions hereof are hereby made applicable to all corporations, including so-called "holding companies" which by or through the ownership of the capital stock in any other corporation or corporations or a series of corporations owning or controlling the capital stock of each other can or may exercise control over the capital stock of any corporation which owns, uses, operates or is concerned in the operation of any public gas works, electric light plant, electric power plant, heating plant, water works, inter-urban or street railway located in the state of Iowa, or the business carried on by such works or plants.

SEC. 2-A. **Annual report—fee.** All corporations subject to the provisions of this act are hereby required to pay the annual fee and to make the annual report in the form and manner and at the time as specified in chapter 105 of the acts of the 33rd general assembly of Iowa.

SEC. 3. **Sale of capital stock.** The provisions of this act are hereby made applicable to the sale of its own capital stock by any corporation subject to the provisions of this act, whether said capital stock has been heretofore issued by said corporation or not, including the sale of so-called "treasury stock" or stock of the corporation in the hands of a trustee or where the corporation participates in any way or manner in the benefits of said sales, and also to the sale of any of the obligations of any corporation subject to the provisions of this act, the payment of which is secured by the deposit or pledge of any of the capital stock of said corporation.

SEC. 4. **Violation—stock void.** Shares of capital stock of any corporation owned or controlled in violation of the provisions of this act shall be void and the holder thereof shall not be entitled to exercise the powers of a shareholder of said corporation or permitted to participate in or be entitled to any of the benefits accruing to shareholders of said corporation, and section 1639 of the code is hereby made applicable to violations of the provisions of this act; and courts and juries shall construe this act so as to prevent evasion and to accomplish the intents and purposes hereof.

SEC. 5. **Enforcement—dissolution—receiver.** Courts of equity shall have full power to dissolve, close up or dispose of any business or property owned, operated or controlled in violation of the provisions of this act; to dissolve any corporation owning or controlling the capital stock of any other corporation in violation of the provisions of this act and to close up or dispose of the business or property of said corporation; and if the court finds that, in order to carry out the purposes of this act, it is necessary so to do, it may dissolve the corporation issuing the stock which is owned in violation of the provisions of this act, close up the business of said corporation and dispose of its property, and the court may also appoint a receiver who shall be a resident of Iowa for any business or for any corporation which has violated the provisions of this act or of the corporation issuing the stock which is held in violation of this act. Any action to enforce the provisions of this act may be instituted by the attorney general in the name of the state of Iowa or by a citizen in the name of the state of Iowa at his own proper cost and expense, reserving, however, to the stockholders owning capital stock not held in violation of this act all rights possessed by them.

SEC. 6. **Acts in conflict repealed.** All acts and parts of acts, so far as the same are in conflict herewith, are hereby repealed.

SEC. 7. **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 2 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 8, 1913, and in the Des Moines Capital April 7, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 187.

## REGULATION AND SUPERVISION OF INVESTMENT COMPANIES.

Sub. for S. F. 1.

**AN ACT** to provide for the regulation and supervision of investment companies, and providing penalties for the violation thereof. [Additional to chapter one (1) title nine (IX) of the code relating to corporations for pecuniary profit.]

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

**SECTION 1. Sale of certain stocks and bonds prohibited—permits granted by secretary of state.** That it shall be unlawful for any investment company or stock broker or any representative thereof, either directly or indirectly, to sell or cause to be sold, offer for sale, take subscription for or negotiate for the sale in any manner whatsoever in this state, except as hereinafter provided, of any stocks, bonds or other securities of any kind or character, other than those expressly exempted from the provisions hereof, without a permit of the secretary of state as hereinafter provided. But nothing in this act shall be construed to prohibit the sale of bonds of the United States, or of the state of Iowa, or of the municipal, county, school or drainage bonds, or of certificates issued by authority of the laws of the state of Iowa, or to prohibit banks from dealing in the various classes of securities now or hereafter authorized by law or to prohibit the sale of stocks, bonds or other securities at judicial sale or by administrators or executors, or bonds or notes secured by mortgage on real estate, provided that the amount of such lien and of all superior liens upon said real estate shall not exceed three-fourths of the actual cash value thereof.

**SEC. 2. Permits—how obtained—information—documents—fee.** That before any investment company shall secure such permit, it shall be necessary for each and every such investment company to file in the office of secretary of state, together with a filing fee of ten dollars (\$10), the following papers, documents, etc., together with such other information and documents as said secretary of state shall deem necessary in each case to-wit:

1. A copy of its constitution and by-laws, or articles of co-partnership or association.
2. An itemized statement of its actual financial condition and the amount of its properties and liabilities.
3. A statement showing in full detail the plan upon which it proposes to transact business.
4. A copy of all contracts, bonds or other securities which it proposes to make with or sell to its contributors.
5. Sample copies of all literature or advertising matter used or to be used by such investment company.
6. If it shall be a foreign investment company, it shall file a copy of its charter, which copy shall bear the certificate of the secretary of state, or other state officer having custody of such records, that it is a true, complete and correct copy.

All the above described papers shall be verified by the oath of a duly authorized member of a co-partnership or association, if it be a co-partnership or association, and by the oath of the president and secretary, if it be incorporated, provided that the secretary of state shall have the power to require such officers to make affidavit to such other reports or information as he may call for.

**SEC. 3. Foreign corporations—service of notice on secretary of state.** Every foreign investment company shall, before receiving a certificate as provided in section four (4) hereof, file in the office of the secretary of state an agreement in writing (authenticated by the seal of said foreign investment company and by the signature of a member of a co-partnership or company if it be a co-partnership or company, or by the signatures of the president and secretary of the incorporated or unincorporated association, and shall be accompanied by a duly certified copy of the order or resolution of the board of directors, trustees or managers of the corporation, authorizing the said president and secretary to execute the same), that thereafter service of notice of any action or process of any kind against such foreign investment company, growing out of the transaction of any business of said company in this state, may be made on the secretary of state, and when so made, such service of notice or process of any kind shall be valid, binding and effective for all purposes as if served upon the foreign investment company according to the laws of this or any other state, and waiving all claims or right of error by reason of such acknowledgment of service. Such notice or process, with a copy thereof, may be mailed to the secretary of state at Des Moines, Iowa, in a registered letter addressed to him by his official title, and he shall immediately upon its receipt acknowledge service thereof on behalf of the defendant foreign investment company by writing thereon, giving the date thereof, and shall immediately return such notice or process in a registered letter to the clerk of the court in which the suit is pending, addressed to him by his official title, and shall also forthwith mail such copy, with a copy of his acknowledgment of service written thereon, in a registered letter addressed to the person or corporation who shall be named or designated as such foreign investment company in such written instrument.

The above provisions for the service of notice or process of any kind are merely additions to the general provisions of law relating to the service of notice or process, and are not to be construed to be exclusive.

**SEC. 4. Statement filed—examination—permit.** It shall be the duty of the secretary of state to examine the statements and documents so filed, and if he shall deem it advisable, he shall require such investment company to furnish him with further and more detailed information regarding the affairs of such investment company, and if he finds that such investment company is solvent; that its articles of incorporation or association, its constitution and by-laws, its proposed plan of business, and proposed contracts contain and provide for a fair, just and equitable plan for the transaction of business, he shall issue to such investment company a statement reciting that such company has complied with the provisions of this act and that such investment company is permitted to do business in this state. In no case shall the secretary of state issue to such investment company or to its stock brokers or agent thereof a permit to do business in this state unless, in his judgment, said investment company meets the requirements of this act.

**SEC. 5. Amendment of charter, articles of incorporation, constitution or by-laws—filed with secretary of state.** That no amendment of the charter, articles of incorporation, constitution or by-laws of any such investment company shall become operative until a copy of the same has been filed with the secretary of state as provided in regard to the original filing of such papers, nor shall it be lawful for any such investment company to transact business on any other plan than that set forth in the statement required to be filed in section two (2) of this act, or to make any contract other than that shown in the copy of the proposed contract required to be filed by the provisions of

said section, until a written statement showing in full detail the proposed new plan of transacting business and a copy of the proposed new contract shall have been filed with the secretary of state in like manner as provided in regard to the original plan of business and proposed contract, and the consent of the secretary of state obtained as to making such proposed new plan of transacting business and proposed new contract.

**SEC. 6. Certified financial statement—fee—failure to report—forfeit.** That at the close of business of December 31st of each year, and at such other times as the secretary of state may require, every investment company, domestic and foreign, shall file with the secretary of state a statement properly verified by the officers of said company, which statement shall set forth its financial condition and the amount of its assets and liabilities and such other information concerning its financial affairs as the secretary of state may require; said statement being for the information of the secretary of state, and it shall not be open to public inspection, neither shall it be published, or used for private purposes. Each annual statement shall be accompanied by a filing fee of two dollars (\$2). Any investment company failing to file said statement for the preceding year by the first day of February of each year, or failing to file any other or special report herein required within thirty (30) days after receipt of request therefor, shall forfeit to the state of Iowa the sum of five dollars (\$5) per day until said statement is filed, or until its right to do business in this state is cancelled; and unless said reports are filed within thirty (30) days from the time they are due the secretary of state may cancel the right of said company to do business in this state.

**SEC. 7. General accounts—how kept—open to inspection.** The general accounts of every such investment company, domestic or foreign, shall be kept in a businesslike and intelligent manner and in sufficient detail that the secretary of state can ascertain at any time its financial condition; and such books of account shall at all times during business hours, except on Sundays and legal holidays, be open to stockholders and investors in said companies and to the secretary of state or his duly authorized representatives.

**SEC. 8. General supervision—secretary of state—powers—examination fee—examiner's expenses—permit cancelled.** The secretary of state shall have general supervision and control as provided by this act over any and all investment companies, domestic and foreign, doing business in this state and not expressly exempted, and all such investment companies shall be subject to examination by the secretary of state or his duly authorized representative at any time the said secretary of state may deem it necessary. The right, powers and privileges of the secretary of state in connection with such examination shall be the same as is now provided with reference to examination of state banks; and such investment companies shall pay a fee for each of such examinations of not to exceed six dollars (\$6) for each day or fraction thereof spent by the said secretary of state or his duly authorized representative while absent from the capitol in making such examination, and also the actual traveling and hotel expenses of said examiner, and upon failure or refusal of any such investment company to pay such fees upon the demand of the secretary of state, or his duly authorized representative, the secretary of state may cancel its right to do business in this state until such fee is paid.

**SEC. 9. Assets impaired—permit cancelled.** Whenever it shall appear to the secretary of state that the assets of any investment company doing business in this state are impaired to the extent that such assets do not equal its liabilities or that it is conducting its business in an unsafe, unfair, inequitable or unauthorized manner, or is jeopardizing the interest of its stockholders or

investors in stocks, bonds or other securities by it offered for sale in this state, or whenever any investment company shall fail or refuse for a period of thirty (30) days to file any papers, statements or documents required by this act without giving reasons therefor satisfactory to the secretary of state, he shall at once cancel the right of said investment company to continue to do business in this state.

**SEC. 10. False statements—fraudulent advertisements—penalty.** Any investment company or person who shall knowingly and willfully subscribe to or cause to be made any false statement or false entry in any book of such investment company, or exhibit any false paper with the intention of deceiving any person authorized to examine the affairs of such investment company, or shall knowingly or willfully make or publish any false statement of the financial condition of such investment company, or the stocks, bonds or other securities by it offered for sale shall be deemed guilty of a felony; and upon the conviction of any such investment company of such felony it shall be fined not less than one hundred dollars (\$100) nor more than ten thousand dollars (\$10,000), and the secretary of state may forthwith cancel the right of said investment company to transact business in this state; and upon the conviction of a person of such felony he shall be fined not less than one hundred dollars (\$100) nor more than ten thousand dollars (\$10,000), and he may be imprisoned for not more than ten years, or by both such fine and imprisonment in the discretion of the court.

**SEC. 11. Persons failing to comply—penalty.** Any stock broker, agent or other person, unless expressly exempted from the provisions of this act, who shall sell or attempt to sell the stocks, bonds or other securities of any investment company (domestic or foreign), which has not complied with the provisions of this act, or whose permit has been cancelled under the provisions of this act or who shall do or attempt to do business for any such investment company, which has not complied with the provisions of this act, or who shall upon demand refuse to exhibit his duly registered certificate of registration received from the secretary of state, or who shall violate any of the other provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined for each of such offenses not less than one hundred dollars (\$100) nor more than five thousand dollars (\$5000) or by imprisonment in the county jail of not more than ninety (90) days, or by both such fine and imprisonment in the discretion of the court.

**SEC. 12. Collection of fees—record of receipts and expenditures—clerks, deputies—how appointed—salaries—how paid.** All fees herein provided for shall be collected by the secretary of state and by him turned in to the state treasurer on the first secular day of each month; and the secretary of state shall keep a record of the receipts and expenditures incurred in carrying out the provisions of this act. The secretary of state is hereby authorized to appoint such clerks and deputies as the executive council deem actually necessary to carry this act into full force and effect; but none of whom shall be related by blood or marriage to such secretary of state. The compensation of such clerks and deputies shall be fixed by the executive council. Before the salary and expenses of any such clerk or deputy shall be paid, a detailed and itemized statement of account shall be prepared by such claimant and duly verified, which verification shall aver that such claim is just, reasonable and wholly unpaid and that the amount therein stated has been expended by such claimant. When said claim has been approved by the secretary of state and audited and allowed by the executive council, it shall be paid by warrant



drawn by the auditor of state upon the state treasurer, and there is hereby appropriated out of any money of the state treasury, and not otherwise appropriated, an amount sufficient to meet said salaries and expenses.

**SEC. 13. Appeal from decision of secretary of state—time—how made.** Any investment company, domestic or foreign, or any stock broker, which shall be denied a certificate to transact its business in this state or whose certificate shall be revoked by the secretary of state in pursuance of this act, or any interested citizen of this state, shall have the right to appeal to the executive council of this state from any decision of the secretary of state relating to the provisions of this act, within twenty (20) days from the entry of such decision by serving notice of such appeal upon the secretary of the executive council, and such appeal shall be heard and determined by the executive council under such rules and regulations as they may prescribe.

**SEC. 14. Agents—when—how appointed—expiration and revocation of permit—fee—standard securities.** Any investment company which has complied with the provisions of this act and received from the secretary of state a certificate authorizing it to offer its securities for sale in this state may appoint one or more stock brokers or agents to act for it; but no such stock broker, except under the provisions of the next section, or agent, or any other person, shall directly or indirectly, do any business for said investment company in this state until he shall first register with the secretary of state and file with such officer his written appointment and authority from said investment company to act as its stock broker or agent and receive from him a certificate showing that such investment company has complied with the provisions of the law and that such person is authorized to act for it. All such certificates shall be subject to revocation by the secretary of state, and unless so revoked shall expire on the 1st day of July each year. A charge of one dollar (\$1) shall be made by the secretary of state for each certificate issued to each stock broker or agent.

**SEC. 15. Stock broker—permit—standard securities—lists—semi-monthly report—investigation of stock broker and stocks—expense—fee—bond—forfeiture.** The secretary of state may issue to any stock broker who has been a resident of the state during the last preceding six (6) months an annual permit, which permit shall entitle such stock broker to handle such stocks, bonds or other securities in the state of Iowa as are known to be standard, or are well known to be safe and legitimate investments, or such as are found by investigation of the secretary of state to be safe and legitimate stocks, bonds or other securities; provided, however, such stock broker shall file on the first and fifteenth day of each month a detailed list of the stocks, bonds or other securities on hand for sale and also all of those sold by him during the preceding half month and not previously reported; provided further that said secretary of state shall have authority to prohibit the stock broker from handling any of such issues at any time or to cancel said stock broker's permit at any time he decides that said broker is not handling such securities as he deems safe and legitimate investments. But the secretary of state shall not issue such annual permit to any stock broker until he has first satisfied himself by special investigation as to the character and responsibility of such stock broker and as to the character of the class of stocks, bonds and other securities handled by such stock broker; and also as to his reputation for handling such stocks, bonds and other securities as the secretary of state shall deem to be safe and legitimate investments. In the event the secretary of state shall make any investigation provided for under the provisions of this section, the expense incurred thereby shall be born [borne] by the stock broker so in-

vestigated. He shall also pay a fee of fifty dollars (\$50) to the secretary of state for each of said annual permits, which permits, unless sooner revoked by the secretary of state, shall expire on the first secular day of July of each year. If said permit is issued after the first of January of any year, the fee shall be reduced one-half. Before being granted such permit by the secretary of state the stock broker shall give a bond in the penal sum [sum] of five thousand dollars (\$5000) to the state of Iowa, conditioned upon a strict compliance with this act, which bond shall be approved by the executive council and filed with the secretary of state. Said bond shall be forfeited by a violation of the terms or conditions of this act, or by a conviction for such violation, and the attorney general of this state may institute suit in the name of the state of Iowa in any court of competent jurisdiction for a forfeiture thereof at any time within two years from the time the cause of action accrues; provided that if it appears such violation was not intentional and no fraud was shown only so much of said bond shall be forfeited which shall be equal to the amount of damages sustained.

**SEC. 16. Bona fide owner resident of state—disposing of securities—registration of securities—fee.** Nothing in this act shall be so construed as to prohibit a bona fide owner of any stocks, bonds or other securities, who is at the time a resident of this state, from selling, exchanging or otherwise disposing of the same when not made in the course of continuing or repeated transactions of a similar nature, or when the said securities, including negotiable promissory notes, have been issued or given for goods, wares or merchandise purchased or dealt in by the issuer in the ordinary course of his business, or when sold, exchanged or otherwise disposed of to a bank, trust company, insurance company, building and loan association, or to a stock broker duly authorized to transact business within this state, provided that the same are sold by said owner in good faith and not for the purpose of evading the provisions of this act; and the secretary of state may authorize in writing any such bona fide owner of any stocks, bonds or other securities to sell in this state any other securities not included in the provisions set forth in the preceding portion of this section; provided, however, that it shall be made to appear to the satisfaction of the secretary of state that such stocks, bonds or other securities are safe and legitimate investments, and that they were acquired and held by the owner in good faith, and not for the purpose of evading the provisions of this act, and that said owner desires in good faith to dispose of said securities; but before such authorization shall issue the owner of such securities shall register, in a book kept for that purpose by the secretary of state, the stocks, bonds and other securities desired to be sold, giving the character of the security, the par value thereof, the date of issue, and any other data concerning the same which the secretary of state may require. A certificate fee of one dollar (\$1) shall be charged for each such authorization.

**SEC. 17. Permit—bold type—securities not recommended by secretary of state—advertisement.** That each and every certificate or permit granted by the secretary of state under the provisions of this act to any investment company or to any stock broker, agent or representative thereof or to any other person, shall have printed across its face in bold type the statement: "The secretary of state in no wise recommends the stocks, bonds or other securities offered for sale by this (investment company, stock broker, agent, representative or person, as the case may be)"; and any investment company or any stock broker, agent or representative thereof or any person who shall refer to such certificate or permit in any advertisement or printed matter of any kind shall also print in said advertisement or printed matter, with equal

prominence, the statement: "The secretary of state in no wise recommends the stocks, bonds or other securities herein referred to."

**SEC. 18. Terms defined.** In the construction of this act the following definitions shall be followed, unless such construction would be inconsistent with the manifest intent or repugnant to the context of the statute:

1. That the name "investment company" as used in this act shall include every corporation or concern, however constituted, now or hereafter organized, which shall sell or cause to be sold or offered for sale, take subscriptions for, or negotiate for the sale of any stocks, bonds or other securities of any kind or character to any person or persons in the state of Iowa. But nothing in this act shall be construed to make the provisions thereof apply to state, savings, private or national banks, loan and trust companies, local building and loan associations, or to the sale of real estate under bond or contract where the actual transfer of title thereto is contingent upon the future payment or considerations, or corporations not organized for profit.

2. The name "domestic" as used in this act shall apply to those corporations or concerns incorporated or organized under the laws of Iowa or having their principal place of business in the state of Iowa; and the word "foreign" shall apply to those corporations or concerns organized under the laws of another state or having their principal place of business outside of the state of Iowa.

3. The name "stock broker" as used in this act shall include every person, set of persons, association, company, co-partnership or corporation, who shall deal in stocks, bonds or other securities covered by this act, or who shall sell, offer or negotiate for the sale, in the state of Iowa, of any stocks, bonds or other securities covered by this act, or who shall underwrite or purchase such securities and re-sell them to any person or persons in the state of Iowa at a commission or profit.

4. The name "agent" as used in this act shall include any persons who shall act for any investment company or stock broker, offering for sale, taking subscriptions for, or negotiating for the sale of, or selling any securities for any investment company or stock broker, either as an employee on a salary basis or for a commission or who shall execute, issue, sell, offer or negotiate for sale, any contract, bond or other instrument, by the terms of which title to real estate located outside the state of Iowa is to be transferred upon the completion of certain payments or the performance of certain conditions therein specified; provided that if it appears such violation was not intentional and no fraud was shown only so much of said bond shall be forfeited which shall be equal to the amount of damages sustained.

**SEC. 19. Acts in conflict repealed.** All acts or parts of acts in so far as they are in conflict with this act are hereby repealed.

Approved April 19 A. D. 1913.

## CHAPTER 138.

## REGISTRATION OF CHARITABLE ORGANIZATIONS SOLICITING PUBLIC AID.

S. F. 368.

AN ACT to require the registration of charitable organizations soliciting public aid and providing penalty for the violations thereof. [Additional to section sixteen hundred forty-two (1642) of the code, relating to corporations not for pecuniary profit.]

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

**SECTION 1. Statement filed with secretary of state—license.** That from and after the passage of this act, all organizations, institutions, or charitable associations, which, through agents or representatives, solicit public donations in this state, shall be required to file with the secretary of state a statement setting forth the name and location of such organization, institution or charitable association, the purposes for which such organization, institution or charitable association exists, and the name of its principal officers and soliciting agents.

If, in the judgment of the secretary of state, such statement shall be deemed sufficient evidence that the moneys thus collected are to be used in the interest of the purposes represented, the secretary of state shall be authorized to issue to said organization, institution or charitable association, its agents and representatives, a state license, without expense, authorizing said organization, institution or charitable association to solicit public donations in any county, city or township in this state.

Nothing in this act, however, shall be construed to prohibit any person or local organization church school or any recognized society or branch of any church or school from publicly soliciting funds or donations within the county or adjoining counties in which such person resides or such church, school institution, organization or charitable association is located.

**SEC. 2. Violation—penalty.** Any person who shall willfully violate the provisions of this act or who shall solicit funds under any such license and thereafter divert the same to purposes other than that for which they were contributed shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than one hundred dollars (\$100.00) or by imprisonment in the county jail not to exceed thirty (30) days.

Approved April 17 A. D. 1913.

## CHAPTER 139.

## CONDEMNATION OF LAND BY PRIVATE CEMETERY ASSOCIATIONS.

S. F. 263.

AN ACT to empower private cemetery associations to condemn land for additions to their cemeteries. [Additional to chapter two (2) of title nine (IX) of the code relating to corporations not for pecuniary profit.]

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

**SECTION 1. Associations not for pecuniary profit—petition asking condemnation.** When any private cemetery association, incorporated under the provisions of chapter two (2), title nine (IX) of the code, relating to corporations not for pecuniary profit, and having its cemetery located outside the limits of an incorporated city or town, shall desire to acquire additional land for cemetery use, it may file with the auditor of the county in which its cemetery is situated, a petition, directed to the governor of the state, asking that

it may be granted the right to condemn property. The petition shall be verified and shall contain a description of the land desired to be condemned, the amount of land comprised therein, the names and addresses of the owner or owners, so far as known, and a statement in general terms that the association has been unable to agree with the owner upon the price to be paid for the land, and that the land is reasonably needed by the association for use for cemetery purposes.

**SEC. 2. Notice to land owner—publication.** Notice that the petition is on file and will be heard at the next regular meeting of the board of supervisors, stating the first day of the said meeting, shall be prepared by the auditor, and, at the expense of the association, be served upon the land owner, whose land they seek to condemn, the same as original notices are served. If the owner is a non-resident of the county where the property sought to be condemned is located, notice shall be given by publication in some newspaper of general circulation in the county for two (2) consecutive weeks, said paper to be designated by the auditor, and the last publication to be at least ten days prior to the first day of the meeting of the board.

**SEC. 3. Hearing—recommend to governor.** The board of supervisors, at its regular meeting, shall hear the petitioner, and any persons appearing in opposition to the petition. If it appears to the board that the land is reasonably necessary for cemetery uses of the petitioner, the board shall recommend to the governor of the state that the petitioner be given the right to condemn the property, and the petition, with the recommendation of the board, shall be transmitted to the governor by the auditor.

**SEC. 4. Right to condemn.** When such a petition is presented to the governor, with the recommendation of the board of supervisors of the county, that the petition be granted, the governor may grant to the petitioner the right to condemn the property named in the petition.

**SEC. 5. Procedure.** When the right to condemn is granted by the governor, proceedings for condemnation may be taken by the private cemetery association, as provided in title ten (X), chapter four (4) of the code. In such proceedings, the grant of the right to condemn given by the governor shall be prima facie evidence that the proceedings prior to the grant of the right by the governor were in due form.

**SEC. 6. In effect.** This act, being deemed of immediate importance, shall 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 17 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 21, 1913.

W. S. ALLEN,  
*Secretary of State.*

CHAPTER 140.

COUNTY CORPORATIONS FOR IMPROVEMENT OF AGRICULTURE, ANIMAL HUSBANDRY AND HORTICULTURE.

H. F. 47.

AN ACT to authorize the incorporation in each county of the state of an association for the advancement and improvement of agriculture, animal husbandry and horticulture, to define the powers and rights of such association and its members, to provide for the submission to the voters of the question of levying a tax in aid of the objects of such association and to provide for the termination of said tax.

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

**SECTION 1. Purpose.** For the purpose of improving and advancing the science and art of agriculture, animal husbandry and horticulture, a body corporate is hereby authorized in each county in the state.

**SEC. 2. Corporation—how formed.** Such body corporate may be formed by the acknowledging and filing for record with the county recorder of such county, of articles of incorporation by at least ten farmers, land owners, or other business men of each of the majority of the several townships of the county.

**SEC. 3. Articles—form.** The articles of incorporation shall be as follows: "We, the undersigned farmers, land owners and business residents of..... county, Iowa, do hereby adopt the following articles of incorporation:

Article 1. The objects of this incorporation shall be to advance and improve, in .....county, Iowa, the science and art of agriculture, horticulture and animal husbandry.

Article 2. The name of this incorporation shall be The Farm Improvement Association of .....county, Iowa. (Inserting the name of the county of which the incorporators are residents.)

Article 3. The affairs of this incorporation shall be conducted by a president, a vice president, a secretary and a treasurer, who shall perform the duties usually pertaining to such positions, and by a board of directors of nine members all of which officers and directors shall be elected by the members of said incorporation at an annual meeting on the first Monday of January of each year. Not more than two directors shall be residents of the same township, when elected. All officers and directors shall hold their positions for one year and until their successors are elected. We, the said incorporators, have elected the following provisional officers to hold their respective positions until their successors are elected at the annual meeting in the year.....:

- President .....
- Vice president .....
- Secretary .....
- Treasurer .....

Board of Directors:

- 1 .....
- 2 .....
- 3 .....
- 4 .....
- 5 .....
- 6 .....
- 7 .....
- 8 .....
- 9 .....

Article 4. The yearly dues of the members of this incorporation shall be one dollar, payable at the time of applying for membership and on the first Monday in January of each year thereafter. No member having once paid dues, shall forfeit his membership until his or her subsequent dues are six months in arrears.

Article 5. Any citizen of the county and any non-resident owning land in the county shall have the right to become a member of the incorporation by paying one year's dues and thereafter complying with the articles of incorporation and by-laws.

Article 6. This incorporation shall endure until terminated by operation of law.

SEC. 4. **Private property exempt—seal.** Such body corporate may sue and be sued, but the private property of the members shall be exempt from corporate debts. It may have a seal which it may alter at pleasure.

SEC. 5. **By-laws—powers—employ experts—dues—how expended.** Such body corporate may, in such manner as it may see fit, adopt by-laws; shall have power to take by gift, purchase, devise or bequest real and personal property for purposes appropriate to its creation; may employ one or more experts or advisors to advance and improve agriculture, horticulture and animal husbandry in said county, provided that the president of the Iowa state college of agriculture and mechanic arts certifies to the qualification and fitness of such person to give expert instructions or advice in said sciences. Such body corporate shall have and exercise all powers necessary, appropriate and convenient for the successful carrying out of the objects of said incorporation. The said association shall have authority to use part or all of the sum annually received as dues from its members in the payment of prizes offered in any department of its work, including agriculture fairs, short courses or farmer's institutes.

SEC. 6. **Articles recorded.** The articles of incorporation shall be recorded by the recorder of deeds without fee of any kind.

SEC. 7. **Without compensation.** No salary or compensation of any kind shall be paid to the president, vice president, treasurer or to any director.

SEC. 8. **No dividends.** No dividend shall ever be declared by this incorporation. Any diversion of the funds or property of such incorporation to any purpose except the purposes of incorporation shall constitute larceny and be punished accordingly.

SEC. 9. **Treasurer—bond—amount.** The treasurer shall give bond, the amount to be fixed by the board of directors in double the amount of money

likely to come into his hands, with sureties. Said bond shall be filed with and approved by the county auditor and recorded without fee. In no case shall the bond of the treasurer be less than five thousand dollars.

SEC. 10. **Annual report.** The outgoing president and treasurer shall, on the first Monday of January of each year, file with the county auditor full and detailed reports under oath of all receipts and expenditures of said incorporation, showing from who received and to whom paid and for what purpose. A duplicate of said report shall also be laid before the members at the annual meeting. The books, papers and records of said incorporation shall at all times be open to the inspection of the board of supervisors and to any one appointed by them to make examination.

SEC. 11. **Tax levy—submitted to voters—separate ballot—form.** Whenever the articles of incorporation are filed as herein provided and the president and secretary certifies to the board of supervisors that the incorporation of said association has been effected, the said board shall at the next regular election in said county submit to the voters of said county the question whether a yearly tax of not to exceed five thousand dollars shall be thereafter levied for the purpose of improving and advancing the science and art of agriculture, animal husbandry and horticulture. Said question shall be submitted on a separate ballot and substantially in the following form:

“Shall a yearly tax of not to exceed five thousand  
dollars be hereafter levied for the purpose of  
improving and advancing the science and art of  
agriculture, animal husbandry and horticulture.”

Yes   
No

The voter shall signify his vote on said proposition by placing a cross in the square opposite the word “yes” or “no”.

SEC. 12. **Vote—how canvassed—levy—amount.** The vote on said proposition shall be canvassed and returns made thereof as in other cases and if a majority of the votes are in favor of said proposition the board of supervisors shall, prior to the first day of January following said election, set aside, out of the general county fund, the sum of five thousand dollars, less any sum advanced to said association by the government of the United States in aid of its objects. Said sum so set aside shall be paid to the treasurer of said association, who shall be liable on his bond for the proper distribution thereof. If a majority of the votes be in favor of said proposition, the board of supervisors shall annually thereafter, and at the time of levying taxes generally, levy on all the property of the county a tax of five thousand dollars, less any amount advanced to said association, by the government of the United States in aid of its objects and at the first general levy of taxes following the advance of funds herein provided, levy an additional tax sufficient to reimburse said county for the funds so advanced.

SEC. 13. **Funds—how expended.** The treasurer of said incorporation shall receive all funds belonging to said incorporation and all taxes collected as herein provided and shall pay out the same only on bills allowed by the board of directors, such allowance to be certified to by the president or secretary.

SEC. 14. **False certificate—penalty.** Any office making a certificate as provided herein, knowing the same to be false or incorrect in any particular shall be guilty of a misdemeanor and punished accordingly.

SEC. 15. **Mis-use of funds—penalty.** Any treasurer of such association who in any manner converts the funds or property of such association to his own use or pays out or disposes of the same in any manner different than as directed herein, shall be considered guilty of larceny and punished accordingly.



SEC. 16. **Amount advanced by government.** The president and secretary of said association shall, prior to the time of making any levy or advancing any funds, as herein provided, certify to the board of supervisors the amount if any, advanced to said association by the government of the United States for the ensuing year in aid of its objects.

SEC. 17. **After five years levy may be discontinued—how.** After five successive levies have been made hereunder, any one hundred resident land owners of the county may petition the board of supervisors to submit to the voters of the county the question of discontinuing the levy herein provided for and upon said petition being found sufficient, the said board shall, at the next general election submit, on separate ballot, to the voters, the question whether said levy shall be discontinued. If a majority of the votes be in favor of discontinuing said levy, then no farther levies shall be made."

Approved April 17 A. D. 1913.

## CHAPTER 141.

### DEPARTMENT OF AGRICULTURE.

H. F. 223.

AN ACT to amend section sixteen hundred fifty-seven-n (1657-n), supplement to the code, 1907, relative to the compensation of the secretary of the department of agriculture.

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

SECTION 1. **Secretary—salary.** That section sixteen hundred fifty-seven-n (1657-n), supplement to the code, 1907, be and the same is hereby amended by striking out all of that part of said section following the period after the word "supplied" in the fifth (5) line and substituting in lieu thereof the following: The secretary shall receive as salary such compensation as may be fixed and allowed by the state board of agriculture from the funds derived from the state fair, but said salary shall not be increased more than four hundred (\$400.00) dollars in any one year, and, in no event, to be more than thirty-five hundred (\$3500.00) 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 Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved April 18 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 21, 1913 and in the Des Moines Capital April 22, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 142.

## TAX LEVY FOR COUNTY AGRICULTURAL SOCIETIES.

H. F. 226.

AN ACT to amend section sixteen hundred and sixty (1660) of the supplement to the code, 1907, to aid county agricultural societies.

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

**SECTION 1. Appropriation from county—notice—title in county—control—question submitted—county tax levy—how expended.** That section sixteen hundred and sixty (1660) of the supplement to the code, 1907, be and the same is hereby amended by adding the following to the end thereof:

“The board of supervisors of any county which has acquired real estate for county fair purposes and which has a county agricultural society using said real estate may submit, at any regular election, the question of aiding said agricultural society by a direct tax on all the property of the county, of not to exceed one thousand dollars (\$1000) in any one year, for not to exceed ten (10) years in succession, and if a majority of the votes cast on this proposition at such election are in favor of said tax, said board shall levy a tax for the benefit of said society, but such tax shall be expended only for the erection or repair of buildings or other permanent improvements on the fair grounds, or for the payment of debts contracted for the erection of such buildings or other permanent improvements. Shares of stock, non-assessable, shall be issued to the county at par value for amount of money received by said society from taxes raised under this act.”

Approved April 9 A. D. 1913.

## CHAPTER 143.

## INSURANCE AGAINST LOSS RESULTING FROM AUTOMOBILES AND OTHER CONVEYANCES.

H. F. 335.

AN ACT to amend the law as it appears in sub-division five (5) section one thousand seven hundred and nine (1709) of the supplement to the code, 1907, relating to health, accident and liability insurance.

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

**SECTION 1. Amended—kinds of insurance—limitation of risk.** That the law as it appears in sub-division five (5) of section one thousand seven hundred and nine (1709) of the supplement to the code, 1907, be and the same is hereby amended by adding to said sub-division immediately after the semicolon at the end thereof, the following: “and insure against liability for loss or expense arising or resulting from accidents, occurring by reason of the ownership, maintenance or use of automobiles or other conveyances, resulting in personal injuries or death, or damage to property belonging to others, or both. Provided, that should an execution on a judgment against the

owner of any such automobile or conveyance be returned unsatisfied in an action by a person who is injured or whose property is damaged by the use of such automobile or other conveyance, and such owner has insured his liability for such personal injury or property damage the judgment creditor shall have a right of action against the insurer to the same extent that such owner could have enforced his claim against such insurer had such owner paid said judgment."

Approved April 18 A. D. 1913.

#### CHAPTER 144.

##### INSURANCE.

H. F. 668.

AN ACT to amend division one (1) section seventeen hundred nine (1709) supplement to the code, 1907, as amended by chapter eighteen (18) acts of the thirty-fourth (34th) general assembly, relating to kinds of insurance that may be written.

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

SECTION 1. **Amended—sprinkler leakage.** That division one (1) of section seventeen hundred nine (1709) supplement to the code, 1907, as amended by chapter eighteen (18) acts of the 34th general assembly be, and the same is hereby amended, by inserting after the word "fire" in the second (2) line of division one (1) of said section, a comma (,) followed by the words "sprinkler leakage."

Approved April 18 A. D. 1913.

#### CHAPTER 145.

##### INVESTMENT OF INSURANCE FUNDS.

S. F. 551.

AN ACT to amend the law relating to the investment of the funds of life insurance companies and associations as the same appears in section eighteen hundred six (1806) supplement to the code, 1907.

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

SECTION 1. **Investment of funds—drainage assessments deducted.** That the law as it appears in section eighteen hundred six (1806) supplement to the code, 1907, be and the same is hereby amended by adding to sub-division four (4) of said section at the end thereof the following: "Any mortgage lien upon real estate shall not, for the purposes of this section, be held or construed to be other than a first lien by reason of the fact that drainage or other improvement assessments may have been levied against the real estate covered by said mortgage, whether the installments of said assessment be matured or not, provided, that in determining the value of said real estate for loan purposes, the amount of the drainage or other assessment tax unpaid, shall be deducted."

Approved April 19 A. D. 1913.

## CHAPTER 146.

## INSURANCE COMMISSIONER AND DEPARTMENT OF INSURANCE.

S. F. 522.

AN ACT to establish an insurance department, providing for an insurance commissioner, defining his duties, fixing his compensation and determining his term of office. [Additional to chapters four (4), five (5), six (6), seven (7), eight (8) and nine (9) of title nine (IX) of the code, relating to insurance.]

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

**SECTION 1. Appointment by governor—ratification by senate—bond—compensation.** That there is hereby created and established a department to be known as the "Insurance Department of Iowa". The chief officer of said department shall be styled "Commissioner of Insurance", and shall be appointed by the governor on or before the first day of July, 1914; said officer to serve until February 1, 1915. On or before the date of the expiration of the term of office of the commissioner hereby provided for, the governor shall nominate, and with the consent of two-thirds of the members of the senate in executive session, appoint a person for commissioner, who shall be selected solely with regard to his qualifications and fitness to discharge the duties of this position. No nomination shall be considered by the senate until the same shall have been referred to a committee of five, not more than three of whom shall belong to the same political party, to be appointed by the president of the senate without formality of a motion, which committee shall report to the senate in executive session, which report shall be made at any time when called for by the senate. The consideration of nominations by the senate shall not be had on the same legislative day that the nominations are so referred. Subsequent appointments shall be made as above provided, and except to fill vacancies, shall be for a period of four (4) years. He shall be subject to removal only under and according to the provisions of chapter seventy-eight (78) of the acts of the thirty-third general assembly, as amended. The governor shall fill as in the first instance any vacancy which may arise in this office. Before entering upon the discharge of the duties of his office, the commissioner of insurance shall give a bond in the penal sum of twenty-five thousand dollars (\$25,000.00), conditioned as provided for in section eleven hundred eighty-three (1183) of the code, the same to be approved by the executive council and filed in the office of the secretary of state. He shall devote his entire time to the duties of his office and shall receive an annual salary of three thousand dollars (\$3,000.00).

**SEC. 2. Office—supplies.** The executive council shall provide the insurance department of Iowa with suitable quarters at the seat of government and shall furnish said department with furniture, books, supplies, printing and stationery necessary to carry out the provisions of this act. All desks, chairs, filing cases and other furniture, and all books, papers, records and securities of whatsoever kind, and all other property of every character now in the office of the auditor of state and relating to or connected with the business and supervision of insurance in this state shall be transferred, delivered and surrendered to the commissioner of insurance upon the second secular day of January, 1915.

**SEC. 3. Deputy—bond—compensation—examiners—clerks and assistants.** The commissioner of insurance is hereby directed to appoint a deputy commissioner to assist him in his work, who shall serve during the pleasure of the commissioner of insurance and receive an annual salary of eighteen hundred dollars (\$1800.00). Before entering upon the duties of his office, the deputy commissioner shall give a bond in the penal sum of ten thousand dollars (\$10,000.00) conditioned as provided in section eleven hundred eighty-three (1183) of the code, the same to be approved by the executive council and filed with the secretary of state.

The commissioner of insurance is also empowered and directed to appoint two insurance examiners and the necessary assistant examiners all as referred to and provided for in section eighteen hundred twenty-one-c (1821-c), supplement to the code, 1907, as amended by chapter eighty (80), acts of the thirty-fourth general assembly; also a security clerk with an annual salary of sixteen hundred (\$1600.00); a fee clerk with an annual salary of fourteen hundred dollars (\$1400.00); a general insurance clerk with an annual salary of twelve hundred dollars (\$1200.00); two stenographers with an annual salary of nine hundred dollars (\$900.00) each; and such other clerks and assistants as shall be needed in the performance of the duties of his office; and he may contract such expenses as may be necessary in the performance of his official duties, including all actual and necessary expenses incurred in attending meetings of the insurance commissioners and such other expense as shall be approved by the executive council; but the total amount to be so expended for such contingent expenses shall not exceed the sum of one thousand dollars (\$1000.00) annually and there is hereby appropriated out of any funds in the state treasury not otherwise appropriated two thousand dollars (\$2000.00) annually or so much thereof as may be necessary to meet the expenses thus incurred.

All salaries herein provided for shall be paid in the same manner as are the salaries of other state officers out of the general revenues of the state and on the first day of each month all such salaries and other expenses as are indicated herein shall be paid by warrant drawn by the auditor of state upon the treasurer of state.

**SEC. 4. Commissioner—duties—powers.** The commissioner of insurance shall be the head of the insurance department of Iowa and shall have general control, supervision and direction of all insurance business transacted in the state of Iowa and shall be charged with the execution of the laws of this state relating to insurance; and all powers now vested in and all duties imposed upon the auditor of this state relating in any way to insurance matters, shall, from and after the taking effect of this act, be vested in and made incumbent upon the commissioner of insurance herein provided for.

**SEC. 5. Records—reports—securities.** All books, records, files, documents, reports, and securities and all papers of every kind and character relating to the business of insurance and now enjoined and required by law to be delivered to or to be filed or be deposited with the auditor of state shall, from and after the taking effect of this act, be delivered to and filed or deposited with the said commissioner of insurance.

**SEC. 6. Fees.** All fees and charges of every character whatsoever which are now required by law to be paid to the auditor of state by insurance companies and associations shall from and after the taking effect of this act be payable to the insurance commissioner whose duty it shall be to account for

and pay over the same to the treasurer of state at the time and in the manner as now provided for by law for the auditor of state.

SEC. 7. **Acts in conflict repealed.** All acts or parts of acts in so far as they are in conflict herewith are hereby repealed.

Approved April 23 A. D. 1913.

## CHAPTER 147.

### EMPLOYERS' LIABILITY AND WORKMEN'S COMPENSATION.

#### S. F. 3.

AN ACT relating to employers' liability for personal injury sustained by employees in line of duty, fixing compensation therefor, securing the payment thereof, providing for the appointment of a commissioner and defining his duties.

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

**SECTION 1. Employers—employees—exceptions.** (a) Except as by this act otherwise provided, it shall be conclusively presumed that every employer as defined by this act has elected to provide, secure and pay compensation according to the terms, conditions, and provisions of this act for any and all personal injuries sustained by an employee arising out of and in the course of the employment; and in such cases the employer shall be relieved from other liability for recovery of damages or other compensation for such personal injury, unless by the terms of this act otherwise provided; but this act shall not apply to any household or domestic servant, farm or other laborer engaged in agricultural pursuits, nor persons whose employment is of a casual nature.

(b) **Compulsory.** Where the state, county, municipal corporation, school district, cities under special charter and commission form of government is the employer, the terms, conditions and provisions of this act for the payment of compensation and amount thereof for such injury sustained by an employee of such employer shall be exclusive, compulsory and obligatory upon both employer and employee.

(c) **Terms rejected.** An employer having the right under the provisions of this act to elect to reject the terms, conditions and provisions thereof and in such case exercises the right in the manner and form by this act provided, such employer shall not escape liability for personal injury sustained by an employe of such employer when the injury sustained arises out of and in the usual course of the employment because:

(1) **Risks assumed.** The employe assumed the risks inherent in or incidental to or arising out of his or her employment; or the risks arising from the failure of the employer to provide and maintain a reasonably safe place to work, or the risks arising from the failure of the employer to furnish reasonably safe tools or appliances, or because the employer exercised reasonable care in selecting reasonably competent employes in the business.

(2) **Negligence.** That the injury was caused by the negligence of the employe.

(3) **Intoxication.** That the employe was negligent unless and except it shall appear that such negligence was willful and with intent to cause the injury; or the result of intoxication of [on] the part of the injured party.

(4) **Burden of proof—employers' notice—form.** In actions by an employe against an employer for personal injury sustained arising out of and in the course of the employment where the employer has elected to reject the provisions of this act, it shall be presumed that the injury to the employe was the direct result and growing out of the negligence of the employer; and that such negligence was the proximate cause of the injury; and in such cases the burden of proof shall rest upon the employer to rebut the presumption of negligence.

Every such employer shall be conclusively presumed to have elected to provide, secure and pay compensation to employes for injuries sustained arising out of and in the course of the employment according to the provisions of this act, unless and until notice in writing of an election to the contrary shall have been given to the employes by posting the same in some conspicuous place at the place where the business is carried on, and also by filing notice with the Iowa Industrial Commissioner with return thereon by affidavit showing the date that notice was posted as by this act provided. Provided, however, that any employer beginning business after the taking effect of this act and giving notice at once of his desire not to come under the provisions of this act, shall not be considered as under the act. Provided, however, that such employer shall not be relieved of the payment of compensation as by this act provided until thirty days after the filing of such notice with the Iowa industrial commissioner, which notice shall be substantially in the following form:

**EMPLOYERS' NOTICE TO REJECT**

To the employes of the undersigned, and the Iowa Industrial Commissioner:

You and each of you are hereby notified that the undersigned rejects the terms, conditions and provisions to provide, secure and pay compensation to employes of the undersigned for injuries received as provided in the acts of the (.....) general assembly known as chapter (.....) and elects to pay damages for personal injuries received by such employe under the common law and statutes of this state modified by sub-divisions one, two, three and four of section one, chapter (.....) of the acts of the (....) (.....) general assembly and acts amendatory thereto.

Signed.....

State of Iowa, }  
                  } ss:  
..... county. }

The undersigned being first duly sworn deposes and says that a true, correct and verbatim copy of the foregoing notice was on the ..... day of ....., 19.... posted at .....  
(state fully place where posted.)

Subscribed and sworn to before me by ..... this ..... day of ....., 19....

.....  
Notary Public.

The employer shall keep such notice posted in some conspicuous place which shall apply to the employes subsequently employed by the employer with the same force and effect and to the same extent and in like manner as employes in the employ at the time the notice was given.

Where the employer and employe have not given notice of an election to reject the terms of this act, every contract of hire express or implied, shall be construed as an implied agreement between them and a part of the contract on the part of the employer to provide, secure and pay, and on the part of the employe to accept compensation in the manner as by this act provided for all personal injuries sustained arising out of and in the course of the employment.

**SEC. 2. No compensation.** No compensation under this act shall be allowed for an injury caused:

(a) By the employe's willful intention to injure himself or to willfully injure another; nor shall compensation be paid to an injured employe if injury is sustained where intoxication of the employee was the proximate cause of the injury.

**SEC. 3. Employe's rights—**(a) The rights and remedies provided in this act for an employe on account of an injury shall be exclusive of all other rights and remedies of such employe, his personal or legal representatives, dependents or next of kin, at common law or otherwise on account of such injury; and all employes affected by this act shall be conclusively presumed to have elected to take compensation in accordance with the terms, conditions and provisions of this act until notice in writing shall have been served upon his employer; and also on the Iowa Industrial Commissioner, with return thereon by affidavit showing the date upon which notice was served upon the employer.

(b) **Terms rejected—notice—form—affidavit.** In the event such employe elects to reject the terms, conditions and provisions of this act, the rights and remedies thereof shall not apply where an employe brings an action or takes proceedings to recover damages or compensation for injuries received growing out of and in the course of his employment, except as otherwise provided by this act; and in such actions where the employe has rejected the terms of this act the employer shall have the right to plead and rely upon any and all defenses including those at common law, and the rules and defenses of contributory negligence, assumption of risk and fellow-servant shall apply and be available to the employer as by statute authorized unless otherwise provided in this act. Provided, however, that if an employe sustains an injury as the result of the employer's failure to furnish or failure to exercise reasonable care to keep or maintain any safety device required by statute or rule, or violation of any of the statutory provisions or rules and regulations now or hereafter in force relating to safety of employes, the doctrine of assumed risk in such case growing out of the negligence of the employer shall not apply or be available as defensive matter to such offending party. The notice required to be given by an employe shall be substantially in the following form:

#### EMPLOYES' NOTICE TO REJECT.

To.....and the Iowa Industrial Commissioner:  
(name of employer)

You and each of you are hereby notified that the undersigned hereby elects to reject the terms, conditions and provisions of an act for the payment of compensation as provided by the acts of the (.....) general assembly



and acts amendatory thereto, and elects to rely upon the common law as modified by section three of the acts of the (.....) general assembly for the right to recover for personal injury which I may receive, if any, growing out of and arising from the employment while in line of duty for my employer above named.

Dated this ..... day of ....., 19.....

Signed.....

State of Iowa, }  
..... county. } ss:

The undersigned being first duly sworn deposes and says that the written notice was on the ..... day of ....., 19... served on the within named employer of the undersigned by delivering to ..... (name of person served.)

a true, correct and verbatim copy thereof.

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

Notary Public.

In any case where an employee or one who is an applicant for employment elects to reject the terms, conditions, and provisions of this act, he shall, in addition to the notice required by sub-division (b) of section 3 of this act, state in an affidavit to be filed with said notice who, if any person, requested, suggested, or demands of such person to exercise the right to reject the provisions of this act. And if request, suggestion, or demand has been made of such employee by any person, such employee shall give and state the name of the person who made the request, suggestion, or demand, and all of the circumstances relating thereto, the date and place when and where made, and persons present, and if it be found that the employer of such employee, or an employer to whom an applicant for employment, or any person a member of the firm, association, corporation, or agent or official of such employer, made a request, suggestion, or demand of such employee or applicant for employment to reject the terms, conditions and provisions of this act, such request, suggestion, or demand if made under such conditions, shall be conclusively presumed to have been sufficient to have unduly influenced such employee or an applicant for employment to exercise the right to reject the terms of this act, and the rejection made under such circumstances shall be conclusively presumed to have been procured through fraud and thereby fraudulently procured, and such rejection shall be null and void and of no effect.

No person interested in the business of such employer, financially or otherwise, shall be permitted to administer the oath to the affidavit required in case as [an] employee or applicant for employment elects to exercise the right to reject the provisions of this act. And the person administering such oath in making such affidavit, shall carefully read the notice and affidavit to such person making such rejection, and shall explain that the purpose of the notice is to bar such person from recovering compensation in accordance with the schedule and terms of this act in the event that he sustains an injury in the course of such employment. All of which shall be shown by certificate of the person administering the oath herein contemplated. The Iowa Industrial

Commissioner, or any person acting for such commissioner, shall refuse to file the notice and affidavit, unless such notice, affidavit and certificate fully, and in detail, comply with the requirements hereof. And if such rejection, affidavit and certificate is found insufficient for any cause, shall be returned by mail or otherwise to the person who executed the instrument.

**SEC. 4. Notice to reject—waiver.** (a) When the employer or employee has given notice in compliance with this act electing to reject the terms thereof such election shall continue and be in force until such employer or employee shall thereafter elect to come under the provisions of this act as is provided in sub-division (b) of this section.

(b) When an employer or employe rejects the terms, conditions or provisions of this act, such party may at any time thereafter elect to waive the same by giving notice in writing in the same manner required of the party in electing to reject the provisions of the act and which shall become effective when filed with the Iowa Industrial Commissioner.

**SEC. 5. Liability.** Where the employer and employe elect to reject the terms, conditions and provisions of this act, the liability of the employer shall be the same as though the employe had not rejected the terms, conditions and provisions thereof.

**SEC. 6. Security.** An employer having come under this act, who thereafter elects to reject the terms, conditions and provisions thereof, shall not be relieved from the payment of compensation to such employe who sustains an injury in the course of the employment before the election to reject becomes effective; and in such cases the employer shall be required to secure the payment of any compensation due or that may become due to such workman, subject to the approval of the Iowa Industrial Commissioner.

**SEC. 7. Beneficiary—compensation—liability.** Where an employe coming under the provisions of this act receives an injury for which compensation is payable under this act and which injury was caused under circumstances creating a legal liability in some person other than the employer, to pay damages in respect thereof.

(a) The employe or beneficiary may take proceedings both against that person to recover damages and against the employer for compensation, but the amount of the compensation to which he is entitled under this act shall be reduced by the amount of damages recovered.

(b) If the employe or beneficiary in such case recovers compensation under this act, the employer by whom the compensation was paid or the party who has been called upon to pay the compensation, shall be entitled to indemnity from the person so liable to pay damages as aforesaid, and shall be subrogated to the rights of the employe to recover therefor.

**SEC. 8. Contract to relieve not operative.** No contract, rule, regulation or device whatsoever shall operate to relieve the employer, in whole or in part, from any liability created by this act except as herein provided.

**SEC. 9. Injury—notice—time—bar.** Unless the employer or representative of such employer shall have actual knowledge of the occurrence of an injury, or unless the employe or some one on his behalf, or some of the dependents or some one on their behalf, shall give notice thereof to the employer within fifteen days of the occurrence of the injury, then no compensation shall be paid until and from the date such notice is given or knowledge obtained; but if notice is given or the knowledge obtained within thirty days from the occurrence of the injury, no want, failure or inaccuracy of a notice

shall be a bar to obtaining compensation, unless the employer shall show that he was prejudiced by such want, defect or inaccuracy, and then only to the extent of such prejudice. Provided, that if the employe or beneficiary shall show that his failure to give prior notice was due to mistake, inadvertence, ignorance of fact or law, or inability, or to the fraud, misrepresentation or deceit of another or to any other reasonable cause or excuse, then compensation may be allowed, unless and then to the extent only that the employer shall show that he was prejudiced by failure to receive such notice. Provided, further, unless knowledge is obtained or notice given within ninety days after the occurrence of the injury, no compensation shall be allowed. No form of notice shall be required but may substantially conform to the following form:

FORM OF NOTICE.

To.....

You are hereby notified that on or about the ..... day of ....., 19... , personal injury was sustained by ..... while in your employ at .....

(Give name of place employed and point where located when injury occurred and that compensation will be claimed therefor.)

Signed.....

but no variation from this form of notice shall be material if the notice is sufficient to advise the employer that a certain employe, by name, received an injury in the course of his employment on or about a specified time at or near a certain place. Notice served upon one whom an original notice may be served in civil cases shall be a compliance with this act.

The notice required to be given to the employer may be served by any person over sixteen years of age, who shall make return upon a copy of the notice, properly sworn to, showing the date of service where and upon whom served, but no special form of the return of service of the notice shall be required. It shall be sufficient if the facts therefrom can be reasonably ascertained. The return of service may be amended at any time.

**SEC. 10. Failure to notify—compensation schedule.** If any employe has not given notice to reject the terms, conditions and provisions of this act, or has given such notice and waived the same as by this act provided, and the employer has not rejected the terms, conditions and provisions of the act or has given such notice and waived the same and the employe receives a personal injury arising out of and in the course of the employment, compensation shall be paid as herein provided.

(a) The compensation provided for in this act shall be paid in accordance with the schedule unless otherwise provided.

(b) At any time after an injury and until the expiration of two weeks of incapacity, the employer, if so requested by the workman, or any one for him, or if so ordered by the court or Iowa Industrial Commissioner, shall furnish reasonable surgical, medical and hospital services and supplies, not exceeding one hundred (\$100.00) dollars.

(c) Where the injury causes death the compensation under this act shall be as follows:

The employer shall in addition to any other compensation pay the reasonable expense of the employe's last sickness and burial not to exceed one

hundred (\$100.00) dollars. If the employe leaves no dependents this shall be the only compensation.

(d) If death results from the injury, the employer shall pay the dependents of the employe wholly dependent upon his earnings for support at the time of the injury, a weekly payment equal to fifty (50%) per cent of his average weekly wages, but not more than ten (\$10.00) dollars nor less than five (\$5.00) dollars per week for a period of three hundred (300) weeks.

(e) If the employe leaves dependents only partially dependent upon his earnings for support at the time of the injury, the weekly compensation to be paid as aforesaid shall be equal to the same proportion of the weekly payments for the benefit of persons wholly dependent as the amount contributed by the employe to such partial dependents bear to the annual earnings of the deceased at the time of the injury. When weekly payments have been made to an injured employe before his death, the compensation to dependents shall begin from the date of the last of such payments, but shall not continue more than three hundred (300) weeks from the date of the injury.

(f) Where injury causes death to an employe, a minor, whose earnings were received by the parent, the compensation to be paid the parent shall be two-thirds ( $\frac{2}{3}$ ) of the amount provided for payment in sub-division "D" section "10."

(g) No compensation shall be paid for an injury which does not incapacitate the employe for a period of at least two weeks from earning full wages; but if incapacity extends beyond a period of two weeks, compensation shall begin on the fifteenth day after the injury.

(h) For injury producing temporary disability, fifty (50%) per cent of the average weekly wages received at the time of injury, subject to a maximum compensation of ten (\$10.00) dollars and a minimum of five (\$5.00) dollars per week; provided, that if at the time of injury the employee receives wages less than five (\$5.00) dollars per week, then he shall receive the full amount of wages per week. This compensation shall be paid during the period of such disability, not, however, beyond three hundred (300) weeks.

(i) For disability total in character and permanent in quality fifty (50%) per cent of the average weekly wages received at the time of the injury, subject to a maximum compensation of ten (\$10.00) dollars per week, and a minimum of five (\$5.00) dollars per week; provided, that if at the time of injury, the employe receives wages less than five (\$5.00) dollars per week, then he shall receive the full amount of wages per week. This compensation shall be paid during the period of such disability, not however, beyond four hundred (400) weeks.

(j) For disability partial in character and permanent in quality the compensation shall be based upon the extent of such disability.

For all cases included in the following schedule compensation shall be paid as follows, to-wit:

(1) For the loss of a thumb fifty per cent (50%) of daily wages during forty weeks.

(2) For the loss of a first finger, commonly called the index finger, fifty per cent (50%) of daily wages during thirty (30) weeks.

(3) For the loss of a second finger, fifty per cent (50%) of daily wages during twenty-five (25) weeks.

(4) For the loss of a third finger, fifty per cent (50%) of daily wages during twenty (20) weeks.

(5) for the loss of a fourth finger, commonly called the little finger, fifty per cent (50%) of daily wages for fifteen (15) weeks.

(6) For the loss of the first phalange of the thumb or of any finger shall be considered to be equal to the loss of one-half of such thumb or finger and compensation shall be one-half of the amounts above specified.

(7) The loss of more than one phalange shall be considered as the loss of the entire finger or thumb; provided, however, that in no case shall the amount received for more than one finger exceed the amount provided in this schedule for the loss of a hand.

(8) For the loss of a great toe, fifty per cent (50%) of daily wages during twenty-five (25) weeks.

(9) For the loss of one of the toes other than the great toe, fifty (50%) per cent of daily wages during fifteen (15) weeks.

(10) For the loss of the first phalange of any toe, shall be considered to be equal to the loss of one-half of such toe and the compensation shall be one-half of the amount above specified.

(11) The loss of more than one phalange shall be considered as the loss of the entire toe.

(12) For the loss of a hand fifty per cent (50%) of daily wages during one hundred fifty (150) weeks.

(13) For the loss of an arm fifty per cent (50%) of daily wages during two hundred (200) weeks.

(14) For the loss of a foot fifty per cent (50%) of daily wages during one hundred twenty-five (125) weeks.

(15) For the loss of a leg, fifty per cent (50%) of daily wages during one hundred seventy-five (175) weeks.

(16) For the loss of any [an] eye, fifty per cent (50%) of daily wages during one hundred (100) weeks.

(17) For the loss of both arms, or both hands, or both feet, or both legs, or both eyes, or of any two thereof, shall constitute total and permanent disability to be compensated according to provisions of clause "I" section ten, part one hereof.

(18) In all other cases in this, clause "J", the compensation shall bear such relation to the amount stated in the above schedule as the disability bears to those produced by the injuries named in the schedule. Should the employe and employer be unable to agree upon the amount of compensation to be paid in cases not specifically covered by the schedule, the amount of compensation shall be settled according to provisions of this act as in other cases of disagreement.

(19) The amounts specified in this, clause "J" and sub-divisions thereof shall be subject to the same limitations as to maximum and minimum weekly payments as are stated in clause "H" section ten hereof.

**SEC. 11. Death.** Where an employe is entitled to compensation under this act for an injury received and death ensues from any cause not resulting from the injury for which he was entitled to the compensation, payments of the unpaid balance for such injury shall cease and all liability therefor shall terminate.

**SEC. 12. Examination—right to compensation suspended.** After an injury the employe, if so requested by his employer, shall submit himself for examination at some reasonable time and place within the state and as often

as may be reasonably requested, to a physician or physicians authorized to practice under the laws of this state without cost to the employe; but if the employe requests he shall, at his own cost, be entitled to have a physician or physicians of his own selection present to participate in such examination. The refusal of the employe to submit to such examination shall deprive him of the right to compensation during the continuance of such refusal. When a right to compensation is thus suspended no compensation shall be payable in respect to the period of suspension.

**SEC. 13. Compensation—measure of responsibility.** The compensation herein provided shall be the measure of the responsibility which the employer has assumed for injuries or death that may occur to employes in his employment subject to the provisions of this act, and it shall not be in any wise reduced by contribution from employes.

**SEC. 14. Minor—trustee—payment—annual reports.** Where a minor dependent or one physically or mentally incapacitated from earning is entitled to compensation under this act, payment shall be made to a trustee appointed by the judge of the district court for each county in the respective judicial districts, and the money coming into the hands of the said trustee shall be expended for the use and benefit of the person entitled thereto under the direction and orders of the judge during term time or in vacation. The trustee shall make annual reports to the court of all money or property received and expended for each person, and for services rendered as trustee shall be paid such compensation by the county as the court may direct by written order directed to the auditor of the county who shall issue a warrant therefor upon the treasurer of the county in which the appointment is made. If the judge making the appointment deems it advisable, a trustee may be appointed to serve for more than one county in the district and the expenses shall be paid ratably by each county according to the amount of work performed in each county. The trustee shall qualify and give bond in such amount as the judge may direct, which may be increased or diminished from time to time as the court may deem best.

**SEC. 15. Satisfaction in full—order—court.** In any case where the period of compensation can be determined definitely either party may, upon due notice to the other, apply to any judge of the district court for the county in which the accident occurred for an order commuting future payments to a lump sum. And such judge may make such an order when it shall be shown to his satisfaction that the payment of a lump sum in lieu of future monthly or weekly payments, as the case may be, will be for the best interest of the person or persons receiving or dependent upon said compensation. or that the continuance of periodical payments will as compared with lump sum payments entail undue expense or undue hardship upon the employer liable therefor. Where the commutation is ordered, the court shall fix the lump sum to be paid at an amount which will equal the total sum of the probable future payments capitalized at their present value and upon the basis of interest, calculated at 5 per cent per annum. Upon the payment of such amount the employer shall be discharged from all further liability on account of such injury or death, for which said compensation was being paid, and be entitled to a duly executed release, upon filing which the liability of such employer under any agreement, award, finding or judgment shall be discharged of record.

**SEC. 16. Computation schedule.** The basis for computing compensation provided for in this act shall be as follows:

(a) The compensation shall be computed on the basis of the annual earnings which the injured person received as salary, wages or earnings in the employment of the same employer during the year next preceding the injury.

(b) Employment by the same employer shall be taken to mean employment by the same employer in the grade in which the employe was employed at the time of the accident, uninterrupted by absence from work due to illness or any other unavoidable cause.

(c) The annual earnings, if not otherwise determinable, shall be regarded as three hundred (300) times the average daily earnings in such computation.

(d) If the injured person has not been engaged in the employment for a full year immediately preceding the accident, the compensation shall be computed according to the annual earnings which persons of the same class in the same or in neighboring employments of the same kind have earned during such period. And if this basis of computation is impossible, or should appear to be unreasonable, three hundred (300) times the amount which the injured person earned on an average of those days when he was working during the year next preceding the accident, shall be used as a basis for the computation.

(e) In case of injured employes who earn either no wages or less than three hundred (300) times the usual daily wage or earnings of the adult day laborer in the same line of industry of that locality the yearly wage shall be reckoned as three hundred (300) times the average daily local wages of the average wage earner in that particular kind or class of work; or if information of that class is not obtainable, then of the class or kindred or similarity in the same general employment in the same neighborhood.

(f) As to employes in employments in which it is the custom to operate for a part of the whole number of working days in each year, such number shall be used instead of three hundred (300) as a basis for computing the annual earnings, provided, the minimum number of days which shall be used for the basis of the year's work shall not be less than two hundred (200.)

(g) Earnings, for the purpose of this section, shall be based on the earnings for the number of hours commonly regarded as a day's work for that employment, and shall exclude overtime earnings. The earnings shall not include any sum which the employer has been accustomed to pay the employe to cover any special expense entailed on him by the nature of his employment.

(h) In computing the compensation to be paid to any employe who, before the accident for which he claims compensation, was disabled and drawing compensation under the terms of this act, the compensation for each subsequent injury shall be apportioned according to the proportion of incapacity and disability caused by the respective injuries which he may have suffered.

**SEC. 17. Terms defined—dependents.** In this act unless the context otherwise requires:

(a) "Employer" includes and applies to any person, firm, association or corporation, and includes state, counties, municipal corporations, cities under special charter and under commission form of government and shall include school districts and the legal representatives of a deceased employer. Whenever necessary to give effect to section seven of this act, it includes a principal or intermediate contractor.

(b) "Workman" is used synonymous with "employe" and means any person who has entered into the employment of, or works under contract of service, express or implied, or apprenticeship for an employer, except a per-

son whose employment is purely casual and not for the purpose of the employer's trade or business or those engaged in clerical work only, but clerical work shall not include one who may be subjected to the hazards of the business or one holding an official position or standing in a representative capacity of the employer, or an official elected or appointed by the state, county, school district, municipal corporation, cities under special charter and commission form of government. Provided, that one who sustains the relation of contractor with any person, firm, association, corporation or the state, county, school district, municipal corporation, cities under special charter or commission form of government, shall not be considered an employe thereof.

The term "workman" shall include the singular and plural of both sexes. Any reference to a workman who has been injured shall, where the workman is dead, include a reference to his dependents as herein defined, legal representatives or where the workman is a minor or incompetent to his guardian or next friend.

(c) The following shall be conclusively presumed to be wholly dependent upon a deceased employe:

(1) The surviving spouse, unless it be shown that the survivor willfully deserted deceased without fault upon the part of the deceased, and if it be shown that the survivor deserted deceased without fault upon the part of deceased, the survivor shall not be regarded as a dependent in any degree. No surviving spouse shall be entitled to the benefits of this act unless she shall have been married to the deceased at the time of the injury.

(2) A child or children under sixteen years of age (and over said age if physically or mentally incapacitated from earning) whether actually dependent for support or not upon the parent at the time of his or her death.

(3) A parent of a minor entitled to the earnings of the employe at the time when the injury occurred, subject to provisions of sub-division "F" section ten hereof.

(4) If the deceased employe leaves dependent surviving spouse, the full compensation shall be paid to such spouse; but if the dependent surviving spouse dies before payment is made in full, the balance remaining shall be paid to the person or persons wholly dependent, if any, share and share alike. If there be no person or persons wholly dependent, then payment shall be made to partial dependents.

(5) In all other cases questions of dependency in whole or in part shall be determined in accordance with the fact as the fact may be at the time of the injury; and in such other cases if there is more than one person wholly dependent, the death benefit shall be equally divided among them, and persons partially dependent, if any, shall receive no part thereof. If there is no one wholly dependent and more than one person partially dependent, the death benefit shall be divided among them according to the relative extent of their dependency. Provided, however, that when a lump sum is paid as contemplated by this act, the court or commissioner, in making distribution thereof, shall take into consideration the contingent rights of partial beneficiaries or the rights of those who may become such after a wholly dependent child or children become sixteen years of age.

(6) Step-parents shall be regarded in this act as parents.

(7) Adopted child or children or step-child or children shall be regarded in this act the same as if issue of the body.

(d) "Injury" or "personal injury" includes death resulting from injury.



(e) The words "personal injury arising out of and in the course of such employment" shall include injuries to employees whose services are being performed on, in or about the premises which are occupied, used or controlled by the employer, and also injuries to those who are engaged elsewhere in places where their employer's business requires their presence and subjects them to dangers incident to the business.

(f) The words "injury and personal injury" shall not include injury caused by the willful act of a third person directed against an employe for reasons personal to such employe or because of his employment.

(g) They shall not include a disease except as it shall result from the injury.

(h) "Industrial employment" includes only employment in occupation, callings, businesses or pursuits which are carried on by the employer for the sake of pecuniary gain.

(i) The word "court" whenever used in this act unless the context shows otherwise, shall be taken to mean the district court.

**SEC. 18. Insurance—penalty—waiver.** (a) Any contract of employment, relief benefit or insurance or other device whereby the employe is required to pay any premium or premiums for insurance against the compensation provided for in this act shall be null and void; and any employer withholding from the wages of any employe any amount for the purpose of paying any such premium shall be guilty of a misdemeanor and punishable by a fine not less than ten (\$10.00) dollars nor more than fifty (\$50.00) dollars for each offense in the discretion of the court.

No employe or beneficiary shall have power to waive any of the provisions of this act in regard to the amount of compensation which may be payable to such employe or beneficiary hereunder to whom the act applies.

**SEC. 19. Contract fraudulent.** Any contract or agreement made by any employer or his agent or attorney with any employe or any other beneficiary of any claim under the provisions of this act within twelve (12) days after the injury shall be presumed to be fraudulent.

**SEC. 20. Safety appliances.** The Iowa Industrial Commissioner co-operating with the employers affected by this act, or any committee or committees appointed by such employers or the Iowa Industrial Commissioner, shall fix standards of safety for safety appliances or places of employment, except mines under the jurisdiction of the mine inspectors.

**SEC. 21. Attorney's liens—approval.** No claim of an attorney-at-law for services in securing a recovery under this act shall be an enforceable lien thereon unless the amount of the same be approved in writing by a judge of a court of record or the Iowa Industrial Commissioner, which approval may be made in term time or vacation.

**SEC. 22. Provisions—applicable to interstate and foreign commerce.** The provisions of this act shall apply to employers and employes as defined in this act engaged in intra-state commerce and also those engaged in inter-state or foreign commerce for whom a rule or method of compensation has been or may be established by the congress of the United States, only to the extent that their mutual connection with intra-state work or foreign commerce shall be clearly separable and distinguishable from inter-state or foreign commerce; provided that any such employer and workman of such employer working only in this state may, subject to the approval of the Iowa Industrial Commissioner, and so far as not forbidden by any act of congress or permitted, voluntarily by written agreement, accept and become bound by the provisions of this act in like manner and with the same force and effect in every respect as by this act provided for other employers and employes.

## PART II.

SEC. 23. **Industrial Commissioner—term.** There is hereby created the office of Iowa Industrial Commissioner, to be appointed by the governor, by and with the consent of the senate. The term of office of the commissioner shall be six years. An appointment may be made to fill a vacancy or otherwise when the senate is not in session, but shall be acted upon at the next session thereof.

SEC. 24. **Salaries—expenses—seal—accounts itemized—political activity—appropriation.** The salary and actual necessary expenses of the commissioner shall be paid by the state, and he shall be provided with adequate and necessary office rooms, furniture, equipment, supplies and other necessaries in the transaction of the business. The salary of the commissioner shall be three thousand dollars (\$3,000.00) per annum. The commissioner, by and with the consent of the executive council may fix the salary and appoint a secretary and other assistants and clerical help as may be required and needed, provided, that the salary of the secretary shall not exceed fifteen hundred dollars (\$1500.00) per annum. The salary and actual personal expense account of the commissioner shall be itemized and sworn to, and filed as other current bills as provided by statute, and warrant therefor shall be issued by the auditor upon the treasurer of the state for the payment thereof at the end of each calendar month; provided, however, that the expense account may be audited, allowed and paid at the end of each week. The commissioner shall provide himself with a seal, which shall be used to authenticate his orders, decisions and other proceedings deemed necessary, upon which shall be inscribed the words "Iowa Industrial Commissioner's Seal" and the date of organization. All other accounts made by, through or under the commissioner for salaries, expenditures, unless otherwise by this act provided, shall be itemized and sworn to by the parties entitled thereto, audited by the commissioner, attested by the secretary, filed as other bills are required by statute, and a warrant shall issue therefor by the auditor of state upon the treasurer, who shall pay the same out of the funds appropriated for the use of the commissioner as by this act provided. The salaries of all persons under the commissioner shall be audited, allowed and paid at the end of each month, and expense accounts may be audited, allowed and paid at the end of each week. The commissioner shall have the power to remove the secretary or any other person appointed to an office by him at any time the commissioner may see fit.

It shall be unlawful for any appointee by the commissioner to espouse the election or appointment of any candidate for or to any political office, or contribute to the campaign fund of any political party, or to the campaign fund of any person who is a candidate for election or appointment to any political office, and any person performing the duties as an appointee under the commissioner violating the provisions of this act shall be sufficient cause for dismissal and removal from office.

Before entering upon his duties the commissioner shall qualify by taking the oath of his office, that he will support the constitution of the United States and of the state of Iowa, and will faithfully and impartially, without fraud fear or favor discharge the duties of his office incumbent upon him, as provided by the law of the state of Iowa, to the best of his ability and understanding.

There is hereby appropriated out of any money not otherwise appropriated for the use of the commissioner, as contemplated within the terms of this act or acts amendatory thereof, or other statutes relating to the commis-

sioner, his duties and responsibilities empowered by law, the sum of twenty thousand dollars (\$20,000.00) annually, and in addition thereto the executive council shall provide and furnish the commissioner with such printing as may be necessary in the transaction of the business within the contemplation of law.

**SEC. 25. Rules—powers of commissioner—district court to enforce provisions—reports.** The commissioner may make rules and regulations not inconsistent with this act for carrying out the provisions of the act. Process and procedure under this act shall be as summary as reasonably may be. The commissioner shall have the power to subpoena witnesses, administer oaths and to examine such books and records of the parties to a proceeding or investigation as relate to questions in dispute or under investigation. The fees for attending as a witness before the industrial commissioner shall be \$1.50 per diem; for attending before an arbitration committee \$1.00 per diem; in both cases five cents per mile for traveling to and from the place of hearing. The district court is hereby empowered to enforce by proper proceedings the provisions of this section relating to the attendance and testimony of witnesses and the examination of books and records. The commissioner shall make biennial reports to the governor who shall transmit the same to the general assembly, in which among other things, the commissioner shall recommend such changes in the law covered by this act as it may deem necessary.

**SEC. 26. Settlement—memorandum filed—approval by commissioner.** If the employer and the employe reach an agreement in regard to the compensation under this act, a memorandum thereof shall be filed with the Iowa industrial commissioner by the employer or employe, and unless the commissioner shall, within twenty days, notify the employer and employe of his disapproval of the agreement by registered letter sent to their addresses as given on the memorandum filed, the agreement shall stand as approved and be enforceable for all purposes under the provisions of this act. Such agreement shall be approved by said commissioner only when the terms conform to the provisions of this act.

**SEC. 27. Arbitration—committee—vacancy.** If the employer and the injured employe or representatives or dependents fail to reach an agreement in regard to compensation under this act, either party may notify the industrial commissioner, who shall thereupon call for the formation of a committee of arbitration. The arbitration committee shall consist of three persons, one of whom shall be the industrial commissioner who shall act as chairman. The other two shall be named, respectively, by the two parties. If a vacancy occurs it shall be filled by the party whose representative is unable to act.

**SEC. 28. Arbitrators' oath—form.** The arbitrators appointed by the parties shall be sworn by the chairman to take the following oath:

I.....do solemnly swear (or affirm) that I will faithfully perform my duties as arbitrator and will not be influenced in my decision by any feeling of friendship or partiality toward either party.

Signed.....

**SEC. 29. Committee—how formed.** It shall be the duty of the industrial commissioner, upon notification, that the parties have failed to reach an agreement, to request both parties to appoint their respective representatives on the committee of arbitration. The commissioner shall act as chairman, and, if either party does not appoint its member on this committee within seven days after notification as above provided, or after a vacancy has occurred, the commissioner shall fill the vacancy and notify the parties to that effect.

**SEC. 30. Duties—decision of arbitrators.** The committee on arbitration shall make such inquiries and investigations as it shall deem necessary. The hearings of the committee shall be in the city, town or place where the injury occurred and the decision of the committee, together with the statement of evidence submitted before it, its findings of fact, rulings of law and any other matters pertinent to questions arising before it shall be filed with the industrial commissioner. Unless a claim for a review is filed by either party within five days, the decision shall be enforceable under the provisions of this act.

**SEC. 31. Physician's examination—fee—testimony.** The industrial commissioner may appoint a duly qualified impartial physician to examine the injured employe and make report. The fee for this service shall be five (\$5.00) dollars, to be paid by the industrial commissioner together with traveling expenses, but the commissioner may allow additional reasonable amounts in extraordinary cases. Any physician so examining any injured employe shall not be prohibited from testifying before the Iowa Industrial Commissioner or any other person, commission or court, as to the results of his examination or the condition of the injured employe.

**SEC. 32. Fees—by whom paid.** The arbitrators named by or for the parties to the dispute shall each receive five (\$5.00) dollars as a fee for his services, but the industrial commissioner may allow additional reasonable amounts in extraordinary cases. The fees shall be paid by the employer who may deduct an amount equal to one-half of the sum from any compensation found due the employe. And all other costs incurred in the hearing before the board of arbitration shall be taxed to the losing party, or an equitable apportionment made thereof by the committee according to the facts.

**SEC. 33. Review—by whom heard—second hearing.** If a claim for review is filed, the industrial commissioner shall hear the parties and may hear evidence in regard to any or all matters pertinent thereto and may revise the decision of the committee in whole or in part, or may refer the matter back to the committee for further findings of fact, and shall file its decision with the records of the proceedings and notify the parties thereof. No party shall as a matter of right be entitled to a second hearing upon any question of fact.

**SEC. 34. Decision—decree—appeal.** Any party in interest may present certified copy of an order or decision of the commissioner or a decision of an arbitration committee from which no claim for review has been filed within the time allowed therefor, or a memorandum of agreement approved by the commissioner, and all papers in connection therewith, to the district court of the county in which the injury occurred, whereupon said court shall render a decree in accordance therewith and notify the parties. Such decree shall have the same effect and in all proceedings in relation thereto shall thereafter be the same as though rendered in a suit duly heard and determined by said court, except that there shall be no appeal therefrom upon questions of fact or where the decree is based upon an order or decision of the commissioner which has not been presented to the court within ten days after the notice of the filing thereof by the commissioner. Upon the presentation to the court of a certified copy of a decision of the industrial commissioner, ending, diminishing or increasing a weekly payment under the provisions of this act, the court shall revoke or modify the decree to conform to such decision.

**SEC. 35. Payment reviewed—written notice.** (a) Any payment to be made under this act may be reviewed by the industrial commissioner at the request of the employer or of the employe, and on such review it may be ended, diminished or increased subject to the maximum or minimum amounts provided

for in this act if the commissioner finds the conditions of the employe warrants such action.

(b) Any notice to be given by the commissioner or court provided for in this act shall be in writing but service thereof shall be sufficient if registered and deposited in the mail, addressed to the last known address of the parties.

**SEC. 36. Attorneys' and physicians' fees.** Fees of attorneys and physicians for services under this act shall be subject to the approval of the industrial commissioner unless otherwise provided in this act.

**SEC. 37. Record—reports—inspection—penalty.** Every employer shall hereafter keep a record of all injuries, fatal or otherwise, sustained by his employes in the course of their employment. Within forty-eight hours not counting Sundays and legal holidays, after the employer has knowledge of the occurrence of an accident resulting in personal injury, a report shall be made in writing by the employer to the industrial commissioner on blanks to be procured from the commissioner for that purpose.

Upon the termination of the disability of the injured employe, or if such disability extends beyond a period of sixty days, at the expiration of such period, the employer shall make a supplemental report on blanks to be procured from the commissioner for that purpose. The said reports shall contain the name and nature of the business of the employer, the location of the establishment, the name, age, sex and occupation of the injured employe, and shall state the date and hour of the accident, the nature and cause of the injury, and such other information as may be required by the commissioner. Any employer who refuses or neglects to make the report required by this section shall be punished by a fine of not more than fifty (\$50.00) dollars for each offense.

All books, records and pay-rolls of the employers, coming under this act showing or reflecting in any way upon the amount of wage expenditure of such employers, shall always be open for inspection by the industrial commissioner, or any of his representatives presenting a certificate of authority from said commissioner for the purpose of ascertaining the correctness of the wage expenditure; the number of men employed and such other information as may be necessary for the uses and purposes of the commissioner in its administration of the law. But information obtained within the contemplation of this act shall be used for no other purpose than the information of the commissioner or insurance association with reference to the duties imposed upon such commissioner. A refusal on the part of the employer to submit his books, records or pay-rolls for the inspection of the commissioner, or his authorized representatives presenting written authority from the commissioner, shall subject the employer to a penalty of one hundred dollars (\$100.00) for each such offense to be collected by civil action in the name of the state, and paid into the state treasurer. [treasury.]

**SEC. 38. Political activity and contributions prohibited.** It shall be unlawful for the commissioner, during his term of office, to serve upon any committee of any political party or espouse the election or appointment of any person for any political office or contribute to any campaign fund of any political party, or to the campaign fund of any person who is a candidate for election or appointed to any political office. A violation of this section shall be deemed a misdemeanor and upon conviction shall be fined one hundred (\$100.00) dollars.

**SEC. 39. Candidate—requirements.** It shall be unlawful for any person who is a candidate for the appointment as commissioner to make any promise to another, expressed or implied, in consideration of any assistance or influ-

ence given or recommendation made that the candidate will, if appointed as commissioner, vote to appoint such person or one whom he may recommend to an office within the power of the commissioner to appoint. A violation thereof shall be deemed a misdemeanor and upon conviction thereof shall be fined one hundred (\$100.00) dollars.

**SEC. 40. Recommendations to governor—in writing—removal from office.** All recommendations to the governor of any person asking the appointment of another as commissioner shall be reduced to writing signed by the person presenting the same, which shall be filed by the governor in his office and open at all reasonable times for public inspection, and all recommendations made by any person to the commissioner for the appointment of another within the power of the commissioner to appoint, shall be reduced to writing, signed by the person presenting the same and filed by the commissioner and open for public inspection at all reasonable times and hours. If any person recommending the appointment of another within the contemplation of this act refuse to reduce the same to writing, it shall be the duty of the person to whom the recommendation is made, to make a brief memoranda thereof stating the name of the person recommended and the name of the person who made the same, which shall be filed as by this act in other cases provided. It shall be unlawful for the commissioner to be financially interested in any business enterprise coming under or affected by this act during his term of office and any member offending this statute, it shall be sufficient grounds for his removal from office and in such case the governor shall at once declare the office vacant and appoint another to fill the vacancy.

**SEC. 41. Removal—notice—hearing—executive council.** The governor shall remove from office the commissioner on the grounds of inefficiency, neglect of duty, or malfeasance in office, upon written charges having been filed with the executive council and sustained by proofs. But written notice of such charges, together with a copy thereof, shall be served upon the accused ten (10) days before the time fixed for hearing. The executive council shall have jurisdiction to hear the case, and shall make such finding in accordance with justice and the law. The finding shall be reduced to writing, and report and finding filed with the governor.

### PART III.

**SEC. 42. Insurance approved by state department of insurance.** Every employer, subject to the provisions of this act, shall insure his liability thereunder in some corporation, association or organization approved by the state department of insurance. Every such employer shall within thirty (30) days after this act goes into effect exhibit on demand of the state insurance department evidence of his compliance with this section. And if such employer refuses, or neglects to comply with this section, he shall be liable in case of injury to any workman in his employ under part one (1) of this act.

**SEC. 43. Mutual insurance—conditions.** For the purpose of complying with the foregoing section, groups of employers by themselves or in an association with any or all of their workmen, may form insurance associations as hereafter provided, subject to such reasonable conditions and restrictions as may be fixed by the state insurance department and membership in such mutual insurance organization as approved, together with evidence of the payment of premiums due, shall be evidence of compliance with the preceding section.

**SEC. 44. Benefit insurance.** Subject to the approval of the Iowa Industrial Commissioner any employer or group of employers may enter into or continue

an agreement with his or their workmen to provide a scheme of compensation, benefit or insurance in lieu of the compensation and insurance provided by this act; but such scheme shall in no instance provide less than the benefits here secured, nor vary the period of compensation provided for disability or for death, or the provisions of this act with respect to periodic payments, or the percentage that such payments shall bear to weekly wages, except that the sums required may be increased; provided, further, that the approval of the Iowa Industrial Commissioner shall be granted, if the scheme provides for contribution by workmen, only when it confers benefits in addition to those required by this act commensurate with such contributions.

**SEC. 45. Plan approved—certificate.** Whenever such scheme or plan is approved by the Iowa Industrial Commissioner, he shall issue a certificate to that effect, whereupon it shall be legal for such employer, or group of employers, to contract with any or all of his or their workmen to substitute such scheme or plan for the provisions of this act during a period of time fixed by said department.

**SEC. 46. Termination—bond—appeal.** Such scheme or plan may be terminated by the Iowa Industrial Commissioner on reasonable notice to the interested parties if it shall appear that the same is not fairly administered, or if its operation shall disclose latent defects threatening its solvency, or if for any substantial reason it fails to accomplish the purpose of this act; but from any such order of said Iowa Industrial Commissioner the parties affected, whether employer or workman, may, upon the giving of proper bond to protect the interests involved appeal for equitable relief to the district court of this state.

**SEC. 47. Premium charged.** No insurer of any obligation under this act shall either by himself or through another, either directly or indirectly, charge or accept as a commission or compensation for placing or renewing any insurance under this act more than fifteen (15) per cent of the premium charged.

**SEC. 48. Policy form.** Every policy issued by any insurance corporation, association or organization to assure the payment of compensation under this act shall contain a clause providing that between any employer and the insurer, notice, to and knowledge of the occurrence of injury or death on the part of the insured shall be notice and knowledge on the part of the insurer; and jurisdiction of the insured for the purpose of this act shall be jurisdiction of the insurer and the insurer shall be bound by every agreement, adjudgment, award or judgment rendered against the insured.

**SEC. 49. Lien for insurance.** No policy of insurance issued under this act shall contain any provision relieving the insurer from payment if the insured becomes insolvent or discharged in bankruptcy during the period that the policy is in operation, or the compensation, or any part of it, is due and unpaid. Every policy shall provide that the workman shall have a first lien upon any amount becoming due on account of such policy to the insured from the insurer, and that in case of the legal incapacity, inability or disability of the insured to receive the amount due and pay it over to the insured workman, or his dependents, said insurer shall pay the same directly to such workman, his agent, or to a trustee for him or his dependents, to the extent of discharging any obligation of the insured to said workman or his dependents.

**SEC. 50. Proof of solvency—revocation of order.** Where an employer coming under this act furnishes proofs to the insurance department satisfactory to the insurance department and Iowa Industrial Commissioner, of such employer's solvency and financial ability to pay the compensation and benefits as

by this act provided and to make such payments to the parties when entitled thereto, or when such employer deposits with such insurance department security satisfactory to such insurance department and the Iowa Industrial Commissioner as will secure the payment of such compensation, such employer shall be relieved of the provision of section forty-two (42) of this act. Provided that such employer shall from time to time, as may be required by such insurance department and Iowa Industrial Commissioner, furnish such additional proof of solvency and financial ability to pay as by this section of this act provided.

The insurance department and Iowa Industrial Commissioner may, at any time, upon reasonable notice to such employer and upon hearing, revoke for cause any order or approval theretofore made, as by this act provided and within the contemplation of this section.

Sec. 51. **In effect.** Part one of this act shall take effect from and after July first, 1914, and parts two and three July fourth, 1913.

And any employer or employee who serves the notice to reject the terms of the act as by the act provided not less than thirty days before part one thereof takes effect, such notice for the purpose rejecting the terms of the act shall have the same force and effect as though part one had taken effect July fourth, 1913.

Approved April 18 A. D. 1913.

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CHAPTER 148.

**EMPLOYERS' LIABILITY PRIOR TO TAKING EFFECT OF WORKINGMEN'S COMPENSATION ACT.**

S. F. 560.

AN ACT relating to injuries sustained by employees which occur prior to the taking effect of an act enacted by the thirty-fifth general assembly relating to employers' liability for injuries sustained by employees while in line of duty. [Additional to chapter 147 of the acts of the thirty-fifth general assembly.]

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

**SECTION 1. Liability—fixing compensation.** That the law enacted by the thirty-fifth general assembly known as senate file No. 3, relating to employers' liability for personal injury sustained by employees in line of duty, and fixing compensation therefor, shall not apply to an injury sustained by such employee of such employer which occurs prior to the time when such act takes effect in all of its parts; but the law and procedure in force at the time such injury occurs, if before such act takes effect in all of its parts, shall be the same as though such act had not been enacted whether such action is brought before or after such act takes effect in all of its parts.

Approved April 23 A. D. 1913.



## CHAPTER 149.

## INVESTMENT OF FUNDS BY SAVINGS BANKS.

S. F. 104.

AN ACT to amend the law as it appears in paragraph four (4) of section eighteen hundred fifty (1850) supplement to the code, 1907, relating to the investment of funds by savings banks:

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

**SECTION 1. Repeal—investment of funds—states adjoining Iowa.** That paragraph four (4) of section eighteen-hundred fifty (1850) supplement to the code, 1907, be, and the same is hereby repealed and the following enacted in lieu thereof, to-wit:

“4. In notes or bonds secured by mortgage or deed of trust upon unincumbered real estate located in Iowa or, adjoining states worth at least twice the amount loaned thereon, provided however, that no such loan shall be made upon any real estate located outside of Iowa, except real estate situated in any county adjoining the Iowa state line.

Approved April 18 A. D. 1913.

## CHAPTER 150.

## STATE AND SAVINGS BANKS.

S. F. 21.

AN ACT to repeal section eighteen hundred sixty-nine (1869) of the supplement to the code, 1907 and to enact a substitute therefor, providing for the compensation of officers and directors of state and savings banks and providing for loans to such officers and directors and penalty for a violation of the provisions of the law.

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

**SECTION 1. Repeal—compensation and loans to officers—penalty.** That section 1869 of the supplement to the code, 1907 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, provided, however, directors as such shall receive only such reasonable compensation as shall be fixed from year to year by the stockholders at their annual meeting and when approved by the auditor of state, and a director of such bank who is paid a salary as an active officer thereof shall not draw any added compensation for attendance upon board meetings. No officer or employee 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 loans shall be made by it to any of them except upon 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 proceed-

ings, authorize loans to directors not holding any other office nor being an employee, not exceeding a maximum sum at any one time, which resolution shall be voted upon in the absence of such director. Any such officer, director or employee 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 this provision.

Approved April 2 A. D. 1913.

#### CHAPTER 151.

##### POSTAL SAVINGS DEPOSITS SECURED.

S. F. 265.

AN ACT providing for the deposit by state and savings banks with the treasurer of the United States, of securities to secure postal savings deposits made in such banks under the provisions of the postal savings bank act. [Additional to chapter twelve (12) of title nine (9) of the code relating to banks.]

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

**SECTION 1. Securities deposited with treasurer of United States.** That all state and savings banks now existing or that may be hereafter organized under and by virtue of the laws of the state of Iowa be, and they are hereby authorized and permitted to deposit with the treasurer of the United States such of the securities of the depositing bank as may be required to secure the postal savings funds deposited therein.

Approved April 17 A. D. 1913.

#### CHAPTER 152.

##### ADDITIONAL POWERS CONFERRED UPON TRUST COMPANIES, STATE AND SAVINGS BANKS.

Sub. for S. F. 118.

AN ACT to confer additional powers upon trust companies, state and savings banks and to prescribe the conditions under which they may transact business. [Additional to chapters ten (10), eleven (11) and twelve (12) of title nine (IX) of the code relating to banks, loan and trust companies.]

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

**SECTION 1. Additional powers—to act in fiduciary capacity.** Trust companies, state and savings banks now existing or which shall be hereafter incorporated under the provisions of title nine (IX), of the code, in addition to the powers already granted to such corporation, shall have power, when so authorized by their articles of incorporation:

First. To be appointed assignee or trustee by deed, and guardian, executor or trustee by will, and such appointment, upon qualification as herein required, shall be of like force as in case of appointment of a natural person.

Second. To be appointed receiver, assignee, guardian, administrator, or other trustee by any court of record in this state, and it shall be lawful for such court to appoint such corporation as such receiver, assignee, guardian, administrator, or other trustee, in the manner provided by law for the appointment of any natural person to such trust. Provided any such appointment as guardian shall apply to the estate and not the person.

Third. To act as fiscal or transfer agents, or registrar for estates, municipalities, companies and corporations.

Fourth. To take, accept and execute any and all such trusts and powers of whatsoever character and description, not in conflict with the laws of the United States or of the state of Iowa, as may be conferred upon or entrusted or committed to them by any person or persons or any body politic, corporation or other authority, by grant, assignment, transfer, devise, bequest or otherwise, or which may be intrusted or committed or transferred to them or vested in them by order of any court of record, and to receive and take and hold any property or estate, real or personal, which may be the subject of any such trust, and to manage and dispose of such property or estate in accordance with the terms of such trust or power.

Fifth. **Depository.** Any court having appointed, and having jurisdiction of any receiver, executor, administrator, guardian, assignee or other trustee, upon the application of such officer or trustee, after such notice to the other parties in interest as the court may direct, and after a hearing upon such application, may order such officer or trustee to deposit any moneys then in his hands, or which may come into his hands thereafter, and until the further order of said court, with any such trust company, state or savings bank, and upon deposit of such money, and its receipt and acceptance by such corporation, the said officer or trustee shall be discharged from further care or responsibility therefor. Such deposit shall be paid out only upon the orders of said court.

Sixth. **Personal assets deposited.** Whenever, in the judgment of any court having jurisdiction of any estate in process of administration by any assignee, receiver, executor, administrator, guardian or other trustee, the bond required by law of such officer shall seem burdensome or excessive, upon application of such officer or trustee, and after such notice to the parties in interest as the court shall direct, and after a hearing on such application, the said court may order the said officer or trustee to deposit with any such corporation for safe keeping, such portions or all of the personal assets of said estate as it shall deem proper, and thereupon said court shall, by an order of record, reduce the bond to be given, or theretofore given by such officer or trustee, and the property as deposited shall thereupon be held by the corporation under the orders and directions of said court. When any deposit shall be made by any person in trust for another, and no other or further notice of the existence and terms of a legal and valid trust shall have been given to the corporation in the event of the death of the trustee, the same or any part thereof, together with the dividends or interest thereon, may be paid to the person for whom the said deposit was made, or to his or her legal representatives: provided, that the person for whom the deposit was made, if a minor, shall not draw the same during his or her minority without the consent of the legal representatives of said trustee.

Seventh. **Securities.** To issue drafts upon depositories, and to purchase, invest in, and sell promissory notes, bills of exchange, bonds and mortgages and other securities.

Eighth. **Safe deposit.** To exercise the powers conferred on and to carry on the business of a safe deposit company.

SEC. 2. **Voting stock.** In case any corporation shall hold any of its own shares of stock in any of the trust capacities herein authorized, then such shares shall be voted at stockholders' meetings by any person so authorized by the board of directors of said corporation.

SEC. 3. **Separate funds.** All property, real or personal, received in trust by any such corporation exercising the powers granted by this act, shall be kept separate from such funds or property which may be in the possession of such corporation, and shall not be liable for the debts or obligations of such corporation.

SEC. 4. **Powers and rights same as individuals.** Every state or savings bank, or trust company, acting as guardian, administrator, executor, trustee, assignee, receiver or custodian shall have the same rights, powers and privileges as individuals so acting, and receive the same compensation as is or may be allowed individuals for exercising similar offices or trusts, so far as the same are fixed by statutes and shall execute a bond for the faithful performance of the trust confided to it in like sum and with like penalties as is required by individuals.

SEC. 5. **Dissolution—successor—qualifications.** In case any corporation desires to retire from business under this act, or in case of the dissolution of any such corporation the court having jurisdiction of each of the several trusts and appointments held by such corporation shall, upon application of such corporation or its receiver, after such notice to the other parties in interest as the court may direct, and after a hearing upon such application, appoint another corporation as successor trustee or appointee, and upon the acceptance of such office by the successor trustee and due qualification therefor, and the transfer of the property in such case held, to the successor trustee then the dissolving corporation shall be discharged from any further responsibility in such trust capacity or appointment. And the auditor of state, upon being furnished with satisfactory evidence of said corporation release and discharge from all of the obligations and trusts assumed by virtue of this act, shall thereupon return to such corporation the securities deposited by it with him.

SEC. 6. **Words to be incorporated in name.** Any trust company, state or savings bank, which under this act and by its original or amended articles of incorporation shall be authorized to exercise any of the powers herein granted, shall have the word "trust" "state" or "savings" incorporated in the name thereof; and no corporation hereinafter organized without complying with the terms of this act, and no partnership, individual or unincorporated association, shall incorporate or embrace the word "trust" in its name.

SEC. 7. **May contract certain liabilities.** Trust companies, state or savings banks, may contract indebtedness or liability for the following purposes: for necessary expenses in managing and transacting their business, for deposits, and to pay depositors, provided, that in pursuance of an order of the board of directors previously adopted, other liabilities not in excess of an amount equal to the capital stock may be incurred. But nothing herein contained shall limit the issuance, by trust companies, of debentures or bonds—the actual payment of which shall be secured by an actual transfer of real estate securities.

**SEC. 8. Attorney—fees.** The beneficiaries of any trust held by any such corporation, may appoint, by and with the approval of the court having jurisdiction thereof, a practicing attorney in good standing to look after the legal interests of said beneficiaries; and said attorney shall be allowed by the court a reasonable fee for such legal services, to be paid out of said trust estate.

**SEC. 9. Dividends—surplus fund.** After providing for all expenses, interest and taxes accrued or due from any corporations exercising the powers herein conferred and deducting all losses and bad debts, the board of directors of said corporation may declare a dividend of so much of the profits of the corporation as they shall judge expedient; all debts past due to any corporation on which interest is past due and unpaid for a period of twelve months, unless the same are well secured and in process of collection, shall be considered had debts within the meaning of this section; before any such dividend is declared, not less than one-tenth of the net profits of the corporation for the preceding half year, or for such period as is covered by the dividend, shall be carried to a fund to be designated the surplus fund, until such surplus fund shall amount to twenty percent of its capital stock, and thereafter such surplus fund shall always be equal to at least twenty per cent of the capital stock of such corporation unless impaired by losses, and whenever the same becomes so impaired it shall be reimbursed in the manner provided for its accumulation. Said surplus shall be invested the same as the original capital.

**SEC. 10. Renewal of corporate existence—capital—management—reserve.** All of the provisions of section sixteen hundred eighteen-a (1618-a) of the supplement to the code, relating to the renewal of corporate existence of state and savings banks, and all of the provisions of code sections, numbered eighteen hundred forty (1840), eighteen hundred forty-two (1842), eighteen hundred forty-three (1843) so far as same relates to time and manner of commencing business, eighteen hundred forty-five (1845), eighteen hundred forty-six (1846), eighteen hundred forty-seven (1847), eighteen hundred forty-eight (1848), eighteen hundred forty-nine (1849), eighteen hundred fifty-three (1853), eighteen hundred fifty-four (1854), eighteen hundred fifty-six (1856), eighteen hundred fifty-seven (1857), eighteen hundred fifty-eight (1858) and eighteen hundred sixty (1860) and all the provisions of chapter twelve of title IX of the code: and all amendments thereto, and not in conflict with this act, shall apply with equal force and effect to all trust companies organized or reorganized under this act, and said sections are hereby amended to include such trust companies. Provided, that any corporation exercising any of the powers herein granted, in addition to matters required by section eighteen hundred seventy-two (1872) of said chapter twelve of title IX of the code to be given in the statement of conditions, shall give:

A list and brief description of the trusts held by such company, the source of the appointment thereto, and the amount of real and personal estate held by such company by virtue thereof, except that mere mortgage trusts wherein no action has been taken by such company, shall not be included in such statement: said list to be transmitted to the auditor of state within thirty days after the receipt of requisition therefor, but such list shall not be published.

**SEC. 11. Acts in conflict repealed.** All acts, or parts of acts, in conflict with this act, are hereby repealed.

Approved April 17 A. D. 1913.

## CHAPTER 153.

## DRAINAGE WARRANTS USED IN PAYMENT OF DRAINAGE ASSESSMENTS.

H. F. 506.

AN ACT to amend section one thousand nine hundred eighty-nine-a-thirteen (1989-a-13) of the supplement to the code, 1907, as amended by chapter one hundred eighteen (118) of the acts of the thirty-third general assembly, relating to the use of drainage warrants in the payment of drainage assessments.

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

**SECTION 1. Levy and collection of taxes—warrants accepted by county treasurer.** That section one thousand nine hundred eighty-nine-a-thirteen (1989-a-13) of the supplement to the code, 1907, as amended by chapter one hundred eighteen (118) of the acts of the thirty-third general assembly, be and the same is hereby amended by striking out the period at the end thereof, inserting a semi-colon in lieu thereof and adding the following:

“Provided, however, that warrants drawn upon the funds of any drainage district shall be accepted by the county treasurer in payment of drainage assessments levied upon any lands in that district owned by the person to whom the said warrants were issued, and when the amount of the warrant exceeds the amount of the assessment, the treasurer shall cancel the said warrant, and give the holder thereof a certificate for the amount of the overplus, upon the presentation of which certificate to the county auditor he shall file it, and issue a new warrant for the amount of the overplus, and charge the treasurer therewith; and such certificate is transferable by delivery, and will entitle the holder of the new warrant, made payable to his order, and bearing the original number, preceded by the words, “Issued as unpaid balance due on warrant number.”

**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 at Des Moines, Iowa.

Approved April 17 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 21, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 154.

## NUISANCES DEFINED IN CONSTRUCTION OF DRAINAGE DITCHES.

S. F. 802.

AN ACT to repeal the law as it appears in section nineteen hundred forty-eight (1948) of the supplement to the code, 1907, and to repeal the law as it appears in section nineteen hundred eighty-nine-a fifteen (1989-a15) of the supplement to the code, 1907, and to enact a substitute therefor, defining nuisances in construction of drainage ditches, and making the obstruction of such ditches and levees a misdemeanor.

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

SECTION 1. **Repeal.** That the law as it appears in section nineteen hundred forty-eight (1948) of the supplement to the code, 1907, be and the same is hereby repealed.

SEC. 2. **Repeal—nuisances.** That the law as it appears in section nineteen hundred eighty-nine-a15 (1989-a15) of the supplement to the code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

“Any ditch, drain or water course, which is now or hereafter may be constructed so as to prevent the surface and overflow water from the adjacent lands from entering the same, is hereby declared as a nuisance and may be abated as such. Any person, firm or corporation diverting, obstructing, impeding or filling up, without legal authority any ditch, drain or water course, or breaking down any levee established, constructed or maintained under any provision of law, shall be deemed guilty of a misdemeanor and punished accordingly.”

Approved April 2 A. D. 1913.

## CHAPTER 155.

## CLAIMS OF SUB-CONTRACTORS FOR CONSTRUCTION OF DRAINAGE DITCHES.

Sub. for S. F. 815.

AN ACT providing for the securing of claims of sub-contractors who furnish labor or material for construction of drainage ditches, in addition to chapter two-a (2-a) title ten (10) [X] supplement to the code, 1907.

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

SECTION 1. **Claim—how filed—time.** Every mechanic, laborer, or other person who as sub-contractor, shall perform labor upon or furnish materials for the construction of any drainage ditch provided for in this chapter, shall have a claim against the funds provided for the payment of said ditch and improvements for the value of such services and material not in excess of the amount of the contract price for which no warrants shall have been issued at the time of the filing of said claim. Such claim shall be made by filing with the county auditor an itemized sworn statement of the demand at any time after the performance of the labor or furnishing of the material, but within thirty (30) days from and after the completion of the contract, and such claims shall have priority in the order in which they are filed, provided that

the county auditor shall not issue warrants in excess of eighty (80) per cent of the contract price until thirty (30) days after the completion of the contract. Provided further, that neither the county auditor, nor the county, nor the drainage district shall be liable for any greater sum than the contract price, nor shall they or either of them be liable for the payment of the same before the time provided for in the principal contract.

**SEC. 2. Adjudication by equitable action.** Any party in interest may cause an adjudication of the amount, priority and mode and time of payment of such claims by an equitable action in the district court in the proper county. In such action the court may assess a reasonable attorney's fee against the party failing, in favor of said drainage district or county.

**SEC. 3. Contractor—bond for benefit of claimant.** The contractor may at any time release such claim by filing with the county auditor of the county in which the drainage ditch is located, a bond for the benefit of such claimant in sufficient penalty and with sureties to be approved by said county auditor, conditioned for the payment of any sum which may be found due such claimant. Such contractor may prevent the filing of such claims by filing in a like manner a bond conditioned for the payment of persons who may be entitled to file such claims. And actions may be brought on any such bond by any claimant within one year after his cause of action accrues, and judgment shall be rendered on said bond for the amount due such claimant.

**SEC. 4. Not retro-active—pending litigation.** This act shall not be deemed retroactive nor affect pending litigation.

Approved April 8 A. D. 1913.

## CHAPTER 156.

### ACTIONS INVOLVING DRAINAGE DISTRICTS.

H. F. 412.

AN ACT to amend sections nine (9) and thirteen (13) of chapter one hundred eighteen (118) of the acts of the thirty-third general assembly in relation to actions involving drainage districts.

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

**SECTION 1. Appeal—board of supervisors to represent drainage district—counsel.** That section thirteen (13) of chapter one hundred eighteen (118) of the acts of the thirty-third general assembly be and the same is hereby amended as follows:

By striking out the sixth (6th) to fifteenth (15th) lines of said section thirteen (13), both inclusive, and inserting the following in lieu thereof:

"In all actions or appeals involving or affecting the drainage district, the board of supervisors shall be a proper party for the purpose of representing the drainage district, and all interested parties therein, other than the adversary parties thereto, and the employment of counsel by the board, as authorized by this chapter, shall be for the purpose of protecting all the rights of the drainage district and interested parties therein other than the adversary parties thereto; in all appeals or actions adversary to the district, the appellant or complaining party shall be entitled the plaintiff, and the board of supervisors and drainage district it represents, the defendants, and in all ap-



peals or actions for or in behalf of the district, the board of supervisors and the drainage district it represents may sue as and be entitled the plaintiffs.

**SEC. 2. Failure to perform work—penalty.** That section nine (9) of chapter one hundred eighteen (118) of the acts of the thirty-third general assembly be and the same is hereby amended as follows:

By inserting, after the words "in the name of the county in behalf of said district," in the ninth and tenth lines thereof, the words "or in the name of the board of supervisors and of the said district."

Approved April 19 A. D. 1913.

## CHAPTER 157.

### ASSESSMENT FOR BENEFIT OF ROADS IN DRAINAGE DISTRICTS.

H. F. 66.

AN ACT to amend the law as it appears in sections nineteen hundred eighty-nine-a-nineteen (1989-a-19), nineteen hundred eighty-nine-a-twenty-six (1989-a-26), nineteen hundred eighty-nine-a-twenty-seven (1989-a-27), and nineteen hundred eighty-nine-a-thirty-eight (1989-a-38), of the supplement to the code, 1907, and section sixteen (16) of chapter one hundred eighteen (118) of the acts of the thirty-third general assembly, section five (5) of chapter twenty-four (24) of the acts of the thirty-fourth general assembly, and chapter one hundred twenty (120) of the acts of the thirty-third general assembly relating to assessments for benefits to roads, streets, and highways in levee or drainage districts, to interest thereon, and to the issuance of improvement certificates and drainage bonds therefor, and legalizing waivers, improvement certificates and bonds heretofore issued.

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

**SECTION 1. Construction across highways—interest on final assessment.** That the law as it appears in section 1989-a-19 of the supplement to the code, 1907, as the same was enacted by section 16 of chapter 118 of the acts of the thirty-third general assembly, and amended by section 5 of chapter 24 of the acts of the thirty-fourth general assembly, be, and the same is hereby amended by adding thereto the following, to-wit:

"The amount finally assessed for benefits to highways shall draw interest at the same rate and from the same time as the assessment against lands."

**SEC. 2. How paid—improvement certificates—waivers.** That the law as it appears in section 1989-a-26 of the supplement to the code, 1907, be and the same is hereby amended by adding thereto the following, to-wit:

"If the board of supervisors provides for the issuance of improvement certificates by the owners of lands, the township trustees may execute waivers, and there may be issued improvement certificates for such part of the assessment for benefits to highways as is to be paid by the township, such waivers and certificates to conform as nearly as may be to those executed upon the assessments against lands."

**SEC. 3. Drainage bonds—benefits to highways included.** That the law as it appears in section 1989-a-27 of the supplement to the code, 1907, as amended by chapter 120 of the acts of the thirty-third general assembly, be, and the same is amended by adding thereto the following, to-wit:

"When the board of supervisors shall provide for the issuance of drainage bonds, it shall determine what part, if any, of the amount assessed for the benefits to highways shall be included in such bond issue, and such part, with interest, shall be paid out of the proper funds in the same yearly proportion and at the same times as the assessments against the lands of private owners."

**SEC. 4. Cities and towns included—benefits assessed—notice—objection—appeal.** That the law as it appears in section 1989-a-38 of the supplement to the code, 1907, be, and the same hereby is amended by adding thereto the following, to-wit:

“Whenever the streets, alleys, public ways or parks of any incorporated town or city, or city acting under special charter, so included within a levee or drainage district, will be beneficially affected by the construction of any improvement or improvements in such district, it shall be the duty of the commissioners appointed to classify and assess benefits to determine and return in their report the amount of benefit to such streets, alleys, public ways and parks, and notice thereof shall be served upon the clerk of such incorporated town or city, or city acting under special charter, and the town or city council, or clerk of such town or city, may file objections to such assessment in the time and manner provided in case of land owners, and the town or city council shall have the same right to appeal from the finding of the board with reference to such an assessment, and such assessment, as finally established, shall draw interest at the same rate and from the same time as the assessments against lands, and the board of supervisors and the town or city council shall have the same power and authority in reference to issuing improvement certificates or drainage bonds and executing waivers on account of such assessment for benefits to streets, alleys, public ways and parks as is herein conferred upon the board of supervisors and township trustees in reference to assessment for benefits to highways.

**SEC. 5. Retro-active.** The provisions of this act are hereby made retro-active, and all waivers and improvement certificates heretofore issued by boards of supervisors are hereby legalized, confirmed and made valid.

**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 March 29 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 9, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 158.

### LEVEES, DRAINS, DITCHES AND WATER COURSES.

S. F. 367.

AN ACT relating to levees, drains, ditches and water courses additional to chapter two (2) title ten (X) of the code and amendments thereto and to chapter two-a (2-a), title ten (X) of the supplement to the code, 1907, and amendments thereto and amending section one thousand nine hundred eighty-nine-a-twenty-one (1989-a-21) and section one thousand nine hundred eighty-nine-a-fifty-two (1989-a-52) of the supplement to the code, 1907, and section one thousand nine hundred eighty-nine-a-forty-nine (1989-a-49) as amended by section seven (7) chapter eighty-seven (87) laws of the thirty-fourth general assembly.

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

**SECTION 1. Pumping station—petition for management by trustees.** That in all drainage districts heretofore established or which may be hereafter established under the laws of the state of Iowa, having and operating a pumping station, upon the completion of the construction thereof, any three or

more persons who own land within the drainage district which has been assessed for benefits may file in the office of the county auditor a petition signed by a majority of the persons owning land within the drainage district which has been assessed for benefits, asking that said district be placed under the control and management of three trustees, residents of and land owners in said district, to be elected by all the persons owning land in said district that has been assessed for benefits.

**SEC. 2. Election—time—place—notice.** Upon filing of said petition the board of supervisors shall at their next regular meeting canvass the same and if it shall be determined that the same is signed by a majority of all of the persons owning land in said district that has been assessed for benefits, the board of supervisors shall order an election to be held at some convenient place in the district, at some time not less than thirty (30) nor more than sixty (60) days from the date of the canvass of said petition, for the election of said trustees, and shall name from the residents of the district three judges and two clerks of election and shall cause notice of said election together with the time and place of holding same to be published for two consecutive weeks in the newspaper published in the county in which the district is situated in which the official proceedings of the board of supervisors are published.

**SEC. 3. Polls—time open—canvass vote—certify returns—certificate.** On the day designated for said election the polls shall open at eight o'clock A. M. and remain open until seven o'clock P. M. and the judges of election shall canvass the vote, and certify the same to the board of supervisors and deposit the ballots cast and the poll books showing the names of the voters with the county auditor. The canvass of the returns shall be on the Monday following said election and the county auditor shall issue a certificate to the trustees of their election.

**SEC. 4. Term of office.** The trustees shall hold office for a period of two years and until their successors are elected and qualify.

**SEC. 5. Biennial election.** Elections shall be held biennially in each district upon the first Monday of the month in which the first election was held, for the election of trustees, which shall be called, held and the returns certified in the same manner as the first election.

**SEC. 6. Trustees—powers—duties—cost and expense—how paid.** The said trustees shall qualify in the same manner as township trustees, and upon their election and qualification they shall have control and supervision of said district in the same manner and with the same powers as are conferred upon the board of supervisors for the control and supervision of drainage districts by sections one thousand nine hundred eighty-nine-a-twenty-one (1989-a-21), one thousand nine hundred eighty-nine-a-forty-nine (1989-a-49) and one thousand nine hundred eighty-nine-a-fifty-two (1989-a-52) of the supplement to the code, 1907, and all costs and expenses necessary to carry out the powers and duties hereby conferred upon said trustees shall be levied and collected upon the land in said district in the same manner as the same are now levied and collected, upon certificate by the trustees to the board of supervisors, of the amount necessary therefor.

**SEC. 7. Report signed by two trustees filed with county auditor.** Such trustees shall, from time to time, and with reasonable promptness furnish the auditor of each county in which any part of said district is situated with a

correct record of their acts and proceedings, which statement must be signed by at least two of their number and shall be recorded by the auditor in the drainage record.

Approved April 19 A. D. 1913.

#### CHAPTER 159.

##### COMPENSATION OF APPRAISERS AND COMMISSIONERS FOR DRAINAGE DISTRICTS.

H. F. 224.

AN ACT to amend section nineteen hundred eighty-nine-a-forty-one (1989-a41) of the supplement of [to] the code, 1907, and amendments thereto relative to the compensation to be paid [to] appraisers of damages and commissioners of drainage districts.

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

SECTION 1. **Fees—expenses.** That section 1989-a 41 of the supplement to the code, 1907, be amended by striking out the word "three" after the word "receive" in the second sentence thereof and inserting therefor the words: "such compensation as the board of supervisors may allow, not to exceed four"

Approved April 17 A. D. 1913.

#### CHAPTER 160.

##### TAKING PRIVATE PROPERTY FOR WORKS OF INTERNAL IMPROVEMENT.

S. F. 554.

AN ACT to amend the law as it appears in section two thousand nine (2009) of the code relating to appeals from the action of the commissioners in assessing damages where private property is taken for works of internal improvement.

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

SECTION 1. **Appeal—how taken—change of venue.** That the law as it appears in section two thousand nine (2009) of the code be and the same is hereby amended by adding thereto after the period at the end of said section the following:

"In cases where the property to be taken is for the use of the state either party shall be entitled to a change in the place of trial to the nearest district court outside of the county in which the property is located upon filing a motion for such change of venue."

Approved April 18 A. D. 1913.

## CHAPTER 161.

## TAKING PRIVATE PROPERTY FOR WORKS OF INTERNAL IMPROVEMENT.

S. F. 552.

AN ACT to amend the law relating to the taking of private property for works of internal improvement as the same appears in section twenty hundred twenty-four-d (2024-d) supplement to the code, 1907.

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

SECTION 1. **Sheriff's jury—selected by chief justice of supreme court.** That the law as it appears in section twenty hundred twenty-four-d (2024-d) supplement to the code, 1907, be and the same is hereby amended by striking out the word "which" in line nine (9) of said section, and inserting in lieu thereof the following:

"except that the members of the sheriff's jury shall be selected by the chief justice of the supreme court of the state of Iowa upon receipt of notice from the sheriff of the county in which the real estate is situated that the application mentioned in code section nineteen hundred ninety-nine (1999) has been made to such sheriff, and not more than one member of such jury shall be residents of the same county, and the names and place of residence of each juror so selected by the said chief justice shall be returned by him and filed with said sheriff, and the."

Approved April 18 A. D. 1913.

## CHAPTER 162.

## RAISING OR LOWERING HIGHWAYS AT RAILROAD CROSSINGS.

H. F. 424.

AN ACT to amend section two thousand seventeen (2017) of the code, relating to the right of railroad companies to raise or lower highways where they are crossed by railroads, and giving the board of railroad commissioners authority to order under-grade or overhead crossings.

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

SECTION 1. **Repeal—raising or lowering highways—disagreements referred to railroad commissioners.** That section two thousand seventeen (2017) of the code is hereby repealed and the following is enacted in lieu thereof:

"Any such corporation may raise or lower any turnpike, plank road, or other road, for the purpose of having its railroad cross over or under the same, and, in such cases, such corporation shall put such road, as soon as may be, in as good repair and condition as before such alteration. When a new railroad crosses an established highway, or when it is desired to locate a new highway across an established railroad, or when it is desired by any citizen or the board of supervisors of any county or by any railroad company operating a railroad in this state, for the safety of the public using such highway, to change, alter, re-locate, or vacate an established highway, where same crosses a

railroad, and the railroad company and the board of supervisors of the county in which such highway crossing is located, cannot agree in respect thereto, the board of railroad commissioners of this state, upon application of either the board of supervisors or of twenty-five freeholders of said county, or the railroad company interested, are authorized and empowered, after hearing upon reasonable notice, to determine the necessity for such crossings, location thereof, whether the same shall be at grade or otherwise, the manner in which the same shall be constructed, maintained, or changed, division of expense thereof, and generally to make such orders in respect thereto as are equitable and just, including the right to require condemnation proceedings to be instituted by the board of supervisors as may be necessary to carry out such order: providing, however, that any portion of such expense that is borne by any city, town, county, state, or other public body, shall forever be considered as held in trust by said railroad company receiving same, and no part of the same shall be considered a part of the value of the properties of said railroad company upon which it is entitled to receive a return.

Approved April 8 A. D. 1913.

## CHAPTER 163.

### PRIVATE CROSSINGS OVER RAILROADS.

H. F. 361.

AN ACT to repeal section two thousand twenty-two (2022) of the supplement to the code, 1907, and to enact a substitute therefor, providing for private crossings over railroads and giving the board of railroad commissioners power to make orders when the land owner and railroad company are unable to agree.

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

**SECTION 1. Repeal—private crossings—how obtained—authority of railroad commissioners.** That section two thousand twenty-two (2022) of the supplement to the code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

When any person owns land on both sides of any railway, or when the railway runs parallel with the public highway, thereby severing the farm from the public highway, the corporation owning the same shall, when requested to do so, make and keep in good repair 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. If such person desires more than one crossing or desires an overhead or underground crossing over or under said railway, he shall serve or cause to be served a notice in writing upon such railway company setting forth his demand, with a plat of the land showing the place and manner of the desired crossing or crossings. If such railway company, within thirty (30) days after having been served with such notice, has failed and refused to construct such crossing or crossings, such person may apply to the board of railroad commissioners of this state which shall have full authority to determine all questions growing out of such demand, and upon hearing, after due notice, make such order as it may deem just and equitable.

Approved April 19 A. D. 1913.

## CHAPTER 164.

## CONDEMNATION OF LAND WHERE MATERIAL CAN BE HAD FOR ROAD IMPROVEMENT.

Sub. for S. F. 517.

AN ACT repealing section twenty-hundred twenty-four-1 (2024-1) of the supplement to the code, 1907, and enacting a substitute therefor providing for condemnation of land where gravel or other suitable material for road improvement can be had, and roads leading thereto, requiring boards of supervisors to condemn said land, making said material accessible for general use for road improvement and providing punishment for use of said material for other than road purposes.

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

**SECTION 1. Repeal—board of supervisors—power to condemn.** That section 2024-1 of the supplement to the code, 1907, be and the same is hereby repealed, and the following substitute enacted in lieu thereof.

The board of supervisors of any county is hereby authorized and empowered within the limits of such county and without the limits of any city or town, to procure, purchase or condemn, enter upon and take any lands, not to exceed five acres in any one place, for the purpose of obtaining gravel or other suitable material with which to improve the roads and highways of such county including a sufficient roadway to such land by the most reasonable route, and to pay for the same out of the county road funds, and it shall be the duty of the board of supervisors of each county, where such material can be found within the county as herein provided, to procure, purchase or condemn such tracts so that no part of the county shall be more than six miles distant from land where such material can be obtained for highway purposes, provided, however, that the board of supervisors shall not be required to purchase such land, but may procure the road material at any place within or without the county when the combined cost of obtaining and hauling the same is not greater than the cost would be by condemnation proceedings under this act.

**SEC. 2. Township trustees—right to use material.** The township trustees of any township in such county shall have the right to enter upon, take and use any such land, gravel or other suitable material for the purpose of improving the highways and roads within their respective townships.

**SEC. 3. Good roads clubs—right to use material—misuse—penalty.** Road improvement companies, corporations, voluntary associations, commercial clubs, road improvement districts, and individual citizens shall have the right to enter upon said land and haul and use said material for public road improvement. Any person, company, corporation or club using said material for any other purpose than public road improvement, shall be guilty of a misdemeanor, and upon conviction, fined not less than one hundred (\$100.00) dollars, nor more than five hundred (\$500.00) dollars, or imprisonment in the county jail not more than thirty (30) days, or both.

**SEC. 4. Non-feasance in office—removal.** In case the board of supervisors of any county shall fail, neglect or refuse to perform the duty imposed upon them by this act, the members thereof shall be subject to removal from office for failure to perform their duty as provided by chapter 78 of the acts of the thirty-third general assembly as amended.

SEC. 5. **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 in Des Moines, Iowa.

Approved April 17 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 21, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 165.

### PASSENGER RATES TO FAIRS OR EXPOSITIONS.

S. F. 327.

AN ACT to amend section two thousand seventy-seven (2077) of the supplement to the code, 1907, relative to passenger rates and providing passenger transportation charges to towns and cities within this state, at which fairs or expositions are or may hereafter be held.

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

SECTION 1. **Passenger rates—schedule—duties—railroad commissioners.** That section two thousand seventy-seven (2077) of the supplement to the code, 1907, is hereby amended by adding thereto the following:

“All railroad corporations, according to their classification, as herein prescribed, shall be limited to compensation per mile for the transportation of any person, with ordinary baggage not exceeding one hundred fifty pounds in weight, who shall purchase a round trip ticket from any point within this state to any town or city within said state at which an annual fair or exposition is being held, said ticket being good for return trip of said purchaser to point of origin during said fair or exposition, and at least one day after the conclusion of the same—as follows: Class “A”, one and one-half cents; class “B”, two cents; class “C”, two and one-half cents; and for children twelve years of age or under, one-half of the rate above prescribed, all of the aforesaid rates to apply to each mile travelled; provided, however, that said maximum rates of charge shall only apply on transportation to such points at which an annual fair or exposition has been held during one or more preceding years, and where the attendance during the immediately preceding year for any week or part thereof was not less than seventy-five thousand bona fide paid admissions; and it is further provided that upon application being made by any interested party, the state board of railroad commissioners shall, after full hearing, determine whether or not any given fair or exposition comes within the provisions of this statute, and in case such commission shall find that any given fair or exposition comes within said provisions, then, and in that case, the said commission shall prescribe the time and place at which the carriers shall perform the services for the rates of charge, as hereinbefore stated; and said commission shall by order designate what reasonable notice shall be given by said railway companies to the public of the rates aforesaid; and the said orders of the board of railroad commissioners shall be enforced in the same manner as is provided by law for the enforcement of other orders of the said commission.”



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 19 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 25, 1913 and in the Des Moines Capital April 30, 1913.

W. S. ALLEN,  
*Secretary of State.*

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CHAPTER 166.

POSTING OF BULLETINS AT RAILWAY STATIONS.

Sub. for S. F. 267.

AN ACT to amend section two thousand seventy-seven-a (2077-a) supplement to the code, 1907, as amended by chapter one hundred twenty-five (125) of the acts of the thirty-third general assembly, relating to the posting of bulletins at railway stations.

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

SECTION 1. **Bulletin posted—time of arrival of trains.** That section two thousand seventy-seven-a (2077-a) supplement to the code, 1907, as amended by chapter one hundred twenty-five (125) of the acts of the thirty-third general assembly be and the same is hereby amended by adding the following thereto:

And at all stations where a telegraph or telephone operator is maintained, such bulletin shall indicate whether said trains are late or on time, and if late, the approximate number of minutes late. If the train is less than ten (10) minutes late, the same shall be considered on time for the purpose of this act.

SEC. 2. **Violation—penalty.** Any agent, telephone or telegraph operator of such railroad corporation who shall violate 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 five dollars (\$5.00) nor more than fifty dollars (\$50.00).

Approved April 14 A. D. 1913.

## CHAPTER 167.

## LOCOMOTIVE ENGINES EQUIPPED WITH FROST GLASS.

H. F. 303.

AN ACT to require all persons, partnerships, companies or corporations owning or operating a railway in this state, to equip the cab of all locomotive engines with frost glass in front of the seat of the engineer and fireman of said engine, and providing a penalty for the violating thereof. [Additional to chapter five (5) of title ten (X) of the code, relating to railway companies.]

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

SECTION 1. **Cab equipped—frost glass—time.** Every person, partnership, company or corporation owning or operating a railway in the state of Iowa, between November 1st and April 1st of each year, shall equip the cab of all locomotive engines in use, with frost glass, of not less than eight inches in width and eighteen inches in length on either side of the cab of said engine in front of the seat of the engineer and fireman; provided that where a frost glass is broken or becomes out of repair, a period of not to exceed seventy-two (72) hours is allowed to repair or replace the same.

SEC. 2. **Violation—penalty.** Any violation of this act shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) for each day any locomotive engine is operated in violation thereof.

Approved April 9 A. D. 1913.

## CHAPTER 168.

## TAX LEVY IN AID OF RAILROADS IN CERTAIN CITIES.

S. F. 260.

AN ACT to amend section two thousand and eighty-five (2085) of the supplement to the code, 1907, relating to taxes in aid of railroads and in relation to the number of signatures of resident freeholders to petitions therefor in cities acting under special charter, and cities having a population of twenty-five thousand (25,000) or over.

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

SECTION 1. **Petition—number of signers in certain cities.** That section two thousand and eighty-five (2085) of the supplement to the code, 1907, be amended by adding thereto, the following:

“Provided, that in cities acting under special charter, and cities having a population of twenty-five thousand (25,000) or over, it shall only be necessary that the petition for the submission of the question of aiding any railroad company, as herein provided, shall be signed by two thousand (2,000) or more resident freeholders thereof.”

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

Approved April 8 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital April 14, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 169.

## AID IN CONSTRUCTION OF ELECTRIC RAILROADS OR ELECTRIFICATION OF STEAM RAILROADS.

S. F. 546.

AN ACT to enable benefitted property to aid in the construction of trolley or electric railroads or the electrification of steam railroads, being additional to chapter five (5) of title ten (10) of the code, as amended.

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

SECTION 1. **Tax levy.** Taxes not exceeding five per cent on the assessed value of the real property of any district or territory contiguous to any projected trolley or electric railroad, or to any steam railroad which it is proposed to electrify, may be levied to aid in the construction of such projected trolley or electric railroad, or in the electrification of such steam railroad, within the state, as hereinafter provided.

SEC. 2. **Benefitted property—petition—proposition submitted—election—taxes—how collected.** When it is proposed to construct any trolley or electric railroad, or to electrify any steam railroad, and a petition definitely describing any district or territory contiguous to and within five miles of the line of such railroad or proposed railroad, signed by a majority of the resident freehold tax payers, of such district or territory, asking that the question of aiding in the construction or electrification of such railroad or proposed railroad within such district or territory, be submitted to the voters thereof, is presented to the board of supervisors of the county in which such district or territory is situated, it shall be the duty of such board of supervisors immediately to give notice of a special election by publication in some newspaper published in such district or territory, if any there be, and if not, then in some newspaper published in the county, and also by posting copies of said notices in five public places in such district or territory at least ten days before such election, which shall state the time and place of holding the same, the name of the company and the line of the road proposed to be added, the rate per cent of the tax to be levied; whether one half thereof shall be collected the first year and one half the following year, or whether the whole is to be collected in one year, the amount of work required to be done, and when and where the same shall be done, to what point said railroad shall be fully completed, and any other conditions which shall be performed before such tax or any part thereof shall become due, and in no case shall such tax become due until such railroad is fully completed according to the conditions of said notice. The board of supervisors shall cause to be prepared the form of the proposition to be submitted, and the proposition shall be printed and placed upon the ballots, and the board of supervisors shall appoint the judges and clerks of election, and the election shall be conducted in the same manner as provided with respect to like or similar propositions in the chapter on elections, and the judges of election shall canvass the vote and make return to the county auditor, and if a majority of the votes polled be for the adoption of the proposition, then the county auditor shall forthwith certify to the result thereof, rate per cent of the tax voted, the year or years during which the same is to be collected, the name of the company to which voted, and the time, terms and conditions upon which the same when collected is to be paid under the conditions and stipula-

tions in said notice, together with an exact copy of the notice under which the election was held, which the county auditor shall at once cause to be recorded in the office of the recorder of deeds. The expense thereof and of publishing the notice and all the expenses of the election shall be paid by the railway company to which it is proposed to vote the tax. When such certificate has been made and recorded the board of supervisors of the county shall at the time of levying the ordinary tax next following, levy such taxes as are voted under the provisions hereof as shown by said certificate, and cause the same to be placed on the tax lists of the proper township, town or city, indicating in their order thereupon when and in what proportion the same are to be collected, and upon what conditions the same are to be paid to the railway company, a certified copy of which shall accompany the tax list. The taxes shall be collected at the time or times specified in the order and in the same manner and subject to the same laws after they are collectible as other taxes, or as may be stated in the petition and notice for the election, except as otherwise provided; provided however, that such tax shall only be levied upon the real property within such district or territory. The stipulations and conditions in the notice prescribed in this section must conform to those set forth in the petition asking for the election, and the aggregate amount of taxes voted in any such district or territory shall not exceed five per cent of the assessed value of the real property therein.

**SEC. 3. What statutes apply.** The provisions of sections 2087, 2090 and 2091 of the supplement to the code, 1907, are hereby made applicable to all taxes levied under the provisions of this act.

**SEC. 4. Aid given only to owners unless approved by railroad commissioners.** No tax shall be levied to aid in the electrification of any steam railway for the benefit of any person, firm, or individual, who is not the owner in fee simple of said steam railway, unless with or prior to the presentation of the petition to the board of supervisors asking for said election, the agreement between the person, firm, or corporation proposing to electrify said steam railway, and the owner of said steam railway for its electrification and use, has been presented to the board of railway commissioners, and its duration, terms and conditions found suitable by said board, and said approval made a matter of record in the proceedings of said board of railway commissioners, and certified to such board of supervisors.

**SEC. 5. Tax levy—limitation.** The real property upon which such tax shall have been levied shall not be subjected to taxes in aid of railroads, including such tax, to exceed five percentum of the assessed value of said real property, for a period of ten years after said levy.

**SEC. 6. 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 Des Moines Capital, newspapers published at Des Moines, Iowa.

Approved April 18 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 25, 1913 and in the Des Moines Capital April 23, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 170.

## UNIFORM GAUGE FOR RAILROADS.

S. F. 27.

AN ACT to require all railroad companies owning railroads in the state of Iowa, of less than four (4) feet, eight and one half (8½) inches gauge, to adopt such gauge within such reasonable time as may be fixed by the railroad commissioners. [Additional to chapter five (5) of title ten (X) of the code, relating to the construction and operation of railways.]

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

SECTION 1. **Railroad commissioners—inspection—order.** That the railroad commissioners of Iowa are charged with the duty, within one year from the passage of this act, to inspect and examine all railroad lines or branches that are of a gauge less than four (4) feet eight and one-half (8½) inches in width of track, and if, considering the interest of the public and the railroad traffic tributary to that line or branch road, and the physical or natural difficulties to be encountered and the expense that would be involved or incurred in changing the track to a gauge of four (4) feet eight and one-half (8½) inches in width, and making it practical to operate the said line or branch road on that gauge, it appears to be reasonable and just to require the railway company which is the owner to do so, then said commissioners shall enter an order fixing a reasonable time within which said railroad track is to be changed to a gauge of four (4) feet eight and one-half (8½) inches in width.

SEC. 2. **Duties.** It shall be the duty of the railroad commissioners, within one (1) year after the passage of this act, to examine all the railroads in this state, now in existence, that are less than four (4) feet eight and one half (8½) inches gauge, and if they find that it is feasible or in their judgment necessary and reasonable to change the gauge of any such railroad to four (4) feet eight and one half (8½) inches, they shall make their order in writing, fixing such reasonable time within which such gauge shall be changed to that width. In making such order, said commissioners shall take into consideration the amount and probable life of the rolling stock of such narrow gauged road, and all other facts bearing on the reasonableness of the time to be allowed to make such change of gauge.

Approved April 9 A. D. 1913.

## CHAPTER 171.

## EQUIPMENT OF LOCOMOTIVES WITH HEADLIGHTS.

Sub. for S. F. 192.

AN ACT additional to chapter five (5) title ten (10) [X] of the code to require locomotives to be equipped with headlights, to prescribe the character of such headlights and to punish the failure to so equip the same.

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

**SECTION 1. Head light—certain candle power—equipment—when—exceptions.** It shall be the duty of every person, firm or corporation owning or operating any line of railway within the state of Iowa to equip all locomotives, power vehicles, power cars, or other equipment used as the equivalent of or in place of a locomotive, when used in the transportation of passengers or freight with a headlight of sufficient candle power, measured with a reflector, to throw a light in clear weather that will enable the operator of same to plainly discern, an object the size of a man lying prone on the track at a distance of eleven hundred (1100) feet from the headlight, and thereafter to maintain and use such headlights upon every such locomotive, vehicle car or other equipment.

It shall be the duty of all such common carriers to so provide and equip ten per cent of the whole number of locomotives used by such carriers with such headlight within ninety (90) days after the taking effect of this act, and an additional ten per cent of such locomotives to be so equipped each and every thirty (30) days thereafter until all such engines and locomotives, and other equipment used as equivalent thereof shall be equipped with such headlight.

This act shall not be construed to apply to power cars used by street railways and operated wholly within the corporate limits of any city or town, nor to engines or other equipment used exclusively for switching purposes, nor to engines or other equipment running after sun rise and before sunset.

**SEC. 2. Failure to equip—penalty.** Any person, firm or corporation owning such line of railway or the equipment operated thereon, who shall cause or permit any locomotive, power vehicle, power car, or other equipment used as the equivalent thereof, to be operated without being equipped with the headlight required by the provisions of section one (1) hereof, shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) for each offense. Provided, however, that no punishment shall be imposed for the operation of any such locomotive or the equivalent thereof without such headlight, when such locomotive was properly equipped with such headlight at the commencement of the trip, providing it is shown that such headlight was in good and sufficient working condition when the trip was begun and became disabled during the trip.

Approved March 20 A. D. 1913.

## CHAPTER 172.

## EQUIPMENT OF LOCOMOTIVES WITH HEADLIGHTS.

S. F. 474.

AN ACT to amend the law as it appears in an act passed by the thirty-fifth (35th) general assembly and approved on the 20th day of March, A. D. 1913, and entitled "A bill for an act additional to chapter five (5) title ten (10) [X] of the code to require locomotives to be equipped with headlights, to prescribe the character of such headlights and to punish the failure to so equip the same."

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

SECTION 1. **Character of headlight—failure to equip—penalty.** That the law as it appears in an act passed by the thirty-fifth (35th) general assembly and approved on the 20th day of March, 1913, and entitled "A bill for an act additional to chapter five (5) title ten (10) [X] of the code to require locomotives to be equipped with headlights, to prescribe the character of such headlights and to punish the failure to so equip the same." be and the same is hereby amended by inserting after the word "Iowa" found in line two (2) of section one (1) of the enrolled bill of said act the words, ", except lines under twenty (20) miles in length operated wholly within this state."

Approved April 11 A. D. 1913.

## CHAPTER 173.

## RAILROAD COMMISSIONERS.

S. F. 378.

AN ACT to amend section twenty-one hundred and thirteen (2113) of the supplement to the code, 1907, as amended by chapter one hundred twenty-seven (127) of the acts of the thirty-third general assembly relating to the powers of the board of railroad commissioners.

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

SECTION 1. **Powers and duties.** That the law as it appears in section twenty-one hundred thirteen (2113) of the supplement to the code, 1907, as amended by chapter one hundred and twenty-seven (127) of the acts of the 33rd general assembly, be amended by inserting after the word "board" in line twenty-seven (27) thereof, the following words: "may make an order prescribing such improvements and changes and."

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 Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved April 9 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 14, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 174.

## RAILROAD COMMISSION GIVEN POWER TO GRANT FRANCHISES FOR ESTABLISHMENT AND TRANSMISSION OF ELECTRIC CURRENTS.

Sub. for S. F. 57.

AN ACT to confer power upon the railroad commission of the state of Iowa to grant a franchise to any individual or corporation organized under the laws of Iowa, or corporation authorized to transact business in Iowa under the general incorporation laws of the state, engaged in the manufacture, sale or distribution for sale of electric current, to construct transmission lines and obtain the necessary interests in real estate therefor, and the manner of making compensation to said owner of said lands for said rights. [Additional to section twenty one hundred thirteen (2113) of the supplement to the code, 1907, relating to the powers and duties of the railroad commissioners.]

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

**SECTION 1. Petition filed with railroad commissioners—notice—publication—hearing—franchise granted.** Upon petition to the railroad commission of the state of Iowa, said railroad commission may grant to any individual or corporation organized under the laws of Iowa, or corporation authorized to transact business in Iowa under the general incorporation laws of the state, engaged in the manufacture, sale, or distribution for sale of electric current for light, power, or heating purposes, the right within the state, except in cities and towns, to erect, use and maintain poles, wires, guy wires, towers, fixtures and other necessary construction for the purpose of conducting electricity for lighting, power and heating purposes over, along and across any public lands, highways or streams or the lands of any person or persons, and to acquire the necessary interests in real estate therefor.

The said petition shall set forth the manner, methods and specifications for the construction of said line, together with a general description of the public lands, highways, streams or private lands over which it is desired that said transmission line be constructed, together with a map showing the starting point, route and terminus of said proposed line.

Upon the filing of said petition, the commission shall cause publication in the official newspapers of each county into or through which said proposed line extends, of a notice addressed to the citizens of said county, which notice shall contain a statement as to the purpose of the petition, a description of the lands to be traversed by the transmission line, and the date and place fixed by the commission for hearing upon said petition.

The date fixed shall be not less than ten days after the last publication of said notice hereinbefore provided for, and at any time before final submission to the commission, objections in writing to the proposed line, either as to its establishment or location, may be filed with the commission and shall be given due consideration.

The expense of said publication shall be paid by the applicant as a condition precedent to said hearing.

The commission may personally examine the proposed route and, upon said hearing, may grant the application either as a whole or in part, or upon such conditions as to terms and location as to the commission may seem right and just.

The privilege granted by the commission shall be and constitute a franchise to operate and maintain the proposed transmission line, but all rights granted



by said franchise shall be subject to the provisions of this act and also to such regulations as the legislature may, from time to time, prescribe, either by direct legislative enactment or by and through the railroad commission, under the laws of Iowa now or hereafter in force.

**SEC. 2. Additional rights—how granted.** Any person or corporation organized under the laws of this state, or corporation authorized to transact business in Iowa under the general incorporation laws of the state, owning or operating a transmission line for the conducting of electricity, or who or which has obtained a right so to do, and desires to acquire additional rights for the purposes contemplated herein, may petition the railroad commission, as hereinbefore provided, for the original granting of such right, and the same proceedings shall be taken as hereinbefore provided; provided, however, that before the commission shall act upon such petition, the person or corporation filing same shall, with said petition, file its consent that the provisions of this act and of all acts or laws relating to public utilities or to the regulation, supervision, or control thereof which are now in force or which may be hereafter enacted shall apply to its existing line or lines with the same force and effect as though said line or lines had been constructed under the permit provided for in section 1 hereof.

**SEC. 3. Under supervision of railroad commissioners.** Any transmission line proceeding under this act and obtaining the franchise herein provided shall be conclusively held to an acceptance of the provisions of this act and of all acts or laws relating to public utilities or to the regulation, supervision, or control thereof which are now in force or which may be hereafter enacted, and to have consented to such reasonable regulation as the commission may, from time to time, prescribe.

**SEC. 4. Vested with right of eminent domain.** Any person or corporation having secured the franchise provided for in the preceding sections shall thereupon be vested with the right of eminent domain to such extent as may be necessary and as prescribed and approved by the commission, not exceeding twenty five feet in width to carry out the purposes of said franchise, and in the event agreement with the private owner of lands as to damages caused by the construction of said transmission line cannot be made, the same proceedings shall be taken as provided for taking private property for works of internal improvement in chapter 4 of title X of the code and amendments thereto.

**SEC. 5. Supervision of construction—requirements—danger signals—form.** The railroad commission shall have power of supervision over the construction of said transmission line and over its future operation and maintenance, and said transmission line shall be constructed near and parallel to the right of way of the railways of the state or along the division lines of the lands, according to the government survey thereof, wherever the same is practicable and reasonable, and so as not to interfere with the use by the public of the highways or streams of the state, nor unnecessarily interfere with the use of any lands by the occupant thereof, and shall be built of strong and proper wires attached to strong and sufficient supports properly insulated at all proper points of attachment; all wires, poles and other devices which by ordinary wear or other causes are no longer safe shall be removed and replaced by new wires, poles or other devices, as the case may be, and all abandoned wires, poles or other devices shall be at once removed.

Where wires carrying current are carried across, either above or below wires used for other service, the said transmission line shall be constructed in such

manner as to eliminate, so far as practicable, damages to persons or property by reason of said crossing; there shall also be installed sufficient devices to automatically shut off electric current through said transmission line whenever connection is made whereby current is transmitted from the wires of said transmission line to the ground, and there shall also be provided a safe and modern improved device for the protection of said line against lightning.

No transmission line shall be constructed, except by agreement, within one hundred feet of any dwelling house or other building, except where said line crosses or passes along a public highway or is located alongside or parallel with the right of way of any railway company.

At any crossing of any highway by said transmission line, the poles or towers next to the highway shall be labeled with the following words:

“Danger .....  
 ..... volts  
 Electricity.”

The stroke of said letters and numbers shall be at least four inches in length and not less than five-eighths of an inch in width, and the color of the letters and numbers shall be in contrast with the color of the background. The said labels shall show the maximum number of volts of electricity transmitted over said line, and said label shall face toward the highway.

Where said poles or towers are extended along said highway and within the limits thereof or immediately adjacent thereto, the sign hereinbefore described shall be placed at least every quarter of a mile.

The commission shall have full power and authority to add such further and additional rules and regulations as regards location, construction, operation and maintenance of said transmission line as may be reasonable.

**SEC. 6. Injuries—damages—burden of proof.** In case of injury to any person or property by any transmission line operating under this act, negligence will be presumed on the part of the person or corporation operating said line in causing said injury, but this presumption may be rebutted by proof, but no change in the rule of the burden of proof shall exist in favor of employees of the person or corporation operating said transmission line who are charged with or engaged in the construction, reconstruction, repair or maintenance thereof.

**SEC. 7. Damages caused in construction and maintenance payable annually.** Individuals or corporations operating transmission lines constructed under the provisions of this act, or operating by acceptance under the provisions of this act, shall have reasonable access to said transmission line for the purpose of constructing, reconstructing, enlarging, repairing or locating the poles, wires or construction and other devices used in or upon said transmission line, but shall pay to the owner of such lands and of crops thereon all damages to said lands or crops caused by entering, using and occupying said lands for said purposes. Said damages shall be payable annually at the end of each season, and shall be payable in the county where caused, but nothing herein contained shall be construed to prevent the execution of an agreement between said operating company and the owner of said land or crops with reference to the use thereof.

**SEC. 8. 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 Des Moines, Iowa.

Approved April 11 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 16, 1913 and in the Des Moines Capital April 15, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 175.

### SANITARY CLOSETS AT RAILWAY STATIONS.

S. F. 418.

AN ACT to require the equipment and maintenance of sanitary closets at railway stations in this state, providing for the regulation and inspection thereof and fixing a penalty for violation of this act. [Additional to chapter one hundred sixty-eight (168) acts of the thirty-third general assembly relative to hotel inspector.]

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

**SECTION 1. Sanitary closets—equipment—maintenance.** That at all railway stations in this state, where a depot and waiting rooms for passengers are maintained, there shall be within the same or connected therewith sanitary closets, including separate closets for women, which in cities or towns having a system of sewerage, so located that the same can be reasonably used by the railroad property, shall be thoroughly drained, constructed and plumbed according to approved sanitary principles and said depots and closets shall be kept in a clean and sanitary condition, free from any offensive odors. Depots in cities or towns not provided with a sewerage system, shall be provided with privies or closets properly screened and separated for the use of males and females, which shall be cleaned and disinfected as often as necessary to keep and maintain them in an approved sanitary condition.

**SEC. 2. Hotel inspector—duties.** It shall be the duty of the hotel inspector and his deputies to see that the provisions of the act are fully complied with and on complaint being filed by an employe or patron of the railway company shall by himself or deputy personally inspect the same.

**SEC. 3. Inspection.** It shall be the duty of the inspector upon ascertaining by inspection or otherwise that any railroad company has not complied with the provisions of this act at any of its depots, to notify the station agent of such depot, in writing, stating in what respect it is delinquent and requiring it in a reasonable time, to be fixed by the inspector, to do or cause to be done the things necessary to make it comply with the law.

**SEC. 4. Failure to comply—penalty.** Any railroad company, which after receiving said notice fails to comply, within the time fixed, with the provisions of this act, shall be guilty of a misdemeanor and upon conviction shall be fined not exceeding \$100 for each offense and the inspector shall file information in such a case.

**SEC. 5. Inspection fee.** Such railroad companies shall pay a fee of \$5 to the person making the inspection. If there is no cause of complaint, the per-

son complaining shall be liable for such fee. All fees shall forthwith be paid over to the state treasurer to be kept in the hotel inspection fund.

**SEC. 6. Inspector—expenses.** The inspector shall be allowed his necessary expenses while engaged in the actual work of inspection, to be audited and paid out of the hotel inspection fund as provided in section thirteen (13) thereof.

Approved April 10 A. D. 1913.

## CHAPTER 176.

### DUTY OF RAILROADS TO FURNISH TRANSPORTATION.

H. F. 484.

AN ACT to amend section two thousand one hundred and sixteen (2116) of the supplement to the code, 1907, as amended by chapter one hundred twenty-eight (128) acts of the thirty-third general assembly, and to define what is reasonable passenger service on certain lines of railroads.

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

**SECTION 1. Reasonable passenger service defined.** That section two thousand one hundred and sixteen (2116) of the supplement to the code, 1907, as amended by chapter one hundred twenty-eight (128) acts of the thirty-third general assembly, be and the same is hereby amended by adding thereto the following:

“That every railway corporation, owning or operating lines of railroads of more than twenty-five miles in length within the limits of the state of Iowa, shall maintain a service of not less than two passenger trains each way every twenty-four hours, over the entire length of each division of such line or lines, when so ordered by the board of railroad commissioners. It is hereby further provided that passenger service of less than the number of trains provided herein shall be presumed to be unreasonable within the contemplation of section 2113 of the supplement to the code, 1907.”

Approved April 16 A. D. 1913.

## CHAPTER 177.

### COMMERCE COUNSEL.

S. F. 381.

AN ACT to repeal section five (5), of chapter ninety-four (94), of the acts of the 34th general assembly and to enact a substitute therefor relating to the duty of commerce counsel.

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

**SECTION 1. Repeal—duties of commerce counsel.** That section five (5) of chapter ninety-four (94) of the acts of the 34th general assembly of the state of Iowa be and the same is hereby repealed and the following enacted in lieu thereof:

The commerce counsel shall be the legal adviser of the railroad commissioners, and it shall be his duty to diligently investigate the reasonableness of the rates charged or to be charged for services rendered or to be rendered by the railroad companies, express companies, or of other individuals, parties, or corporations, subject to the jurisdiction of said board of railway commissioners, and it shall also be his duty to diligently investigate the reasonableness of the rates, charges, rules and practices of common carriers on interstate transportation, whenever directed by the board of railroad commissioners or whenever in his judgment any of said rates, charges, rules, or practices are undue, unjust, unreasonable, unlawful, unduly prejudicial or unduly discriminatory against any of the citizens or industries of the state of Iowa. It shall be his duty, if they pertain to intrastate business, to institute proceedings relative to such matters before said board of railroad commissioners and to prosecute same to final determination before said board or to any court to which same may be taken.

If they concern interstate transportation, it shall be his duty whenever in his judgment such action is necessary or whenever directed by the railroad commission to institute proceedings before the interstate commerce commission and prosecute the same to final determination before said commission or in any court to which same may be taken.

It shall also be his duty to act as attorney for and represent the board of railroad commissioners in all of the courts of this state or of the United States in which the validity of any order of said board is an issue.

It shall be the duty of said commerce counsel also in all cases before the railroad commissioners in which any person or persons have filed complaint against any person, firm or corporation over which the state board of railroad commissioners has jurisdiction to appear for and in behalf of such person or persons so filing such complaint.

It shall also be his duty to institute and prosecute in any of the courts any and all suits necessary to the proper enforcement of any rule or order of said railroad commissioners or to make defense therein whenever said rule or order may be called in question, provided that the duty here enjoined upon the commerce counsel [counsel] shall not be construed to in any wise limit or abridge the authority or jurisdiction of the attorney general.

Approved April 19 A. D. 1913.

## CHAPTER 178.

### ELEVATORS AND OTHER BUILDINGS ON RAILROAD LANDS.

H. F. 298.

AN ACT relating to elevators and warehouses [,] coal sheds, ice houses, buying stations, flour mills and other buildings on railroad land, and prescribing methods and conditions of procuring and holding sites therefor, and liability for loss or destruction thereof. [Additional to chapter five (5) of title ten (X) of the code relating to construction and operation of railways.]

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

SECTION 1. **Disagreements adjusted by railroad commissioners.** That whenever a disagreement arises between the owner of an elevator or grain warehouse, coal shed, ice house, buying station, flour mill, or any other building used for receiving, storing or manufacturing any article of commerce transported or to be transported, situated on a railroad' right of way, or on land owned or controlled by a railroad company, and such railroad company, as

to the terms and conditions on which the same is to be continued thereon, or removed therefrom, or whenever application is made by any person, firm or corporation for the right to a site for such elevator or grain warehouse, coal shed, ice house, buying station, flour mill, or any other building used for receiving, storing or manufacturing any article of commerce transported or to be transported, and such railway company and said applicant cannot agree as to whether said elevator or grain warehouse shall be so placed on said right of way or on property owned or controlled by the railroad company, or as to the character of the buildings to be erected and placed thereon, or the place where the same is to be so erected and maintained, or as to the terms and conditions under which the same may be so placed or operated, then, and in every such event on written application to the board of railroad commissioners by such railroad company, person, firm or corporation the said board of railroad commissioners shall have authority, and it is hereby made their duty, as speedily as possible after the filing of such application, to hear and determine such controversy, and make such order in reference thereto as shall be just and right between the parties under all the facts in the case, which order shall be enforced as other orders of said commission.

**SEC. 2. Railroad company's liability defined.** In the event that any elevator, warehouse, coal shed, ice house, buying station, flour mill or any other building used for receiving, storing or manufacturing any article of commerce transported or to be transported, situated on the right of way or other land of a railroad company shall be injured or destroyed by the negligence of any railroad company, or the servants or agents of any railroad company in the conduct of the business of such company, the railroad company so causing such injury or destruction shall be liable therefor to the same extent as if such elevator, warehouse, coal shed, ice-house, buying station, flour mill or any other building used for receiving, storing or manufacturing any article of commerce transported or to be transported was not situated on the right of way or other land of such railroad company, any provision in any lease or contract to the contrary notwithstanding.

Approved April 17 A. D. 1913.

## CHAPTER 179.

### RAILWAY FREIGHT CLAIMS.

S. F. 52.

AN ACT requiring common carriers to settle claims for delay in delivering freight or injury or loss of freight in transit or for excessive freight rates within a specified time, and providing a penalty for failure to comply therewith. [Additional to chapter five (5) of title ten (X) of the code relating to operation of railways.]

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

**SECTION 1. Damages—excessive rates—adjustment within certain time.** That every claim for loss of or damage to property while in the possession of any common carrier, or for delay in delivering freight or baggage or express, or for a charge in excess of the legal and regular charge for the service rendered shall be adjusted and paid within forty days in case of shipments wholly within this state, and within ninety days in case of shipments from

without the state after the filing of such claim with the agent or agent's carrier at the point of destination of each shipment, provided that no such claim shall be filed until after the arrival of the shipment or of some part thereof at the point of destination or until after the lapse of a reasonable time for the arrival thereof, and provided further that if such claim is not filed within 60 days from the time it accrues, the penalty provided in this act shall not apply.

SEC. 2. **Failure to adjust—penalty.** Failure to adjust and pay such claim, within the period herein prescribed shall subject the common carrier, so failing, to the penalty of a sum which in amount shall be equal to the amount of the claim originally filed, provided however that it shall in no case be less than \$25 or more than \$100 for each and every failure, to be recovered by the party aggrieved, in any court of competent jurisdiction, provided further that said claim shall be filed in proper form, including such information possessed by the claimant, as will aid in establishing his claim. The penalty shall not apply unless the claimant shall recover the full amount claimed by him, nor when the claim exceeds \$500.00.

SEC. 3. **One claim for each shipment.** The claimant shall not be permitted under this act to divide his claims arising from loss, damage or injury to one shipment or consignment of goods but only one claim within the meaning of this act shall be filed for one shipment.

Approved March 25 A. D. 1913.

## CHAPTER 180.

### TRANSPORTATION OF LIVE STOCK.

H. F. 78.

AN ACT to amend the law as it appears in section twenty-one hundred and fifty-seven-s (2157-s) supplement to the code, 1907, relating to the transportation of live stock.

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

SECTION 1. **Duty of common carrier of freight—burden of proof.** That the law as it appears in section twenty-one hundred and fifty-seven-s (2157-s) supplement to the code, 1907, be and the same is hereby amended by adding thereto the following:

“The burden of proof that cars of live stock are so moved shall be upon the carrier, and proof that such cars were moved according to schedule or time table shall not be prima facie evidence that they were moved at the highest practicable speed consistent with reasonable safety.”

Approved March 21 A. D. 1913.

## CHAPTER 181.

## MILITARY CODE OF IOWA.

H. F. 265.

AN ACT to repeal section twenty-one (21) and to amend section twenty-four (24) of chapter one hundred thirty-one (131) of the acts of the thirty-third general assembly, relating to the powers and duties of the sheriff, and providing for the payment of the officers and men of the national guard.

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

SECTION 1. **Repeal.** That section twenty-one (21), chapter one hundred thirty-one (131), acts of the thirty-third general assembly be and the same is hereby repealed.

SEC. 2. **Compensation and allowances for officers and men—stoppage of pay.** That section twenty-four (24), chapter one hundred thirty-one (131), acts of the thirty-third general assembly be and the same is hereby amended by striking out the words "or sheriff of any county" in the second line thereof, also by adding the words "any funds in" after the words "paid out of" and before the word "the" in line twenty-two (22) thereof, also by adding the words and characters "not otherwise appropriated, upon warrants drawn by the auditor of state", after the character comma (,) following the word treasury in line twenty-two (22) thereof. Also by striking out all of lines twenty-three (23) and twenty-four (24) and all of line twenty-five (25) up to and including the word "force" thereof. Also by striking out the words "in the former case" in line twenty-six (26) thereof. Also by striking out the words "and in the" being the last three words in line twenty-six (26) thereof. Also striking out all of line twenty-seven (27) and all of the words and characters up to and including the word "session" in line twenty-eight (28) thereof. Also by striking out the words "or county" following the word "state" in line twenty-nine (29) thereof.

Approved April 14 A. D. 1913.

## CHAPTER 182.

## MILITARY CODE OF IOWA.

H. F. 266.

AN ACT to amend sections twenty-six (26) and forty-three (43) of chapter one hundred thirty-one (131) of the acts of the thirty-third general assembly, relating to armory rent and making an appropriation therefor.

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

SECTION 1. **Armory rent—how apportioned.** That section twenty-six (26) chapter one hundred thirty-one (131) acts of the thirty-third general assembly be and the same is hereby amended by striking out the word "eight" following the word "of" in line three (3) thereof and by inserting in lieu thereof the word "ten". Also by striking out the figures "800.00" in line three (3) thereof and by inserting in lieu thereof the figures "1000.00".



**SEC. 2. Appropriation.** That section forty-three (43) chapter one hundred thirty-one (131) acts of the thirty-third general assembly be and the same is hereby amended by striking out the word "forty" in line two (2) thereof and by inserting in lieu thereof the word "fifty". Also by striking out the figures "140,000" and inserting in lieu thereof the figures "150,000".

Approved April 14 A. D. 1913.

## CHAPTER 183.

### CARE OF NON-RESIDENT INSANE PATIENTS.

S. F. 259.

AN ACT to repeal section twenty-three hundred eight-a (2308-a) of the supplement to the code, 1907, and to enact a substitute therefor relating to the payment of costs and expenses of non-resident insane patients.

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

**SECTION 1. Repeal—cost and expenses—how paid.** That section twenty-three hundred eight-a (2308-a) of the supplement to the code, 1907 be and the same is hereby repealed and the following enacted in lieu thereof.

That in all cases where the commissioners of insanity of a county find to be insane a person who does not have a legal settlement within that county, the necessary and legal costs and expenses of the arrest, care, investigation and commitment of such person, including quarterly support in a state hospital during the investigation, or time required to determine the residence of such person, also court costs in suit to determine the legal settlement of such patient, together with costs of appeal, if an appeal be taken, and the person is found together with costs of appeal, if an appeal be taken, and the person is found to be insane on appeal, shall in the first instance be paid by the county in which such person is so found to be insane. If, upon investigation, such person is found to have a legal settlement in another county of this state, such necessary and legal costs and expenses shall be audited and paid by the supervisors of that county in the manner provided for the payment of other claims. If such person be found to have no legal settlement within this state such necessary and legal costs and expenses shall be paid out of any money in the state treasury not otherwise appropriated, on vouchers executed by the auditor of the county which has paid them, and approved by the board of control of state institutions. Such vouchers shall contain an itemized statement of the costs and expenses and payment shall be made to the treasurer of the county.

Approved April 14 A. D. 1913.

## CHAPTER 184.

## ESTABLISHMENT OF CUSTODIAL DEPARTMENT AT KNOXVILLE AND COMPENSATION FOR LABOR OF PATIENTS.

Sub. for S. F. 161.

AN ACT in relation to the government and discipline of the state hospital for inebriates at Knoxville, Iowa, providing a custodial department for habitual inebriates, authorizing the board of control of state institutions on the recommendation of the superintendent to remove patients from one department to another and providing for compensation for the labor of patients. [Additional to chapter two-a (2-A) of title twelve (XII) of the supplement to the code, 1907, relating to detention and treatment of dipsomaniacs, inebriates and those addicted to the excessive use of narcotics.]

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

SECTION 1. **Custodial department.** That there is hereby created in the state hospital for inebriates at Knoxville, Iowa, a department to be known as the custodial department.

SEC. 2. **Certain patients committed.** Said department shall be for the confinement of all male persons hereinafter committed to said hospital who have been discharged under the provisions of section twenty-three hundred ten-a-twelve (2310-a-12), supplement to the code, 1907, all male persons committed to said hospital who are found by the court making the order of commitment to be habitual inebriates or drug habituates, and any person committed to the hospital who, in the judgment of the board of control of state institutions acting upon the recommendation of the superintendent, is believed to be a menace to the maintenance of the discipline of the hospital, and providing that patients of any department of the hospital who leave the institution or grounds thereof without due authority shall be subject to transfer to said custodial department upon order of the superintendent of the hospital.

SEC. 3. **Release—transfer—when made.** No person confined in the custodial department shall be released therefrom until he shall have remained a full term of three years, but may be transferred to any other department of said hospital after two years confinement, if, in the judgment of the board of control of state institutions acting upon the recommendation of the superintendent, such transfer would not be detrimental to the well-being of other patients or to the discipline of the hospital, and such transferred patients may be paroled as provided by law, provided nothing herein contained shall prevent the discharge of patients as is provided by section twenty-three hundred ten-a-twenty-nine (2310-a-29), supplement to the code, 1907.

SEC. 4. **Habitual inebriates kept separate.** All habitual inebriates as defined in this act shall be kept and provided for in buildings or apartments separate from all other patients of the hospital and shall not be allowed to mingle or associate with them unless it be necessary in the performance of their duties.

SEC. 5. **Able-bodied patients employed—remuneration.** All able-bodied patients of the hospital may be employed at labor on the farm, garden, grounds, in and on buildings, shops and other places owned or leased by the state and connected with said hospital when work can be provided, and each patient may be credited with the sum of seventy cents (.70) for each full day's labor satisfactorily performed. Fifty cents (.50) of said sum shall be deducted for

his maintenance and the balance, twenty cents (.20), the superintendent shall pay monthly to those dependent upon him for support, if there be any; otherwise it shall be paid to said patient upon his legal release. All such payments shall be made from the general support fund of the hospital in the same manner as other obligations. Providing, however, that no patient shall be entitled to remuneration under this act until he is in the hospital ninety consecutive days, and then only during such time as he conforms to the rules and regulations of the hospital.

SEC. 6. **Acts in conflict repealed.** All acts and parts of acts inconsistent herewith are repealed.

Approved April 17 A. D. 1913.

## CHAPTER 185.

### PAROLE OF PATIENTS IN CERTAIN STATE INSTITUTIONS.

S. F. 162.

AN ACT providing for the paroling of patients in the state hospital for inebriates and certain female patients from state hospitals for the insane, and for the return of patients who violate their paroles, and repealing the law as it appears in section twenty-three hundred ten-a nineteen (2310-a19) of the supplement to the code, 1907.

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

SECTION 1. **Repeal—conditions of parole—violation.** That the law as it appears in section twenty-three hundred ten-a nineteen (2310-a19) of the supplement to the code, 1907, is hereby repealed and in lieu thereof is enacted the following:

Any patient whom the superintendent believes to be cured, or so much improved as to make his release on trial advisable may be paroled, conditioned on said patient's signing a written pledge agreeing to refrain from the use of all intoxicating liquors as a beverage, and from the use of morphine and cocaine or other narcotic drugs during the term of his commitment, and shall avoid frequenting places and the association of people tending to lead them [him] back to his old habits of inebriety. And said paroled patient must make written reports to the superintendent of said hospital at the beginning of each month on blanks to be furnished the clerks of the district and superior courts for that purpose, to the effect that he has not during the month past in any respect violated any of the terms and conditions of his parole, which reports must be investigated and approved by the clerk or judge of the court which committed him, or if he shall have removed from the county from which he was committed then by the clerk of the district court of the county in which he actually resides at the time the report is made, who may demand from said paroled patient satisfactory evidence as to the truth of the statement. If at any time a patient on parole shall fail to make said report, or shall fail in any respect to fulfill all of the conditions upon which said parole was granted, he may, without any further proceeding whatever and on the written order of the superintendent of said hospital be taken and returned to the hospital, there to be detained and treated as provided herein. Said patient so violating his parole may be returned by any peace officer, or by any officer or person whom the superintendent of the hospital may direct so to do, and

in every such case all of the expenses of such taking and return of such patient shall be paid out of any money in the state treasury not otherwise appropriated on voucher executed and approved as in other cases, unless otherwise paid. Provided, however, that the superintendent may parole patients into the care of reliable and responsible persons whom he may select, and in such cases the patient shall sign the written pledge, and monthly reports shall be made as in other cases, and it shall be lawful for the superintendent to take from the person into whose care such a patient is paroled an obligation in writing which shall specify the undertaking of the obligor and require him to pay all expenses which shall be incurred on account of the paroling of the patient and in returning him for a violation of his parole, and all the provisions of this act for returning a patient for a violation of his parole shall apply to patients paroled into the care of other persons. If the superintendent be satisfied in any case that it will impose an unnecessary hardship upon a paroled patient to secure the approval of the clerk of the district court to the monthly report he may waive such approval when the report is approved by some other public officer, to be designated by him.

**SEC. 2. Female patients.** The provisions of this act shall apply to female patients who have been or shall be committed to a state hospital for the insane under the law as it appears in chapter two-a (2-a), title twelve (12) of the supplement to the code, 1907.

**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 11 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 14, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 186.

### INSPECTION OF HOTELS, INNS AND LODGING HOUSES.

S. F. 407.

AN ACT to amend the law relating to the inspection of hotels, inns and lodging houses as the same appears in chapter one hundred sixty-eight (168) of the acts of the thirty-third general assembly.

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

**SECTION 1. Hotels defined.** That the law as it appears in section one (1) of chapter one hundred sixty-eight (168) of the acts of the thirty-third general assembly, be and the same is hereby amended by striking from the fourth (4th) line of said section the word and figures "ten (10)" and by inserting in lieu thereof the word and figures "four (4)".

**SEC. 2. Hotels to be kept clean and sanitary.** That the law as it appears in section six (6) of chapter one hundred sixty-eight (168) of the acts of the thirty-third general assembly, be and the same is hereby amended by adding thereto at the end thereof the following:

"Each bed, bunk, cot or other sleeping place provided for the use of guests shall be supplied with pillow-slips and under and top sheets, each top sheet to be made ninety-six (96) inches long, and of sufficient width to completely cover the mattress and springs; said sheets and pillow-slips to be made of white cotton or linen, and all such sheets and pillow-slips, after being used by one guest, to be washed and ironed before they are used by any other guest, a clean set being furnished each succeeding guest. All bedding used in any hotel shall be thoroughly aired and kept clean. Any room in any hotel under this act which shall become infested with vermin or bed-bugs shall be renovated until said vermin or bed-bugs are exterminated".

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

Approved April 25 A D 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 26, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 187.

### PREVENTION OF THE PROCREATION OF HABITUAL CRIMINALS, IDIOTS, FEEBLE-MINDED, INSANE AND DISEASED AND DEGENERATE PERSONS.

H. F. 641.

AN ACT to repeal the law as it appears in chapter one hundred twenty-nine (129) of the acts of the thirty-fourth general assembly, and to enact a substitute therefor relating to the prevention of the procreation of criminals, rapists, idiots, feeble-minded, imbeciles, lunatics drunkards, drug fiends, epileptics, syphilitics, moral and sexual perverts, and diseased and degenerate persons.

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

SECTION 1. **Unsexing of criminals, idiots, etc.—board of parole—duties.** That it shall be the duty of the state board of parole, with the managing officer and the physician of each public institution in the state, entrusted with the care and custody of criminals, rapists, idiots, feeble-minded, imbeciles, lunatics, drunkards, drug fiends, epileptics, syphilitics, moral and sexual perverts, and diseased and degenerate persons, and they are hereby authorized and directed to, annually or oftener, examine into the mental and physical condition, the records and family history of the inmates of such institutions, with a view of determining whether it is improper or inadvisable to allow any of such inmates to procreate and to judge of such matters. If a majority of them decide that procreation by any of such inmates would produce children with a tendency to disease, deformity, crime, insanity, feeble-mindedness, idiocy, imbecility, epilepsy or alcoholism, or if the physical or mental condition of any such inmate will probably be materially improved thereby, or if such inmate is an epileptic or syphilitic, or gives evidence, while an inmate of such institution, that he or she is a moral or sexual pervert, then the physician of the institution: or one selected by him, shall perform the operation of vasectomy or ligation of the Fallopian tubes, as the case may be, upon such person. Pro-

vided that such operation shall be performed upon every convict or inmate of such institution who has been convicted of prostitution or violation of the law as laid down in chapter two hundred sixteen (216) of the acts of the thirty-third general assembly, or who has been twice convicted of other sexual offenses, including soliciting, as defined in section four thousand nine hundred seventy-five-c (4975-c) of the supplement to the code, 1907, or who has been twice convicted of a felony, and each such convict or inmate shall be subjected to this same operation of vasectomy or ligation of the Fallopian tubes, as the case may be, by the physician of the institution, or one selected by him.

**SEC. 2. Certain persons—operation upon application.** Those afflicted with syphilis or epilepsy may apply to the board of parole, or any judge of the district court, and upon order of such board or judge, the operation of vasectomy or ligation of the Fallopian tubes may be performed upon such person, and any law restricting the marriage of such persons shall be void and of none effect, in case one of the contracting parties has submitted to such operation and the same was known to both parties before their marriage.

**SEC. 3. Annual report.** The board of parole shall make an annual report to the governor of the state, fully covering their proceedings under the authority of this act, and also observations and statistics regarding its benefits.

**SEC. 4. Unsexing prohibited except as authorized—penalty.** Except as authorized in this act, every person who shall perform, encourage, assist in or otherwise promote the performance of either of the operations described in section one (1) of this act, for the purpose of destroying the power to procreate the human species, or any person who shall knowingly permit either of such operations to be performed upon such persons, unless the same shall be a medical necessity, shall be fined not more than one thousand dollars (\$1,000.00), or imprisoned in the penitentiary not to exceed one year, or both.

Approved April 19 A. D. 1913.

## CHAPTER 188.

### STALLIONS, JACKS AND REGISTERED OR PEDIGREED STOCK.

Sub. for S. F. 144.

AN ACT to amend sections two (2), three (3), five (5) and seven (7) of the law as it appears in chapter one hundred (100) of the laws of the 34th general assembly, and adding new sections to the same relating to stallions and jacks.

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

**SECTION 1. Examination—certificate of veterinarian.** Amend section two (2) of the law as it appears in chapter one hundred (100) of the laws of the 34th general assembly by striking out all of that section up to the comma after the word "disease" in the ninth line thereof and inserting in lieu thereof the following: "The owner or keeper of each and every stallion or jack over two years old kept for public service, sale, exchange or transfer shall cause said stallion or jack to be examined by a duly qualified veterinarian who shall be a graduate of a recognized college and registered as a graduate veterinarian by the Iowa board of veterinary examiners, or veterinarian, licensed by said board, who shall make affidavit that such animal is free from hereditary, infectious, contagious or transmissible disease or unsoundness.

**SEC. 2. Disqualification.** Amend section three (3) of the law as it appears in chapter one hundred (100) of the laws of the 34th general assembly by striking out the words "bog spavin" in line five and inserting in lieu thereof the word "ringbone" and by striking out the word "ringbone" in line eleven and inserting in lieu thereof the words "bog spavin".

**SEC. 3. Imported stallions or jacks—certificate—temporary permit.** Strike out all of section seven (7) of the law as it appears in chapter one hundred (100) of the laws of the 34th general assembly and insert in lieu thereof: "Every person, firm, company or corporation importing from foreign countries any stallion or jack into the state of Iowa for use or public service, sale, exchange or transfer shall secure certificates of freedom from diseases and unsoundness from a duly qualified or licensed veterinarian in this state, certifying that said animal is free from any or all diseases and unsoundnesses enumerated in section three (3) of chapter one hundred (100) of the acts of the 34th general assembly as herein amended. Said certificate must be filed with the secretary of the state board of agriculture, who shall issue a certified copy of said certificate of soundness without charge to said importer which shall serve as a temporary permit to offer said stallion for public service, sale, exchange or transfer until such time as original certificate of pedigree can be produced and state certificate of enrollment and soundness issued. Said temporary permit shall be invalid after ninety (90) days from date of issue.

**SEC. 4. Examination upon complaint—licensed veterinarian.** Amend section five (5) of the law as it appears in chapter one hundred (100) of the laws of the thirty-fourth general assembly by inserting after the word "graduate" and before the word "veterinarian" in line five the words "or licensed", and by inserting after the word "graduate" and before the word "veterinarian" in line eight the words "or licensed".

**SEC. 5. Certificate of soundness.** Add to chapter one hundred (100) of the acts of the 34th general assembly the following sections to follow section seven (7):

No stallion or jack shall be brought into the state of Iowa from any other state unless accompanied by a certificate of soundness issued by a duly qualified veterinarian who must be approved by the state veterinarian of the state in which the animal is purchased, such examination to cover all diseases and unsoundnesses specified in section three (3) of chapter one hundred (100) of the acts of the 34th general assembly as herein amended. Said certificate must be filed with the secretary of the state board of agriculture, who shall issue a permit admitting said stallion or jack into the state.

**SEC. 6. Importation prohibited unless accompanied by veterinarian's certificate—violation punished.** On and after July 4, 1913, no railroad company, transportation company or common carrier shall transport into the state of Iowa except for exhibition or racing purposes, any stallion or jack unless accompanied by a state veterinarian's certificate as provided in section four (4) of this act. Violation of this provision shall be punished as provided in section eight (8) of chapter one hundred (100) of the acts of the 34th general assembly.

**SEC. 7. Permanent state certificate of soundness—fee.** Any stallion or jack six years old or over and having successfully passed veterinary examinations for soundness for two consecutive years shall be entitled to a permanent state certificate of soundness. The last examination must have been made within the year in which said certificate was granted, provided, however, that said permanent certificate must be returned each year to the secretary of the state board of agriculture with a fee of one dollar (\$1.00) for renewal and

must be accompanied by a certificate signed by a duly qualified or licensed veterinarian that said animal is free from contagious, infectious or communicable diseases.

SEC. 8. **Blind stallion or jack.** The owner of any blind stallion or jack may upon application have the same examined at the expense of the owner of said animal by a board of three examiners, one to be the state veterinarian or his duly authorized deputy, one to be selected by the owner of the animal who shall be a graduate or licensed veterinarian, and these two shall appoint a third graduate or licensed veterinarian who shall act with them, and if upon examination and proof furnished, all three or any two members of said board declare that such blindness was caused by accident or disease not transmissible, then upon affidavit of said board the secretary of the state board of agriculture shall be authorized to issue a state certificate.

SEC. 9. **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 15th A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital March 20, 1913.

W. S. ALLEN,  
Secretary of State.

#### CHAPTER 189.

##### BOUNTY ON WOLVES.

Sub. for S. F. 175.

AN ACT to amend section twenty-three hundred forty-eight (2348) of the code relating to bounty on wolves.

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

SECTION 1. **Bounty.** That the law as it appears in section twenty-three hundred forty-eight (2348) of the code be amended by striking out of the first line thereof the word "five" and inserting in lieu thereof the word "twenty", and by striking out of the second line thereof the word "two" and inserting in lieu thereof the word "four".

Approved April 2 A. D. 1913.

#### CHAPTER 190.

##### BOUNTY FOR KILLING CROWS.

H. F. 105.

AN ACT to provide for the payment of bounties for killing crows.

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

SECTION 1. **Bounty allowed by board of supervisors.** The board of supervisors of any county may allow a bounty not to exceed ten cents for each crow killed within the county, to be paid out of the general county fund, to the person killing the same, on the terms and conditions hereinafter provided.

SEC. 2. **Proof.** The person killing any such crow within the county, shall remove and present to the county auditor, the head and feet of each crow for which he claims the bounty and shall also furnish written proof, under oath,



that each crow for which he claims the bounty was caught and killed within the county, and not more than thirty days previous to the time when such proof of claim is filed.

SEC. 3. **Proof destroyed.** The head and feet of each crow, upon which said bounty shall have been paid, shall be destroyed by the auditor of the county wherein such crow was taken and killed, as soon as proof has been accepted, by him.

Approved April 3 A. D. 1913.

## CHAPTER 191.

### PARTITION FENCES.

H. F. 481.

AN ACT to amend the law as it appears in section twenty-three hundred fifty-eight (2358) of the code, relating to partition fences.

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

SECTION 1. **Default—damages—how collected.** That the law as it appears in section twenty-three hundred fifty-eight (2358) of the code, be and the same is hereby amended by striking out all of said section following the word "days" in line eleven (11) thereof, and by inserting in lieu thereof the following: "The fence viewers shall certify to the county auditor the full amount due from the party or parties in default, including all fees and cost taxed, together with a description of the real estate owned by the party or parties in default along or upon which the said fence exists, and the county auditor shall enter the same upon the tax list and the amount shall be collected as other taxes and when so collected same shall be paid to the party or parties entitled thereto."

Approved April 19 A. D. 1913.

## CHAPTER 192.

### DUTY OF PEACE OFFICERS RELATIVE TO INTOXICATING LIQUORS.

H. F. 278.

AN ACT to amend the law as it appears in section twenty-four hundred twenty-eight (2428), of the code, relating to the duties of peace officers

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

SECTION 1. **Duties—directed by county attorney—expenses—how paid.** That section twenty-four hundred twenty-eight (2428), of the code be and the same is hereby amended by adding thereto at the end thereof the following:

"Any peace officer shall, whenever directed in writing so to do by the county attorney, make special investigation of any alleged or supposed infraction of the law within his county, and report in writing with reference thereto

within a reasonable time to such county attorney. When such investigation is made, the peace officer shall file with the county auditor a detailed, sworn statement of the services rendered and of his actual itemized expenses incurred in connection therewith, accompanied by the written order of the county attorney. If the officer be one who is receiving a definite and fixed salary, the board of supervisors shall audit and allow only so much of such expense account as it shall find reasonable and necessary. If the officer be one not receiving a fixed and definite salary, the board of supervisors shall allow such additional sum for services as it may deem reasonable and just, which allowance shall be final.

Approved April 18 A. D. 1913.

## CHAPTER 193.

### SALE OF INTOXICATING LIQUORS.

H. F. 169.

AN ACT to amend division two [2] of section twenty-four hundred forty-eight (2448) of supplement to the code, 1907, relating to the limits within which intoxicating liquors may be sold.

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

**SECTION 1. Distance of five miles—educational institutions—brewery.** That division two of section twenty-four hundred forty-eight (2448) of supplement to the code, 1907, be and the same is hereby amended by striking [out] the period following the word "held", in the last line of said division, and substituting therefor a comma and inserting thereafter the following:

"Nor within a distance of five (5) miles from any normal school, college or university situated within the limits of any city or town and under the control of the state board of education. Provided however, that the provisions of this specific amendment and of section 2461 of the code shall not exclude any brewery where consent is obtained as provided in section 2456 to section 2460 inclusive, of the code."

**SEC. 2. Application of act.** This act shall apply only to saloons within said distance from any normal school, college or university under the control of the state board of education, operated under petitions of consent circulated and declared sufficient after the passage hereof.

Approved April 18 A. D. 1913.

## CHAPTER 194.

## SALE OF INTOXICATING LIQUORS.

S. F. 539.

AN ACT to amend section twenty four hundred forty-eight [2448], paragraph nine [9] (2448-9) of the supplement to the code, 1907, regulating the hours of the day during which liquor may be sold in saloons.

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

**SECTION 1. Hours—opening and closing.** That section twenty four hundred forty-eight, paragraph nine (2448-9) of the supplement to the code, 1907, be and the same is hereby amended by striking out in line two of said paragraph, the words "five a. m. nor later than ten p. m." and inserting in lieu thereof the words "seven a. m. nor later than nine p. m."

Approved April 17 A. D. 1913.

## CHAPTER 195.

## LIMITING NUMBER OF SALOONS IN CITIES AND TOWNS.

Sub. for S. F. 121.

AN ACT to amend the law as it appears in chapter one hundred forty-two (142) of the acts of the thirty-third general assembly relating to the number of persons to whom city or town councils may by resolution grant consent to sell intoxicating liquors and making the same apply to cities acting under special charter.

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

**SECTION 1. Reduction of number of saloons operated in special charter cities.** That the law as it appears in chapter one hundred forty-two (142), acts of the thirty-third general assembly, be and the same is hereby amended by adding to section two (2) thereof the following: "This act shall also apply to cities acting under special charter and in such cities in which a greater number of persons than are authorized under section one (1) of chapter one hundred forty-two (142), acts of the thirty-third general assembly, to keep and sell intoxicating liquors as a beverage under the mulct law now hold resolutions of consent to sell intoxicating liquors at retail, it shall be mandatory under the provisions of this act for the city councils of such cities to cancel or withdraw on July 1, 1913, one-third of the excess of such resolutions of consent over those authorized under section one (1) of said chapter, and on July 1, 1914, one-half of such remaining excess of such resolutions of consent, and on July 1, 1915, all of the excess of such resolutions of consent shall be cancelled or withdrawn; provided, however, that from and after the passage of this act all resolutions of consent granted by the council of any city acting under special charter in excess of the number existing in such city at the time of the passage of this act shall be void and of no force and effect."

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 2 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 5, 1913 and in the Des Moines Capital April 4, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 196.

### BUREAU OF LABOR STATISTICS.

S. F. 289.

AN ACT to amend the law as it appears in section twenty-four hundred seventy-two (2472) of the supplement to the code, 1907, and section twenty-four hundred seventy-four (2474) of the code, and to repeal section twenty-four hundred seventy-seven (2477) of the supplement to the code, 1907, and chapter one hundred forty-four (144) of the acts of the thirty-third (33) general assembly amendatory to section twenty-four hundred seventy-seven (2477) of the supplement to the code, 1907, and to enact a substitute therefor, all relating to the bureau of labor statistics and providing for reports of accidents by employers and prescribing a penalty for the violation thereof.

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

SECTION 1. **Right to enter premises—violation or neglect—prosecution.** That the law as it appears in section twenty-four hundred seventy-two (2472), supplement to the code, 1907, be and the same is hereby amended by striking from said section all that part thereof following the word "power" in the second (2) line of said section, down to and including the comma following the word "chapter" in the fourth (4) line of said section; and by striking from the sixth (6) line of said section the following,—“, upon a request being made in writing,”.

SEC. 2. **Reports to bureau.** That the law as it appears in section twenty-four hundred seventy-four (2474) of the code, be and the same is hereby amended by inserting after the word "refuse" in the twelfth (12) line thereof the following, "within thirty days after the receipt of notice given by said commissioner"; and by striking out of the thirteenth (13) line of said section following the word "the" the words "following blank", and to insert in lieu thereof the following, "commissioner in order to enable him to fully comply with the duties enjoined upon him by section twenty-four hundred seventy (2470) supplement to the code, 1907, and amendments thereto and supplementary thereof", and by striking out all that part of said section after the period following the word "days" in the sixteenth (16) line thereof.

SEC. 3. **Repeal—commissioner—three factory inspectors, one of whom shall be a woman—salaries and expenses.** That section twenty-four hundred seventy-seven (2477) supplement to the code, 1907, and chapter one hundred forty-four (144) of the acts of the thirty-third (33) general assembly amendatory thereto, be and the same are hereby repealed and the following enacted in lieu thereof:

"The commissioner of the bureau of labor statistics shall receive a salary of eighteen hundred dollars (\$1800) per annum and shall be allowed a deputy at a salary of fifteen hundred dollars (\$1500) per annum payable monthly: he shall also be allowed three (3) factory inspectors, one of whom shall be a woman, at a salary of one hundred dollars (\$100) per month each, one office clerk at a salary of one thousand dollars (\$1000) per annum. The woman factory inspector herein provided for shall, in addition to the general duties required of her, under the direction of the commissioner of the bureau of labor statistics, inspect the sanitary and general conditions under which the women and children are at work in all factories, workshops, hotels, restaurants, stores, and any other places where women and children are employed; collect statistics and make recommendations and report the same to the commissioner of labor, who shall make special reference thereto in his biennial report to the governor, and said woman factory inspector shall render any other or additional service under the direction of the labor commissioner as will tend to promote the health and general welfare of the women and children employees of this state. The appointment by the commissioner of such factory inspectors shall be subject to the approval of the executive council. Said commissioner shall be allowed the necessary postage, stationery and office expenses. The said salaries and expenses shall be paid as the salaries and expenses of other state officers are provided for. The commissioner or any officer or employe of the bureau of labor statistics shall be allowed in addition to his salary his actual and necessary traveling expenses while in the performance of his duties, said expenses to be audited by the executive council and paid out of the general fund of the state upon a voucher verified by the commissioner or his deputy. But the total amount of the expenses for the officers and employes of said bureau other than the salaries of the commissioner, his deputy, the factory inspectors and clerk, shall not exceed four thousand dollars (\$4,000.00) per annum.

**SEC. 4. Record of accidents—report—failure—penalty.** Manufacturers, manufacturing corporations, proprietors or corporations operating any mercantile establishments, mills, workshops, mines other than those subject to inspection by the state mine inspector, or business houses, shall keep a careful record of any accidents occurring to an employe while at work for the employer, when such accident results in the death of the employe or in such bodily injury as will or probably may prevent him from returning to work within four days thereafter. The said record shall at all times be open to inspection by an inspector of the bureau of labor statistics. Within forty-eight hours after the occurrence of an accident, the record of which is herein required to be kept, a written report thereof shall be forwarded to the commissioner of the bureau of labor statistics, and said commissioner may require further and additional report to be furnished him should the first report be by him deemed insufficient. No statement contained in any such report shall be admissible in any action arising out of the accident therein reported. Any employer who fails to keep the record or to furnish the report as herein provided shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than five dollars (\$5) nor more than one hundred dollars (\$100) and costs of prosecution.

Approved April 19 A. D. 1913.

## CHAPTER 197.

## MINES AND MINING.

Sub. for S. F. 6.

AN ACT to repeal section [1], chapter [one hundred six] [106], acts of the thirty-fourth general assembly, and enact a substitute therefor, relating to the appointment of mine inspectors and fixing their term of office.

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

**SECTION 1. Repeal—mine inspectors—appointment—term of office—vacancies—bond.** That section one, of chapter 106, acts of the thirty-fourth general assembly be and the same is hereby repealed and the following enacted as a substitute therefor:

“The governor shall appoint three (3), mine inspectors from those receiving certificates of competency from the board of examiners as by law provided, who shall hold their office for a term of six (6) years and until their successor shall be appointed and qualified, subject to removal by him for cause, their term to commence on the fourth day of July, 1913, and at six (6) year periods thereafter, the present incumbents shall continue in office until their successors are appointed and qualified. Any vacancies occurring shall be filled in the same manner as original appointments and the appointee to hold for the unexpired term only. Each inspector shall in no way be financially interested in or connected with any mining property, or directly or indirectly act as the agent, officer or representative of any person, firm or corporation, and shall devote his entire time and attention to the duties incumbent upon him as inspector of mines in the state of Iowa, and shall before entering upon the discharge of his duties give a bond in the sum of two thousand (\$2000.00) dollars and take an oath to be endorsed upon his bond, with sureties to be approved by the secretary of state, conditions in accordance with the tenor of the oath. The bond shall be conditioned to faithfully and impartially without fear or favor perform the duties incumbent upon him, which shall be filed with the oath and commission and recorded in the office of the secretary of state.”

Approved April 17 A. D. 1913.

## CHAPTER 198.

## MINES AND MINING.

S. F. 309.

AN ACT to provide the method of constructing and operating gypsum mines, for escape shafts and for the ventilation of such mines, to provide for the inspection of the same by the state mine inspector, to require operators to report fatal accidents and to provide penalties for violation of this act. [Additional to chapter nine (9) of title twelve (XII) of the code relating to mines and mining.]

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

**SECTION 1. Gypsum mines—two distinct openings—escape and air shafts.** The owner or person in charge of any gypsum mine operated by shaft or one having a slope or drift opening in which five or more men are employed shall construct and maintain at least two distinct openings, which in shaft mines hereafter constructed shall be separated by not less than three hundred (300) feet and in slope or drift mines by not less than two hundred (200) feet in

breadth through which in every shaft or slope mine, ingress and egress at all times shall be unobstructed and free from water. All escape shafts hereafter constructed shall have stairs at an angle of not more than sixty (60) degrees in descent, with a stairway not less than two (2) feet in width, kept in safe condition, with proper landings at easy and convenient distances apart and adequate means of escape from mines now in operation. He shall provide all air shafts with fans for ventilating purposes, and no combustible material shall be allowed to be or remain between any escape shaft and hoisting shaft nor shall any building hereafter erected be located within two-hundred (200) feet of an escape shaft without written permission from the state inspector.

Where two or more mines are connected underground the several owners may, by agreement, use the hoisting shaft or slope of one mine as an escape for the other. No escape shaft shall be located or constructed without first giving notice to, and obtaining the approval in writing of the state mine inspector.

**SEC. 2. One year allowed to make required changes.** In all mines there shall be allowed one year to make outlets as provided for in section one hereof but no more than twenty men shall be employed in such mine at one time until the provisions of section one are complied with, and after the expiration of the period above mentioned, should the mine not have the outlets aforesaid, it shall not be operated until made to conform to the provisions of section one.

**SEC. 3. Ventilation—insufficient air—mine inspection—notice.** The owner or person in charge of any mine shall provide and maintain, whether the mine be operated by shaft, slope or drift, an amount of ventilation of not less than one hundred (100) cubic feet of air per minute for each person, nor less than five hundred cubic feet of air per minute for each mule or horse employed therein; which shall be so circulated throughout the mines as to dilute, render harmless and expel all noxious and poisonous gases in all working parts of the same. But in no case shall the air current be a greater distance than sixty (60) feet from the working face, except when making cross cuts in entries for air-courses; then, in that case, the distance shall not be greater than seventy feet, provided, however, that the state mine inspector may, in writing, grant permission to go beyond the limit herein mentioned, when the conditions are such in a special case as to require it. When the mine inspector shall find the air insufficient, or men working under unsafe conditions, he shall at once give notice to the mine owner or his agent or person in charge, and, upon the failure to make the necessary changes within a reasonable time, to be fixed by him, he may order the men out, to remain out until the mine is put in proper condition.

**SEC. 4. Speaking tubes—adequate brakes—competent engineers—timber for props.** The owner or person in charge of any mine shall in all mines operated by shaft or slope, where the voice cannot be distinctly heard, provide and maintain a metal speaking tube or other means of communication, kept in complete order from the bottom or interior to the top or exterior, also a sufficient safety catch and proper cover overhead on all cages, and an adequate brake to all drums or other devices used for lowering or hoisting persons, an approved safety gate at the top of each shaft, springs at the top of each slope, and a trail attached to each train used therein. He shall not knowingly place in charge of any engine used in or about the operation of the mines any but experienced, competent and sober engineers, who shall have the same qualifications as are required of hoisting engineers at coal mines, and who shall not allow any one but those designated for that purpose to handle or in any way interfere with it or any part of the machinery, nor shall more than ten per-

sions be allowed to descend or ascend in any cage at one time, or such less number as may be fixed by the state mine inspector, nor any one but the conductor on a loaded car or cage. He shall at all times keep a sufficient supply of timber to be used as props, convenient and ready for use, and shall send such props down when required and deliver them to the places where needed.

**SEC. 5. Failure to comply—injunction—culpable negligence.** In addition to any and all other remedies, if any owner or person in charge of any mine shall fail to provide the requirements herein specified, or such owner or agent neglect for twenty days after notice given in writing by the state mine inspector of such failure to remedy the same, such inspector may apply to the district court or any judge thereof in an action brought in the name of the state for a writ of injunction to restrain the working of the mine with more persons at the same time than are necessary to make the improvements needed, save as may be required to prevent waste, until such appliances have been provided, and in case an injury happens to those engaged in the work because of such failure, the same shall be held culpable negligence on the part of the operator of the mine.

**SEC. 6. State mine inspector—duties.** It is hereby made the duty of the state mine inspector to enforce the provisions of this act. He shall have the right to enter any gypsum mine under the provisions of this act, at any time, but shall not unnecessarily interfere with the working of any mine, nor shall more than six months intervene between examinations of any such mine.

**SEC. 7. Fatal accidents reported to coroner.** Every person in charge of a mine under the provisions of this act shall, within twenty-four hours after a fatal accident happens to any employe in or around the mine, report the same to the coroner of the county in which the mine is operated and to the state mine inspector.

**SEC. 8. Map of mines—copies furnished mine inspector—surveys ordered—when.** The owner, operator, lessee or person in charge of any gypsum mine shall make or cause to be made an accurate map or plan of such mine, drawn to a scale not more than two hundred (200) feet to the inch, on which shall appear the name of the state, county and township in which the mine is located, the designation of the mine, the name of the company or owner, operator, lessee or person in charge, the certificate of the mining engineer or surveyor as to the accuracy and date of the survey, the north point and the scale to which the drawing is made. Every such map or plan shall correctly show the surface boundary lines of the rights pertaining to each mine and all sections or quarter section lines or corners within the same; the lines of town lots or streets; the tracks or side tracks of all railroads, the location of all wagon roads, rivers, streams, ponds, reservations made of gypsum and mineral. For the underground workings said map shall show all shafts, slopes, tunnels or other opening to the surface or to the workings of a continuous mine; all excavations, entries, rooms and cross cuts; the location of the escape ways, and of the fan or furnace or other means of ventilation and the direction of air currents and the location of permanent pumps, hauling engines, engine plains, abandoned works, fire walls and standing water. A separate and similar map drawn to the same scale in all cases shall be made of each and every seam of gypsum operated in any mine in the state. A separate map shall also be made of the surface whenever the surface buildings, lines or objects are so numerous as to obscure the details of the mine workings if drawn upon the same sheet with them and in such case the surface map shall be drawn upon transparent cloth or paper so it can be laid upon the map of the underground workings and thus truly indicate the local relation of lines and objects on the surface to the excavation of the mine, together with



any other principal workings of the mines. Each map shall also show by profile drawing and measurement, the last one hundred fifty (150) feet approaching the boundary lines, showing the rise and dip of the seam. The original or true copies of all such maps shall be kept at the office of the mine and true copies thereof shall also be furnished the state mine inspector for the district in which said mine is located within thirty (30) days after the completion of the same. The maps so delivered to the inspector shall be the property of the state and shall remain in the custody of the said inspector during his term of office and be delivered to his successor in office. They shall be kept at the office of the inspector and be open to examination to all persons interested in the same. But such examination shall only be made in the presence of the inspector or his office assistant, and he shall not permit any copies of the same to be made without the written consent of the operator or the owner of the property, except as herein and otherwise provided. An accurate extension of the last preceding survey of every mine in active operation shall be made once in every twelve (12) months prior to July 1st of every year and the result of such survey with the date thereof shall be promptly and accurately entered upon the original map and a true, correct and accurate copy of said extended map shall be forwarded to the inspector of mines in the district in which said mine is located so as to show all changes in plan of new work in the mine, and all extension of the old workings to the most advanced face or boundary of said workings which have been made since the last preceding survey, and the parts of the mine abandoned or worked out after the last preceding survey shall be clearly indicated and shown by colorings, which copy must be delivered to the inspector of mines within thirty (30) days after the last survey is made. When any gypsum mine is worked out or is about to be abandoned or indefinitely closed, the owner, operator, lessee or person in charge of the same shall make or cause to be made a complete extended map of said mine and the result of the same shall be duly extended on all maps of the mine and copies thereof so as to show all excavations and the most advanced workings of the mine and their exact relation to the boundary of section lines on the surface, and deliver to the inspector a copy of the completed map. The state inspector of mines shall order a survey to be made of the workings of any mine and the result to be extended on the maps of the same and the copies thereof whenever in his judgment the safety of the workmen, the support of the surface, the conservation of the property or the safety of the adjoining mine requires it; and if not made by the owner, operator, lessee or person in charge when ordered by the inspector it shall be made or cause to be made by the inspector and paid for by the state and the amount collected from the owner, operator, lessee or person in charge as other debts are collected.

**SEC. 9. Failure to comply—penalty.** Any owner or person in charge of any gypsum mine who shall fail to comply with the provisions of this act, or either of them, or shall hinder or obstruct the carrying out of any of the requirements of this act shall be punished by imprisonment in the county jail not exceeding sixty (60) days or by a fine not exceeding five hundred dollars (\$500.) or if any miner, workman or other person knowingly injure or interfere with any air-course or brattice, or obstruct or throw open doors or disturb any part of the machinery, or disobey any order given in carrying out the provisions of this act whereby the lives and health of the persons, or the

security of the mines and machinery is endangered, or shall neglect or refuse to securely prop any entries under his control, or refuse to obey any order given by the superintendent in relation to the safety of the mine or that part of the mine under his charge or control he shall be punished by a fine not exceeding one hundred dollars. (\$100) or imprisonment in that [the] county jail not exceeding thirty days.

Approved April 11 A. D. 1913.

## CHAPTER 199.

### COLD STORAGE AND REFRIGERATING WAREHOUSES.

#### II. F. 49.

AN ACT relating to cold storage and refrigerating warehouses, the disposition or sale of the food kept or preserved therein, and defining the duties of the state dairy and food commissioner in relation thereto. [Additional to chapter thirteen (13) of title twelve (XII) of the supplement to the code, 1907, relating to the powers and duties of the dairy and food commissioner.]

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

**SECTION 1. Terms defined.** The term "cold storage" as used in this act shall be construed to mean a place artificially cooled to a temperature of 40 degrees F. or below, but shall not include such a place in a private home, hotel, or restaurant, or to refrigerator cars.

The term "cold stored" as used in this act shall be construed to mean the keeping of "articles of food" in "cold storage" for a period exceeding thirty days.

The term "articles of food" as used in this act shall be construed to mean and include fresh meat, and fresh meat products except in process of manufacture, fresh fruit, fish, game, poultry [,] eggs, butter, and other articles intended for human consumption.

**SEC. 2. Application—examination—dairy and food commissioner—license—fee.** Any person, firm or corporation desiring to operate a cold storage or refrigerating warehouse, shall make application in writing to the state dairy & [and] food commissioner for that purpose, stating the location of its plant or plants. On receipt of the application the state dairy & [and] food commissioner shall cause an examination to be made into the sanitary condition of said plant or plants, and if found to be in a sanitary condition and otherwise properly equipped for the business of cold storage, the state dairy & [and] food commissioner shall cause a license to be issued authorizing the applicant to operate a cold storage or refrigerating warehouse for and during the period of one year. The license shall be issued upon payment by the applicant of a license fee of twenty-five dollars (\$25.00) to the state dairy & [and] food commissioner, and all licenses shall expire December 31st following the issue thereof.

**SEC. 3. Unsanitary conditions—revocation.** In the event that any place or places, or any part thereof, covered by a license, under the provision of this act shall at any time be deemed by the state dairy & [and] food commissioner to be in an unsanitary condition, it shall be his duty to notify licensee of such condition and upon the failure of the licensee to put said specified place or places, or the specified part thereof, in a sanitary condition within a designated time it shall be the duty of the state dairy & [and] food commissioner to

prohibit the use under its license such specified place or places, or part thereof, as it deems in an unsanitary condition until such time as it may be put in a sanitary condition.

**SEC. 4. Accurate records—reports.** It shall be the duty of any person, firm or corporation licensed to operate a cold storage or refrigeration warehouse to keep an accurate record of the receipts and the withdrawals of the articles of food, and the state dairy & [and] food commission or his assistants shall have free access to these records at any time. Every such person, firm or corporation shall, furthermore, submit a quarterly report to the state dairy & [and] food commissioner, setting forth in itemized particulars quantity of food products held in cold storage. Such quarterly reports shall be filed on or before the 6th day of January, April, July and October of each year, and the reports, so rendered shall show the conditions existing on the first day of the month in which the report is filed. The state dairy & [and] food commissioner, shall have the authority to require such reports to be made at more frequent intervals than the times herein specified, if in his judgment more frequent reports shall be needed in the interest of a proper enforcement of this act, or for other reasons affecting the public welfare.

**SEC. 5. Storage of diseased or tainted food prohibited—food not for human consumption plainly marked.** No article of food intended for human consumption shall be placed in cold storage if diseased, tainted or so deteriorated as to injure its keeping qualities, or if not slaughtered, handled and prepared for storage in accordance with the (pure food and sanitary food) laws and such rules and regulations as may be prescribed by the state dairy & [and] food commissioner for the sanitary preparation of food products for cold storage, under the authority hereinafter conferred. Any article of food if intended for use other than human consumption before being cold stored shall be marked by the owner in accordance with forms prescribed by the dairy & [and] food commissioner (under authority hereinafter conferred) in such a way as to plainly indicate the fact that such articles are not to be sold for human food.

**SEC. 6. Inspection.** It shall be the duty of the dairy & [and] food commissioner or his assistants to inspect and supervise all cold storage or refrigerating warehouses in this state, and to make such inspection of the entry of articles of food therein as the state dairy and food commissioner may deem necessary to secure proper enforcement of this act. The state dairy & [and] food commissioner's employes, shall be permitted access to such establishments and all parts thereof at all reasonable times for purposes of inspection and enforcement of the provisions of this act. The said state dairy & [and] food commissioner may also appoint and designate such person or persons as he deems qualified to make the inspections herein required.

**SEC. 7. Containers plainly marked—date of receipt—when removed.** All articles of food when deposited in cold storage shall be marked plainly on the containers in which they are packed or on, or in connection with, the individual article with the date of receipt, and when removed from cold storage shall be marked with the date of withdrawal, in accordance with such forms as may be prescribed by the state dairy & [and] food commissioner, under the authority hereinafter conferred.

**SEC. 8. Storage period.** No person, firm or corporation as owner or having control shall keep in cold storage any article of food for a longer period than twelve calendar months, except with the consent of the state dairy & [and] food commissioner as hereinafter provided. The state dairy & [and] food commissioner shall upon application, grant permission to extend the period of

storage beyond twelve months for a particular consignment of goods, if the goods in question are found, upon examination to be in proper condition for further storage at the end of twelve months. The length of time for which further storage is allowed shall be specified in the order granting the permission. A report on each case in which such extension of storage may be permitted, including information relating to the reason for the action of the state dairy & [and] food commissioner, the kind and the amount of goods for which the storage period was extended, and the length of time for which the continuance was granted, shall be included in the annual report of the state dairy & [and] food commissioner.

SEC. 9. **Cold storage goods—sign displayed.** It shall be unlawful to sell, or to offer or expose for sale uncooked articles of food which have been held in cold storage without notifying persons purchasing, or intending to purchase the same, that they have been so kept by the display of a sign marked "cold storage goods sold here", and it shall be unlawful to represent or advertise as fresh goods articles of food which have been held in cold storage.

SEC. 10. **Re-storage prohibited.** It shall be unlawful to return to cold storage any article of food that has once been released from such storage and placed on the market for sale to consumers, but nothing in this section shall be construed to prevent the transfer of goods from one cold storage or refrigerating warehouse to another, provided that such transfer is not made for the purpose of evading the provisions of this act.

SEC. 11. **Rules—regulations—labels.** The state dairy & [and] food commissioner may make rules and regulations to secure a proper enforcement of the provisions of this act, including rules and regulations with respect to the sanitary preparation of articles of food for cold storage, the use of marks, tags, or labels and the display of signs, and the violation of such rules shall be punished on conviction, as provided in section 12 of this act.

SEC. 12. **Penalty.** Any person, firm or corporation violating any of the provisions of this act shall upon conviction be punished for the first offense by a fine of not less than \$25 nor more than \$100.00 and for the second offense by a fine not less than \$100 nor more than \$500 or by imprisonment for not more than six months, or by both such fine and imprisonment.

SEC. 13. **Repeal.** All acts and parts of acts conflicting with the provisions of the statute are hereby repealed.

Approved April 19 A. D. 1913.

## CHAPTER 200.

## SALE OF CALCIUM CARBIDE.

H. F. 441.

AN ACT to regulate the sale of calcium carbide or so-called carbide and prescribe the manner in which the same shall be packed and labeled. [Additional to chapter thirteen (13) of title twelve (XII) of the supplement to the code, 1907, relating to powers and duties of the dairy and food commissioner.]

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

SECTION 1. **How sold.** Whenever any calcium carbide or so-called carbide is exposed for sale or sold within this state for the purpose of producing acetylene gas for heating or illuminating purposes, the same shall be exposed for sale and sold in air and water tight metallic containers.

SEC. 2. **Labels.** Each container shall be labeled to show the volume in cubic feet and decimal fractional parts thereof of acetylene gas, which will be liberated when an average sample of the carbide shall be mixed with water in the proportion of 64 parts of carbide to 36 parts of water. Said label shall be distinctly printed in the English language using type not smaller than eight point heavy Gothic caps and securely placed in a conspicuous place on the outside of the package and shall contain the name and place of business of the manufacturer, packer or dealer.

SEC. 3. **Analysis—fee.** Any person, firm or corporation purchasing any calcium carbide or so-called carbide for his or their own use may have the product analyzed by submitting a true sample, (carriage prepaid), to the chemist of the dairy & [and] food department and paying to the dairy & [and] food commissioner an analysis fee of fifty cents for each sample analyzed.

SEC. 4. **Sampling each container.** The sampling of the calcium carbide is to be carried out as follows: Each container is to be turned over end for end three times to get rid of any local accumulation of dust, then removing a sample weighing not less than one pound, place the same into a dry mason jar or other air and water tight vessel, then close air and water tight.

SEC. 5. **Dairy and food commissioner charged with enforcement—fee.** The state dairy & [and] food commissioner is charged with the enforcement of this act. All fees collected for the analysis of samples of calcium carbide shall be paid into the state treasury. The commissioner and his appointees may collect samples of calcium carbide whenever the same is offered or exposed for sale or sold and if the product is not packed and labeled as specified in this act or if the product is not truthfully branded as to the volume of acetylene gas liberated by the test herein prescribed, it shall be deemed a violation of this act. The having in possession by any person who is a dealer in calcium carbide any calcium carbide shall be prima facie evidence of having in possession with intent to sell.

SEC. 6. **Refusal to comply—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 commissioner or any of his assistants 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 or [of] not exceeding \$25.00.

Approved April 19 A. D. 1913.

## CHAPTER 201.

## SANITATION OF FOOD PRODUCING ESTABLISHMENTS.

H. F. 54.

AN ACT providing for the sanitation of bakeries, canneries, packing houses, slaughter-houses, dairies, creameries, cheese factories, confectioneries, restaurants, hotels, groceries, meat markets, and all other food-producing establishments, manufactories, or other places where food is prepared, manufactured, packed, stored, sold or distributed, and vehicles in which food is placed for transportation; providing for the licensing of persons, firms, or corporations operating or conducting bakeries, candy factories, ice cream factories, canning factories, slaughter houses, meat markets or places where fresh meats are sold at retail; fixing such license fee and the duration of such license and the rights thereunder; defining food, regulating the wholesomeness of food manufactured, prepared, packed, stored, sold, distributed or transported; defining the duties of the state food and dairy commissioner in relation thereto; providing penalties for the violation thereof, and repealing acts in conflict therewith. [Additional to chapter thirteen (13) of title twelve (XII) of the supplement to the code, 1907, relative to dairy and food commissioner.]

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

SECTION 1. **Buildings sanitary—foods wholesome.** That every building, room, basement or cellar occupied or used as a bakery, confectionery, canner, packing house, slaughter-house, dairy, creamery, cheese factory, restaurant, hotel, grocery, meat market or other place or apartment used wholly or in part for the preparation for sale, manufacture, packing, storing, sale or distribution of any food, shall be properly lighted, drained, plumbed and ventilated and conducted with strict regard to the influence of such conditions upon the purity and wholesomeness of the food therein produced; and for the purpose of this act the term "food" as used herein, shall include all articles used for food, drink, confectionery or condiment, intended for man or domestic animals, whether simple, mixed or compound and all substances or ingredients used in the preparation thereof.

SEC. 2. **Equipment—vehicles—clean.** The floors, side walls, ceilings, furniture, receptacles, implements equipment and machinery of every establishment or place where food is manufactured, packed, stored, sold or distributed, and all cars, trucks and vehicles used in the transportation of food products, shall at all times be kept in a clean, healthful and sanitary condition, and for the purpose of this act, unclean, unhealthful or unsanitary conditions shall be deemed to exist unless food in the process of manufacture, preparation, packing, storing, sale, distribution or transportation is securely protected from flies, dust, dirt, and as far as may be necessary by all reasonable means from all other foreign or injurious contamination; and unless the refuse, dirt and the waste products subject to decomposition and fermentation incident to the manufacture, preparation, packing, storing, selling, distributing and transporting of food are removed daily; and unless all trucks, trays, boxes, baskets, buckets, and all other receptacles, chutes, platforms, racks, tables, shelves, hooks and all knives, saws, cleavers, and all other utensils and machinery used in moving, handling, cutting, chopping, mixing, canning and all other processes are kept thoroughly cleaned, and unless the clothing of operatives, employes, clerks, or other persons therein employed, is clean.

SEC. 3. **Buildings—how constructed.** The side walls and ceilings of every bakery, confectionery, creamery, cheese factory, hotel and restaurant kitchen,

shall be plastered, wainscoted or ceiled with metal, cement or other suitable material approved by the state dairy and food commissioner, and shall be oil painted or kept well lime washed, and all interior wood work in every bakery, confectionery, creamery, cheese factory, hotel and restaurant kitchen, shall be washed clean and every building, room, basement or cellar occupied or used for the preparation, manufacture, packing, storage, sale or distribution of food, shall have an impermeable floor made of cement or tile laid in cement, grouted brick, wood or other suitable nonabsorbent material which can be flushed and washed clean with water.

**SEC. 4. Doors—windows—screened.** The doors, windows and other openings of every food-producing or distributing establishment during the fly season shall be fitted with self-closing screen doors and wire window screens of not coarser than 14 mesh wire gauze, provided that this section shall not apply to sheds used for husking corn, nor to warehouses or storerooms used for the storage or handling of the finished product in original packages.

**SEC. 5. Toilets—lavatories.** Every building, room, basement or cellar occupied or used for the preparation, manufacture, packing, canning, sale or distribution of food, shall have convenient toilet, or toilet rooms separate and apart from the room or rooms where the process of production, manufacture, packing, canning, selling or distribution is conducted. The floors of such toilet rooms shall be cement, tile, wood, brick or other non-absorbent material and shall be washed and scoured daily. Such toilet or toilets shall be furnished with separate ventilating flues or pipes, discharging into soil pipes, or on the outside of the building in which they are situated. Lavatories and washrooms shall be adjacent to toilet rooms and shall be supplied with soap, running water and clean towels, and shall be maintained in a sanitary condition. Operatives, employes, clerks and all persons who handle the material from which food is prepared or the finished product, before beginning work or after visiting toilet or toilets, shall wash their hands and arms thoroughly in clean water.

**SEC. 6. Cuspidors.** Cuspidors for the use of operatives, employes, clerks or other persons shall be provided whenever necessary, and each cuspidor shall be thoroughly emptied and washed daily with disinfectant solution and five ounces of such a solution shall be left in each cuspidor while it is in use. No operative, employee, or other person shall expectorate within any building, room, basement or cellar where the production, manufacture, packing, storing, preparation or sale of any food is conducted, except in cuspidors as provided for herein.

**SEC. 7. Living in work rooms prohibited.** No person or persons shall be allowed to live or sleep in any workroom of a bakeshop, kitchen, dining room, confectionery, creamery, cheese factory, or place where food is prepared for sale, served or sold.

**SEC. 8. Employment diseased persons prohibited.** No employer shall require, permit or suffer any person, nor shall any person work in a building, room, basement, cellar or vehicle occupied or used for the production, manufacture, packing, storage, sale, distribution and transportation of food, who is affected with any venereal disease, smallpox, diphtheria, scarlet fever, yellow fever, tuberculosis or consumption, bubonic plague, Asiatic cholera, leprosy, trachoma, typhoid fever, epidemic dysentery, measles, mumps, German measles, whooping cough, chickenpox or any other infectious or contagious disease.

**SEC. 9. Slaughter houses—construction—compulsory sanitation—unsanitary conditions defined.** (a) Every person owning, leasing or occupying any place, room or building wherein, cattle, sheep, swine, poultry or other animals are killed or dressed, or any market, public or private, shall cause

such place, room, building or market to be kept at all times thoroughly cleaned and purified, and all offal, blood, fat, garbage, manure or other unwholesome or offensive refuse shall be removed therefrom at least once every twenty-four hours, if used continuously, or if only occasionally, within twenty-four hours after using; and the floors of such building, place or premise shall have an impermeable floor, made of cement or tile laid in cement, brick or other non-absorbent material which can be flushed and washed clean with water, and which shall be approved by the state dairy and food commissioner or his authorized agent. No blood pit, dung pit, offal pit, or privy well shall remain or be constructed within any place, room or building; nor shall swine be kept or fed within 150 feet of the slaughter-house. Doors and windows must be screened to exclude flies, and side walls painted or white-washed.

(b) Slaughter-houses are required to be kept in a sanitary condition, and unsanitary conditions shall be deemed to exist wherever any one or more of the following conditions appear or are found, to-wit: If the slaughter-house is dilapidated, and in a state of decay; if the floors or side walls are soaked with decaying blood or other animal matter; if cobwebs or other evidence of filth or neglect are present; if the drainage of the slaughter-house or slaughter-house yard is not sufficient; if maggots or filthy pools or hog-wallows exist in the slaughter-house yard or under the slaughter-house; if storage hides kept in slaughter-house are in pools of filth, or infested with maggots, or giving out vile odors; if the water supply used in connection with the cleansing or preparation is not pure and unpolluted; or if the odors of putrefaction plainly exist therein; if the bones or refuse are not burned or buried; if dead animals are being used as feed without first being thoroughly cooked; if carcasses are transported from place to place when not covered with clean, white clothes [cloths], or if kept in unclean, bad-smelling ice boxes, refrigerators or storage rooms.

(c) If the floors of such killing places are found to be in an unsanitary condition by the inspector or health officer, he may require such floors to be constructed of cement or tile laid in cement, or brick, so as to prevent the blood, foul liquid or washings from being absorbed. All new slaughter-houses shall be constructed with cement floor and killing beds.

**SEC. 10. Street display—show case—how constructed.** The sidewalk or street display of food products is prohibited unless such products are enclosed in a show case or similar device which shall protect the same from flies, dust or other contamination; and in such display the bottom of the container shall be at least two feet above the surface of the sidewalk; but the sidewalk or street display of meat or meat products is prohibited. The polishing of fruit or any other food product by any process or in any manner which is unsanitary or unclean is hereby declared to be a violation of this act.

**SEC. 11. Food screened.** Confectionery, dates, figs, dried and fresh fruits, berries, butter, cheese, and bakery products while on sale or display are required to be properly screened or covered to effectively protect the same from contamination or damage by flies, dust, vermin, or other means.

**SEC. 12. License—fee—revocation.** No person, firm, or corporation shall operate or conduct a bakery, candy factory, ice cream factory, canning factory, slaughter house, meat market, or place where fresh meats are sold at retail, without being licensed by the state dairy and food commissioner. Each license shall be valid for one year from date of issue, and shall be numbered and contain the name of the person and the location of the place for which the license is issued. No license shall be issued until a fee of three dollars



(\$3.00) has been paid to the state dairy and food commissioner, and application for such license shall be made on blanks to be provided by the state dairy and food commissioner. The state dairy and food commissioner may withhold a license from any applicant therefor, whom he may deem unworthy, and he may revoke any license issued under this act. Fees collected under the provisions of this act shall be paid into the state treasury by the state dairy and food commissioner.

**SEC. 13. Inspection.** It shall be the duty of the state dairy and food commissioner or appointees to enforce this act. The state food and dairy commissioner, and the food or dairy inspectors of the state shall have full power at all times to enter, and inspect every building, room, basement, cellar or vehicle occupied or used for the production of foods intended for sale, manufactured for sale, used for storage, distribution, or transportation; and to inspect the premises and all utensils, fixtures, furniture and machinery used as aforesaid. If any person, firm or corporation or food producing or distributing establishment, conveyance, employer, operative, employe, clerk, driver or other person is found to be violating any of the provisions of this act, or if the production, preparation, manufacture, packing, storing, sale, distribution or transportation of foods is being conducted in a manner detrimental to the character or quality of the food therein produced, manufactured, packed, stored, sold, distributed or conveyed, such person, firm, or corporation shall be punished as herein provided.

**SEC. 14. Penalty.** Any person, firm or corporation who violates any of the provisions of this act shall be guilty of a misdemeanor and on conviction shall be punished for the first offense by a fine of not less than ten (10) dollars nor more than fifty (50) dollars: for the second offense by a fine of not less than twenty-five (25) dollars nor more than one hundred (100) dollars: and for the third and subsequent offense by a fine of two hundred (200) dollars and imprisonment in the county jail for not less than thirty nor more than ninety days.

**SEC. 15. Repeal.** All acts and parts of acts in conflict with the provisions of this statute are hereby repealed.

Approved April 14 A. D. 1913.

## CHAPTER 202.

### MANUFACTURE AND SALE OF COMMERCIAL FERTILIZERS.

H. F. 535.

AN ACT to prevent fraud in the manufacture and sale of commercial fertilizers, providing for licensing of such products and making provision for enforcement. [Additional to chapter thirteen (13) of title twelve (XII) of the supplement to the code, 1907, relating to the powers and duties of the dairy and food commissioner.]

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

**SECTION 1. Packages plainly marked — certificate — quantity — materials.** That any person, firm or corporation who shall offer, sell, or expose for sale, in the state of Iowa, any commercial fertilizer, the price of which exceeds three dollars (\$3.00) per ton, shall affix to every package in a conspicuous place on the outside thereof, or furnish to the purchasers of goods sold in bulk, a plain-

ly printed certificate, naming the materials, including the filler, if any, or which the fertilizer is made, stating the number of pounds in the package sold, the name or trademark under which the article is sold, the name of the manufacturer and the place of manufacture; and a chemical analysis, stating the minimum percentages of nitrogen in available form, of potassium soluble in water, of phosphorus in available form (soluble or reverted) and of insoluble phosphorus.

**SEC. 2. Copy of certificate filed with dairy and food commissioner—license—fee.** Before any commercial fertilizer is sold, or offered for sale, the manufacturer, importer, or party who causes it to be sold, or offered for sale, within the state of Iowa, shall file in the office of the dairy & [and] food commissioner, a certified copy of the certificate referred to in section 1 of this act, and shall pay to the dairy & [and] food commissioner on or before May 1st of each year a license of \$20.00 for each brand of fertilizer offered for sale or sold within the state. Provided, that whenever the manufacturer or importer shall have paid the license fee herein required for any year, no other person shall be required to pay such license fee, for that brand.

**SEC. 3. Enforcement by dairy and food commissioner—annual report.** The state dairy and food commissioner and his assistants shall enforce the provisions of this act and he may publish annually a report of all analyses made and certificates filed. The inspectors and assistants of the dairy and food commissioner shall exercise in the enforcement of this act, all the authority and powers now granted such assistants under the food and dairy laws of the state of Iowa. The state dairy & [and] food commissioner is hereby authorized, in person or by deputy, to take for analysis a sample from any lot or package of commercial fertilizer in this state, not exceeding two pounds in weight.

**SEC. 4. False analysis—penalty.** Any person, firm or corporation who shall offer or expose for sale or sell any commercial fertilizer in the state of Iowa without complying with the provisions of this act, or who shall use an analysis regarding any commercial fertilizer, which shall be false as to the constituents named, in section 1 of this act, or who shall obstruct or interfere with the dairy and food commissioner or any of his assistants in the discharge of their duties shall be deemed guilty of a misdemeanor and upon conviction shall be fined, not less than \$25 nor more than \$100 for each offense.

Approved April 19 A. D. 1913.

#### CHAPTER 203.

#### FISH AND GAME WARDEN.

S. F. 295.

AN ACT to amend the law as it appears in section nine (9), chapter one hundred fifty-three (153), acts of the thirty-third general assembly, relating to the protection of fish and game; and to amend the law as it appears in chapter one hundred sixteen (116) of the acts of the thirty-fourth general assembly, relating to the compensation of the fish and game warden.

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

**SECTION 1. Deputy wardens—compensation.** That the law as it appears in section nine (9), chapter one hundred fifty-three (153), acts of the thirty-third general assembly, be and the same is hereby amended by inserting immediately after the word "appoint", found in line four (4) of said section, the words, "three assistant fish and game wardens who shall receive a salary of twelve hundred (\$1200) dollars per year, and".

SEC. 2. **Game warden—compensation—traveling and other expenses.** That the law as it appears in chapter one hundred sixteen (116), acts of the thirty-fourth general assembly, be and the same is hereby amended by striking from lines eight (8) and nine (9) of section one the following words and figures; “sixteen hundred (\$1600) dollars”; and inserting in lieu thereof the following words and figures: “two thousand two hundred (\$2200.) dollars”.

Approved April 18 A. D. 1913.

#### CHAPTER 204.

##### PROTECTION OF FISH.

H. F. 505.

AN ACT to amend section two thousand five hundred forty (2540) supplement to the code, 1907, and chapter one hundred fifty three (153), acts of the 33rd general assembly relating to season during which fish may be taken.

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

SECTION 1. **Fishing—when permitted.** That section two thousand five hundred forty (2540) of the supplement to the code, 1907, as amended by chapter one hundred fifty-three (153) acts of the thirty-third general assembly be and the same is hereby amended as follows:

By striking out the words “fifteenth day of November” in the third and thirteenth lines of said section and inserting in lieu thereof the words “first day of December” and by inserting after the word “fishway” in the twenty-fifth line of said section the words “or dam”.

Approved April 18 A. D. 1913.

#### CHAPTER 205.

##### PROTECTION OF FISH.

H. F. 588.

AN ACT to amend section twenty-five hundred forty (2540) of the supplement to the code, 1907, as amended by chapter one hundred fifty-three (153) of the acts of the thirty third general assembly, relating to the taking of fish by the use of spear, except during certain months.

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

SECTION 1. **Spearing certain fish—when.** That section twenty-five hundred forty (2540) of the supplement to the code, 1907, as amended by chapter one hundred fifty-three (153) of the acts of the thirty-third general assembly be and the same is hereby amended by striking out the period (.) following the word “unlawful” in the twenty-fourth [twenty-fifth] line thereof, and inserting in lieu thereof a comma (,) and inserting after the comma the following: “but the provisions of this section shall not prevent the taking of carp sucker, redhorse or buffalo in the day time by use of a spear in any months except March and April.”

Approved April 18 A. D. 1913.

## CHAPTER 206.

## PROTECTION OF GAME.

H. F. 053.

AN ACT to repeal section three (3) of chapter one hundred eighteen (118) of the acts of the thirty-fourth general assembly, providing for the distraint of deer; and to enact a substitute therefor. [Additional to chapter fifteen (15) of title twelve (XII) of the code relating to fish, birds and game.]

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

SECTION 1. **Repeal—dstraint and disposition of deer.** That section three (3) of chapter one hundred eighteen (118) of the acts of the thirty-fourth general assembly be and the same is hereby repealed and the following enacted in lieu thereof:

“SECTION 3. When it shall become necessary in the opinion of the state game warden or his deputies to kill or capture any deer now running at large within this state, it shall be done under the authority and direction of the state fish and game warden, who shall distribute such deer so killed or captured within this state and the expense of said killing or capture and distribution shall be paid by the person receiving such deer.”

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 Capital, newspapers published in Des Moines, Iowa.

Approved April 9 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and in the Des Moines Capital April 14, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 207.

## ORGANIZATION OF STATE BOARD OF HEALTH.

H. F. 143.

AN ACT to repeal the law as it appears in section twenty-five hundred sixty-four (2564) of the supplement to the code, 1907, and to enact a substitute therefor, relative to the state board of health.

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

SECTION 1. **Repeal—state board of health—officers—membership—board of appointment—terms—qualifications—compensation—vacancies—meetings.** That the law as it appears in section twenty-five hundred sixty-four (2564) of the supplement to the code, 1907, be and the same is hereby repealed, and the following enacted in lieu thereof:

That the governor, secretary of state and auditor of state are hereby made a board of appointment, two of whom shall constitute a quorum for the purpose of making appointments as hereinafter provided; and the secretary of

the executive council shall be the secretary thereof. Said board of appointment shall appoint a secretary of the state board of health, who shall be a legally qualified physician and a graduate of a reputable school of medicine, of not less than ten years' experience, and who shall serve for a term of five years or until his successor is appointed, as are the members of the state board of health, and who shall be the executive officer and commissioner of public health as hereinafter provided, and five members of the state board of health, of which not more than three shall belong to the same political party, nor more than two be of the same school of medical practice, which shall be constituted as follows:

That the state board of health shall consist of one well qualified civil and sanitary engineer, who shall devote as much of his time to the service of the state as may be needed or required, and when so engaged, shall have all his necessary travelling and incidental expenses paid by the state, and shall have his salary fixed by the board of appointment, not to exceed eight dollars (\$8.00) per day nor twenty-five hundred (2500) dollars per annum, and four physicians, each of whom shall be a graduate of a reputable school of medicine, each to serve for a term of five years, unless sooner removed by said board of appointment for good cause, same to apply to the secretary, and until his successor is appointed; provided, that the term of the office of the five members first appointed shall be for one, two, three, four and five years, respectively, their terms to be designated by the board of appointment, and to be so arranged that the term of one such member shall expire on the thirtieth day of June of each year. Any vacancies that may occur shall be filled by appointment by the board of appointment, and at the expiration of the term of each member, his successor shall be appointed for a full term of five years. No member of the state board of health shall be an officer or a member of the faculty of any medical school, and the board of appointment shall have the power to remove any member or the secretary of said board of health for good cause.

That the board of health shall meet semi-annually, in July and January of each year, and at such other times as it may be deemed necessary by the secretary, or on the written request of two or more members of the board of health, such meeting to be held at the seat of government; suitable rooms, furniture, office supplies, postage, stationery and printing therefor, to be provided by the executive council in the same manner as for other departments of the state.

That at the meeting held in July, a president shall be elected from the board of health for one year, and the board of appointment shall in July, 1913, name and appoint a secretary, as herein provided, not a member of the board of health, who shall serve for a term of five years or until his successor is appointed, unless sooner removed by the board of appointment for good cause,—said secretary shall have charge of the office of the state board of health.

That when the board of health is not in session, the secretary shall be the executive officer thereof, and commissioner of public health, and shall have full power and authority to execute and enforce all of the laws, rules and regulations of the board of health, pertaining to the health and life of the citizens of the state; to quarantine, to marriages, births and deaths, to sanitary investigations, and to all other matters subject to regulations and control by the board of health, the board of medical examiners, and all of the various other departments that are now or may hereafter be provided by law, or by the rules and regulations of such boards or commissions as are authorized to make and adopt rules with reference thereto.

That the compensation of the members of the state board of health, except the civil and sanitary engineer which is otherwise provided for in this section, not only as such members, but as members of the state board of medical examiners, and for any and all other services which they may render, either in their individual capacity, or in connection with any other boards or commissions, by virtue of their membership, either upon the board of health, board of medical [examiners], embalmers, nurses or optometry examiners, shall be nine hundred dollars (\$900.00) per annum, to be paid as are the salaries of other state officers, which shall be in lieu of all per diem and expenses, except transportation expenses.

That all other laws pertaining to compensation or expenses of the physician members of the state board of health and state board of medical examiners as such members, or in connection with any of the other departments, board or commissions connected with the office of the state board of health, and all laws in conflict with any of the provisions of this act are hereby amended to conform to its provisions.

That the terms of the present members of the state board of health and the secretary thereof as such, and in connection with all other departments connected with the office of said state board of health shall terminate upon the taking effect of this act.

**SEC. 2. Appropriation—expenses—under supervision executive council.** That all appropriations or provisions hereafter to be made or which have been made the state board of health for public health purposes of whatever nature or character, shall be expended under the immediate supervision and direction of the executive council of the state, composed of the governor, secretary of state, auditor of state and treasurer of state, all of whom shall be members, ex officio, to serve without compensation, of the state board of health, and no bill for contingent or miscellaneous expenses, or expenses of any kind, of said state board of health shall be allowed or paid unless it is properly itemized, verified and certified to, and audited by the executive council of the state.

**SEC. 3. Acts in conflict repealed.** That all laws and parts of laws in conflict with any of the provisions of this act are hereby repealed.

Approved April 17 A. D. 1913.

## CHAPTER 208.

### ENFORCEMENT OF SANITARY CONDITIONS BY STATE BOARD OF HEALTH.

S. F. 491.

**AN ACT** making special provision for the enforcement of sanitary conditions by the state board of health upon complaint made by five (5) or more citizens. [Additional to chapter sixteen (16) of title twelve (XII) of the supplement to the code, 1907, relative to state board of health.]

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

**SECTION 1. Petition—complaint—enforcement.** In any case where five or more citizens in any locality in this state present a petition to the state board of health signed by such citizens setting forth complaint regarding sanitary conditions in their locality, it is hereby made the duty of the state board of health to use all means at its command to make special effort to improve the sanitation and health conditions and precautions in such localities of this state. If the local board of health should fail to carry out the directions of the state board of health, the state board of health may employ the necessary assistants to carry out the provisions of this act.

Approved April 19 A. D. 1913.

## CHAPTER 209.

## IMPORTATION OF BEES.

H. F. 513.

AN ACT to prohibit the importation of diseased bees. [Additional to chapter one hundred sixty-nine (169) acts of the thirty-third general assembly relative to police of the state.]

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

SECTION 1. **Diseased bees.** It shall be unlawful for any person, firm or corporation to bring into, or cause to be brought into the state of Iowa, any apiary or honey bees infected with foul brood or other infectious disease, or bee-destroying insects.

SEC. 2. **Certificate of health.** No common carrier shall accept colonies of bees for delivery at Iowa points unless the said bees be accompanied by a certificate of health signed by some duly authorized state or government inspector.

SEC. 3. **Violation—penalty.** Any person convicted of a violation of this act shall be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00).

Approved April 9 A. D. 1913.

## CHAPTER 210.

## STATE ENTOMOLOGIST.

H. F. 241.

AN ACT to repeal section two thousand five hundred and seventy-five-a-52 (2575-a-52) of the supplement of [to] the code, 1907, and to enact a substitute therefore [therefor], making annual appropriations for carrying on the work of the state entomologist.

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

SECTION 1. **Repeal—appropriation.** That section two thousand five hundred and seventy-five a-52 (2575-a52) of the supplement to the code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

“There is hereby appropriated out of any moneys not otherwise appropriated, the sum of two thousand dollars (\$2000) annually, or so much thereof as may be necessary, for carrying out the provisions of this act.”

Approved April 18 A. D. 1913.

## CHAPTER 211.

## STATE BEE INSPECTOR.

H. F. 349.

AN ACT to amend the law as it appears in section seven (7) of chapter one hundred sixty-nine (169) of the acts of the thirty-third general assembly, relating to the compensation of the state bee inspector, and to make an appropriation therefor. [Additional to section seven (7) of chapter one hundred sixty-nine (169) acts of the thirty-third general assembly relating to police of the state.]

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

SECTION 1. **Compensation and expenses.** That the law as it appears in section seven (7) of chapter one hundred sixty-nine (169) of the acts of the thirty-third general assembly be and the same is hereby amended by striking out of line two (2) thereof the word and figure "three (3)" and inserting in lieu thereof the word and figure "five (5)", and by striking out of line six thereof the words and figures "one thousand (1,000)" and inserting in lieu thereof the words and figures "fifteen hundred (1500)".

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 19 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader May 10, 1913, and in the Des Moines Capital May 9, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 212.

## CERTAIN DISEASES DECLARED CONTAGIOUS.

H. F. 247.

AN ACT to declare certain diseases contagious and infectious, and to provide rules and regulations for the control of the same, and to fix punishment for violation thereof. [Additional to chapter seventeen (17) of title twelve (XII) of the supplement to the code, 1907, relative to practice of medicine.]

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

SECTION 1. **Contagious diseases defined.** That syphilis and gonorrhoea are hereby declared contagious and infectious and shall be reported as contagious diseases to the local board of health.

SEC. 2. **Physicians' duty to report—record—name not disclosed.** From and after the first day of January, A. D. 1914, it shall be the duty of every physician and surgeon practising [practicing] within the state of Iowa, to report to the local board of health, within twenty-four hours, every case of syphilis or gonorrhoea coming to his knowledge, and shall make and preserve a record of every such case so reported, numbering each case consecutively. He shall require the person to state whether or not he has been previously reported



to a local board of health in this state and if so, when, where, by whom, and under what number. The report shall state the sex of the person and the age as nearly as practicable, together with the character of the disease and the probable source of infection, and whether previously reported or not, and if so, when, where, by whom, and under what number, but shall not disclose the name of the infected person.

**SEC. 3. Failure to report—penalty.** Any physician or surgeon who shall be called upon to treat professionally anyone afflicted with syphilis or gonorrhea who shall fail to report the same to the local board of health within twenty-four hours shall be 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 more than thirty (30) days. And in addition thereto, the state board of health may revoke his license or certificate to practise [practice] medicine, surgery and obstetrics in the state of Iowa.

**SEC. 4. Transmission—penalty.** Any person afflicted with either of these diseases, who shall knowingly transmit or assume the risk of transmitting the same by intercourse to another person shall be guilty of a misdemeanor, and upon conviction thereof be fined in the sum of not to exceed five hundred dollars (\$500.00) or imprisoned in the county jail not to exceed one year, or both such fine and imprisonment. And in addition thereto, shall be liable to the party injured in damages to be recovered in any court of competent jurisdiction.

**SEC. 5. Acts in conflict repealed.** All acts or parts of acts in conflict with any of the foregoing sections are hereby repealed.

Approved March 29 A. D. 1913.

## CHAPTER 213.

### PRACTICE OF MEDICINE.

H. F. 651.

AN ACT to amend the law as it appears in sections twenty-five hundred seventy-six (2576) and twenty-five hundred seventy-eight-a (2578-a) supplement to the code, 1907, relating to the practice of medicine.

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

**SECTION 1. Board of medical examiners—number.** That the law as it appears in section twenty-five hundred seventy-six (2576), supplement to the code, 1907, be and the same is hereby amended by striking out of line twenty (20) of said section the word "five" and inserting in lieu thereof the word "three".

**SEC. 2. Revocation of certificate—procedure.** That the law as it appears in section twenty-five hundred seventy-eight-a (2578-a), supplement to the code, 1907, as amended by chapter one hundred fifty-eight (158) of the acts of the thirty-third general assembly, be and the same is hereby amended by striking out of line seventeen (17) of said section the word "five" and inserting in lieu thereof the word "three".

Approved April 18 A. D. 1913.

## CHAPTER 214.

## REVOCATION OF PHYSICIANS' CERTIFICATES.

S. F. 87.

AN ACT amending the law as it appears in section twenty-five hundred seventy-eight (2578) of the supplement to the code, 1907, relating to revocation of physicians' certificates and defining unprofessional conduct.

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

SECTION 1. **Unprofessional conduct defined.** The law as it appears in Sec. 2578 of the supplement to the code, 1907, is hereby amended by adding thereto the following:

The words "gross unprofessional conduct" as used in this section are hereby declared to mean:

1. The procuring or aiding or abetting in procuring a criminal abortion.
2. The employment of what are popularly known as "cappers" or "steerers" in procuring practice.
3. The obtaining of a fee on the assurance that a manifestly incurable disease can be permanently cured.
4. A willful betrayal of the professional secret to the detriment of the patient.
5. Any advertisement of medical business in which untruthful and improbable statements are made.
6. Any advertisement of any kind, of any medicine or means, whereby the monthly periods of women can be regulated or the menses be re-established if suppressed.
7. Conviction of any offense involving moral turpitude.
8. Willful neglect of a patient in a critical condition.
9. Accepting any fee for service as a witness in a case at law or equity other than such as is allowed by the court, or that the court is made cognizant of.
10. The splitting or division, or agreeing to split or divide, any fee or charge paid or to be paid on account of any operation performed or to be performed, upon any patient, with any other person for any service performed or agreed to be performed, or in any consideration of such other person accompanying, bringing or referring to him a patient for any treatment or operation, or on account of such other person assisting him in reference to such treatment or operation without the knowledge and consent of the patient or the person having the patient in charge or the patient's administrator or executor in the event of the patient's death.
11. Knowingly misstating the cause of a death in a death certificate, except where an exact statement would render the physician liable to suit for libel, or subject the decedent or his family to public odium.

Approved April 17 A. D. 1913.

## CHAPTER 215.

## APPEAL FROM DECISION OF STATE BOARD OF MEDICAL EXAMINERS.

S. F. 513.

AN ACT to amend the law as it appears in section two thousand five hundred seventy-eight-b (2578-b) of the supplement to the code, 1907, relating to trial upon appeal to the district court from decisions of the state board of medical examiners revoking physicians' licenses.

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

SECTION 1. **Appeal—record certified to clerk of district court—when triable.** That the law as it appears in section two thousand five hundred seventy-eight-b of the supplement to the code, 1907, is hereby amended by adding thereto the following: "Upon giving said notice the original complaint, affidavits, depositions and a duly certified transcript of evidence taken upon the hearing before the state board of medical examiners shall be by the secretary of said board, certified to the clerk of the district court of the county to which said appeal is taken. Said appeal shall be triable at the next term of court in the county to which said appeal is taken convening not less than ten days after notice of appeal is served. The appeal shall be heard and determined [determined] upon the affidavits, depositions and evidence so transcribed and such further evidence as either party may offer.

The provisions hereof shall apply to all cases not actually tried upon appeal at the time this act goes into effect.

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

Approved April 25 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader May 1, 1913, and in the Des Moines Capital April 30, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 216.

## PRACTICE OF OSTEOPATHY.

H. F. 650.

AN ACT to amend the law as it appears in section twenty-five hundred eighty-three-c (2583-c), supplement to the code, 1907, relating to the practice of osteopathy.

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

SECTION 1. **Revocation of certificate.** That the law as it appears in section twenty-five hundred eighty-three-c (2583-c), supplement to the code, 1907, be and the same is hereby amended by striking from line seven (7) of said section the word and figure "five (5)" and by inserting in lieu thereof the word and figure "three (3)".

Approved April 18 A. D. 1913.

## CHAPTER 217.

## ITINERANT VENDORS OF DRUGS.

H. F. 547.

AN ACT to amend the law as it appears in section twenty-five hundred ninety-four (2594) of the code relating to licensing itinerant vendors of drugs.

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

SECTION 1. **Unexpired license assignable—fee.** That section twenty-five hundred ninety-four (2594) of the code be and the same is hereby amended by adding thereto, at the end thereof, the following: That the holder of any unexpired license may assign the same to any person, and that said license, as soon as assigned, shall be forwarded to the secretary of the board of pharmacy, who shall approve and record the assignment and shall at once return said license to the assignee, who shall thus acquire all the rights and privileges conferred upon the original holder of the said license. Provided, however, the person requesting the transfer shall accompany his request with a transfer fee of one dollar (\$1.00)

SEC. 2. **In effect.** This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published in the city of Des Moines, Iowa, without expense to the state.

Approved April 18 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 26, 1913, and in the Des Moines Capital April 24, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 218.

## PRACTICE OF DENTISTRY.

S. F. 170.

AN ACT relating to the practice of dentistry, and to repeal sections twenty-six hundred-i, (2600-i) and twenty-six hundred-j (2600-j), of the supplement to the code, 1907.

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

SECTION 1. **Practicing dentistry—defined—prima facie evidence.** That all persons shall be regarded as practicing dentistry within the meaning of this act who, for a fee, salary, or reward, paid directly or indirectly, either to himself, or some other person, shall diagnose, or profess to diagnose, or treat, or profess to treat, any of the diseases or lesion of the oral cavity, teeth, gums, or maxillary bones, or who shall extract teeth, or prepare or fill cavities in the human teeth, correct, or attempt to correct, malposition of teeth or jaws, or supply artificial teeth as substitutes for natural teeth, or administer anaesthetics, general or local, or give prophylactic treatments, or engage in any other practice included in the curricula of recognized dental colleges; provided, however, that nothing in this act shall be so construed as to prevent regularly

licensed physicians or surgeons from extracting teeth or treating any diseases coming within the province of the practice of medicine or to prohibit bona fide students of dentistry from operating upon patients at clinics in connection with their regular course of instruction in any reputable dental college. The opening up of an office for the purpose of practicing dentistry, or announcing to the public in any way, of an intention to practice dentistry, or the use of any sign, card, circular, device, or advertisements by any person as a dentist or a dental surgeon, or person skilled in the science of dentistry, or who shall make examinations with the intent of performing, or causing to be performed, any operation in the oral cavity, shall be considered prima facie evidence that such person is engaged in the practice of dentistry.

**SEC. 2. License—names of persons employed posted in conspicuous place.** Every person who shall practice dentistry, either personally or as proprietor, employe, or assistant, shall keep his license in open view in his operating room; and if he owns, operates, or controls a dental office, where any one other than himself is practicing dentistry, he shall also cause to be displayed, and keep in a conspicuous place at the entrance of his place of business, the name of each and every person employed by him in the practice of dentistry at that place.

**SEC. 3. Unlicensed dentists not permitted to practice.** It shall be unlawful for any person owning, or conducting a dental office where dental work of any kind is done, or contracted for, to employ, retain, or permit any unlicensed dentist to practice dentistry in such dental office, contrary to the provisions of this act, but nothing in this act shall be construed to prevent a person not a licensed dentist from doing laboratory work.

**SEC. 4. License filed with clerk of district court—failure—penalty—change of residence—record.** The license issued to any dentist by this state shall, within six months after its issue, be filed for record with the clerk of the district court in the county where said licensed dentist desires to practice dentistry; and failure to so file such license for record within six months after its issue shall incur a forfeiture thereof, and said license shall not be restored by the board, except upon the payment to the board of the sum of twenty-five (\$25.00) dollars as penalty therefor; and should said licensed dentist change his place of business to any other county within the state of Iowa, he shall, within three months, file his license for record with the clerk of the district court of such new residence, and the clerk of the court shall be entitled in all instances to a fee of fifty cents (50c) for recording such license. The clerk of the district court shall keep, as a part of the record, an alphabetical index, giving the names of the licensed dentists and a reference to the pages in the record wherein a copy of their licenses can be found. Upon the application of the state board of dental examiners, the clerk of the district court shall furnish said board with information as to whether or not any party named has filed his license in said county, together with the date of said license, and the date of recording, which information shall be furnished without expense to the state board of dental examiners.

**SEC. 5. Violation—penalty.** It shall be unlawful for any person to practice dentistry in this state without having first complied with all of the statutory provisions regulating the same, and any person who shall violate any of said statutory provisions shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than fifty dollars (\$50.00), nor more than five hundred dollars (\$500.00), or by imprisonment in the county jail not more than sixty days, or by both such fine and imprisonment.

SEC. 6. **Revocation—notice—hearing.** The state board of dental examiners may, by a four-fifths vote of its members, revoke the license of any dentist in this state for any of the following causes:

1. The presentation to the board of any diploma, license, or certificate, illegally or fraudulently obtained.

2. The conviction of any felony involving moral turpitude, or chronic or persistent inebriacy, or addiction to the excessive use of narcotics, or if the person holding such license shall be guilty of grossly unprofessional conduct, or of misrepresentation in his advertisements, whereby he deceives and defrauds the public.

In all proceedings for the revocation of a license, the holder thereof shall be given thirty days notice to prepare for a hearing, and he shall be heard in person, or by counsel, or by both. The president and secretary of the state board of dental examiners shall have the power to administer oaths in the hearing of all matters arising in the course of their duties in such trials, and the state board of dental examiners may take such oral or written proof, for or against the complainant, as it may deem will best present the facts. In all cases of revocation, the holder may appeal to the governor of the state within thirty days after such action by the state board of dental examiners.

SEC. 7. **“Person”—defined.** That wherever the word “person” is used in this act, it shall be interpreted to mean corporation, association, company, person, or aggregation of persons, owning, operating, or controlling any room, or rooms, office, or dental parlor.

SEC. 8. **Enforcement by county attorney.** It shall be the duty of the several county attorneys throughout the state to enforce the provisions of this act, and to prosecute those guilty of its violation.

SEC. 9. **Acts in conflict repealed.** That sections twenty-six hundred-i (2600-i) and twenty-six hundred-j (2600-j) of the supplement of [to] the code, 1907, and all other acts and parts of acts inconsistent herewith are hereby repealed.

Approved April 16 A. D. 1913.

## CHAPTER 219.

### SOLDIERS' HOME.

H. F. 127.

AN ACT to amend the law as it appears in section twenty-six hundred four (2604) of the supplement to the code, 1907, in regard to the qualifications of certain officers of the soldiers' home.

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

SECTION 1. **Commandant—inferior officers—vacancies—how filled.** That section twenty-six hundred four (2604) of the supplement to the code, 1907, is hereby amended by adding thereto the following:

If at any time a vacancy shall exist in the office of commandant, adjutant, quartermaster or surgeon and a suitable person who has an honorable discharge from the United States army or navy is not available for the office, it shall be lawful to appoint any other person otherwise properly qualified to fill the vacancy.

Approved April 18 A. D. 1913.

## CHAPTER 220.

## SOLDIERS' HOME.

H. F. 670.

AN ACT to repeal section twenty-six hundred six (2606) of the supplement to the code, 1907, and to enact a substitute therefor relating to admission to soldiers' home.

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

SECTION 1. **Repeal—rules for admission.** That section twenty-six hundred six (2606) of the supplement to the code, 1907, is hereby repealed, and there is hereby enacted in lieu thereof the following:

“The board of control of state institutions may receive into the home, under such rules and regulations, and subject to such conditions as said board may prescribe, the dependent persons not having sufficient means or ability to support themselves, designated as follows:

1. Honorably discharged union soldiers, sailors and marines.
2. Women who, prior to the year 1890, married honorably discharged union soldiers, sailors or marines, and who have ceased to be the wives of such soldiers, sailors or marines by reason of their death or because divorced from them without fault on the part of the wives, and a subsequent marriage shall not deprive such women of their right to the benefits of the home, nor shall such right depend upon the presence of the husband in the home as a member of it.
3. Army nurses, and the fathers and mothers of honorably discharged union soldiers, sailors and marines.

The board may permit husbands and wives to occupy together cottages or other quarters on the home grounds.”

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 18 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 21, 1913, and in the Des Moines Capital April 22, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 221.

## SOLDIERS' HOME.

S. F. 76.

AN ACT to amend section twenty-six hundred eight (2608) of the supplement to the code, 1907, and establish a minimum monthly allowance for the support of the soldiers' home.

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

SECTION 1. **Annual appropriation—support.** That section twenty-six hundred eight (2608) of the supplement to the code, 1907, is hereby amended by adding thereto the following:

If the average number of members shall be less than eight hundred fifty in any month, the auditor of state and treasurer of state shall credit the home with the sum of twelve thousand seven hundred fifty (\$12,750.00) dollars for that month in addition to the monthly allowance for each officer and employe, and the sums so credited shall be drawn from the state treasury in the same manner and for the same purposes as the regular monthly per capita allowance is drawn.

Approved April 14 A. D. 1913.

## CHAPTER 222.

## STATE BOARD OF EDUCATION.

S. F. 106.

AN ACT to amend section eighteen (18) of chapter one hundred and seventy (170) of the acts of the thirty-third general assembly relative to the powers and duties of the state board of education and the finance committee of said board of education.

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

SECTION 1. **Mortgages—how released.** That section eighteen (18) of chapter one hundred and seventy (170) of the acts of the thirty-third general assembly be hereby amended by adding in the third line thereof after the word "sections" and before the word "and", the clause, "and shall release the mortgages securing loans when paid by a satisfaction piece signed by the president or secretary of said finance committee and the same shall be recorded in the office of the county recorder of the county where said mortgage is recorded, or by the president or secretary of said finance committee signing the same on the margin of the record of said mortgage".

Approved April 16 A. D. 1913.



## CHAPTER 223.

## HOMEOPATHIC MEDICAL COLLEGE.

S. F. 82.

AN ACT to provide additional chairs in the college of homeopathic medicine of the state university of Iowa, additional to chapter 168 of the acts of the sixteenth general assembly. [Additional to chapters two (2) and three (3) of title thirteen (XIII) of the code relating to educational institutions.]

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

SECTION 1. **Establishing three additional chairs.** The state board of education are hereby authorized and directed to establish three additional chairs in the college of Homeopathic medicine of the state university of Iowa, to-wit: A chair of surgery, a chair of ophthalmology, otology, rhinology and laryngology and a chair of gynaecology and obstetrics; to elect professors for such chairs; to fix compensation for such professors and to do such other acts as are necessary and proper for the execution of the powers and duties hereby conferred upon them.

Approved April 19 A. D. 1913.

## CHAPTER 224.

## STATE FIRE MARSHAL.

Sub. for S. F. 146.

AN ACT to amend sections five (5), ten (10), twelve (12), fifteen (15) and sixteen (16) of chapter one hundred twenty-eight (128), acts of the thirty-fourth general assembly, relative to the duties and compensation of the state fire marshal and the deputy state fire marshal, and making an appropriation for the maintenance of the state fire marshal's office.

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

SECTION 1. **Investigation of causes of fires—reports—penalty.** That section five (5), chapter one hundred twenty-eight (128), of the acts of the thirty-fourth general assembly be, and the same is, hereby amended by adding thereto the following: "Any chief of a fire department, mayor or township clerk who fails or refuses to make the investigation and report required of him by this section shall be deemed guilty of a misdemeanor, and shall, upon conviction, be fined in a sum not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00)."

SEC. 2. **Examination of buildings—may order removal or changes—appeal—penalty.** That section ten (10), chapter one hundred twenty-eight (128), of the acts of the thirty-fourth general assembly be, and the same is, hereby amended by striking out the word "and" after the comma in the eleventh line of said section and inserting in lieu thereof the word "or".

SEC. 3. **Salaries and expenses.** That section twelve (12), chapter one hundred twenty-eight (128), of the acts of the thirty-fourth general assembly be, and the same is, hereby amended by striking out the words and figures

“twelve thousand five hundred (\$12,500)” in the tenth and eleventh lines of said section and inserting in lieu thereof the words and figures “thirteen thousand five hundred (\$13,500)”.

SEC. 4. **Fees and mileage for reporting fires.** That section fifteen (15), chapter one hundred twenty-eight (128), of the acts of the thirty-fourth general assembly be, and the same is, hereby amended by striking out the words “who do not receive compensation for their services as such chiefs and mayors” in lines two and three of said section, and by inserting after the word “thereto” in the seventh line of said section the words “there shall be paid to township clerks”.

SEC. 5. **Appropriation.** That section sixteen (16), chapter one hundred twenty-eight (128), of the acts of the thirty-fourth general assembly be, and the same is, hereby amended by striking out from lines two and three thereof the words and figures “twelve thousand five hundred (\$12,500)” and inserting in lieu thereof the words and figures “thirteen thousand five hundred (\$13,500)”.

SEC. 6. **Salary.** That section twelve (12), chapter one hundred twenty-eight (128) of the acts of the thirty-fourth general assembly be, and the same is, hereby amended by striking out of line three thereof the words and figures “fifteen hundred (\$1500.00)” and inserting in lieu thereof the words and figures “eighteen hundred (\$1800.00)”.

Approved April 22 A. D. 1913.

## CHAPTER 225.

### NORMAL INSTITUTES.

H. F. 362.

AN ACT to amend the law as it appears in section twenty-six hundred twenty-two (2622), supplement to the code, 1907, and to repeal the law as it appears in section twenty-seven hundred thirty-eight (2738), supplement to the code, 1907, as amended by chapter one hundred thirty (130), acts of the thirty-fourth general assembly, and to enact a substitute therefor, relating to normal institutes.

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

SECTION 1. **Teachers' conventions and institutes.** That the law as it appears in section twenty-six hundred twenty-two (2622), supplement to the code, 1907, be and the same is hereby amended by striking out the words “and remain in session not less than six (6) working days”, which words are found in lines nine (9) and ten (10) of said section.

SEC. 2. **Repeal—county superintendent—county teachers' institutes—expenses—how paid—institute fund—annual report—summer school—in effect.** That the law as it appears in section twenty-seven hundred thirty-eight (2738), supplement to the code, 1907, as amended by chapter one hundred thirty (130) of the acts of the thirty-fourth general assembly, be and the same is hereby repealed and the following enacted in lieu thereof:

“The county superintendent shall hold annually at least one, but not more than two, county teachers' institutes at such times as the schools of the county are generally in session; and shall, with the concurrence of the superintendent of public instruction procure such assistance as may be necessary to conduct the same.”

The school board of every school district except in city independent school districts where twenty-five or more teachers are regularly employed, shall adjourn the school or schools of said district for not less than two days in each school year in order to allow teachers to attend county teachers' institutes held in the county, without loss of salary. The county superintendent shall issue a certificate of attendance to each teacher showing number of days of attendance at said institute, and any teacher failing to attend said teachers' institute two days shall forfeit his or her average daily salary for each day of non-attendance, except when excused by the county superintendent for physical disability to perform his or her duties in the school room.

In city independent districts where twenty-five or more teachers are regularly employed, the county superintendent shall co-operate with the city superintendent in arranging for educational lectures relating to the professional work of the teacher and to such matters of public education as may best meet the needs of the teachers in such districts and at such times as may be approved by the city superintendent and city board of education, in so far as the condition of the county institute fund shall permit. All arrangements concerning plans for professional teachers' meetings in said city districts shall be subject to final approval by the superintendent of public instruction. It shall be the duty of teachers in said districts to attend said lectures and the county superintendent shall issue a certificate of attendance showing number of lectures attended as provided by this act."

To defray the expenses of said teachers' institutes, in addition to the fifty (\$50) dollars received annually from the state and one-half of all examination fees collected in the county, one hundred fifty (\$150) dollars from the general county fund shall be available for that purpose in counties having a population of thirty thousand (30,000) or less, which amount shall be appropriated by the board of supervisors of such county at their January session in each year, and in counties of over thirty thousand (30,000), two hundred (\$200) dollars shall be thus appropriated for such purpose.

No part of the county teachers' institute fund received from the aforesaid sources may be used for any other purpose than to pay instructors, for special supplies needed in order to properly conduct said teachers' institutes, for janitor service, and rent for building in which to conduct said institute if necessary.

On the first secular day of each month, the county superintendent shall transmit to the county treasurer all moneys received for examination fees and the state appropriation for institutes, which, together with the county appropriation, shall be designated as "The county teachers' institute fund"; he shall also report monthly the names of all applicants for teachers' certificates to the county auditor. All disbursements of the institute fund shall be by warrants drawn by the county auditor, who shall draw said warrants upon the written order of the county superintendent, and said written order must be accompanied by an itemized bill for services rendered or expenses incurred in connection with the institute, which bill must be signed and sworn to by the party in whose favor the order is made and must be verified by the county superintendent. All said orders and bills shall be kept on file in the auditor's office until the final settlement of the county superintendent with the board of supervisors at the close of his term of office. No warrant shall be drawn by the auditor in excess of institute fund then in the county treasury. The county superintendent shall furnish to the county board of supervisors a certified itemized account of the receipts and disbursements of all moneys collected and paid out by him for teachers' institutes and summer schools, which account they shall examine, audit and publish a summary thereof with the pro-

ceedings of the regular June meeting of the board. The county superintendent shall report to the board of supervisors on the first of January annually a summary of his official financial transactions for the previous year."

County superintendents are hereby authorized by law to conduct from four to six weeks summer school where it may be deemed advisable, for the purpose of giving teachers and prospective teachers academic instruction. A fee shall be collected from each attendant sufficient in the aggregate to meet all necessary expenses for the support of said summer school. The fee so collected shall be paid into the county institute fund and a list of the names of all attendants shall be filed with the county auditor. Warrants for the purpose of paying instructors employed in summer schools shall be drawn by the county auditor, who shall draw said warrant upon written order of the county superintendent, and said written order must be accompanied by a certified itemized bill for services rendered or expenses incurred in connection with said summer school, but no warrant shall be issued in excess of the fees received from the summer school and deposited with the county treasurer. This act shall not take effect until July 1, 1914.

Approved April 19 A. D. 1913.

## CHAPTER 226.

### TEACHERS' STATE CERTIFICATES.

H. F. 12.

AN ACT to amend the law as it appears in section two thousand six hundred thirty-four-f (2634-f) of the supplement to the code, 1907, relating to the acceptance of graduation from institutions of higher learning as evidence that a teacher possesses the scholarship and professional fitness for a state certificate.

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

**SECTION 1. Graduates from accredited colleges.** That section two thousand six hundred thirty-four-f (2634-f) of the supplement to the code, 1907, be and the same is hereby amended by inserting after the comma following the words "state university" in the third line the words "state teachers' college" and adding section 2, so that the section, when so amended, shall read as follows:

"That the state educational board of examiners may accept graduation from the regular and collegiate courses in the state university, state teachers' college, 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. Graduates from accredited colleges located outside of Iowa.** Graduates of colleges and schools located in other states than Iowa, having regular and collegiate courses of equal rank with the accredited colleges and schools of Iowa, may be given the same recognition as provided in section one (1) of this act, providing they file with the board of educational examiners evidence of at least two years successful experience as a teacher, principal or superintendent of schools."

Approved April 17 A. D. 1913.

## CHAPTER 227.

## ESTABLISHMENT OF LABORATORY FOR MANUFACTURE OF HOG CHOLERA SERUM.

S. F. 507.

AN ACT to establish a laboratory for the manufacture and distribution of hog cholera serum, toxines, vaccines and biological products at the Iowa state college of agriculture and mechanic arts, under the supervision of the president of said college, and to make an appropriation therefor; to abandon the laboratory for manufacturing of hog cholera serum now being operated by the state of Iowa; to regulate the sale and keeping for sale, or use or using of hog cholera serum and virus; to provide penalties for the violation of said regulations; and to repeal chapter one hundred fifty-one (151) of the acts of the thirty-third general assembly and chapter one hundred fourteen (114) of the acts of the thirty-fourth general assembly.

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

**SECTION 1. Hog cholera serum—laboratory—supervision—director and assistants—how appointed.** The state board of education is hereby authorized and directed to establish at Ames, Iowa, in connection with the Iowa state college of agriculture and mechanic arts, a laboratory for the manufacture of hog cholera serum, toxines, vaccines and biological products and to provide the necessary equipment therefor. The president of said college shall appoint the director of said laboratory and such assistants as are deemed necessary to efficiently carry on said work and shall, with the approval of said board, fix the salaries of said assistants.

**SEC. 2. Serum—how sold.** The director of said laboratory shall on application, furnish said serum to any person within the state of Iowa for use in his herd only, together with specific instructions for the use of same, at the approximate cost of manufacture, and such cost shall be stated on the package. Any surplus serum or other biological products may be sold by said director at a reasonable profit to any applicant outside of the state. The director of the serum laboratory is authorized to purchase serum or other biological products which he deems reliable and he may sell the same at approximate cost in the same manner as products of the laboratory are sold, at any time it appears to him that the available supply will not be sufficient to meet the demand.

**SEC. 3. Moneys received—where deposited—vouchers issued—expenses.** The director shall issue receipts for all moneys received by him for serum and other biological products sold and shall deposit all such funds with the treasurer of the college, which treasurer shall be responsible on his bond for the same. Upon receipt of said moneys the said treasurer shall issue duplicate receipts therefor, one of which he shall deliver to the director and the other to the secretary of the state board of education. Said moneys shall be kept by said treasurer in a separate fund to be known as the serum fund, and he shall pay out from said fund as other college funds are expended, but only for expenses directly connected with the maintaining of said laboratory and the manufacture, purchase and distribution of said serum and biological products.

**SEC. 4. Director to declare standard of potency—permits to sell—how issued—fees.** The director of said laboratory shall have the power and it is made his duty to establish and declare the standard degree of potency of hog cholera serum for successfully treating, curbing and controlling hog cholera

or swine plague. Any person, firm, company or corporation, before selling or offering for sale within this state any hog cholera serum, shall first make application to the director of the laboratory herein created, for permission to sell the same in the state. Said application shall give the name of said person, firm, company or corporation with its place or places of business. Such other information and samples of serum shall be furnished whenever required by the director. If the director is satisfied that said person, firm, company or corporation is fit, proper and reliable, upon the furnishing of a bond in the sum of one thousand dollars (\$1,000.00) by said applicant, which bond shall be approved by the director, he shall issue to said person, firm, company or corporation a permit to sell said serum within the state for a period of one calendar year or part thereof, for which permit he shall collect the sum of twenty-five dollars (\$25.00), which money shall be deposited and handled the same as moneys received for the sale of serum. At the time of issuing said permit, the said director shall deliver to said applicant a statement showing the standard or degree of potency of hog cholera serum as established by said director and said permit may at any time be revoked and cancelled by said director when it becomes evident to him that the terms on which it was issued are being violated. No hog cholera serum shall be sold or offered or kept for sale or use, or be used in this state which is below the standard test of potency established by the director, except for experimental purposes at the place of manufacture of hog cholera serum and under the direction of the manager thereof.

SEC. 5. **Inspection—forfeiture.** The bond required in section four (4) of this act, shall be to the effect that the person, firm, company or corporation holding a permit shall forfeit and pay to the director the sum of five hundred dollars (\$500.00) whenever upon inspection it shall be ascertained that any serum kept for sale or distribution or offered for sale by any person, firm, company or corporation is below the standard provided for by the director, which money shall when collected be deposited and handled the same as moneys received from the sale of serum. The attorney general is hereby authorized and it is made his duty to proceed upon the bond to collect the amount forfeited.

SEC. 6. **Virus—how sold—by whom—violation—punishment.** The director of said laboratory is authorized to procure virulent blood or virus from cholera infected hogs and to distribute the same at approximate cost for use with hog cholera serum and under restrictions concerning payments as established in section three (3) of this act. No person, firm, company or corporation shall distribute or sell any portion of virulent blood or virus from cholera infected hogs unless permitted in writing so to do by the director of said laboratory and under such regulations as the said director may issue, and such permit shall specify the time and place, and when and where the said virus may be used. And no person shall use any portion of virulent blood or virus from cholera infected hogs unless he has received special instruction in reference to such use of such virulent blood or virus which is satisfactory to the director of said laboratory and said director has issued a permit to such person, and such permit shall be cancelled by said director for cause which said director may deem sufficient; provided, that these restrictions shall not apply to official work of, first, veterinary members of the animal health commission or, second, representatives of the United States bureau of animal industry; but all virulent blood or virus used by such persons shall be reported to the director of the serum laboratory in such manner as he may require. Any person, firm, company or corporation violating the terms herein stated shall be punished the same as provided for in section eight (8) of this act.

SEC. 7. **Seizure—examination.** The director of said laboratory or the state veterinarian or their duly qualified deputies or assistants are hereby authorized to seize and forward to the state laboratory for examination, samples of any serum or virus used or kept for use or for sale within this state, at any time or at any place, under the police and health regulations in force in this state. The director of the state laboratory shall have power to condemn or destroy any serum or virus which he deems to be unsafe.

SEC. 8. **Violation—penalty.** After the taking effect of this act, any person, firm, company or corporation offering or keeping for sale in this state any hog cholera serum or virus without securing a permit from the director, or selling or offering or keeping for sale after said permit has been cancelled or has expired, any hog cholera serum, or while holding a permit, selling or offering or keeping for sale any hog cholera serum which is below the standard of potency as established and declared by said director, shall be fined in a sum not less than one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00). In default of the payment of such fine, the individual, or if it be a company, firm or a corporation offending, the managing agent or executive officer of such firm, company or corporation within the state, shall be imprisoned in the county jail not less than thirty (30) days or more than one hundred fifty (150) days.

SEC. 9. **Use limited to certain serum.** After the taking effect of this act, any person, firm, company or corporation willfully using or keeping for use in this state any hog cholera serum other than that manufactured at the state laboratory or that sold by a holder of a valid permit issued by the director of the laboratory shall be punished as provided for in section eight (8) of this act.

SEC. 10. **Present laboratory discontinued.** The laboratory for the manufacture of hog cholera serum now being operated by the state of Iowa, shall be discontinued and the state veterinarian is hereby directed to turn over to the director of the laboratory hereby provided for, the equipment of said discontinued laboratory. The state veterinarian is hereby authorized and directed to adjust all claims and leases and to dispose of the same in such manner and on such terms as shall be approved by the governor of the state of Iowa.

SEC. 11. **Appropriation.** There is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of thirty-five thousand dollars (\$35,000.00) or as much thereof as may be necessary to carry out the provisions of this act. The above amount or so much thereof as may be necessary to carry out the provisions of said act shall be paid by warrants drawn by the auditor of state upon the state treasurer upon the order of the board of education.

SEC. 12. **Repeal.** That chapter one hundred fifty-one (151) of the acts of the thirty-third general assembly and chapter one hundred fourteen (114) of the acts of the thirty-fourth general assembly be and the same are hereby repealed.

SEC. 13. **In effect.** This act being deemed of immediate importance, shall take effect and be in full force after its publication in the Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved April 23 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader May 1, 1913 and in the Des Moines Capital April 30, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 228.

## IOWA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS.

H. F. 700.

AN ACT for the levy of a special tax upon the taxable property of the state for the purpose of creating a fund for the further equipment and support of extension work, experimentation, collegiate and non-collegiate courses of study at the Iowa state college of agriculture and mechanic arts. [Additional to section twenty-six hundred seventy-four-b (2674-b) of the supplement to the code, 1907, relating to the levy of a special tax for the Iowa state college of agriculture and mechanic arts.]

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

**SECTION 1. Special tax levy—purpose.** For the purpose of creating a fund for the further equipment and support of extension work, experimentation, collegiate and non-collegiate courses of study at the Iowa state college of agriculture and mechanic arts, there shall be levied for two years a special tax of one-half of a mill on the dollar upon the taxable property of the state, the proceeds whereof shall be carried into the treasury of the state to be used for the several purposes mentioned in this act in amount hereinafter specified. Said levy shall be made in the year 1913 and 1914.

**SEC. 2. Amounts—how distributed.** For the further equipment and support of extension work, experimentation, collegiate and non-collegiate courses of study at the Iowa state college of agriculture and mechanic arts, there shall be set aside from the fund created by this act for each of the two consecutive years beginning with 1914, sums as follows:

For additional support of collegiate departments, \$125,000.00; for agricultural extension, \$48,000.00; for agricultural experiment station, \$57,000.00, of which a sum not exceeding thirty-five thousand dollars (\$35,000.00) may be used for the purchase of an additional farm for experimental purposes; for agricultural one year and two year non-collegiate courses, \$12,500.00; for trade school and engineering extension work, \$25,000.00; for engineering experiment station, \$5,000.00; for veterinary practitioners' course, \$5,000.00; for veterinary investigations, \$10,000.00; for repair and contingent fund, \$10,000.00; for the support of two and four year courses in home economics for home makers and teachers, \$20,000.00; for equipment of departments and buildings, \$40,000.00; for maintenance and improvements of public grounds, \$10,000.00; for the enlargement of buildings and small additional buildings, \$10,000.00.

The sums specified in this section shall be drawn from the treasury of the state upon warrants drawn by the auditor of the state upon the order of the Iowa state board of education.

**SEC. 3. Balance transferred to general revenues of state.** Any balance of the annual fund created by this levy not used for the purposes specified in section 2 of this act, shall be covered into the general revenues of the state on the first day of April, 1915, and on the first day of April each year thereafter during the period of the levy of the tax herein provided.

**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 April 23 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader May 1, 1913 and in the Des Moines Capital April 30, 1913.

W. S. ALLEN,  
Secretary of State.



## CHAPTER 229.

## IOWA SOLDIERS' ORPHANS' HOME.

S. F. 226.

AN ACT to repeal the law as it appears in sections twenty-six hundred ninety-one (2691) and twenty-six hundred ninety-two (2692) of the supplement to the code, 1907, and to enact a substitute therefor to provide for the support of the Iowa Soldiers' Orphans' Home.

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

**SECTION 1. Repeal—appropriation—support of inmates—how paid.** That the law as it appears in section twenty-six hundred ninety-one (2691) of the supplement to the code, 1907, is hereby repealed and in lieu thereof is enacted the following:

For the support of the home there is hereby appropriated out of any money in the state treasury not otherwise appropriated, or so much thereof as may be needed, twelve dollars for each child actually supported, and in addition the expense of his transmission to the home, which sums shall be paid upon abstracts and certificates as required by the law as it appears in section twenty-seven hundred twenty-seven-a42 (2727-a42) and section twenty-seven hundred twenty-seven-a43 (2727-a43) of the supplement to the code, 1907. The number of children shall be ascertained by taking the average attendance for the preceding month. Provided however that if the average number of children shall be less than five hundred fifty in any month the auditor of state and the treasurer of state shall credit the home with six thousand six hundred dollars for that month and the sum so credited shall be drawn from the state treasury in the same manner and for the same purposes as the regular monthly per capita allowance is drawn.

**SEC. 2. Repeal—counties liable.** That the law as it appears in section twenty-six hundred ninety-two (2692) of the supplement to the code, 1907, is hereby repealed and in lieu thereof is enacted the following:

Each county shall be liable for sums paid by the home in support of all its children, other than the children of soldiers, to the extent of six dollars per month for each child, and when the average number of children shall be less than five hundred fifty in any month each county shall be liable for its just proportion for each child of the amount credited to the home for that month. The sums for which each county is so liable shall be charged to the county, and collected as a part of the taxes due the state, and paid by the county at the same time state taxes are paid.

Approved April 3 A. D. 1913.

## CHAPTER 230.

## INDUSTRIAL SCHOOLS FOR BOYS AND GIRLS.

S. F. 275.

AN ACT to establish the industrial school at Eldora and the department at Mitchellville as two separate and distinct institutions, to provide official designation for them, and to repeal acts in conflict with this act. [Additional to chapter eight (8) of title twelve (XII) of the supplement to the code, 1907, relating to industrial schools.]

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

SECTION 1. **Separate institutions.** That the state industrial schools at Eldora and Mitchellville are hereby declared to be separate and distinct institutions. The school at Eldora shall be known and designated hereafter as the Iowa industrial school for boys and the school at Mitchellville shall be known and designated hereafter as the Iowa industrial school for girls.

SEC. 2. **Acts in conflict repealed.** All acts and parts of acts in conflict with this act are hereby repealed.

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

Approved April 11 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 14, 1913 and in the Des Moines Capital April 14, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 231.

## SUPPORT OF THE INDUSTRIAL SCHOOLS.

S. F. 142.

AN ACT to repeal chapter one hundred thirty-seven (137) of the acts of the thirty-fourth general assembly and to enact a substitute therefor relating to the support of the industrial schools.

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

SECTION 1. **Repeal—support fund.** That chapter one hundred thirty-seven (137) of the acts of the thirty-fourth general assembly is hereby repealed and in lieu thereof is enacted the following:

For the support of the industrial school there is hereby appropriated out of any money in the state treasury not otherwise appropriated, or so much thereof as may be necessary, thirteen dollars monthly for each boy and sixteen dollars monthly for each girl actually supported in said school, counting the average number therein for each month; the monthly statement for each department to be verified by its superintendent and presented to the state auditor who shall draw his warrant upon the state treasurer for the same; provided however that when the average number of inmates in the de-

partment for boys shall be less than four hundred eighty for any month said department shall be credited by the auditor of state and the treasurer of state with the sum of six thousand two hundred forty dollars, and when the average number of inmates in the department for girls shall be less than two hundred thirty-five for any month said department shall be credited by the auditor of state and the treasurer of state with the sum of three thousand seven hundred sixty dollars, and any sum which shall be credited to either department as aforesaid shall be drawn from the state treasury as the regular monthly per capita allowance is drawn.

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 14 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital April 19, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 232.

### SCHOOL FOR THE DEAF.

S. F. 270.

AN ACT to repeal the law as it appears in section twenty-seven hundred twenty-four (2724) of the supplement to the code, 1907, and to enact a substitute therefor relating to admission to the school for the deaf and to reports by county superintendents of deaf persons.

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

SECTION 1. **Repeal—admission.** That the law as it appears in section twenty-seven hundred twenty-four (2724) of the supplement to the code of 1907 is hereby repealed and in lieu thereof is enacted the following:

SECTION 2724. Every resident of the state of Iowa who is not less than five nor more than twenty-one years of age who is deaf and dumb, or so deaf as to be unable to acquire an education in the common schools, and every such person who is over twenty-one and under thirty five years of age who has the consent of the board of control of state institutions, shall be entitled to receive an education in the institution at the expense of the state, and non-residents similarly situated may be entitled to an education therein, upon the payment of sixty-six dollars quarterly, in advance. Each superintendent of common schools, on or before the first day of November of each year, shall report to the superintendent of the institution the name, age and postoffice address of each deaf and dumb person, or person so deaf as to be unable to acquire an education in the common schools, between the ages of five and thirty-five years and residing in his county so far as he may ascertain.

Approved March 29 A. D. 1913.

## CHAPTER 233.

## IOWA SOLDIERS' ORPHANS' HOME.

H. F. 30.

AN ACT to amend section twenty-seven hundred twenty-seven-c (2727-c) of the supplement to the code, 1907, relating to the salary of the chief executive officer of the Iowa Soldiers' Orphans' Home at Davenport.

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

SECTION 1. **Chief executive officer—salary.** That section twenty seven hundred twenty-seven c (2727 c) of the supplement to the code, 1907, be and the same is hereby amended by striking out of lines seven and eight after the word "Davenport" in the seventh line thereof the words "fifteen hundred dollars" and inserting in lieu thereof the following, "eighteen hundred dollars."

Approved April 17 A. D. 1913.

## CHAPTER 234.

## COLLEGE FOR BLIND.

H. F. 260.

AN ACT to amend section two thousand seven hundred twenty-seven-c (2727-c) of chapter eleven-a (11-a) of the supplement to the code, 1907, relating to college for blind.

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

SECTION 1. **Chief executive—salary—amended.** That section twenty-seven hundred twenty-seven-c (2727-c) of chapter eleven-a (11-a) of the supplement to the code, 1907, be amended as follows: by striking out after the word "dollars" in the sixth line of said section, the words "for the college for the blind at Vinton, twelve hundred dollars;"

Approved April 8 A. D. 1913.

## CHAPTER 235.

## COUNTY ASYLUM.

S. F. 180.

AN ACT to amend the law as it appears in section twenty-seven-hundred-twenty-seven-a sixty-four (2727-a64) of the supplement to the code, 1907, relating to removal of patients from county asylum and providing for the expense thereof.

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

SECTION 1. **Removal of patients from the county asylum.** That section twenty-seven-hundred-twenty-seven-a-sixty-four (2727-a64) of the supplement to the code, 1907, and the law as it appears therein be and the same is hereby amended by striking out all after the semi-colon in the fourteenth (14th) line of said section and substituting the following in lieu thereof:

"But in no case shall a patient, the relative or guardian of whom pays the expense of their keep in a state hospital, be thus transferred except upon the written consent of such relative or guardian, but a patient, the expense

of whom is borne by the county, may be transferred on the written request of the board of supervisors, or the commissioners of insanity of the county to which the patient is chargeable, and of the board of control; nor shall a patient in a state hospital, who is not cured, be discharged without the consent of the board of control."

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 25 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader March 27, 1913, and in the Des Moines Capital March 26, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 236.

### STATE COLONY FOR EPILEPTICS.

H. F. 201.

AN ACT establishing the state colony for epileptics and making provision for the purchase of land and the erection of buildings for said colony. [Additional to chapter eleven-B (11-B) of title thirteen (XIII) of the supplement to the code, 1907, relative to board of control.]

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

SECTION 1. **Establishment—under supervision board of control.** That there is hereby established the state colony for epileptics. The object of the colony shall be the custody, care and treatment of epileptics and the scientific study of epilepsy.

The board of control of state institutions shall have the same power and control over said colony as is now given it by the law as it appears in sections two thousand seven hundred twenty-seven-a one (2727-a 1) to section two thousand seven hundred twenty-seven-a fifty-one (2727-a 51) inclusive of the supplement to the code, 1907, and all amendments thereto, and said acts and amendments shall apply to and govern said colony in every respect in so far as they are not in conflict with the provisions of this act.

SEC. 2. **Fund to be provided—purchase of land—erection of buildings.** Whenever the state by a levy or otherwise shall have provided funds for the purchase of land and for the erection of buildings for a state colony for epileptics, the land shall be selected by the board of control of state institutions. It shall be conveniently located with respect to railways and with regard to water supply and proper drainage, and shall be suitable for an institution on the colony plan for both male and female inmates. The land and buildings shall be paid for on vouchers executed by the person or persons entitled to the purchase or contract price and approved by said board.

SEC. 3. **Admission.** All adults afflicted with epilepsy who have been residents of Iowa for at least one year preceding the application for admission and all children so afflicted whose parents or guardians have been residents of Iowa for a like period shall be eligible for admission.

Approved April 18 A. D. 1913.

## CHAPTER 237.

## STATE SANATORIUM FOR TREATMENT OF TUBERCULOSIS.

S. F. 196.

AN ACT to repeal the law as it appears in section twenty-seven hundred twenty-seven-a eighty-five (2727-a85) of the supplement to the code, 1907, and to enact a substitute therefor relating to the support of the state sanatorium for the treatment of tuberculosis.

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

**SECTION 1. Repeal—per capita support.** That the law as it appears in section twenty-seven hundred twenty-seven-a eighty-five (2727-a85) of the supplement to the code, 1907, is hereby repealed and in lieu thereof is enacted the following:

The board of control of state institutions shall fix the per capita allowance which may be charged by the said institution for the care, treatment and maintenance of each patient therein, which shall not exceed the sum of forty-five (\$45.00) dollars per capita per month, which shall be certified by the superintendent to said board of control and paid out as provided by the law as it appears in this chapter of the supplement to the code, 1907. Provided that if the aggregate per capita allowance for the patients shall not equal the sum of four thousand dollars for any month the auditor of state and treasurer of state shall credit the institution with that sum for that month.

Approved April 17 A. D. 1913.

## CHAPTER 238.

## STATE SANATORIUM [SANATORIUM] FOR TREATMENT OF TUBERCULOSIS.

S. F. 383.

AN ACT to amend the law as it appears in chapter eleven-c (11-c) of title thirteen (XIII) of the supplement to the code, 1907, relating to the state sanatorium [sanatorium] for the treatment of tuberculosis, to provide for the care of advanced cases in said sanatorium [sanatorium] and making an appropriation therefor, and to repeal the law as it appears in section twenty-seven hundred twenty-seven-a86 (2727-a86) of the supplement to the code, 1907, and enact a substitute therefor requiring counties to pay for the care of patients in the sanatorium [sanatorium] and making such patients and persons legally bound for their support liable to counties for money so paid.

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

**SECTION 1. Advanced stages—care—admission.** That a department for persons afflicted with pulmonary tuberculosis in advanced stages is hereby established at the state sanatorium [sanatorium] for the treatment of tuberculosis.

The board of control of state institutions shall adopt rules and regulations for receiving patients and managing said department.

Whenever there shall not be sufficient room to accommodate all applicants qualified for admission preference shall be given to those most in need of the care of the institution and whose condition is most dangerous to the public.

Patients may be transferred from the department for incipient cases to the department for advanced cases and from the department for advanced cases to the department for incipient cases, as may be deemed advisable by the superintendent.

SEC. 2. **Repeal—support—county liable.** The law as it appears in section twenty-seven hundred twenty-seven-a86 (2727-a86) of the supplement to the code, 1907, is hereby repealed and in lieu thereof is hereby enacted the following:

SECTION 2727-a86. Each county shall be liable to the state for the support of all patients from that county in the state sanitorium [sanatorium] and the amounts due shall be certified by the superintendent to the auditor of state, and by him be collected from the counties liable, at the times and in the manner required for the certification and collection of money from counties for the support of insane patients and patients in the sanitorium [sanatorium], and persons legally bound for their support shall be liable for the maintenance of patients in the sanitorium [sanatorium]. The provisions of law for the collection by boards of supervisors of amounts paid by their respective counties from the estates of insane patients and from persons legally bound for their support shall apply in cases of patients cared for in the sanitorium [sanatorium].

SEC. 3. **Appropriation.** For the purpose of constructing and equipping the necessary buildings, making connections and improving grounds for the department for advanced cases, there is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of five thousand (\$5,000.00) dollars.

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

Approved April 19 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 25, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 239.

### HIGH SCHOOL TUITION.

H. F. 93.

AN ACT to repeal chapter one hundred and forty-six (146) of the acts of the thirty-fourth (34th) general assembly, and to enact a substitute therefor, relating to high school tuition. [Additional to chapter twelve (12) of title thirteen (XIII) of the code relating to county high schools.]

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

SECTION 1. **Repeal—pupils permitted to attend high schools outside of home district—certificate—tuition fee—how paid—refusal or neglect to pay—how collected.** That chapter one hundred forty-six (146) of the acts of the thirty-fourth (34) general assembly is hereby repealed and the following is enacted in lieu thereof:

“Any person of school age who is a resident of a school corporation which does not offer a four year high school course and who has completed the course as approved by the department of public instruction for such corporation shall be permitted to attend any public high school or county high school in the state approved in like manner, that will receive him.”

Any person applying for admission to any high school under the provisions of this act shall present the officials of said high school the affidavit of his or her father, mother or guardian that such applicant is of school age and a resident of a school district of this state, specifying the district. He shall also present a certificate signed by the county superintendent showing proficiency in the common school branches, reading, orthography, arithmetic, physiology, grammar, civics of Iowa, geography, United States history, penmanship and music.

The school corporation in which such student resides shall pay to the secretary of the corporation in which such student shall be permitted to enter a tuition fee equal to the average cost of tuition and the average proportion of contingent expenses in the high school department in the latter corporation during the time he so attends, not exceeding, however, a total period of four (4) school years. Such payment to be made out of the teachers' fund and the contingent fund or out of the general fund of the debtor corporation and such tuition fee as collected by the secretary shall be turned over by him with an itemized statement, to the treasurer of the school funds on or before February 15th and June 15th of each year, provided the maximum fee collected from any district for each pupil shall not exceed the sum of three and one-half dollars (\$3.50) per month except in high schools where free text books are provided by the district such additional amount made [may] be charged as will cover the cost of the text books furnished to such pupil.

If payment is refused or neglected the board of the creditor corporation shall file with the auditor of the county of the pupil's residence a statement certified by its president specifying the amount due for tuition and for contingent expenses respectively, and the time for which the same is claimed; and the auditor shall transmit to the county treasurer an order directing such treasurer to transfer the amount of such account from the debtor corporation to the creditor corporation, and the treasurer shall pay the same in accordance therewith.”

Approved April 18 A. D. 1913.

## CHAPTER 240.

### HIGH SCHOOL TUITION.

H. F. 514.

AN ACT to amend house file ninety-three (93) of the acts of the thirty-fifth general assembly, relating to the payment of tuition of pupils attending high schools located in other districts. [Additional to chapter twelve (12) of title thirteen (XIII) of the code relating to county high schools.]

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

**SECTION 1. County high schools—tuition—how paid.** That house file ninety-three (93) of the acts of the thirty-fifth general assembly be and the same is hereby amended by adding the following as an additional section thereto:



“No school corporation situated in a county maintaining a county high school shall be required to pay the tuition of pupils at any high school other than such county high school, but this shall not apply to pupils who, while residing at home, attend some high school other than that of the school corporation in which they reside; and the tuition to be paid by school corporations in such county shall be two (\$2.00) dollars per pupil per month.

Approved April 19 A. D. 1913.

#### CHAPTER 241.

##### PUBLIC SCHOOLS.

H. F. 175.

AN ACT to amend section twenty-seven hundred thirty-two (2732) of chapter twelve (12), title thirteen (XIII) of the supplement to the code, 1907, and section twenty-seven hundred seventy two (2772) of the code, regulating the conduct of pupils of the public schools and forbidding the use of tobacco by such pupils.

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

**SECTION 1. Rules and regulations—use of tobacco prohibited.** That section 2732 of chapter 12, title XIII, of the supplement to the code, 1907, be, and the same is hereby amended by striking out the semicolon following the words “pupils” in the fourth line thereof, substituting therefor a comma, and inserting thereafter the words “and such rules and regulations shall prohibit the use of tobacco in any form by any student of such school”.

**SEC. 2. Same.** That section 2772 of the code, be, and the same is hereby amended by adding, after the period at the end of said section, the words “and such rules and regulations shall prohibit the use of tobacco in any form by any student of such schools and such board may suspend or expel such student for any violation of such rule”.

Approved April 9 A. D. 1913.

#### CHAPTER 242.

##### TRAINING OF TEACHERS FOR RURAL SCHOOLS.

S. F. 72.

AN ACT to repeal sections two (2), four (4), and nine (9), of chapter one hundred thirty-one (131) of the acts of the thirty-fourth general assembly and to enact substitutes therefor, and amend section eight (8) of chapter one hundred thirty one (131) of the acts of the thirty-fourth (34) general assembly, relating to the training of teachers for rural schools and making appropriation therefor.

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

**SECTION 1. Repeal—normal courses in certain high schools.** That section two (2) of chapter one hundred thirty-one (131) of the acts of the thirty-fourth general assembly be and the same is hereby repealed and the following enacted in lieu thereof:

“For the purpose of increasing the facilities for training teachers for the rural schools, by requiring a review of such common branches as may be deemed essential by the superintendent of public instruction and for instruction in elementary pedagogy and the art of teaching elementary agriculture and home economics, provision is hereby made for normal courses of study and training in such four year high schools as the superintendent of public instruction may designate, provided that such high schools shall be selected and distributed with regard to their usefulness in supplying trained teachers for the rural schools of all portions of the state, and with regard to the number of teachers required for rural schools in each portion of the state. It is further provided that where a township high school or a consolidated school organized in accordance with the provisions of chapter one hundred forty-three (143) of the acts of the thirty-fourth (34) general assembly can meet the requirements of the superintendent of public instruction, it shall be given preference over a city high school”.

**SEC. 2. Repeal—state aid—amount—report.** That section four (4) of chapter one hundred thirty-one (131) of the acts of the thirty-fourth general assembly be and the same is hereby repealed and the following enacted in lieu thereof:

“Each high school approved under the provisions of this act shall receive state aid to the amount of seven hundred fifty (\$750.00) dollars per annum, payable in two equal installments at the close of each semester as hereinafter provided. The superintendent of each approved training school shall at the close of each semester file such report with the superintendent of public instruction as said officer may require. Upon receipt of a satisfactory report, the superintendent of public instruction shall issue a requisition upon the auditor of state for the amount due the school corporation of said high school for said semester, whereupon the auditor of state shall draw a warrant on the state treasury payable to said school corporation for the amount of said requisition and forward the same to the secretary of said school corporation. No high schools shall be approved as entitled to state aid unless a class of ten (10) or more shall have been organized, maintained and instructed during the preceding semester in accordance with the provisions of this act and the regulations of the superintendent of public instruction”.

**SEC. 3. Repeal—appropriation.** That section nine (9) of chapter one hundred thirty-one (131) of the acts of the thirty-fourth general assembly be and the same is hereby repealed and the following enacted in lieu thereof:

“For the purpose of carrying out the provisions of this act, there is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated, the sum of one hundred thousand (\$100,000.) dollars, available for the period ending June 30, 1914, and the sum of one hundred twenty-five thousand (\$125,000) dollars annually thereafter”.

**SEC. 4. Certificate of graduation—renewal.** That section eight (8) of chapter one hundred thirty-one (131) of the acts of the thirty-fourth general assembly be and the same is hereby amended by striking out all of said section after the period (.) following the word “certificates” in line five (5) of said section and substituting in lieu thereof the following:

“At the expiration of said certificate the superintendent of public instruction is authorized to renew it for a period of three (3) years under the same conditions that apply to the renewal of first grade uniform county certificates.”

Approved April 14 A. D. 1913.

## CHAPTER 243.

## QUALIFICATION OF TEACHERS.

H. F. 350.

AN ACT to amend section twenty seven hundred thirty-four-p (2734-p) supplement to the code, 1907, relating to qualifications of teachers.

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

**SECTION 1. Application—qualification.** That section twenty seven hundred thirty-four-p (2734-p) supplement to the code, 1907, be and the same is hereby amended by adding thereto the following: Provided, however, that applicants for teachers' certificates after July 1, 1915, shall have had at least twelve weeks of normal training, and shall at the time of making such application furnish a certificate in writing from the institution where such training was received, showing such fact. It is further provided, that this act shall not apply to the regular graduates of the state university, state college of agriculture and mechanic arts, state teachers' college, any credited college of the state, or of any other college of like character outside of the state.

**SEC. 2. Teaching experience.** The provisions of this act shall in no way bar any teacher who can furnish evidence of at least six (6) months successful teaching experience.

**SEC. 3. Provisional certificates.** If there should be schools without teachers and teachers cannot be secured with qualifications as provided in sections one (1) or two (2) of this act, then provisional certificates may be issued regardless of qualifications as provided in said sections to so many teachers as shall be required to supply such schools.

Approved April 19 A. D. 1913.

## CHAPTER 244.

## DISPLAY OF UNITED STATES FLAG.

H. F. 458.

AN ACT to promote patriotism and to provide for the display of the flag of the United States of America upon public buildings of the state and within certain public buildings of the state. [Additional to chapter fourteen (14) of title thirteen (XIII) of the code relating to common schools.]

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

**SECTION 1. Board of directors—duty.** That it shall be the duty of the board of directors of each school corporation of this state to provide a suitable flag-staff on each public school building maintained under the authority of such board of directors and to provide each of such school buildings with a suitable flag, and such flag shall be raised over such building on all days when weather suitable therefor shall prevail.

**SEC. 2. Teacher, superintendent, principal—duty.** That at the commencement of each school day the teacher, superintendent, principal or whoever has the general supervision of the school administration within any such building, may arrange for the raising of such flag, as herein provided for, over the said building, with appropriate services, when weather conditions will permit, at the beginning of each school day.

**SEC. 3. Custodians of public buildings—duty.** That it shall be the duty of the custodians of all public buildings of the state of Iowa to raise over such building the flag of the United States of America, upon each secular day when weather conditions are favorable, and it shall be the duty of any board of public officers charged with the duty of providing for the supplies of any such public building, to provide in connection with other supplies for any such building of the state of Iowa, a suitable flag for the purposes herein provided.

Approved April 17 A. D. 1913.

## CHAPTER 245.

### ELECTION IN INDEPENDENT DISTRICTS.

S. F. 127.

AN ACT to amend the law as it appears in section twenty-seven hundred and fifty-four (2754) of the supplement to the code, 1907, and section twenty-seven hundred and fifty-six (2756) of the code relating to the election of officers in independent school districts in towns and cities, and the appointment of judges therefor in certain districts.

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

**SECTION 1. Nominations—ballot.** That the law as it appears in section twenty-seven hundred and fifty-four (2754) of the supplement to the code, 1907, be and the same is amended by adding thereto after the period in the last line, the following: "The names of all persons nominated as candidates for office in all independent city or town districts shall be filed with the secretary of the school board not later than seven days previous to the day on which the annual school election is to be held, each candidate to be nominated by a petition signed by not less than ten qualified electors of the district. The secretary of the school board shall cause to be printed, ballots upon which shall appear in alphabetical order the names of all candidates for each office, filed as herein provided, and a blank line for each such officer to be elected, and there shall be at the left of each name and each blank line a square and there shall also be a direction to the voter as to the number of candidates to be voted for at said school election. Ballots shall be printed upon plain substantial paper of uniform quality and shall have no party designation or mark whatever. The secretary of the board shall cause to be delivered at the several polling places a sufficient number of ballots. In all other respects the said school election in independent city or town districts shall be conducted under the general election laws of the state of Iowa so far as same may be applicable.

**SEC. 2. Conduct of elections.** That section twenty-seven hundred and fifty-six of the code be and the same is hereby amended by striking out from the second and third lines thereof the words "one of its number and two", and

substituting therefor the word "three"; also by inserting after the period following the word "election" in the fourth line of said section the following: "Such judges may or may not be members of the board, as the board may determine, provided that not more than one member of the school board shall act as such judge at any one voting precinct."

Approved March 29 A. D. 1913.

## CHAPTER 246.

### SECRETARIES OF SCHOOL BOARDS.

H. F. 606.

AN ACT to amend section twenty-seven hundred sixty-one (2761) of the code relating to the duties of secretaries of school boards.

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

**SECTION 1. Duties of secretary.** That section twenty-seven hundred sixty-one (2761) of the code be amended by adding thereto the following:

"The secretary of each independent town or city district shall file monthly, on or before the tenth day of each month, with the board of directors, a complete statement of all receipts and disbursements from the various funds during the preceding month, and also the balance remaining on hand in the various funds at the close of the period covered by said statement; which monthly statements shall be open to public inspection."

Approved April 17 A. D. 1913.

## CHAPTER 247.

### SCHOOL TREASURERS.

S. F. 151.

AN ACT to amend the law relating to the compensation and duties of school treasurers as the same appears in section twenty-seven hundred eighty (2780) of the code and section twenty-seven hundred sixty-eight (2768) of the supplement to the code, 1907.

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

**SECTION 1. Allowance of claims—settlements—compensation of officers.** That the law as it appears in section twenty-seven hundred eighty (2780) of the code be and the same is hereby amended by striking out of line eight (8) of said section the words "and treasurer" and by inserting immediately following the word "board" in said line of said section the words "or treasurer".

**SEC. 2. Duty of treasurer—deposit of funds.** That the law as it appears in section twenty-seven hundred sixty eight (2768) of the supplement to the code 1907 be and the same is hereby amended by adding thereto the following:

"It is hereby made the duty of the treasurer of each school corporation to deposit all funds in his hands as such treasurer in some bank, or banks, in

the state at interest at the rate of at least two per cent per annum on ninety per cent of the daily balances payable at the end of each month, all of which shall accrue to the benefit of the contingent fund of such school corporation; but before such deposit is made, such bank shall file a bond with sureties to be approved by the treasurer and the board of directors of such corporation in double the amount deposited, conditioned to hold the school corporation harmless from all loss by reason of such deposit or deposits; provided, that in cases where an approved surety company's bond is furnished, said bond may be accepted in an amount equal to ten (10) per cent more than the amount deposited. Said bond shall be filed with the president of the school board and action may be brought thereon either by the treasurer or the school corporation as the board may elect."

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

Approved March 15th. A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader March 19, 1913 and the Des Moines Capital March 18, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 248.

### TEACHING OF ELEMENTARY AGRICULTURE, DOMESTIC SCIENCE AND MANUAL TRAINING IN THE PUBLIC SCHOOLS.

S. F. 205.

AN ACT requiring the teaching of elementary agriculture, domestic science, and manual training in the public schools, after a specified time. [Additional to chapter fourteen (14) of title thirteen (XIII) of the code relating to system of common schools.]

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

SECTION 1. **Teaching of elementary agriculture, domestic science and manual training—when—teachers' qualifications.** The teaching of elementary agriculture, domestic science, and manual training shall, after the first day of July, nineteen hundred and fifteen (1915), be required in the public schools of the state; and the state superintendent of public instruction shall prescribe the extent of such instruction in the public schools. And after the date aforesaid elementary agriculture and domestic science shall be included among the subjects required in the examination of those applicants for teachers' certificates who are required by the provisions of this act to teach agriculture and domestic science.

Approved March 29 A. D. 1913.

## CHAPTER 249.

## MINIMUM WAGE FOR TEACHERS IN PUBLIC SCHOOLS.

S. F. 329.

AN ACT to establish a minimum wage for teachers in the public schools of the state, prohibiting the contracting for or paying a lesser sum and providing penalties for the violation of same. [Additional to chapter fourteen (14), of title (XIII) of the code relating to common schools.]

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

**SECTION 1. Uniform wage scale based on certificate grade.** That all teachers in the public schools of this state shall be paid for their services a minimum wage of not less than the amounts hereinafter set forth. All fractions in average grades to be figured at the nearest whole number.

1. Teachers holding a first grade uniform county certificate or higher, shall be paid a daily wage of not less than a sum obtained by multiplying three (3c) cents, by the general average grade shown on such certificate.

2. Teachers holding a second grade uniform county certificate shall be paid a daily wage of not less than a sum obtained by multiplying two and three-quarter ( $2\frac{3}{4}c$ ) cents by the general average grade shown on such certificate up to and including a general average grade of eighty-five (85) per cent.

3. Teachers holding a third grade uniform county certificate shall be paid a daily wage of not less than a sum obtained by multiplying two and one-half ( $2\frac{1}{2}c$ ) cents by the general average shown on such certificate.

Provided that a teacher having contracted on a second or third grade certificate in conformity with this act, shall fulfill such contract at the wage fixed at the time of signing same, plus any additional credit earned under section two (2) hereof.

**SEC. 2. Certain credits allowed.** Every teacher holding either a second or third grade certificate who has taught successfully for one year and attended an approved teachers' training school for a period of six weeks following, shall upon proper certification of such attendance, receive a credit of three points in estimating the salary due, and to be paid, but such credit shall not operate to raise the grade of such certificate.

**SEC. 3. Minimum wage—maximum wage unlimited.** It shall be unlawful for any school board or any school officer to contract for or pay a less wage to any teacher in the public schools of this state than the minimum amounts herein fixed for the grade certificate held by such public school teacher. But nothing herein shall be construed as limiting the right to make a lawful contract for a higher wage than herein specified as a minimum.

**SEC. 4. Violation—penalty.** Any school officer violating the provisions of this act shall be fined a sum of not less than twenty-five (\$25.00) dollars, nor more than one hundred (\$100.00) dollars, in the discretion of the court, and shall be suspended from office.

Approved April 18 A. D. 1913.

## CHAPTER 250.

## STATE AID TO CONSOLIDATED SCHOOLS.

H. F. 182.

AN ACT to provide state aid to consolidated schools equipped with two or more rooms and which include in their course of study, industrial and vocational subjects, and making an appropriation therefor. [Additional to chapter fourteen (14) of title thirteen (XIII) of the supplement to the code, 1907, relative to common schools.]

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

**SECTION 1. Teaching of vocational and industrial subjects—state aid—amount.** That all consolidated schools organized in accordance with the provisions of the code supplement section twenty-seven hundred ninety-four-a (2794-a) as amended by chapter one hundred forty-three (143) of the acts of the thirty-fourth general assembly, which are now or hereafter established with suitable grounds and a two-room school building and the necessary departments and equipment for teaching agriculture and home economics, or other industrial and vocational subjects, and employing teachers holding a certificate showing their qualifications to teach said subjects, and in which said subjects are provided as a part of the regular course in such schools, subject to the approval of the superintendent of public instruction; shall be awarded and paid from the state treasury from moneys not otherwise appropriated, the sum of \$250.00 towards the equipment required, and the further sum of \$200.00 annually.

**SEC. 2. Three-room building—state aid—amount.** That all such schools established with a three-room school building and suitable grounds and the necessary departments and equipment for teaching agriculture, home economics and manual training, or other industrial and vocational subjects, and employing teachers holding a certificate showing their qualification to teach said subjects, and in which said subjects are provided as a part of the regular course in such schools, subject to the approval of the superintendent of public instruction; shall be awarded and paid from the state treasury from moneys not otherwise appropriated, the sum of \$350.00 towards the equipment required, and the further sum of \$500.00, annually.

**SEC. 3. Four or more room building—state aid—amount.** That all such schools established with four rooms or more and suitable grounds and the necessary departments and equipment for teaching agriculture, home economics and manual training, or other industrial and vocational subjects, and employing teachers holding a certificate showing their qualifications to teach said subjects, and in which said subjects are provided as a part of the regular course in such schools, subject to the approval of the superintendent of public instruction; shall be awarded and paid from the state treasury from moneys not otherwise appropriated the sum of \$500.00 towards the equipment required, and the further sum of \$750.00, annually.

**SEC. 4. Secretary—report—requisition—warrant.** The secretary of each school corporation shall, at the close of each school year report to the superintendent of public instruction as said officer may require; upon receipt of a satisfactory report, the superintendent of public instruction shall issue a requisition upon the auditor of state for the amount due such school corporation for said year; whereupon the auditor of state shall draw a warrant on the state treasury payable to such school corporation for the amount of said requisition, and forward the same to the secretary of such school corporation.



SEC. 5. **No additional aid in maintaining normal courses in high school departments.** No consolidated school having a high school department shall receive additional aid for maintaining the normal training course in high schools as provided in chapter one hundred thirty-one (131), acts of the thirty-fourth general assembly.

SEC. 6. **Appropriation.** For the purpose of carrying out the provisions of this act there is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of thirty thousand (\$30,000.00) dollars or so much thereof as may be necessary, for the period ending June 30, 1914, and the sum of fifty thousand (\$50,000.00) dollars, or so much thereof as may be necessary, annually, thereafter for a period of four years.

Approved April 2 A. D. 1913.

## CHAPTER 251.

### SCHOOL DISTRICT CONTINGENT AND TEACHERS' FUND.

H. F. 418.

AN ACT to amend the law as it appears in section twenty-eight hundred six (2806), supplement to the code, 1907, and chapter one hundred eighty-two (182), of the acts of the thirty-third general assembly relating to school taxes and to increase the amount that may be levied in the teachers' fund and the contingent fund.

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

SECTION 1. **School taxes—transportation fund—amended.** That the law as it appears in section twenty-eight hundred six (2806), supplement to the code, 1907, be and the same is hereby amended by striking out from line twelve (12) the words "including the amount received from the semi-annual apportionment", and also by striking out from line fifteen (15) the words "including such apportionment."

SEC. 2. **School taxes—increase authorized.** That the law as it appears in chapter one hundred eighty-two (182), acts of the thirty-third general assembly, be and the same is hereby amended by striking out from line four (4) the word "seven" and inserting in lieu thereof the word "ten" and also by striking out from line six (6) the word "twenty" and inserting in lieu thereof the word "thirty."

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 18 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 21, 1913 and in the Des Moines Capital April 22, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 252.

## BONDED INDEBTEDNESS OF SCHOOL CORPORATIONS.

Sub. for S. F. 4.

AN ACT to repeal section twenty-eight hundred thirteen (2813) supplement to the code 1907, and enacting a substitute therefor relating to bonded indebtedness of school corporations.

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

SECTION 1. **Repeal—tax to pay bonds—principal—interest—limitation.** That section twenty-eight hundred thirteen (2813) supplement to the code 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

The board of each school corporation shall, when estimating and certifying the amount of money required for general purposes, estimate and certify to the board of supervisors of the proper county, the amount required to pay interest due or that may become due for the year beginning January first thereafter, upon lawful bonded indebtedness and in addition thereto such amount as the board may deem necessary to apply on the principal; but the amount estimated and certified to apply on principal and interest for any one year shall not exceed five (5) mills on the dollar of the actual valuation of the taxable property of the school corporation.

SEC. 2. **Amount of levy.** The board of supervisors of the county to which the certificate is addressed within the contemplation of this act shall levy the necessary tax to raise the amount estimated, or so much thereof as may be lawful and within the limitation of this act, which levy shall be made as other taxes for school purposes.

SEC. 3. **Application.** This act shall apply to estimates heretofore made, certificates furnished, or taxes levied, together with such as may hereafter be made, furnished or levied for the purposes contemplated by this act; but this act shall not apply to 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 Register and Leader and Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved March 8th A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader March 12, 1913 and in the Des Moines Capital March 11, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 253.

## ACQUISITION OF SCHOOL SITES.

H. F. 281.

AN ACT to amend section twenty-eight hundred and fourteen (2814) of the supplement to the code, 1907, relative to the acquisition of school sites.

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

SECTION 1. **School house sites—acquisition—additional real estate.** That section twenty-eight hundred and fourteen (2814) of the supplement to the code 1907 be, and the same is hereby amended by the substitution of a comma for the colon at the end of the word, “be” in line eight (8), and by inserting between the word, “be” and the word, “or” in line eight (8), the words, “and may take and hold such additional real estate, not exceeding five acres, as may be required for school play ground or other purposes. Provided 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 force from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa, without expense to the state.

Approved April 18 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 25, 1913 and in the Des Moines Capital April 24, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 254.

## INDEBTEDNESS OF INDEPENDENT SCHOOL DISTRICTS.

H. F. 548.

AN ACT to amend section one (1) of chapter one hundred eighty-four (184) of the acts of the thirty-third (33rd) general assembly as amended by section one (1) of chapter one hundred forty-five (145) of the acts of the thirty-fourth general assembly, and to amend section two (2) of chapter one hundred eighty-four (184) of the acts of the thirty-third general assembly as amended by section two (2) of chapter one hundred forty-five (145) of the acts of the thirty-fourth general assembly, relative to the limit of indebtedness of independent school districts.

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

SECTION 1. **Indebtedness authorized.** That section one (1) of chapter one hundred eighty-four (184) of the acts of the thirty-third general assembly as amended by section one (1) of chapter one hundred forty-five (145) of the acts of the thirty-fourth general assembly be amended by adding after the comma following the word “therefor” in the fourth line of section one (1) of chapter one hundred forty-five (145) of the acts of the thirty-fourth general assembly the following words:—“or for the purpose of purchasing land to add to a site already owned.”

SEC. 2. **Petition for election.** That section two (2) of chapter one hundred eighty-four (184) of the acts of the thirty-third general assembly as amended

by section two (2) of chapter one hundred forty-five (145) of the acts of the thirty-fourth general assembly be amended by adding a comma after the word "furnished" in the seventh line of section two (2), chapter one hundred forty-five (145) of the acts of the thirty-fourth general assembly, and after the comma the following words:—"or that sufficient land cannot be purchased to add to a site already owned,".

Approved April 18 A. D. 1913.

#### CHAPTER 255.

##### COMPULSORY ATTENDANCE AT THE PUBLIC SCHOOLS.

Sub. for S. F. 79.

AN ACT to amend the law as it appears in sections twenty-eight hundred twenty-three-a (2823-a) and twenty-eight hundred twenty-three i (2823-i), supplement to the code, 1907, as amended by chapter one hundred eighty-six (186) and chapter one hundred eighty-seven (187) acts of the thirty-third general assembly, relative to the attendance of children of a certain age in public schools.

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

**SECTION 1. Age limit changed from 14 to 16 years.** That section twenty-eight hundred twenty-three a (2823-a) supplement to the code, 1907, as amended by chapter one hundred eighty-six (186) and chapter one hundred eighty-seven (187) acts of the thirty-third general assembly be and is amended by striking from line two (2) the word and figures "fourteen (14)" and inserting in lieu thereof the word and figures "sixteen (16)", and that there be inserted between the comma and the word "or" in the fourteenth line of said section the following:—"or who is over the age of fourteen (14) and is regularly employed or has educational qualifications equal to that of pupils who have completed the eighth grade,"

**SEC. 2. School census.** That section twenty-eight hundred twenty-three i (2823-i) be and is amended by striking out the word and figures "fourteen (14)" in the third line and inserting in lieu thereof the word and figures "sixteen (16)".

Approved April 15 A. D. 1913.

#### CHAPTER 256.

##### PUBLICATION AND DISTRIBUTION OF SCHOOL LAWS.

H. F. 687.

AN ACT to repeal sections twenty-eight hundred twenty-three-j (2823-j), twenty-eight hundred twenty-three-k (2823-k), twenty-eight hundred twenty-three-l (2823-l), and twenty-eight hundred twenty-three-m (2823-m), supplement to the code, 1907, and enact a substitute therefor relating to the publication and distribution of school laws.

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

**SECTION 1. Repeal—superintendent of public instruction—publication every four years—distribution.** That sections twenty-eight hundred and twenty-three-j (2823-j), twenty-eight hundred and twenty-three-k (2823-k), twenty-eight hundred and twenty-three-l (2823-l), and twenty-eight hundred and twenty-three-m (2823-m), supplement to the code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

“The superintendent of public instruction shall every four years, if deemed necessary, cause to be printed, bound and distributed all school laws in force up to that time, the number to be determined by the executive council.

Each county superintendent shall be furnished a sufficient number of copies to supply the school officers of the state and such others as may request them.”

Approved April 18 A. D. 1913.

## CHAPTER 257.

### PUBLIC RECREATION AND PLAY GROUNDS.

H. F. 17.

AN ACT giving school boards in certain districts authority to use school buildings and grounds and other public buildings and grounds for public recreation and play ground purposes and providing for the levy of separate tax for the support of same and authorizing cities within or including such districts to appropriate money for the same purpose. [Additional to chapter fourteen (14) title thirteen (13) of the code.]

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

SECTION 1. **Establishment—maintenance—supervision.** Boards of school directors in school districts containing or contained in cities of the first or second class, cities under special charter, or cities under the commission plan of government, are hereby authorized to establish and maintain for children in the public school buildings and on the public school grounds under the custody and management of such boards, public recreation places and play grounds and necessary accommodations for same, without charge to the residents of said school district; also to co-operate with the commissioners or boards having the custody and management in such cities of public parks and public buildings and grounds of whatever sort, and by making arrangements satisfactory to such boards controlling public parks and grounds to provide for the supervision, instruction and oversight necessary to carry on public educational and recreational activities, as described in this section in buildings and upon grounds in the custody and under the management of such commissioners or boards having charge of public parks and public buildings on grounds of whatever sort, in such cities of the first or second class, cities under special charter, or cities under commission plan of government.

SEC. 2. **Petition—tax levy—question submitted.** The board of directors of any school district containing, or contained in, any city of the first or second class, city under special charter, or city under the commission plan of government, may, and upon petition to that effect signed by legally qualified voters aggregating not less than twenty-five (25) per cent of the number voting at the last preceding school election, shall, submit to the electors of such school district the question of levying a tax as in this act provided; and if a majority of the votes cast upon such proposition be in favor thereof, then the board of school directors shall proceed to organize the work as authorized in this act and levy a tax therefor at the time and in the manner provided in section three (3) of this act. If at the time of filing said petition it shall be more than three months till the next regular school election, then the board of school directors shall submit said question at a special election within sixty days.

SEC. 3. **Collection of tax—limitation.** Boards of school directors in such districts shall fix and certify to the board of supervisors on or before the first Monday of September the amount of money required for the next fiscal year for the support of the aforementioned activities, in the same manner as the amount of necessary taxes for other school purposes is certified and said board of supervisors shall levy and collect a tax upon all the property subject to taxation in said school district at the same time and in the same manner as other taxes are levied and collected by law which shall be equal to the amount of money so required for such purposes by the said board of school directors as provided in this act; provided that the tax so levied upon each dollar of the assessed valuation of all property, real and personal in said district, subject to taxation, shall not in any one year exceed two (2) mills for the purpose of the activities hereinbefore mentioned in this act; the said tax shall not be used or appropriated directly or indirectly for any other purpose than provided in this act.

SEC. 4. **Money—how expended.** All monies [moneys] received by, or raised in such city for the aforementioned purpose shall be paid over to the treasurer of the school district, to be disbursed by him on orders of such board of school directors in such district in the same manner as other funds of said school district are disbursed by him, but the tax provided for in this act shall not be levied or collected nor shall the board of school directors, as provided in this act, have authority to certify the amount of taxes necessary for this purpose until after the question of the levy of such tax shall have been authorized by a majority vote at a regular or special election.

SEC. 5. **Discontinuance of levy.** After the question of the levy of such special tax has been submitted to and approved by the voters as provided in this act, the authority shall remain, and such tax shall be levied and collected annually until such time as the voters of the school district of such city shall by majority vote order the discontinuance of the levy and collection of such tax.

SEC. 6. **Discontinuing levy—question submitted.** The board of school directors in any district governed by this act, may, and on petition to that effect signed by legally qualified voters aggregating not less than twenty five (25) per cent of the number voting at the last preceding school election, shall submit to the electors of such school district the question of discontinuing the levying of such tax as may have been previously authorized under the provisions of this act, and if a majority of the votes cast upon such proposition be in favor thereof, then the levying of such tax shall be discontinued and shall not be resumed unless again authorized under the provisions of section two (2) of this act.

SEC. 7. **Appropriation by city council.** The board of school directors in any district governed by this act, is also empowered to receive and expend for the purpose of this act, any sums of money appropriated and turned over to them by the city council or commissioners of such city for such purposes; and the city council or commissioners of such city, shall have authority to appropriate and turn over to the board of school directors of the school district containing or contained in such city, any reasonable sums of money which the said council or commissioners may desire to appropriate out of the general funds of such city and turn over to the said board of school directors for the purposes herein set forth.

Approved April 2 A. D. 1913.

## CHAPTER 258.

## SCHOOL FUNDS.

H. F. 6.

AN ACT to amend section twenty-eight hundred forty-nine (2849) of the supplement to the code, 1907, relative to school loans.

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

SECTION 1. **Loans.** That section twenty-eight hundred forty-nine (2849) of the supplement to the code, 1907, be and the same is hereby amended by striking out the word "three" in the third line thereof and inserting in lieu thereof the word "five".

Approved March 17th, 1913.

## CHAPTER 259.

## LIBRARY COMMISSION.

Sub. for S. F. 303.

AN ACT to amend section two (2) of chapter one hundred and ninety (190), laws of the thirty-third (33rd) general assembly relative to the library commission and travelling library.

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

SECTION 1. **Expenses—appropriation.** That section 2 of chapter 190, acts of the 33 G. A., be, and the same is hereby amended by striking therefrom the words and figures "six thousand dollars (\$6,000.00)", and that the words and figures "seven thousand six hundred dollars (\$7,600.00)" be, and the same is hereby inserted in lieu thereof.

Approved April 11 A. D. 1913.

## CHAPTER 260.

## LEASING OF STATE LANDS.

S. F. 547.

AN ACT amending the law as it appears in section twenty-nine hundred-a twenty-three (2900-a23) of the supplement to the code, 1907, authorizing the executive council to lease lands belonging to the state of Iowa.

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

SECTION 1. **Executive council—power to sell—convey—lease—state lands.** That the law as it appears in section twenty-nine hundred-a twenty-three (2900-a23) of the supplement to the code, 1907, is amended by adding to the end of said section the following words:

Any land owned by the state of Iowa within the high water lines of any non-navigable stream or lake and also any lands within the bed of any lake bed authorized to be drained under the provisions of this chapter may be leased by the executive council in its discretion, until otherwise disposed of, the rental to be paid into the general funds of the state.

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

Approved April 18 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 25, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 261.

### CONVEYANCE OF REAL ESTATE.

S. F. 240.

AN ACT to legalize deeds and instruments of conveyance, tax deeds, sheriff's deeds, deeds of administrators, executors, and guardians, and all other conveyances made and recorded prior to the first day of January A. D. 1890, additional to chapter six (6), title fourteen (14) of the code, relating to the conveyance of real estate.

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

**SECTION 1. Conveyances prior to January, 1890, legalized.** That any deed of conveyance, or other instrument purporting to convey real estate within the state of Iowa, where such deed or instrument has been recorded in the office of the recorder of any county, wherein such real estate is situated, and which said deed or instrument was executed by a county treasurer under a tax sale, a sheriff under execution sale, or by a resident or foreign executor, administrator, referee, receiver, trustee, guardian, commissioner, individual, co-partnership association or corporation, and was executed and recorded prior to the first day of January A. D. 1890, and where the grantee or grantees, named in such deed, or conveyance, or other instrument, his, her, their or its grantees, heirs or devisees, by direct line of title or conveyance have been in the actual, open adverse possession of such premises since said date, be and the same is hereby legalized, declared valid, legal, and binding, and of full force and effect, notwithstanding any defects in the execution of said deed or instrument.

**SEC. 2. Pending litigation.** This act shall not affect the rights of the parties in any action or suit now pending in any court of this state, or instituted or commenced on or before the 1st day of September, 1913, nor be applied to or affect any conveyance that has heretofore been passed upon by any court of this state and determined insufficient or invalid.

**SEC. 3. In effect.** This act being deemed of immediate importance shall take effect and be in full force and 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 8 A. D. 1913

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 14, 1913.

W. S. ALLEN,  
*Secretary of State.*



## CHAPTER 262.

## TRANSCRIPTS FROM RECORDER'S OFFICE AFFECTING REAL ESTATE.

H. F. 179.

AN ACT authorizing the recording of transcripts from recorder's office of instruments affecting real estate. [Additional to chapter 6, title 14 of the code relating to conveyances of real estate.]

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

SECTION 1. **Transcripts—same effect as original instrument.** Any person interested therein may procure from any recorder in this state a transcript of any instrument affecting real estate which is of record in his office. Such transcript shall be certified by the recorder, and the clerk of the district court shall certify under the seal of his office to the signature of such recorder and that he is such officer. A transcript of the record of any instrument affecting real estate, certified as herein provided, shall be entitled to record in the office of the recorder of any other county in this state in which is situated any of the real estate affected by such instrument. The effect of the recording of such transcript shall be the same as the recording of the original instrument.

Approved February 6th, 1913.

## CHAPTER 263.

## PLATTING AND TRANSFERRING OF REAL ESTATE.

Sub. for S. F. 325.

AN ACT to repeal section two thousand nine hundred thirty (2930), supplement to the code, 1907, relating to the platting and transferring of real estate.

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

SECTION 1. **Entries of transfers—transcripts.** That section two thousand nine hundred thirty (2930), supplement to the code, 1907, be and the same is hereby repealed and that the following is enacted in lieu thereof:

Whenever a deed of unconditional conveyance of real estate or transcript as provided in section four thousand two hundred fifty-nine (4259) of the supplement to the code, 1907 is presented, the auditor shall enter in the index book, in alphabetical order, the name of the grantee, and opposite thereto the number of the page of the transfer book on which such transfer is made; and upon the transfer book he shall enter in the proper columns the name of the grantee, the grantor, date and character of the instrument, the description of the real estate, and the number or letter of the plat on which the same is marked; provided, however, no conveyances or plats of additions to any city or town or subdivisions of any part or parcels of lands lying within or adjacent to any city or town in which streets and alleys and other public grounds are sought to be dedicated to public use or other conveyances in which streets and alleys are sought to be conveyed to such city or town shall be so entered, unless such conveyances, plats or other instruments have endorsed thereon the approval of the council of such city or town. The certificate of such approval to be made by the city clerk.

Approved April 18 A. D. 1913.

## CHAPTER 264.

## LEGALIZING RELEASE AND SATISFACTION OF MORTGAGES.

Sub. for S. F. 81.

AN ACT to legalize releases and satisfactions of mortgages and trust deeds. [Additional to chapter six (6) of title fourteen (XIV) of the code relating to conveyance of real estate.]

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

**SECTION 1. Releases filed prior to January 1, 1902—legalized.** That any release or satisfaction of any mortgage or trust deed or of any instrument in writing creating a lien upon real estate where such release or satisfaction has been recorded in the recorder's office of the county in this state, or upon the margin of the record where such original instrument was recorded and which release or satisfaction was made by any individual, association, co-partnership, assignee, corporation or by a resident or foreign executor, administrator, referee, receiver, trustee, guardian or commissioner and which release or satisfaction was executed, filed and recorded prior to January first, 1902, be and the same is hereby legalized, declared valid, legal and binding and of full force and effect, any defects in the execution, acknowledgement, [acknowledgment] recording, filing or otherwise of such releases or satisfactions to the contrary notwithstanding.

**SEC. 2. Pending litigation.** This act shall not affect the rights of parties in any action or suit now pending in any court in this state, nor be applied to or affect any release or satisfaction that has heretofore been passed upon by any court of this state and determined unauthorized, insufficient or invalid.

**SEC. 3. In effect.** This act being deemed of immediate importance shall take effect and be in full force and 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 February 19th A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader February 24, 1913 and in the Des Moines Capital February 22, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 265.

## LEGALIZING CERTAIN CONVEYANCES AFFECTING REAL ESTATE.

H. F. 408.

AN ACT to legalize certain conveyances and other instruments of writing affecting real estate. [Additional to chapter six (6) of title fourteen (XIV) of the code relating to conveyance of real estate.]

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

**SECTION 1. Instruments affecting title prior to January 1, 1890—legalized.** That all instruments in writing affecting the title to real estate located within the state of Iowa which have been on record since prior to the first day of January, A. D. eighteen hundred ninety (1890) in the county where the real estate is located, and the possession of said real estate since said date has rested in the grantee thereunder, or parties claiming by, through or under

him, such instruments shall not be held insufficient by reason of the fact that they were not acknowledged, nor by reason of any defect in the certificate of acknowledgement [acknowledgment], and all such instruments in writing are hereby legalized and declared valid, legal and binding and of full force and effect, the same as if properly acknowledged.

SEC. 2. **Pending litigation.** This act shall not affect the rights of parties in any way to suits now pending in any court of this state.

Approved April 2 A. D. 1913.

## CHAPTER 266.

### INSPECTION OF WEIGHTS AND MEASURES.

H. F. 33.

AN ACT to establish legal weights and measures, to provide for the inspection of the same, to punish the keeping or use of false or incorrect weights and measures, to provide for statements of net weight placing the enforcement in charge of the dairy and food commissioner and to repeal acts in conflict with this act. [Additional to chapter one (1) of title fifteen (XV) of the code relating to commerce and trade.]

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

SECTION 1. **Dairy and food commissioner—chief inspector—duties—compensation and expenses—how paid.** The state dairy & [and] food commissioner is hereby charged with the duty of carrying into effect the provisions of this act and wherever the word “commissioner” is used, in this act, it shall refer to the dairy and food commissioner. The commissioner shall appoint a chief inspector of weights and measures upon approval of the executive council. The chief inspector of weights and measures shall receive a salary of not to exceed \$1800 per annum. His salary shall be paid in the same manner as the salaries of other state officers. All inspectors shall be allowed the expenses necessarily incurred by them in the discharge of their duties. All accounts shall be itemized and sworn to and when approved by the commissioner and the executive council, shall be paid by warrant of the auditor upon the treasurer out of a sum appropriated for carrying on the work of the dairy and food commissioner. The chief inspector and all inspectors appointed under this act shall perform such duties as may be assigned by the commissioner.

SEC. 2. **State sealer—duties—seal—testing of weights and measures—assistance by state university.** The commissioner shall appoint an employe of the dairy & [and] food commission to be state sealer of weights and measures. The state sealer shall take charge of the standards of the state, causing them to be kept at the capitol in a fire-proof building belonging to the state, from which they shall not be removed except for repairs or for certification; and take all other necessary precautions for their safe keeping. He shall maintain the state standards in good order, and shall submit them once in ten years to the national bureau of standards for certification. He shall keep a seal which shall be so formed as to impress the letters, “Iowa” upon the weights and measures sealed by him. He shall have and keep a general supervision of the weights and measures, and the weighing and measuring devices of the state in use in the state. He shall upon a written request of any citizen, firm or corporation, city town or county, or educational institution of the

state, test or calibrate weights, measures, weighing or measuring devices, and instruments or apparatus used as standards in this state. It is hereby made the duty of the department of physics at the state university of Iowa upon the request of the commissioner to assist the commissioner, the state sealer and all inspectors, in all such matters as may require the facilities of that laboratory or technical knowledge relating to physical measurements.

SEC. 3. **Standards—state and national same.** The standard weights and measures received from the United States under a resolution of congress and approved June 14, 1836, and such new weights, measures, and other apparatus in addition thereto or in renewal thereof, and such as shall be made under the direction of the commissioner in conformity therewith and certified to by the national bureau of standards, shall be the state standards.

SEC. 4. **Length and surface.** The units or standard measures of length and surface from which all other measures of extension, whether lineal, superficial or solid, shall be derived and ascertained, are the standards of length designated in this act. For measures of cloth and other commodities commonly sold by the yard, the yard may be divided into halves, quarters, eighths, and sixteenths. The rod, pole, or perch contains five and one half yards; the mile, one thousand seven hundred sixty yards. A chain for measuring land is twenty-two yards long and is divided into one hundred equal parts called links. The acre for long measure shall be measured horizontally and contain ten square chains, equivalent in area to a rectangle sixteen rods in length and ten rods in breadth; six hundred and forty acres being contained in a square mile.

SEC. 5. **Weight.** The units or standards of weight, from which all other weights shall be derived and ascertained, shall be the standard weights designated in this act. The hundred-weight consists of one hundred avoirdupois pounds and twenty hundred-weight are a ton. Whenever, hereafter, in this act the word "pound" is used it shall mean the avoirdupois pound unless otherwise distinctly specified.

SEC. 6. **Commodities not liquids.** The units or standards or measure of capacity for commodities not liquids, from which all other measures shall be derived and ascertained, shall be the standards for such commodities designated in this act. The peck, half peck, quarter peck, quart, pint, and half pint, measures for measuring commodities which are not liquids, shall be derived from the half bushel by successively dividing the cubic inch capacity of that measure by two.

SEC. 7. **Liquids.** The units or standards of measure of capacity for liquids, from which all other measures shall be derived and ascertained, shall be the standard liquid measures designated in this act. The gallon shall be divided by continual division by the number two, so as to make half gallons, quarts, pints, half pints and gills.

SEC. 8. **Bushel by weight.** Wherever any of the articles or commodities mentioned in this section shall be sold by the bushel or fractional part thereof, and no special agreement shall be made in writing, the measure thereof shall be ascertained by avoirdupois weight, and shall be computed as follows:

Apples .....	48	Pounds
Apples, dried .....	24	"
Alfalfa seed .....	60	"
Barley .....	48	"
Beans, green, unshelled .....	56	"
Beans, dried .....	60	"
Beans, Lima .....	56	"
Beets .....	56	"

Blue grass seed .....	14	Pounds
Bran .....	20	"
Bromus inermis .....	14	"
Broom corn seed .....	50	"
Buckwheat .....	48	"
Carrots .....	50	"
Castor beans, shelled .....	50	"
Charcoal .....	20	"
Cherries .....	40	"
Clover seed .....	60	"
Coal .....	80	"
Coke .....	40	"
Corn on the cob, (field) .....	70	"
Corn in the ear, unhusked (field) .....	75	"
Corn, shelled, (field) .....	56	"
Corn meal .....	48	"
Cucumbers .....	48	"
Emmer .....	40	"
Flax seed .....	56	"
Grapes, with stems .....	40	"
Hemp seed .....	44	"
Hickory nuts, hulled .....	50	"
Hungarian grass seed .....	50	"
Kaffir corn .....	56	"
Lime .....	80	"
Millet seed .....	50	"
Oats .....	32	"
Onions .....	52	"
Onion top sets .....	28	"
Onion bottom sets .....	32	"
Orchard grass seed .....	14	"
Osage orange seed .....	32	"
Parsnips .....	45	"
Peaches .....	48	"
Peaches, dried .....	33	"
Peanuts .....	22	"
Pears .....	45	"
Peas, green, unshelled .....	50	"
Peas, dried .....	60	"
Plums .....	48	"
Popcorn on the ear .....	70	"
Popcorn, shelled .....	56	"
Potatoes .....	60	"
Quinces .....	48	"
Rape seed .....	50	"
Red top seed .....	14	"
Rutabagas .....	60	"
Rye .....	56	"
Salt .....	80	"
Sand .....	130	"
Shorts .....	20	"
Sorghum saccharatum seed .....	50	"
Spelt .....	40	"
Sweet corn .....	50	"

Sweet potatoes .....	50	Pounds
Timothy seed .....	45	"
Tomatoes .....	50	"
Turnips .....	55	"
Walnuts, hulled .....	50	"
Wheat .....	60	"
All root crops not specified above.....	50	"

SEC. 9. **Berries—boxes.** All sales of blackberries, blueberries, cranberries [.] currants, gooseberries, raspberries, cherries, strawberries, and similar berries, also onion sets, in packages of one peck or less, may be sold by the quart, pint, or half pint, dry measure; and all berry boxes sold, used, or offered for sale, within the state shall be of an interior capacity of not less than one quart, pint, or half pint, dry measure. Any berry boxes or measures not conforming to this section shall be confiscated by the inspector. The provisions of this section shall not be applicable until October 1st, 1913.

SEC. 10. **Sale by weight—stamped or printed thereon—violations punished.** All dry commodities, weighing ten ounces or more, except drugs, section comb honey and those specified in section 9 shall be bought or sold only by standard weight or numerical count, lineal measure or surface measure, except where parties otherwise agree in writing. Whenever any product is sold and the selling price is determined other than by numerical count, lineal or surface measure, and the product does not have the net weight plainly written, stamped or printed thereon, the seller shall at the time of delivery, upon the request of the purchaser, furnish a plainly written or printed statement showing the name of the article sold, the quantity in net weight thereof, and the price paid for each item. Any person, firm or corporation, who sells barbers or trades, a less weight or amount to a purchaser than that which is asked for or agreed upon, of any article or commodity, shall be deemed guilty of a misdemeanor and shall be punished as herein provided. Provided, however, that reasonable variations shall be permitted, and tolerances and exemptions as to small packages shall be established, by rules and regulations made by the state dairy and food commissioner. The use of bottomless measures is hereby declared a violation of this act, unless they conform in shape to the U. S. standard measure.

SEC. 11. **Milk bottles—marked.** Bottles used for the sale of milk and cream shall be of a capacity of one-half gallon, three pints, one quart, one pint, one half pint, one gill, filled full to the bottom of the lip. Bottles or jars used for the sale of milk shall have clearly blown or otherwise permanently marked in the side of the bottle, the capacity of the bottle, and, on the bottom of the bottle, the name, initials, or trademark of the manufacturer, and designating number, which designating number shall be different for each manufacturer and may be used in identifying bottles. The designating number shall be furnished by the commissioner on request. The state sealer shall not be required to seal bottles or jars for milk or cream, marked as in this section provided, by [but] the inspectors shall from time to time make tests of individual bottles in use, in order to ascertain whether the above provisions are being complied with.

SEC. 12. **Coal—charcoal—coke—by weight.** It shall be unlawful to sell or offer to sell in this state any coal, charcoal, or coke in any other manner than by weight. No person, firm or corporation shall deliver any coal, charcoal, or coke, without each such delivery being accompanied by a delivery ticket and a duplicate thereof, on each of which shall be in ink or other indelible substance, distinctly expressed in pounds, the gross weight of the

load, the tare of the delivering vehicle, and the net amount in weight of coal, charcoal or coke contained in the cart, wagon, or other vehicle used in such deliveries, with the name of the purchaser thereof and the name of the dealer from whom purchased. One of these tickets shall be surrendered by the person in charge of the load to the inspector upon demand, for his inspection, and a ticket or weight slip issued by the inspector, when the inspector desires to retain the original, shall be delivered to said purchaser of said coal, charcoal, or coke, or his agent or representative, at the time of the delivery of the fuel; and the other ticket shall be retained by the seller of the fuel. When the buyer carries away the purchase, a delivery ticket, showing the actual number of pounds delivered must be given to the purchaser at the time delivery is made. The commissioner or any of his assistants, or inspectors, are hereby empowered to compel the party or parties having charge of such coal, charcoal or coke to bring same on demand to a scale designated by the said commissioner or his assistant or inspector and weighed for the purpose of proving the true net weight of the article or commodity.

**SEC. 13. Scales—license—fee—slot machines prohibited.** It shall be unlawful for any person, firm or corporation by himself, or as the officer, servant, agent, or employe of any person, firm or corporation to operate or use or display for use any scale or scales, known as money in the slot or automatic scale or scales or any weighing device, apparatus, or machine, which is used or intended for use to determine the weight or [of] any person or persons, where compensation is derived, or any public or custom scale for which a fee is charged or accepted for weighing, unless said scale or device is licensed by the commissioner. Upon payment of the license fee of \$3.00, the commissioner shall issue a metal license tag bearing the words "licensed by the dairy and food commissioner, state of Iowa, No. . . . .", each tag to be numbered consecutively and bear the year for which license is valid. The tag shall be displayed prominently on the front of the weighing device. Absence of the license tag shall be prima facie evidence that the weighing device is being operated contrary to law. No license shall be issued until the annual fee of three dollars (\$3.00) is paid to the commissioner for each scale or weighing device operated or used. Any person desiring to secure said license shall make application therefor upon blanks to be furnished by the commissioner. The commissioner may withhold or revoke any license for cause. All licenses issued under this act shall expire December 31, 1914, and on December 31st of each year thereafter. All license and inspection fees collected under this act, shall be paid into the state treasury by the commissioner.

**SEC. 14. Inspection—fee.** The commissioner and his assistants are each hereby empowered and it is hereby made their duty to make an inspection of scales, weights and measures wherever the same are kept for use in connection with the sale of merchandise or other commodities sold by weight or measurement, or where the price to be paid for producing or manufacturing any article or commodity is based upon the weight or measurement thereof, within this state. The commissioner and his assistants may for the enforcement of this act and in the performance of their official duties, with or without formal warrant, enter or go in or upon any stand, place, building or premises; or may stop vendor, peddler, junk dealer, coal wagon, ice wagon, or any dealer whatsoever, for the purpose of making the proper tests. An inspection fee of \$5.00 shall be charged the person owning or operating the scales so inspected, but he shall not be required to pay more than two inspection fees in any one year. Whenever such inspection shall be made upon the complaint of any person other than the owner of the scale and upon

examination the scale is found by the inspector to be in proper condition for weighing, the inspection fee of \$5 shall be paid by the person making complaint. Provided, however, no inspection fee shall be charged for the inspection of any scale for less than 2,000 pounds capacity.

**SEC. 15. False or incorrect scales—complaint.** Whenever complaint shall be made to the commissioner that any false or incorrect scales, weights or measures are being made use of by any person, firm or corporation in the purchase or sale of merchandise or other commodities or in weighing any article or commodity, the piece price paid for producing which is determined by weight or measure, it shall be his duty to cause the same to be inspected as soon as the duties of his office will permit, and he shall make such other inspection of weights and measures as in his judgment is necessary or proper to be made.

**SEC. 16. Using false weights or measures punished.** If any person engaged in the purchase or sale of merchandise or other commodities by weight or measurement or in the employment of labor where the price thereof is to be determined by weight or measurement of the articles or thing upon which such labor is bestowed, be found having in his place of business any scales, weights, measures or other apparatus for determining the quantity of any commodity, which does not conform to the standards of weight and measurement of this state, shall be guilty of a misdemeanor and upon conviction shall be punished as provided in this chapter.

**SEC. 17. Tagged—confiscated.** The inspector may confiscate and seize without warrant any incorrect scales, weights or measures or any weighing apparatus or part thereof which does not conform to the state standards or upon which the license fee has not been paid. If any weighing or measuring apparatus or part thereof be found out of order the same may be tagged by the inspector "condemned until repaired" which tag shall not be altered or removed until said apparatus is properly repaired.

**SEC. 18. Refusal to comply—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 commissioner, or any of his assistants, 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 of not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00), or by imprisonment in the county jail not to exceed thirty days or by both such fine and imprisonment, at the discretion of the court.

**SEC. 19. Bulletins—reports.** The commissioner may from time to time make a report in the printed bulletins issued by the dairy & [and] food commission, of the work undertaken and accomplished under this act, together with such general information as may be deemed suitable.

**SEC. 20. Repeal.** That sections 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3019, 3020, 3021, 3034, 3035, and 5044 of the code and section 3016 of the supplement to the code be and they are hereby repealed.

**SEC. 21. 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 19 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 25, 1913 and in the Des Moines Capital April 26, 1913.

W. S. ALLEN,  
Secretary of State.



## CHAPTER 267.

## MECHANICS' LIENS.

H. F. 595.

AN ACT to repeal section three thousand ninety-three (3093) of the code, and to enact a substitute therefor relating to sub-contractor's mechanics' liens and the liability of the owner of a building or structure to the principal contractor and the sub-contractor.

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

**SECTION 1. Repeal—sub-contractor's mechanics' lien—owner's liability—waiver—how vacated and discharged.** That section three thousand ninety-three (3093) of the code be and the same is hereby repealed and the following enacted in lieu thereof:

"No owner of any building or structure upon which a subcontractor's mechanic's lien may be filed under the provisions of section three thousand ninety-two (3092) of the code shall be liable to an action by the original contractor for compensation for work done or materials, machinery or fixtures furnished for any building, structure or other improvement upon land until the expiration of thirty (30) days from the completion of said building, structure or improvement, unless the original contractor shall furnish to the owner of said building, structure or improvement receipts and waivers of claims for mechanics' liens, signed by all persons who performed any labor or furnished any material, machinery or fixtures for said building, structure or improvement, provided there be such persons, or unless the original contractor shall furnish to the owner a good and sufficient bond to be approved by said owner, conditioned that said owner shall be held harmless from any loss which he may sustain by reason of the filing of subcontractor's mechanics' liens. Should the owner pay to the original contractor any part of the contract price of such building, structure or improvement before the lapse of the thirty (30) days allowed by law for the filing of subcontractor's mechanics' liens, he will still be liable to said subcontractor for the full value of any material, machinery or fixtures furnished, or labor performed, upon said building, structure or improvement, provided said subcontractor file his mechanic's lien within the time provided by law for the filing of subcontractor's mechanics' liens.

"The lien of a subcontractor may be vacated and discharged at any time by the owner, principal contractor or intermediate subcontractor filing with the clerk of the district court of the county in which the property is located a sufficient bond in twice the amount of the sum for which the claim for the lien is filed, with surety or sureties, to be approved by the clerk of the district court in which said lien is filed, conditioned for the payment of any sum for which the claimant may obtain judgment upon the demand for which such statement or account has been filed. Nothing in this act shall be construed to require the owner to pay a greater amount or at an earlier date than is provided in his contract with the principal contractor, unless said owner pays a part or all of the contract price to the original contractor before the expiration of the thirty (30) days allowed by law for the filing of subcontractor's mechanics' lien."

Approved April 18 A. D. 1913.

## CHAPTER 268.

## LIEN AND LIABILITY OF HOTEL AND INNKEEPERS.

H. F. 682.

AN ACT to amend section thirty-one hundred thirty-eight (3138) of the supplement to the code, 1907, as amended by chapter one hundred ninety-five (195) of the acts of the thirty-third general assembly relating to the care of property belonging to guests of hotels and inns and to the lien of hotel and innkeepers thereon.

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

SECTION 1. **Lien upon baggage and other property—right to sell.** That section thirty-one hundred thirty-eight (3138) of the supplement to the code, 1907, as amended by chapter one hundred ninety-five (195) of the acts of the thirty-third general assembly be and the same is hereby amended by adding thereto the following:

The innkeeper or hotel keeper shall retain such baggage and other property upon which he has a lien for a period of ninety (90) days, at the expiration of which time if such lien is not satisfied, he may sell such baggage and other property at public auction after giving ten (10) days notice of the time and place of sale in a newspaper of general circulation in the county where the inn or hotel is situated, and also by mailing a copy of such notice addressed to said guest or boarder at the place of residence registered by him in the register of such inn or hotel.

After satisfying the lien and any costs that may accrue, any residue remaining shall, on demand within six (6) months, be paid to such guest or boarder, and if not so demanded within six (6) months from date of such sale, such residue shall be deposited by such innkeeper or hotelkeeper with the treasurer of the county in which the inn or hotel is situated, together with a statement of the innkeeper's claim and the costs of enforcing same, a copy of the published notice, and the amounts received for the goods sold at said sale; said residue shall by said county treasurer be credited to the general revenue fund of said county, subject to a right of said guest or boarder, or his representative, to reclaim at any time within three (3) years of the date of deposit with the said treasurer.

Approved April 18 A. D. 1913.

## CHAPTER 269.

## SOLEMNIZATION OF MARRIAGE.

H. F. 155.

AN ACT amending sections three thousand one hundred forty-six (3146) and three thousand one hundred forty-seven (3147) of the code, relative to the time for making return of solemnization of marriage.

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

SECTION 1. **Certificate—return—record.** That section three thousand one hundred forty six (3146) of the code be amended by inserting after the word “thereof” and before the word “to” in the third line thereof, the words “within fifteen days.”

SEC. 2. **Return required in fifteen days.** That section three thousand one hundred forty seven (3147) of the code be amended by striking out the word “ninety” in the fifth (5) line thereof and inserting in lieu thereof the word “fifteen.”

Approved March 17th, 1913.

## CHAPTER 270.

## LEGALIZING CERTAIN DECREES TO ANNUL MARRIAGES.

S. F. 383.

AN ACT to legalize certain decrees of courts entered in actions to annul marriages, in which service of the original notice was made by publication. [Additional to chapter three (3) of title sixteen (XVI) of the code relating to divorce, annulling marriages and alimony.]

WHEREAS, the statutes of this state as construed by the supreme court do not permit notices to the defendant in an action brought to annul a marriage to be given in any way other than by personal service, and

WHEREAS, under a misapprehension of the law a number of decrees of the courts of this state have been made and entered of record in such cases upon service had by publication in the time and manner provided by law for actions for divorce, and

WHEREAS, the parties to said actions have relied upon such decrees in good faith believing that the marriage was thereby annulled, and,

WHEREAS, if the same should be now questioned or set aside great injury and damage would be done and public scandal occasioned, now therefor, [therefore]

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

SECTION 1. **Service of original notice by publication legalized.** That all decrees of the courts of this state made and entered of record in actions brought to annul a marriage and in which cases the service of the original

notice was made by publication in the manner provided by law for actions for divorce, be and the same are hereby legalized and validated as fully and to the same extent as if the statute at the time such suit was instituted had provided for service of the original notice by publication in the time and manner aforesaid.

Approved April 8 A. D. 1913.

#### CHAPTER 271.

##### LIABILITY FOR FAMILY EXPENSES.

H. F. 22.

AN ACT to repeal section three thousand one hundred sixty-five (3165) of the code and to enact a substitute in lieu thereof, relating to liability for family expenses.

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

**SECTION 1. Repeal—family expenses.** That the law as it appears in section three thousand one hundred sixty-five (3165) of the code be, and the same is hereby repealed and the following enacted in lieu thereof:

“The reasonable and necessary expenses of the family and the education of the children are chargeable upon the property of both husband and wife, or either of them, and in relation thereto they may be sued jointly or separately.”

Approved February 18th, 1913.

#### CHAPTER 272.

##### CONVEYANCE OF REAL ESTATE BY EXECUTORS OR TRUSTEES UNDER FOREIGN WILLS.

H. F. 417.

AN ACT amending chapter one hundred fifty-seven (157) of the acts of the thirty-fourth general assembly relative to legalizing certain conveyances by foreign administrators and executors; regulating the proof of titles to real property and legalizing certain instruments and proceedings as against defects arising prior to 1900; legalizing certain proceedings and instruments when of record ten (10) years and regulating proof of title as affected by such defects; legalizing certain instruments executed by executors, administrators, trustees, guardians, referees and commissioners prior to 1910; declaring certain bonds and contracts for deeds void; giving certain assignments the same force and effect as a deed of conveyance; providing that pending litigation shall not be affected by the provisions of this act and giving claimants one (1) year in which to commence actions and barring their rights thereafter.

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

**SECTION 1. Conveyances executed prior to January 1, 1900, made legal.** That all conveyances of real estate executed prior to January 1st, 1900, wherein the grantor or grantors described herself, himself or themselves as the surviving spouse, heir at law, heirs at law, surviving spouse and heir at law, or surviving spouse and heirs at law of some person deceased in whom the record title or ownership of said real estate previously vested, shall be conclusive evidence of the facts purported to be so recited as far as they relate to the right of the grantor or grantors to convey, and said conveyance or the records thereof shall be conclusive evidence of the facts purported to be recited so far as

they relate to the right of said grantor or grantors to convey and the said conveyance or the records thereof shall be conclusive evidence of his, her or their rights to convey the entire estate, title or interest of such purported deceased person as fully as though the record title of said grantor or grantors has been established by due probate proceedings in the county where the real estate is situated; provided, however, that where any such conveyance in express terms purports to convey less than the entire estate or a limited estate, the recitals above referred to shall be conclusive evidence of the facts purported to be recited so far as they relate to the right of said grantor or grantors to convey and said conveyance or the records thereof shall be conclusive evidence of his, her or their right to convey that portion, title or interest which said conveyance purports to convey as fully as though the record title of said grantor or grantors had been established by due probate proceedings in the county where the real estate is located.

**SEC. 2. Judgment—decree quieting title—legalized.** No existing judgment or decree quieting title to real estate as against defects arising prior to January 1st, 1900, and purporting to sustain the record title shall be held ineffectual because of the failure to properly set out in the petition or notice the derivation or devolution of the interest of the unknown defendants or on account of the failure of the record to show that such notice was approved by the court or that the same was published as directed by the court or because of the failure of the record to show that an affidavit was filed by plaintiff showing that personal service could not be made on any defendant in the state of Iowa, or because of the failure of defense by a guardian ad litem for any defendant under legal disability, or where there was more than one tract of real estate described in the same petition and decree, or where the plaintiffs have no joint or common interest in the property or defects of title or because of failure to comply with any other provision of law, but all such decrees are hereby made legal and effectual the same as if all provisions of law had been complied with in obtaining them.

**SEC. 3. Limitation of action.** No action shall be brought to set aside a judgment or decree quieting title to real estate unless the same shall be commenced within ten years from and after the rendition thereof.

**SEC. 4. Sheriff's deed—legalized.** No foreclosure proceeding or sale of real estate on execution prior to January 1st, 1900, wherein a sheriff's deed was executed and which purports to sustain the record title shall be held ineffectual on account of the failure of the record to show that any of the steps in obtaining said judgments or in the sale of said property were complied with, that such proceedings are hereby legalized and made valid as if the record showed that all the provisions of the law had been complied with.

**SEC. 5. Affidavits—prima facie evidence.** Affidavits on record in the office of any county recorder at the time of taking effect of this act explaining any defect in the chain of title to real estate arising prior to January 1st, 1900, or the records thereof made under section two thousand nine hundred fifty-seven (2957) of the code shall be conclusive evidence of the facts purported to be stated therein in all actions involving the title to said real estate and affidavits thereafter made and recorded as provided in section two thousand nine hundred fifty-seven (2957) of the code shall be prima facie evidence of the facts therein contained for three (3) years next succeeding the recording thereof and thereafter the same shall be conclusive evidence of the facts therein contained.

SEC. 6. **Certain contract for bond or deed—abandoned.** In all cases where the record shows that a contract or bond for a deed has been given prior to January 1st, 1900, and the record discloses no performance of the same and that more than ten (10) years have elapsed since the contract by its terms was to be performed, that such contract shall be deemed abandoned and of no effect and the land freed from any lien or defect on account of such contract.

SEC. 7. **Conclusive evidence where differences exist between christian names or initials.** In the proof of title to real estate derived from deeds or other conveyances or instruments affecting real estate, executed prior to January 1st, 1900, wherein there is a difference between the christian name, names, initial or initials in which title is taken, and the christian name, names, initial or initials of the grantor or grantors in a succeeding conveyance, the surname in both instances being written the same or sounding the same, such conveyances or the records thereof shall be conclusive evidence that the same surname refers to the same person in the several conveyances and instruments.

SEC. 8. **Deeds given by executors, administrators, etc. showing certain irregularities, made legal.** In all cases where, prior to the year A. D. 1900, an executor, administrator, trustee, guardian, referee or commissioner, acting as such in this or any state, has 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, A. D. 1900, in the county where the real estate so conveyed is located and which conveyance purports to sustain the title in the present record owner or owners thereof, such conveyance shall not be held void or insufficient by reason of the fact that due and legal notice of all proceedings with reference to the making of any such conveyance was not served upon all interested or necessary parties or that such executor, administrator, trustee, guardian, referee or commissioner is not shown to have been duly authorized by an order of court to make and execute such conveyance, that a bond was not given therefor, or that no report of the sale was made: or such sale or deed of conveyance was not approved by order of court or that any such foreign executor, administrator, trustee, guardian, referee or commissioner was not appointed or qualified in the state of Iowa prior to the making of such conveyance or that the record thereof fails to disclose compliance with any other provisions of law, and all such conveyances are hereby legalized and declared valid, legal and binding and of full force and effect.

SEC. 9. **After ten years certain judgments, decrees and contracts made legal.** No judgment or decree purporting to set aside any will, or the provisions of any will, or to place any construction upon any will or terms of any will, or to aid in carrying out the provisions of any will and no contract or agreement purporting to be a settlement of any suit or action to set aside any will or the terms of any will or to place any construction upon any will or any of the terms thereof shall be held ineffectual, void or insufficient because the records fail to show proper service of notice on all parties interested, that persons under disability affected by the action were not properly served with notice or represented by guardian or guardian ad litem, either in suit, action or in a settlement thereof, that all persons interested participated in the settlement, or that any other provisions of law had been complied with which are necessary to make a valid decree, judgment or settlement, provided more than ten (10) years have elapsed since the judgment, decree, contract or agreement was filed, entered or placed on record in the county where the real estate affected thereby is situated. And said decree,

judgment, contract or agreement shall be conclusive evidence of the right, title or interest it purports to establish or adjudicate in so far as it affects the title to such real estate, and said proceedings therein are hereby made legal and effectual the same as though all provisions of law has [had] been complied with in the obtaining of said decree, judgment or execution of said contract or agreement. And that any judgment, decree, contract or agreement such as above described which is now of record less than ten (10) years in the county in which the real estate is situated, shall, at the expiration of ten (10) years from date of filing, entering or recording thereof, have the same force and effect as is above given to those now in effect more than ten (10) years.

**SEC. 10. Certain assignments to carry same force as deeds of conveyance.** That in the event the record title to any parcel of real estate discloses that the original entry, certificate of entry, receipt or duplicate thereof has been assigned, that prior to such assignment or thereafter, the United States or state issued a patent or conveyance to the assignor, that no deed of conveyance appears on record from the original entryman or assignor to the assignee, that the present record owner holds title by, through or under such assignment, such assignment shall have the same force and effect as a deed of conveyance and shall be conclusively presumed to carry all right, title, and interest of the patentee of said real estate, the same as though a deed of conveyance had been subsequently executed by the patentee or assignor to a subsequent grantor.

**SEC. 11. Tax deeds showing certain irregularities made legal.** No sale of real property for taxes made prior to January 1st, 1895, wherein the tax deed was executed and which deed purports to sustain the record title, shall be held ineffectual on account of the failure of the record to show that any of the steps in the sale and deeding of said property were complied with; that said proceedings are hereby legalized and made valid and effectual as if the record showed that all the provisions of law had been complied with.

**SEC. 12. Conveyances legalized.** That chapter one hundred fifty-seven (157) of the acts of the thirty-fourth general assembly is hereby amended as follows: by striking out the figures "1911" in the second line of section 1 and inserting in lieu thereof the figures "1913".

**SEC. 13. Rights terminated by this act—limitation of action.** Any grantee, grantor, surviving spouse, heirs, legatees, devisees, assignees, assignors, personal representative or any other person or persons having or claiming any right, title or interest in any real estate which right, title or interest may be terminated, divested or cut off by the terms of this act, or whose right, title or interest this act purports to terminate, divest or cut off, but for any reason it would not be thereby terminated, divested or cut off, shall have one (1) year from and after the taking effect of this act in which to commence actions to establish any right, title or interest claimed. But after one (1) year from the taking effect of this act no action shall be maintained and in all matters of evidence made conclusive by this act shall, in actions commenced under this section, be presumptive evidence.

**SEC. 14. Period of limitation in certain cases not applicable.** That the provisions of section three thousand four hundred fifty-three (3453) of the code extending the period of limitations in favor of minors and insane persons shall not be applicable to any of the provisions of this act.

**SEC. 15. Pending litigation.** This act shall not affect pending litigation.

Approved April 16 A. D. 1913.

## CHAPTER 273.

## CONVEYANCE OF REAL PROPERTY UNDER FOREIGN WILLS.

S. F. 291.

AN ACT to legalize conveyances of real property by foreign executors or trustees under foreign wills where the provisions of section thirty-two hundred ninety-five (3295) of the code were not observed or complied with.

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

SECTION 1. **Conveyances made under foreign wills prior to January 1, 1913, legalized.** All conveyances of real property made prior to January 1, 1913, by executors or trustees under foreign wills and prior to the date upon which such will was admitted to probate in Iowa or prior to the expiration of three months after the recording of a duly authenticated copy of such will, original record of appointment, qualification and bond as required by the provisions of section 3295 of the code, and in which such will was subsequent to said conveyance, probated in Iowa or shall hereafter be probated in Iowa, and in which a duly authenticated copy of the will, original record of appointment, qualification and bond as required by said section 3295 was subsequent to such conveyance, or shall be hereafter, made a matter of record as provided in said section 3295, are hereby legalized and declared as valid and effectual in law and in equity as though such will had been probated in Iowa prior to such conveyance and as though the provisions of said section 3295 had been strictly complied with; provided, nothing in this act shall effect [affect] pending litigation.

Approved April 8 A. D. 1913.

## CHAPTER 274.

## ADMINISTRATION ON ESTATES OF ABSENTEES.

Sub. for S. F. 14.

AN ACT to amend chapter two hundred (200) of the acts of the thirty third general assembly relating to administration of the estates of absentees.

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

SECTION 1. **Estate of absentee—administration—conveyance by spouse—rights of absentee barred.** That chapter two hundred (200) of the acts of the thirty third general assembly be and the same is hereby amended by adding thereto the following, as section three (3) of said act.

SEC. 3. Administration upon the estate of an absentee shall forever bar his or her right of homestead and statutory distributive share or interest in and to any real estate owned or held by the spouse of such absentee, or in which said spouse may have a legal or equitable interest, and a conveyance thereof by such spouse after one year from and after such administration has been granted, shall be free and clear of any claim or right of homestead or statutory distributive share on the part of such absentee.

Approved April 2 A. D. 1913.



## CHAPTER 275.

## RELEASES OF LIENS BY FOREIGN ADMINISTRATORS, EXECUTORS AND GUARDIANS.

S. F. 204.

AN ACT to repeal section three-thousand-three-hundred-eight (3308) of the code, and to enact a substitute therefor relating to release and discharge of liens by foreign administrators, executors and guardians.

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

**SECTION 1. Repeal—liens—how released and discharged—certificate.** That section three-thousand-three-hundred-eight (3308) of the code is hereby repealed and the following enacted in lieu thereof:

“Any administrator, executor or guardian appointed by the courts of any other state or county is authorized to release and discharge of record in any manner and by any instrument authorized by law to the same extent as any such officer appointed under the laws of this state could do, any judgment rendered by the supreme court or by any court of any county where such judgment is a lien on property, or any mortgage or deed of trust given as a mortgage on property within this state belonging to the estate or to the minor or other person represented by him, and may also release and discharge any property in this state from the lien of such judgment, mortgage or deed of trust; but such release shall not be valid or effective unless there is filed either before or after the execution thereof, in the office of the clerk of the district court of the county in this state wherein the property sought to be released is situated, the certificate of the judge or clerk of the proper court, duly attested, that said executor, administrator or guardian was prior to the date of such release or instrument, appointed such officer by such court and that, as shown by the records of such court, he had not been discharged before that date; but nothing herein contained shall authorize any administrator, executor or guardian of another state or county to release or discharge any judgment, mortgage or deed of trust in this state while any administrator, executor or guardian of the estate to which such judgment, mortgage or deed of trust belongs, is authorized to act by virtue of appointment, and qualification under the laws thereof.”

Approved April 17 A. D. 1913.

## CHAPTER 276.

## LEGALIZING CERTAIN RELEASES AND DISCHARGES OF JUDGMENTS EXECUTED BY FOREIGN ADMINISTRATORS, EXECUTORS AND GUARDIANS.

S. F. 300.

AN ACT to legalize releases and discharges of judgments, mortgages and deeds of trust made by administrators, executors or guardians appointed in other states or countries where the provisions of section three thousand three hundred eight (3308) of the code were not observed or complied with. [Additional to chapter two (2) of title seventeen (XVII) of the code relating to wills and letters of administration.]

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

SECTION 1. **Releases and discharges—legalized.** All releases and discharges of judgments, mortgages or deeds of trust effecting [affecting] property in this state made prior to January 1st, 1903 by administrators, executors or guardians appointed by the court of any other state or country without complying with the provisions of section 3308 of the code are hereby legalized and declared as valid and effective in law and in equity as though the provisions of said section had been strictly followed; provided, that nothing in this act shall effect [affect] pending litigation.

Approved April 8 A. D. 1913.

## CHAPTER 277.

## EXAMINATION OF THE OWNER OF CLAIMS AGAINST ESTATES.

S. F. 64.

AN ACT to amend section thirty-three hundred forty (3340) of the code relative to the examination of the owner of claims against estates.

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

SECTION 1. **Denial.** Section 3340 of the code is hereby amended by adding after the word "payment" in line eight thereof, the words "or consideration."

Approved April 12 A. D. 1913.

## CHAPTER 278.

## PAYMENT OF CLAIMS AGAINST ESTATES OF DECEDENTS.

H. F. 583.

AN ACT to amend the law as it appears in section thirty-three hundred forty-eight (3348) of the code relating to the payment of claims against the estates of decedents.

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

SECTION 1. **Other demands—order of payment—claims of the third class.** That the law as it appears in section thirty-three hundred forty-eight of the code be and the same is hereby amended by adding thereto the following:

In payment of claims of the third class all debts owing to employes for labor performed within the ninety days next preceding the death of the decedent, having been filed as by law provided, shall be preferred and paid in full before any other claims of said class are paid. If there is not sufficient property to pay said claims in full the same shall be applied ratably on all such claims.

Approved April 18 A. D. 1913.

## CHAPTER 279.

## DISTRIBUTIVE SHARE AND OCCUPANCY OF HOMESTEAD BY SURVIVING SPOUSE.

S. F. 135.

AN ACT to amend section thirty-three hundred seventy-seven (3377) of the code, relating to the election between the distributive share and occupancy of homestead by surviving spouse and setting off such distributive share.

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

**SECTION 1. Election as between distributive share and occupancy of homestead—mentally incapable—hearing—order.** That section three thousand three hundred seventy seven (3377) of the code be amended by adding at the end of said section the following:

“But when such surviving spouse is mentally incapable of making such election, the court on petition being filed alleging such disability, may set the matter down for hearing at such time and place as it may deem best, and direct what notice thereof shall be given; and at such hearing the court may enter an order electing for such spouse, which shall be the election under this section, of the person under such disability; and in case of an election of the distributive share such distributive share may be set off to such surviving spouse under disability on the petition of the guardian of such spouse and under the provisions for setting off the survivor’s share. But this act shall not apply to actions now pending in court.”

**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 March 20 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader March 24, 1913 and in the Des Moines Capital March 22, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 280.

## SHARE OF SURVIVING SPOUSE WHERE INTESTATE LEAVES NO ISSUE.

Sub. for S. F. 16.

AN ACT to repeal section three thousand three hundred seventy-nine (3379) of the code and to enact a substitute therefor, relating to the share of surviving spouse.

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

**SECTION 1. Repeal—survivor—parents—amount.** That section three thousand three hundred seventy-nine (3379) of the code, be and the same is hereby repealed and the following enacted in lieu thereof:

If the intestate leaves no issue, the whole of the estate to the amount of seven thousand five hundred dollars (\$7,500.00), after the payment of the debts and expenses of administration, and one-half ( $\frac{1}{2}$ ) of all of the estate in excess of said seven thousand five hundred dollars (\$7,500.00) shall go to the surviving spouse and the other one-half ( $\frac{1}{2}$ ) of said excess shall go to the parents. If no spouse, the whole shall go to the parents.

Approved April 9 A. D. 1913.

## CHAPTER 281.

### LIMITATION OF ACTIONS.

H. F. 440.

AN ACT to amend the law as it appears in section three thousand four hundred and forty-seven (3447) of the code, and to fix the time within which certain actions for the recovery of real estate may be brought.

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

SECTION 1. **Recovery of real estate—time.** That the law as it appears in section three thousand four hundred forty-seven (3447) of the code, as now amended be, and the same is hereby amended by adding thereto as an additional sub-division thereof, the following:

(d) That in all cases where any deed of trust or declaration of trust has been executed and the real estate affected thereby has been conveyed by the trustee or the surviving spouse or heirs of said trustee and such conveyance was duly recorded in the proper county prior to January 1st, 1890, and the interest of the cestui que trust thereunder has not been by such cestui que trust conveyed, or established by proper proceedings in court, no action, suit or proceeding shall be commenced or maintained to foreclose the same, or to establish or recover the interest of the cestui que trust therein, or of the surviving spouse or heirs of the cestui que trust, unless such action, suit or proceeding be commenced by filing petition and service of notice not later than the first day of March, A. D. 1914.

Approved April 9 A. D. 1913.

## CHAPTER 282.

## LIMITATION OF ACTIONS.

H. F. 192.

AN ACT to amend the law as it appears in section three thousand four hundred forty-seven (3447) of the code, relating to the limitation of actions to set aside wills.

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

SECTION 1. **Setting aside will—time.** That section three thousand four hundred forty-seven (3447) of the code is hereby amended by adding to paragraph three of said section the following:

“Provided that after a will is probated the executor may cause personal service of an original notice to be made on any person interested, which shall contain the name of decedent, the date of his death, the court in which and the date on which the will was probated, together with a copy of said will; said notice shall be served in the same manner as original notices and no action shall be instituted by any person so served after one year from date of service;”

Approved April 8 A. D. 1913.

## CHAPTER 283.

## FORECLOSURE OF REAL ESTATE MORTGAGES.

H. F. 200.

AN ACT to amend section one (1) of chapter one hundred sixty-one (161), of the laws of the thirty-fourth general assembly relating to the foreclosure of real estate mortgages.

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

SECTION 1. **Limitation of action to foreclose real estate mortgage or contract.** That section one (1) of chapter one hundred sixty-one 161 of the laws of the thirty-fourth general assembly be and it is hereby amended by striking out the last nine words of the first sentence of the said section, the same being the following words to-wit:

“the time of such extension has not yet expired”; and by substituting in lieu thereof the following language to-wit:

“ten years from the expiration of the time of such extension have not yet expired”; so that the portion of the said sentence following the last comma therein shall, as hereby amended, read as follows to-wit:

“and that ten years from the expiration of the time of such extension have not yet expired.”

Approved March 18th, 1913.

## CHAPTER 284.

## SERVICE OF ORIGINAL NOTICE BY PUBLICATION.

H. F. 347.

AN ACT to amend section thirty-five hundred thirty-four (3534) of the code, relating to service by publication when an affidavit is filed that personal service cannot be made on defendant within this state.

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

SECTION 1. **Quieting title to real estate.** That section thirty-five hundred thirty-four (3534) of the code be, and the same is hereby amended by adding thereto as paragraph 9, the following:—"Where the action is an action to quiet title to real estate if the defendant is a non-resident of the state or his residence is unknown."

Approved April 19 A. D. 1913.

## CHAPTER 285.

## SERVICE OF ORIGINAL NOTICE BY PUBLICATION.

S. F. 354.

AN ACT to amend the law as it appears in section thirty-five hundred thirty-four (3534) of the code relating to service of original notice by publication.

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

SECTION 1. **Annulment of marriage.** That the law as it appears in section thirty-five hundred thirty-four (3534) of the code be and the same is hereby amended by adding thereto the following:

"9. Where the action is for the annulment of an illegal marriage, if the defendant is a non-resident of the state, or his residence is unknown."

Approved April 12 A. D. 1913.

## CHAPTER 286.

## LEGALIZING CERTAIN DECREES WHERE NOTICE WAS OBTAINED BY PUBLICATION.

H. F. 657.

AN ACT to legalize decrees obtained prior to January 1st, 1911, where the proof of the publication of an original notice was made by the editor of the newspaper in which the original notice was published. [Additional to chapter six (6), of title eighteen (XVIII) of the code relating to manner of commencing actions.]

WHEREAS, section three thousand five hundred thirty-six (3536) of the code provides that proof of the publication of an original notice must be made by the affidavit of the publisher, or his foreman, of the newspaper in which the original notice is published; and

WHEREAS, in many cases decrees have been obtained in this state in cases in which the affidavit required by the above section has been made by the editor of the newspaper in which such original notice has been published; now, therefore,

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

SECTION 1. **Affidavit by editor legalized.** That in all cases where decrees of court have been obtained prior to January 1st, 1911, in which the proof of the publication of the original notice has been made by the affidavit of the editor of the newspaper in which such original notice was published, are hereby legalized, and such decrees shall have the same force and effect as though the affidavit of the publisher, or his foreman, of the newspaper in which the original notice was published had been filed as provided by section three thousand five hundred thirty-six (3536) of the code, and that all decrees so obtained as aforesaid are hereby legalized and held to have the same force and effect as though the proof of the publication of the original notice had been made by the affidavit of the publisher, or his foreman, of the newspaper in which such original notice was published.

SEC. 2. **Pending litigation.** Nothing in this act contained shall be construed as affecting 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 and Leader and Des Moines Capital, newspapers published at Des Moines, Iowa.

Approved April 16 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 19, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 287.

### MANNER OF COMMENCING ACTIONS AGAINST UNKNOWN DEFENDANTS.

H. F. 558.

AN ACT to repeal section three thousand five hundred thirty-eight (3538) of the code, and to enact a substitute therefor, relative to the bringing of actions against unknown defendants.

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

SECTION 1. **Repeal—petition verified—notice.** That section three thousand five hundred thirty-eight (3538) of the code be and the same is hereby repealed and the following enacted in lieu thereof:

“Where it is necessary to make an unknown person defendant, the petition shall be sworn to and state the claim of plaintiff with reference to the property involved in the action, that the name and residence of such person is unknown to the plaintiff, and that he has sought diligently to learn the same. The notice thereof shall contain the name of the plaintiff, a description of the property, the claim of the plaintiff thereto, the relief demanded, the name of the court, and the term in which appearance must be made. Such notice must be entitled in the full name of the plaintiff against the unknown claimants of the property and shall be signed by the plaintiff or his attorney.”

Approved April 18 A. D. 1913.

## CHAPTER 288.

## NOTICE OF LIS PENDENS.

H. F. 346.

AN ACT to repeal sections thirty-five hundred forty-three (3543) and to enact a substitute in lieu thereof relative to the filing of a lis pendens.

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

SECTION 1. **Repeal—real estate—notice of pending action—indexed by clerk.** That section 3543 of the code be and the same is hereby repealed and the following enacted in lieu thereof.

“When a petition affecting real estate is filed, the clerk of the district court where filed shall forthwith index same in an index book to be provided therefor, under the name of the parties plaintiff and defendant, entering a memorandum at each place where indexed, giving the description of the premises involved, the number of the case and the nature of the claim made.

If the petition be amended to include other parties or other lands, same shall be similarly indexed.

When the cause is finally determined the result shall be indicated in said book wherever indexed. When so indexed said action shall be considered pending so as to charge all third persons with notice of its pendency, and while pending no interest can be acquired by third persons in the subject matter thereof as against the plaintiff's rights.

If the real property affected be situated in the county where the petition is filed it shall be unnecessary to show in said index lands not situated in said county, and if the description be lengthy the clerk may give same in full in one place and refer thereto at all other places in said index book.”

Approved April 18 A. D. 1913.

## CHAPTER 289.

## INSTRUCTIONS TO JURIES BY THE DISTRICT COURT.

H. F. 158.

AN ACT to repeal section three thousand seven hundred and five (3705) of the code, and to enact a substitute in lieu thereof relative to the instructions of the district court.

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

SECTION 1. **Repeal.** That section three thousand seven hundred and five (3705) of the code be and the same is hereby repealed and the following enacted in lieu thereof:

SEC. 2. **Instructions to be in writing.** Either party may request instructions to the jury on points of law which shall be given or refused by the court. All instructions asked and the charge of the court shall be in writing.

SEC. 3. **Request for instructions—when and how made—exceptions—when taken—motion for new trial.** All requests for instructions must be presented to the judge before the argument to the jury is commenced and before reading his charge to the jury. The judge, before reading his charge to the jury,



shall present all instructions to counsel on either side, each of whom shall have a reasonable time in which to examine the same. All objections or exceptions thereto must be made before the instructions are read to the jury and must point out the grounds thereof specifically and with reasonable exactness; but upon a showing in a motion for a new trial that an error in such instructions was not discovered by the party claiming the error at the time of trial, such objections or exceptions may be made in the same manner in such motion for a new trial and no other objection or exception to the instructions shall be considered by the supreme court on appeal, except those made as above provided. The objections or exceptions must point out specifically the exact grounds thereof, and no other objections or exceptions shall be considered by the trial court upon motion for a new trial or otherwise, or by the supreme court upon appeal.

SEC. 4. **Not retroactive.** This act shall not apply to any proceedings had or be given a retroactive effect, save as to actions pending which have not yet been submitted to a jury.

SEC. 5. **Acts in conflict repealed.** All acts or parts of acts in conflict with the provisions hereof are hereby repealed.

Approved April 17 A. D. 1913.

#### CHAPTER 290.

#### JUDGMENT LIENS OF THE DISTRICT OR CIRCUIT COURT OF THE UNITED STATES AND THE SUPREME COURT OF IOWA.

S. F. 124.

AN ACT to amend section three thousand, eight hundred two (3802) of the code relative to the lien of judgments.

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

[SECTION 1.] **Lien of judgments—when attached.** That section three thousand, eight hundred two (3802) of the code be, and the same is hereby amended by adding thereto the following:

“The lien of judgments of the district or circuit courts of the United States, and the supreme court of Iowa, shall not attach to any real estate until an attested copy of the judgment is filed in the office of the clerk of the district court of the county in which the land lies.”

Approved March 25, A. D. 1913.

## CHAPTER 291.

## RESTORATION OF LOST OR DESTROYED RECORDS.

H. F. 575.

AN ACT to provide for the restoration of lost or destroyed public records. [Additional to chapter four (4) of title twenty-one (XXI) of the code relating to quieting title to real estate.]

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

**SECTION 1. Action in rem.** Whenever the public records in the office of any county official in this state have been or shall hereafter be lost or destroyed in any material part, the said county on relation of said public officer or the owner of any real estate affected thereby, may bring an action in rem in equity in the district court of the state in and for the county in which said real estate is situated against all known and unknown persons, firms or corporations that might have any interest in said real estate affected by said record, to have said lost or destroyed records restored in whole or in part. Any number of parcels of land may be included in the same suit; and whenever said action is brought by the owner, the public official in whose office said lost or destroyed public records are required by law to be kept shall be made a defendant therein.

**SEC. 2. Petition—notice—decree—form.** The petition, notice and decree in said action to restore any lost or destroyed records, and all proceedings in said suit, so far as the same relate to unknown defendants, shall conform to the statutes of this state applicable to actions against unknown defendants and unknown claimants; and all known defendants shall be served with notice in the time and manner now provided by law; and whenever said action is brought by the owner of said real estate, all clouds upon said title and defects therein and all adverse claims thereto may be adjudicated in the same suit and title quieted therein. The provisions of section three thousand seven hundred ninety-six (3796) of the code shall be applicable to defendants served with original notice in such action by publication.

**SEC. 3. Proof required.** No judgment or decree restoring any lost or destroyed record in such action shall be entered by default, but the court must require proof of the facts alleged in reference thereto and the court shall make such finding of facts and decree as may be sustained by the evidence and may order such lost or destroyed record to be prepared by said public official as completely as the circumstances and proof will permit, and said record when so prepared shall be approved by the court and its approval endorsed thereon by the clerk.

**SEC. 4. Restored records—how filed.** All public records restored as provided by this act shall be filed, bound and indexed the same as original records are required to be, and shall have the same force and effect as the original records before their loss or destruction.

Approved April 2 A. D. 1913.

## CHAPTER 292.

## BOARD OF ARBITRATION FOR SETTLEMENT OF DISPUTES BETWEEN EMPLOYERS AND EMPLOYEES.

H. F. 611.

AN ACT authorizing the appointment of a board of arbitration and conciliation for the settlement of disputes between employers and employees, providing the powers, duties and compensation of such board and setting forth the manner in which the investigation of disputes shall be made and the publication and recording of the decision and finding of said board and making appropriation therefor. [Additional to chapter fourteen (14) of title twenty-one (XXI) of the code, relating to arbitration.]

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

**SECTION 1. Board of arbitration—petition filed with governor.** Whenever any dispute arises between any person, firm, corporation, or association of employers and their employees or association of employees, of this state, except employers or employees having trade relations directly or indirectly based upon inter-state trade relations operating through or by state or international boards of conciliation, which has or is likely to cause a strike or lockout, involving ten (10) or more wage earners and the parties thereto are unable to adjust the same, and which does or is likely to interfere with the due and ordinary course of business, or which menaces the public peace, or which jeopardizes the welfare of the community, either or both parties to the dispute, or the mayor of the city, or the chairman of the board of supervisors of the county in which said employment is carried on, or on petition of any twenty-five (25) citizens thereof, over the age of twenty-one (21) years, or the commissioner of the bureau of labor, after investigation, may make written application to the governor for the appointment of a board of arbitration and conciliation, to which board such dispute may be referred under the provisions of this act. Provided, however, the manager of the business of any person, firm, corporation or association of such employers, or any organization representing such employees, or if such employees are not members of any organization, then a majority of such employees affected may make the application as provided in this act, but in no case shall more than twenty (20) employees be required to join in such application.

**SEC. 2. Arbitrators—how appointed.** The governor shall at once upon application made to him as herein provided and upon his being satisfied that the dispute comes within the provisions of section one (1) of this act, notify the parties to the dispute of the application for the appointment of a board of arbitration and conciliation and make request upon each party to the dispute that each of them recommend within three (3) days from the date of notice, the names of five (5) persons who have no direct interest in such dispute and are willing and ready to act as members of the board, and the governor shall appoint from each list submitted one (1) of such persons recommended. Should either of the parties fail or neglect to make any recommendation within the said period, the governor shall, as soon thereafter as possible, appoint a fit person who shall be deemed to be appointed on the recommendation of either of the said parties. The members of the board so appointed shall within five (5) days of their appointment recommend to the governor the name of one (1) person who is ready and willing to act as a third member of the board, and upon failure or neglect upon their part to make such recommendation

within the said period, or upon the failure or refusal of the person so recommended to act, the governor shall as soon thereafter as possible appoint some person to act as the third member of the board.

**SEC. 3. Application—terms binding.** In all cases when the application is made by both parties to the dispute, they shall set forth in the application whether or not they agree to be bound by the decision of the board of arbitration and conciliation; and if both parties agree to be so bound by such decision, then the same shall be binding and enforceable as set out in section seven (7) of this act.

**SEC. 4. Oath—organization—compensation.** Each member of the board, shall, before entering upon the duties of his office, be sworn to a faithful and impartial discharge thereof: They shall organize at once by the choice of one (1) of their number as chairman, and one (1) of their number as secretary, and shall have power to employ all necessary clerks and stenographers to properly carry out the duties of their appointment. The members of the board shall receive a compensation of five dollars (\$5.00) per diem for the time actually employed, together with their traveling and other necessary expenses, the same to be payable out of the state treasury upon warrants drawn by the state auditor.

**SEC. 5. Evidence—authority to summon witnesses—fees—how paid.** For the purpose of this inquiry the board shall have all the powers of summoning before it and enforcing the attendance of witnesses, of administering oaths and of requiring witnesses to give evidence or solemn affirmation and to produce books, papers and other documents or things as the board may deem requisite to the full investigation of the matters into which it is inquiring, as is vested in the district court in civil cases.

Any member of the board may administer an oath, and the board may accept, admit and call for such evidence as in equity and good conscience it thinks fit, whether strictly legal evidence or not.

A subpoena or any notice may be delivered or sent to any sheriff, constable or any police officer who shall forthwith serve the same, and make due return thereof, according to directions. Witnesses in attendance and officers serving subpoenas or notices shall receive the same fees as are allowed in the district court, payable from the state treasury, upon the certificate of the board that such fees are due and correct, upon warrants drawn by the auditor of state. The board shall have the same power and authority to maintain and enforce order at the hearings and obedience to its writs of subpoena as is by law conferred upon the district court for like purposes.

**SEC. 6. Investigation—written decision—where filed—open for public inspection.** The board shall as soon as practical, visit the place where the controversy exists, and make careful inquiry into the cause, and the said board may, with the consent of the governor conduct such inquiry beyond the limits of the state. The board shall hear all persons interested who come before it, advise the respective parties what ought to be done or submitted to by either or both of the parties to the dispute to adjust said controversy, and make a written decision thereof, which shall at once be made public and open to public inspection and shall be recorded by the secretary of the board, and a copy of such report shall be filed in the office of the clerk of the city or town in which the controversy arose and shall be open for public inspection.

**SEC. 7. Investigation—time limited—decision—binding for one year.** The board of arbitration and conciliation shall within ten (10) days from the date of their appointment unless such time shall be extended by the governor, complete the investigation of any controversy submitted to them, and during the pendency of such period neither party shall engage in any strike or lockout.

Any decision made by the board shall date from the date of the appointment of the board and shall be binding upon the parties who join in the application as herein provided for a period of one year.

**SEC. 8. Decision—where filed—publication.** Within five (5) days after the completion of the investigation, unless the time is extended by the governor for good cause shown the board or a majority thereof shall render a decision, stating such details as will clearly show the nature of the controversy and the points disposed of by them, and make a written report to the governor of their findings of fact and of their recommendation to each party to the controversy. Every decision and report shall be filed in the office of the governor, and a copy served upon each party to the controversy, and a copy furnished to the labor commissioner for publication in the report of the bureau of labor and shall be published at a rate of not to exceed thirty-three and one-third ( $33\frac{1}{3}$ ) cents per ten (10) lines of brevier type or its equivalent, in two (2) newspapers of general circulation in the county in which the business is located upon which the dispute arises. All evidence taken and exhibits and documents offered shall be carefully preserved and at the close of the investigation shall be filed in the office of the governor of the state and shall only be subject to inspection upon his order.

**SEC. 9. Expenses—how paid.** The expenses incurred under the provisions of this act shall be audited by the executive council and shall be paid out of any money in the state treasury not otherwise appropriated upon warrants drawn by the auditor of state.

**SEC. 10. In effect.** This act, being deemed of immediate importance shall 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 April 18 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 25, 1913 and in the Des Moines Capital April 23, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 293.

### WRIT OF HABEAS CORPUS.

S. F. 166.

AN ACT to amend section forty-four hundred twenty (4420) of the code relating to applications for writ of habeas corpus.

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

**SECTION 1. Application—to whom made.** That section forty-four hundred twenty (4420) of the code is hereby amended by adding thereto the following:

When the applicant is an inmate of or confined in a state institution the provisions of this section relating to the court to which or the judge to whom applications must be made are mandatory, and the convenience or preference of an attorney or witness or other person interested in the release of the applicant shall not be a sufficient reason to authorize a more remote court or judge to assume jurisdiction.

Approved March 31 A. D. 1913.

## CHAPTER 294.

## TRANSCRIPTS FROM DOCKETS OF JUSTICE OF THE PEACE.

Sub. for S. F. 200.

AN ACT to amend the law as it appears in section four thousand five hundred eighty-five (4585) of the code relative to the making of a transcript from the docket and judgment of a justice of the peace where a vacancy exists.

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

SECTION 1. **Transcript—how obtained where vacancy exists.** That section four thousand five hundred eighty-five (4585) of the code be and the same is hereby amended by adding thereto the following:

“That during the time of the vacancy in said office, and while the docket and papers are in the hands of the auditor, the clerk of the district court of said county, on the filing of a written request and payment of the fee required by law for the filing of transcripts, by the plaintiff, his agent, or attorney, in any case in which a judgment appears in said docket, shall make a transcript and certify to the same, as provided by law, noting said fact on said docket with date thereof, which transcript, when so made and filed in the office of the clerk of the district court, shall have the same force and effect as though made by a justice of the peace rendering said judgment.”

Approved April 18 A. D. 1913.

## CHAPTER 295.

## CRIMINATING QUESTIONS PROPOUNDED TO WITNESSES WHO ARE ATTEMPTING TO CREATE A TRUST.

S. F. 375.

AN ACT to amend section four thousand six hundred twelve (4612) of the code relating to criminating questions propounded to witness in certain cases.

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

SECTION 1. **Criminating questions.** That section four thousand six hundred twelve (4612) of the code be and the same is hereby amended by inserting after the comma following the word “options” in the fifth (5th) line thereof, the following:—

“Creating, entering into or becoming a member of, or a party to any pool, trust, agreement, contract, combination, confederation or understanding with any other corporation, partnership, association or individual to regulate or fix the price of any article of merchandise or commodity or to fix or limit the amount or quantity of any article, commodity or merchandise to be manufactured, mined, produced or sold in this state.”

Approved April 19 A. D. 1913.

## CHAPTER 296.

## TAKING DEPOSITIONS WHERE BOOKS OF ACCOUNT ARE USED AS EVIDENCE.

H. F. 526.

AN ACT to amend section four thousand six hundred and twenty three (4623) of the code relating to books of account as evidence.

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

SECTION 1. **Book of account—when admissible—books photographed.** That section four thousand six hundred and twenty three (4623) of the code be and the same is hereby amended by adding thereto as subdivision five (5) thereof the following:

5 In all cases where depositions are taken by either method provided by law, outside of the county in which the case is for trial where books of account are competent evidence in the case, the party desiring to offer the entries of said books as evidence may cause the same to be photographed by or under the direction of the officer taking the deposition and such photographic copy when certified by such officer with his seal attached shall be attached to the deposition, and if the record shows affirmatively the preliminary proof required by subdivisions one, two, three, and four of said section four thousand six hundred and twenty three such copy shall be admitted in evidence with the same force and effect as the original.

Approved April 19 A. D. 1913.

## CHAPTER 297.

## DANGEROUS AND CONCEALED WEAPONS.

H. F. 108.

AN ACT to prohibit the sale, keeping for sale, loaning, giving away or carrying of certain dangerous weapons, to prevent the carrying of concealed weapons, except in specified cases when a permit is issued therefor; to provide punishment for the violation of the provisions hereof. [Additional to chapter two (2) of title twenty-four (XXIV) of the code relating to offenses against lives and persons.]

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

SECTION 1. **Carrying concealed weapons—age limit.** It shall be unlawful for any person, except as hereinafter provided, to go armed with and have concealed upon his person a dirk, dagger, sword, pistol, revolver, stiletto, metallic knuckles, pocket billy, sand bag, skull cracker, slung-shot, or other offensive and dangerous weapons or instruments concealed upon his person; provided that no person under fourteen years of age shall be allowed to carry firearms of any description.

SEC. 2. **Selling dangerous weapons.** It shall be unlawful to sell, to keep for sale or offer for sale, loan or give away, dirk, dagger, stiletto, metallic knuckles, sand bag or skull cracker. The provisions of this section shall not prevent the selling or keeping for sale of hunting and fishing knives.

SEC. 3. **Permit to carry concealed weapons—how obtained.** The chief of police in cities of the first and second class, special charter cities and cities under commission form, or where there is no organized police force, in counties, towns and villages the sheriff or mayor shall issue a permit to carry concealed a revolver, pistol or pocket billy, provided that in the judgment of said officials such permit should be granted.

SEC. 4. **Permits—to whom issued.** It shall be the duty of said officials to issue a permit to go armed with a revolver, pistol or pocket billy to all peace officers and such other persons who, in the judgment of said officials, should be permitted to go so armed. Mining companies, banks, trust companies, railroad and express companies may obtain a general permit good for any of their employees, only while on duty, actually engaged in guarding any property or the transportation of moneys or other valuables.

Permits issued to peace officers or to employees of railroad or express companies shall permit such persons to go armed anywhere within the state while in the discharge of their duties.

SEC. 5. **Permit to sell dangerous weapons—how obtained—record.** The chief of police, sheriff or mayor shall have authority to issue permits to sell and shall keep a correct list of all persons to whom permits to sell are issued, together with the number of such permit and the date each is revoked, and furnish the county recorder a copy of all such permits issued and revocations made.

SEC. 6. **Revocation.** Whenever any permit is issued under this act to any person to carry any of the weapons mentioned herein, by virtue of said person being a peace officer, the right of said person to carry any of said weapons shall cease when said person ceases to be such official. Said officials shall have the power to at any time at his [their] discretion, revoke any permit under and by virtue of this act.

The county recorder shall keep a complete record, in a book provided for the purpose of all permits issued, and revocations made, and sales of pistols, revolvers and pocket billies. Such record shall not be open to inspection to any, except the sheriff, mayor, or chief of police of the county or municipality.

SEC. 7. **Applicant—requirements.** No permit shall be granted to any person to go armed as heretofore stated, with a revolver, pistol or pocket billy, unless the applicant shall make personal application before the officials heretofore mentioned, and the applicant must state: first, the full name, residence and age of the applicant; second, the place of business, place of employment, or vocation of the applicant; third, the nature of the applicant's business.

SEC. 8. **Prima facie evidence.** It shall be the duty of any person armed with a revolver, pistol or pocket billy concealed upon his person, to produce at all times and upon the request of any peace officer or any other person in authority, the permit provided for in this act. And failure to so produce such permit upon request shall be deemed prima facie evidence of the violation of the terms of this act.

SEC. 9. **Dealers' permits.** It shall be unlawful for any person, firm, association or corporation to engage in the business of selling, keeping for sale, exchange or give away to any person within the state, any revolver, pistol or pocket billy or other weapons of a like character which can be concealed on the person, without first securing a permit from the proper officials having authority to issue such permit.

SEC. 10. **Dealers' reports—failure—fictitious name—penalty.** Every person selling revolvers, pistols, pocket billies and other weapons of a like character which can be concealed on the person, whether such person is a retail dealer, pawn broker or otherwise, shall report within twenty-four hours to



the county recorder, the sale of any revolver, pistol or pocket billy and in such report shall set forth the time of sale, age, occupation, place of employment or business, name and residence of such purchaser of said weapon or weapons, together with the number, make, and other marks of identification of such weapon or weapons. Every person who shall fail to make such report will be guilty of a misdemeanor, and on being convicted of a second offense his permit shall be revoked.

Any person purchasing a revolver, pistol or a pocket billy according to the provisions in sections seven and ten, and giving a fictitious name will be guilty of a misdemeanor.

SEC. 11. **Violation—penalty—recognizance—first offense.** Any person who shall violate any of the provisions of section one (1) shall be deemed guilty of a felony and upon conviction thereof shall be punished by a fine of not more than five hundred dollars or by imprisonment in the state prison not more than two years, or by both such fine and imprisonment in the discretion of the court, and in addition thereto may be required to enter into a recognizance with sufficient surety in such sum as the court may order, not exceeding one thousand dollars, to keep the peace and be of good behavior for a period not exceeding one year, provided that in case of the first offense the court may in its discretion reduce the punishment to imprisonment in the county jail of a term not more than three months, or a fine of not more than one hundred dollars.

SEC. 12. **Not applicable to wholesale dealers or jobbers.** This act shall not affect in any respect wholesale dealers or jobbers.

SEC. 13. **Acts in conflict repealed.** All acts, and parts of acts, in so far as they are in conflict with this act, are hereby repealed.

Approved April 19 A. D. 1913.

## CHAPTER 298

### BURGLARY.

H. F. 300.

AN ACT to amend the law as it appears in section four thousand seven hundred and ninety-nine-a (4799-a) of the supplement to the code, 1907, relating to burglary with explosives.

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

SECTION 1. **Burglary with explosives—penalty.** That section four thousand seven hundred and ninety-nine-a (4799-a) of the supplement to the code, 1907, be and the same is hereby amended by striking out the word "and" after the word "building" in the second line thereof and inserting in lieu thereof the words, "with intent to".

Approved April 18 A. D. 1913.

## CHAPTER 299.

## MALICIOUS MISCHIEF AND TRESPASS.

H. F. 356.

AN ACT to amend section four thousand eight hundred twenty-three (4823) of the code pertaining to malicious mischief and trespass.

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

SECTION 1. **To operate motor vehicle.** Section four thousand eight hundred twenty-three (4823), of the code, is hereby amended by adding thereto after the comma following the word "vehicle" in the fourth line of said section the following: "or if any chauffeur or other person shall without the consent of the owner take, or cause to be taken, any automobile or motor vehicle, and operate or drive or cause the same to be operated or driven,"

Approved April 3 A. D. 1913.

## CHAPTER 300.

## LARCENY OF POULTRY.

H. F. 613.

AN ACT to amend section four thousand eight hundred fifty-two-d (4852-d) supplement to the code, 1907, relating to larceny of poultry.

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

SECTION 1. **Larceny of poultry—penalty.** That section four thousand eight hundred fifty two-d (4852-d) supplement to the code, 1907, be and the same is hereby amended as follows:

By striking out the words "in the night time" in the second line of said section.

Approved April 17 A. D. 1913.

## CHAPTER 301.

## REFORMATORY AND PENITENTIARY.

H. F. 466.

AN ACT to repeal section four thousand eight hundred ninety-seven-a (4897-a) of the supplement to the code, 1907, and to enact a substitute relating to escapes from the penitentiary and reformatory, including violations of parole.

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

SECTION 1. **Repeal—escape from reformatory and penitentiary—violation of parole—penalty.** That section four thousand eight hundred ninety-seven-a (4897-a) of the supplement to the code, 1907, is hereby repealed and in lieu thereof is enacted the following:

If any person committed to the penitentiary or reformatory shall break such prison and escape therefrom or shall escape from or leave without due authority any building, camp, farm, garden, city, town, road, street, or any place whatsoever in which he is placed or to which he is directed to go or in which he is allowed to be by the warden or any officer or employe of the prison whether inside or outside of the prison walls, he shall be deemed guilty of an escape from said penitentiary or reformatory and shall be punished by imprisonment in said penitentiary or reformatory for a term not to exceed five years, to commence from and after the expiration of the term of his previous sentence.

In order to constitute an escape under the provisions of this act it is not necessary that the prisoner be within any walls or enclosure nor that there shall be any actual breaking nor that he be in the presence or actual custody of any officer or other person.

If any person having been paroled from the state penitentiary or state reformatory as provided by law, shall thereafter depart without the written consent of the board of parole from the territory within which by the terms of said parole he is restricted, or if he shall violate any condition of his parole or any rule or regulation of said board of parole he shall be deemed to have escaped from the custody within the meaning of section one of this act and shall be punished as therein provided.

Approved April 17 A. D. 1913.

#### CHAPTER 302.

#### FORBIDDING THE BRINGING OF CERTAIN ARTICLES TO INMATES OF STATE INSTITUTIONS.

H. F. 592.

AN ACT to repeal the law as it appears in section forty-nine hundred thirteen-a (4913-a) of the supplement to the code, 1907, and to enact a substitute therefor in regard to bringing into certain state institutions and other places where inmates may lawfully be, drugs or liquors, or weapons, explosives or other article for use in making or attempting an escape.

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

**SECTION 1. Repeal—articles defined—penalty.** That the law as it appears in section forty-nine hundred thirteen-a (4913-a) of the supplement to the code, 1907, is hereby repealed and in lieu thereof is enacted the following:

That any person not authorized by law, who shall bring or pass or cause to be brought into any penitentiary, reformatory, workhouse, industrial school or hospital of the state, or onto the grounds thereof, or into any enclosure, building, camp, quarry, farm, garden or other place used in connection with any such institution in which prisoners, patients or other inmates are required or permitted to be, any opium, morphine, cocaine or other narcotic, or any intoxicating liquor, or any firearm, weapon or explosive of any kind, or any rope, ladder or other instrument or device for use in making or attempting an escape, or shall in any manner aid in such an escape, shall be punished by imprisonment in the penitentiary or reformatory for a term not exceeding five years. And any person not duly authorized by law who shall place or cause to be placed or aid in placing any of the drugs, liquors, weapons, explosives or

other articles hereinbefore enumerated in or near any road, park, path, walk, grove, hedge or field where any prisoner, patient or other inmate of the state institutions specified is or is likely to be with intent that the drug, liquor, weapon, explosive or other article so placed shall be found by or shall pass into the possession of any such prisoner, patient or other inmate, shall be punished by imprisonment in the penitentiary or reformatory for a term not exceeding five years, or by a fine of not more than one thousand dollars nor less than one hundred dollars.

The bringing or passing or causing to be brought into any of the places designated in this act of any rope, ladder or other instrument or device adopted for use in making an escape, shall be presumptive evidence that it was so brought or passed for such use, and the leaving of any drug, liquor, weapon, explosive or other article enumerated in this act in or near any of the places specified with knowledge that any prisoner, patient or other inmate is or is likely to be in such place, shall be presumptive evidence that such article was so left to be found by or to pass into the possession of such prisoner, patient or other person in violation of this act. An attempt to do any of the acts prohibited by this act shall be subject to the same punishment as the completed act.

Approved April 17 A. D. 1913.

## CHAPTER 303.

### PROHIBITING CANDIDATES FROM MAKING POLITICAL PROMISES.

#### H. F. 40.

AN ACT making it unlawful for any candidate for any office to promise support or influence in behalf of another for any position, place or office in consideration of any other person supporting him, and providing a penalty therefor. [Additional to chapter eight (8) of title twenty-four (XXIV) of the code relating to offenses against rights of suffrage.]

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

**SECTION 1. Position promised for support.** It shall be unlawful for any candidate for any office to be voted for at any primary, municipal or general election, prior to his nomination or election, to promise either directly or indirectly, to support or use his influence in behalf of any person or persons for any position, place, or office, or to promise directly or indirectly to name or appoint any person or persons to any place, position or office in consideration of any person or persons supporting him or using his, her or their influence in securing his or her nomination, election or appointment.

**SEC. 2. Influence promised for support.** It shall be unlawful for any person to solicit from any candidate for any office to be voted for at any primary, municipal or general election, or any candidate for appointment to any public office, prior to his nomination, election or appointment, to promise directly, or indirectly, to support or use his or her influence in behalf of any person or persons for any position, place or office, or to promise either directly or indirectly to name or appoint any person or persons to any place, position or office in consideration of any person or persons supporting him or her, or using his, her or their influence in securing his or her nomination, election or appointment.

**SEC. 3. Violation—penalty.** Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and punished as provided in section eleven hundred thirty-seven-a-six (1137-a-6) supplement to the code, 1907.

Approved April 17 A. D. 1913.

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CHAPTER 304.

SOLICITING FOR THE PURPOSE OF PROSTITUTION.

S. F. 355.

AN ACT to amend the law as it appears in section four thousand nine hundred seventy-five-c (4975-c) of the supplement to the code, 1907, relating to soliciting for the purpose of prostitution.

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

**SECTION 1. Soliciting for the purpose of prostitution—penalty.** That section four thousand nine hundred seventy-five-c (4975-c) of the supplement to the code, 1907, be and the same is hereby amended by inserting between the words “any” and “female” in the third line thereof the words “male or” so that when the section is amended, it shall read, as follows:

Sec. 4975-c. That any person who shall ask, request, or solicit another to have carnal knowledge with any male or female for a consideration or otherwise, shall be punished by imprisonment in the penitentiary not exceeding five years, or imprisonment in the county jail not exceeding one year, or by a fine not exceeding one thousand dollars, or both such fine and jail imprisonment.

Approved April 18 A. D. 1913.

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CHAPTER 305.

PROTECTION AGAINST FIRES.

H. F. 685.

AN ACT to amend the law relating to fire escapes as the same appears in section forty-nine hundred ninety-nine-a seven (4999-a7) supplement to the code, 1907.

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

**SECTION 1. Buildings and enclosures—how classified.** That the law as it appears in section forty-nine hundred ninety-nine-a-seven (4999-a7) supplement to the code, 1907, be and the same is hereby amended by inserting after the word “rooms” in line four (4) of said section the following: “, including boarding houses in which sleeping rooms are kept for rent or hire,”.

Approved April 19 A. D. 1913.

## CHAPTER 306.

## PROVIDING FOR SAFETY AND COMFORT OF LABORERS.

S. F. 311.

AN ACT to amend the law as it appears in section forty-nine hundred ninety-nine-a-four (4999-a4) of the supplement to the code, 1907, providing for the safety and comfort of laborers and other persons assembled in factories and buildings.

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

SECTION 1. **Blowers and pipes—deleterious fumes.** That the law as it appears in section forty-nine hundred ninety-nine a-four (4999-a4) supplement to the code, 1907, be and the same is hereby amended by adding thereto the following:

“Any factory, workshop, print-shop or other place where molten metal or other material which gives off deleterious gases or fumes is kept or used shall be equipped with pipes or flues so arranged as to give easy escape to such gases or fumes into the open air, or provided with other adequate ventilators.”

Approved March 31 A. D. 1913.

## CHAPTER 307.

## MISBRANDING OF FOOD.

H. F. 220.

AN ACT to amend the law as it appears in section three (3), chapter one hundred seventy-four (174), laws of the thirty-fourth (34th) general assembly, relating to the misbranding of foods.

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

SECTION 1. **Terms defined—correct weight or measure.** That section three (3), chapter one hundred seventy-four (174), laws of the thirty-fourth general assembly, and the law as it appears therein, be and the same is hereby amended by striking out in lines eleven (11), twelve (12) and thirteen (13) the words “or if in package form, 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. **Terms defined—contents package conspicuously marked.** That section 3, chapter 174, laws of the thirty-fourth general assembly, and the law as it appears therein, be and the same is hereby amended by adding the following sub-section to be known as sub-section fifth (5th), “If any person shall sell, offer or expose for sale any food in package form if the quantity of the contents be not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count: Provided, however, that reasonable variations shall be permitted, and tolerances and also exemptions as to small packages shall be established by rules and regulations made by the state dairy and food commissioner.

SEC. 3. **In effect.** That this act shall take effect from and after its passage: Provided, however, that no penalty of fine, imprisonment or confiscation shall be enforced for any violation of its provisions prior to Sept. 3rd, 1914.

Approved April 10 A. D. 1913.

## CHAPTER 308.

### DESECRATION OF THE STATE OR UNITED STATES FLAG.

H. F. 323.

AN ACT to repeal section five thousand twenty-eight-a (5028-a) of the supplement to the code, 1907, and to enact a substitute therefor, relative to the prevention and punishment of the desecration, mutilation or improper use of the flag of the United States of America and the flag of the state of Iowa.

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

**SECTION 1. Repeal—desecration defined.** That section five thousand twenty-eight-a (5028-a) of the supplement to the code, 1907, be and the same is hereby repealed, and the following enacted in lieu thereof:—

Any person who in any manner, for exhibition, or display, shall place or cause to be placed, any word, figure, mark, picture, design, drawing, or any advertisement of any nature, upon any flag, standard, color or ensign of the United States or state flag of this state, or ensign, or shall expose or cause to be exposed to public view any such flag, standard, color or ensign, upon which shall have been printed, painted, or otherwise placed, or to which shall be attached, appended, affixed, or annexed, any word, figure, mark, picture, design, or drawing, or any advertisement of any nature, or who shall expose to public view, manufacture, sell, expose for sale, give away, or have in possession for sale, or to give away, or for use for any purpose, any article, or substance, being an article of merchandise, or a receptacle of merchandise or article or thing for carrying or transporting merchandise, upon which shall have been printed, painted, attached or otherwise placed, a representation of any such flag, standard, color or ensign, to advertise, call attention to, decorate, mark, or distinguish, the article, or substance, on which so placed, or who shall publicly mutilate, deface, defile, or defy, trample upon, or cast contempt, either by words or act, upon any such flag, standard, color or ensign, shall be deemed guilty of a misdemeanor, and shall be punished by a fine not exceeding one hundred dollars or by imprisonment for not more than thirty days; and shall also forfeit a penalty of fifty dollars for each such offense, to be recovered with costs in a civil action, or suit, in any court having jurisdiction, and such action or suit may be brought by and in the name of any citizen of this state, and such penalty when collected, less the reasonable cost and expense of action or suit and recovery, to be certified by the clerk of the district court of the county in which the offense is committed, shall be paid into the county treasury for the benefit of the school fund, and two or more penalties may be sued for and recovered in the same action or suit. The words, "flag, standard, color or ensign," as used in this section, shall include any flag, standard, color, ensign, or any picture or representation of either thereof, made of any substance or represented on any sub-

stance, and of any size, evidently purporting to be, either of, said flag, standard, color or ensign, of the United States of America, or a picture or a representation, of either thereof, upon which shall be shown the colors, the stars, and the stripes, in any number of either thereof, or by which the person seeing the same, without deliberation may believe the same to represent the flag, colors, standard, or ensign of the United States of America.

The possession after this act takes effect, by any person other than a public officer, as such, of any such flag, standard, color or ensign, on which shall be anything made unlawful by this section, or of any article or substance or thing on which shall be anything made unlawful by this section, shall be presumptive evidence that the same is in violation of this section, and was made, done or created after this act takes effect, and that such flag, standard, color, ensign or article, substance, or thing, did not exist when this act takes effect.

SEC. 2. **In effect.** This act shall be in full force and effect on and after January 1st, 1914.

Approved April 14 A. D. 1913.

## CHAPTER 309.

### FRAUDULENT ADVERTISING.

H. F. 493.

AN ACT to prohibit fraudulent advertising, and providing a penalty 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. **Fraudulent advertising defined—penalty.** Whoever, with intent to sell, or in anywise dispose of merchandise, securities, service, or anything offered by him, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or an interest therein, causes, with intent to defraud directly or indirectly, to be made, published, disseminated, circulated, or placed before the public, in this state, in a newspaper or other publication, or in the form of a book, notice, hand-bill, poster, bill, circular, pamphlet or letter, or in any other way, an advertisement of any sort regarding merchandise, securities, service, or anything so offered to the public, which advertisement contains any assertion, representation or statement of fact which is untrue or deceptive, shall be guilty of a misdemeanor. Provided, however, that nothing herein contained shall be construed to place liability hereunder on any owner, publisher, agent or employe of a newspaper or other publication for the publication of such advertisement published in good faith.

Approved April 18 A. D. 1913.



## CHAPTER 310.

## UNFAIR DISCRIMINATION IN COMMERCE AND TRADE.

H. F. 85.

AN ACT to repeal section five thousand twenty-eight-b (5028-b) of the supplement to the code, 1907, and chapter two hundred twenty-two (222), laws of the thirty-third general assembly amendatory thereof, and to enact a substitute therefor relating to unfair discrimination in any commodity of commerce between different sections, localities, communities, cities or towns.

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

SECTION 1. **Repealed.** That section five thousand twenty-eight-b (5028-b) of the supplement to the code, 1907, and chapter two hundred twenty-two (222), laws of the thirty-third general assembly amendatory thereof, is hereby repealed and the following enacted in lieu thereof:

SEC. 2. **Unfair discrimination in selling—defined.** Any person, firm, company, association or corporation, foreign or domestic, doing business in the state of Iowa, and engaged in the production, manufacture, sale or distribution of any commodity of commerce, that shall for the purpose of destroying the business of a competitor in any locality or creating a monopoly, discriminate between different sections localities, communities, cities or towns of this state, by selling such commodity at a lower price or rate in one section, locality, community, city or town than such commodity is sold for by said person, firm, association, company, or corporation, in another section, locality, community, city or town after making due allowance for the difference if any, in the grade or quality, and in the actual cost of transportation from the point of production or purchase, if a raw product, or from the point of manufacture, if a manufactured product, to a place of sale, storage or distribution, shall be deemed guilty of unfair discrimination, which is hereby prohibited and declared to be unlawful; provided, however, that prices made to meet competition in such section, locality, community, city or town shall not be in violation of this act.

SEC. 3. **Unfair discrimination in purchasing—defined.** Any person, firm, association, company or corporation, foreign or domestic, doing business in the state of Iowa, and engaged in the business of purchasing for manufacture, storage, sale or distribution, any commodity of commerce that shall for the purpose of destroying the business of a competitor or creating a monopoly, discriminate between different sections, localities, communities, cities or towns, in this state, by purchasing such commodity at a higher rate or price in one section, locality, community, city or town, than is paid for such commodity by such party in another section, locality, community, city or town, after making due allowance for the difference, if any, in the grade or quality, and in the actual cost of transportation from the point of purchase, to the point of manufacture, sale, distribution or storage, shall be deemed guilty of unfair discrimination, which is hereby prohibited and declared to be unlawful; provided, however, that prices made to meet competition in such section, locality, community, city or town shall not be in violation of this act.

SEC. 4. **Penalty.** Any person, firm, association, company or corporation, or any officer, agent or member of any such firm, company, association or corporation, found guilty of unfair discrimination as herein defined, shall be punished

as provided in section five thousand twenty-eight-c (5028-c) of the supplement to the code, 1907.

**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 April 2 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 5, 1913 and the Des Moines Capital April 4, 1913.

W. S. ALLEN,  
*Secretary of State.*

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## CHAPTER 311.

### OBSERVANCE OF DECORATION DAY.

H. F. 291.

**AN ACT** to amend section five thousand and forty-a (5040-a) of the supplement to the code, 1907, relating to the proper observance of decoration day.

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

**SECTION 1. Ball games and other sports prohibited until 3 o'clock p. m.** That section five thousand and forty a (5040-a) of the supplement to the code, 1907, be amended as follows:

By striking from the fourth (4th) line thereof the words, "memorial day" and substituting therefor the following "decoration day (May 30th.)".

**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 16 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 19, 1913.

W. S. ALLEN,  
*Secretary of State.*

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## CHAPTER 312.

### VAGRANTS.

H. F. 338.

**AN ACT** to amend section one (1) of chapter one hundred eighty-three (183) of the acts of the thirty-fourth general assembly, defining vagrancy.

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

**SECTION 1. Vagrancy defined.** That section one (1) of chapter one hundred eighty-three (183) of the acts of the thirty-fourth general assembly be and the

same is hereby amended by striking out the period after the word "gaming" in the thirteenth line thereof and inserting in lieu thereof a semicolon and adding thereto the following words: 'all persons camping on any public highway for the purpose of trading horses'.

Approved April 19 A. D. 1913.

### CHAPTER 313.

#### CLERKS OF THE GRAND JURY.

Sub. for S. F. 37.

AN ACT to repeal section five thousand two hundred fifty-six (5256) of the supplement to the code, 1907, relating to the appointment, duties and compensation of the clerks of the grand jury, and enacting a substitute therefor.

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

**SECTION 1. Repeal—appointment—duties—compensation.** That section five thousand two hundred and fifty six (5256) of the supplement to the code, 1907, be repealed and the following enacted in lieu thereof:

"The court may appoint as clerk of the grand jury, a competent person who is not a member thereof. The following oath must be administered to him: "You solemnly swear that you will faithfully and impartially perform the duties of clerk of the grand jury, that you will not reveal to any one its proceedings or the testimony given before it and will abstain from expressing any opinion upon any question before it, to or in the presence or hearing of the grand jury or any member thereof." Such clerk shall strictly abstain from expressing an opinion upon any question before the body, either to or in the presence or hearing of it or any member thereof, and shall not be present when any vote is being taken upon the finding of an indictment and shall receive compensation at the rate of two dollars (\$2.00) per day for time actually and necessarily employed in the performance of the duties prescribed in this chapter. In all counties having a population of more than fifty thousand (50,000) inhabitants, the court, may, if it deems it necessary, appoint as clerk of the grand jury a competent short-hand reporter and such clerk shall receive such compensation as may be fixed by the court at the time of the appointment, but said compensation, in counties having a population of less than seventy five thousand (75,000) inhabitants shall not exceed four dollars (\$4.00) per day for each day actually and necessarily employed in the performance of the duties herein defined. In all counties having a population of more than seventy five thousand (75,000) inhabitants, such clerk shall receive as compensation an annual salary of fifteen hundred dollars (\$1,500.00).

**SEC. 2. In effect.** This act being deemed of immediate importance shall be in full force and 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 April 19 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 26, 1913 and in the Des Moines Capital April 30, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 314.

## SUSPENSION OF EXECUTION OF SENTENCE OF CERTAIN CONVICTS.

H. F. 304.

AN ACT to amend chapter one hundred eighty-four (184), of the acts of the thirty-fourth (34th) general assembly relative to the suspension of the execution of the sentence of certain convicts on first conviction.

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

SECTION 1. **Trial judge may suspend execution of sentence—governor may pardon.** That section one (1) of chapter one hundred eighty-four (184), of the acts of the thirty-fourth (34th) general assembly be and is hereby amended by adding thereto the following: "Such person, however, may be pardoned by the governor at any time after the suspension of execution of the sentence pronounced against him upon such conditions and with such restrictions and limitations as he may think proper."

Approved April 18 A. D. 1913.

## CHAPTER 315.

## REQUIRING WITNESSES TO ATTEND AND GIVE TESTIMONY IN CRIMINAL ACTIONS IN ANOTHER STATE.

H. F. 518.

AN ACT providing for the entry of an order by the district court requiring a person in this state to attend and give testimony in a criminal action pending in another state after a petition has been filed in the office of the clerk of said court, and the person given an opportunity to be heard in opposition thereto, and providing punishment for failing to do so. [Additional to chapter thirty-four (34) of title twenty-five (XXV) of the code relating to evidence and witnesses.]

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

SECTION 1. **Petition—hearing.** When a petition is filed in the office of a clerk of the district court upon the relation and oath of a prosecuting attorney in another state, which, by its laws, has heretofore or may hereafter make provision for commanding persons within its borders to attend and testify in a criminal action in this state, setting forth that there is a criminal action pending in the courts of such state wherein a person residing or being within the county wherein said court is held is a material witness for the state in such action, to which there is attached a certified copy of the indictment therein, a judge of said court shall issue an order fixing a time and place for a hearing on said petition, which may be during a session of court or in vacation, and thereupon the clerk shall prepare a notice requiring the said witness to appear before the said judge at the time and place specified in said order to make defense thereto and shall deliver the same to the sheriff of said county for service upon said person.

SEC. 2. **Costs—how paid.** All costs of said proceeding, which shall be estimated by the clerk, shall be paid to the clerk at the time said petition is filed.

SEC. 3. **Material witness—order.** If it shall be shown upon said hearing that the said person is a material and necessary witness for the prosecution in said case, the court shall enter an order commanding said person to appear and testify in said cause in the court in which such criminal action is pending at a certain named time and place, of which order the said person shall take notice.

SEC. 4. **Witness fees tendered in advance.** If any person on whom such order has been made, having been tendered by the party asking for the order ten cents (\$.10) for each mile traveled to and from such court, and the sum of five (\$5.00) dollars for each day that his attendance is required, including the time going to and returning from the place of trial, the number of days to be specified in such order, shall unreasonably neglect to attend and testify in such court, he shall be punished in the manner provided for the punishment of disobedience of any order issued from the office of the clerk of the district court, provided, however, that the laws of the state in which the trial is to be held gives to persons coming into the state, under such order, protection from the service of papers and arrest.

SEC. 5. **Certified copies to be sent to other states.** Upon the taking effect of this act it shall be the duty of the secretary of state to certify a copy of this law to the executive department of each of the states of the United States.

Approved April 18 A. D. 1913.

## CHAPTER 316.

### REFORMATORY AND PENITENTIARY.

Sub. for S. F. 44.

AN ACT to repeal the law as it appears in sections five thousand six hundred sixty-nine-a (5669-a), five thousand seven hundred sixteen (5716), and five thousand seven hundred eighteen-a-twenty-eight (5718-a-28) of the supplement to the code, 1907, and in sections five thousand seven hundred seventeen (5717), and five thousand seven hundred eighteen, (5718), of the code, and to enact substitutes therefor, providing for the compensation and allowances of officers and employees of the reformatory at Anamosa and the penitentiary at Fort Madison.

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

SECTION 1. **Repeal—compensation of officers and employes.** That the law as it appears in section five thousand seven hundred sixteen (5716), of the supplement to the code, 1907, is hereby repealed, and in lieu thereof is enacted the following:

The officers and employees of the reformatory at Anamosa and the penitentiary at Fort Madison, hereinafter specified, shall be paid for their services each month, sums to be fixed by the board of control, of state institutions, not exceeding, however, the sums specified as follows: The warden, two hundred ten dollars (\$210.00) The deputy warden, one hundred twenty-five dollars (\$125.00), the assistant deputy warden, one hundred dollars (\$100.00), the clerk, one hundred dollars (\$100.00), the chaplain, one hundred dollars (\$100.00), and an additional chaplain, twenty dollars (\$20.00), matron of the women's department seventy-five dollars (\$75.00), the physician and

surgeon of the reformatory at Anamosa, one hundred dollars (\$100.00), the physician and surgeon of the penitentiary at Fort Madison, one hundred dollars (\$100.00), the kitchen stewards, receiving and disbursing officers, record clerks, and captains of night guards, each eighty dollars (\$80.00), but turnkeys, and guards of the first-class shall be paid eighty dollars (\$80.00), turnkeys and guards of the second-class, seventy-five dollars (\$75.00), turnkeys and guards of the third class, sixty-five dollars (\$65.00).

Other officers and employees in the opinion of the board of control of state institutions needed to carry on the various departments of the prisons, properly and efficiently, may be authorized, and their salaries fixed by said board, subject to the approval of the governor, as provided by the law as found in section two thousand seven hundred twenty-seven-a-thirty-eight (2727-a-38), of the supplement to the code, 1907. The salaries and wages herein authorized shall be paid by the state treasurer from any money in the state treasury, not otherwise appropriated, upon certified abstracts as provided by the law, as it appears in section two thousand seven hundred twenty-seven-a-forty-three (2727-a-43) of the supplement to the code, 1907.

**SEC. 2. Repeal—officers' salary—furnished house or house rent included.** The law as it appears in section five thousand seven hundred seventeen (5717), of the code, and in section five thousand six hundred sixty-nine-a (5669-a) and section five thousand seven hundred eighteen-a-twenty-eight (5718-a-28), of the supplement to the code, 1907, is hereby repealed, and in lieu thereof, is enacted the following:

In addition to his salary, each warden shall be provided with a furnished house to be designated by the board of control, or house rent and water, heat, ice, and lights, and the labor of prisoners, not exceeding three at one time for household and domestic service. Each deputy warden shall be furnished with a house to be designated by the board of control, or house rent and water, heat, ice, and lights, and domestic service by not more than one prisoner at one time.

The matron of the female department shall be allowed, in addition to her salary, a furnished apartment, heat, light, and domestic service within the building occupied by the women's department.

The prison labor authorized by this section shall not be used except on the premises and for the benefit of the person authorized to use it, and for his family. Provided however, that no labor of prisoners shall be used in a manner to prejudice prison discipline.

**SEC. 3. Repeal—support of convicts—appropriation.** Section five thousand seven hundred eighteen (5718) of the code, is hereby repealed, and in lieu thereof is enacted the following:

For the general support of the prisoners confined in the reformatory at Anamosa and the penitentiary at Fort Madison there shall be paid from any money in the state treasury not otherwise appropriated the sum of eleven dollars fifty cents monthly for each prisoner in the reformatory and eleven dollars monthly for each prisoner in the penitentiary, to be estimated by the average number present during the preceding month. Said sums shall be drawn from the state treasury as provided by the law as it appears in section twenty-seven hundred twenty-seven-a-forty-three (2727-a-43) of the supplement to the code, 1907.

**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 9 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital April 14, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 317.

### REFORMATORY AND PENITENTIARY.

S. F. 140.

AN ACT to repeal the law as it appears in section fifty-six hundred eighty-five-a (5685-a) of the supplement to the code, 1907, and to enact a substitute therefor in regard to collection of money from visitors and its use.

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

**SECTION 1. Repeal—collection of money from visitors—how expended.** That the law as it appears in section five thousand six hundred eighty-five-a (5685-a) of the supplement to the code, 1907, is hereby repealed and in lieu thereof is hereby enacted the following:

Each of the wardens of the penitentiary and the reformatory shall demand and receive of each person except state officers and others exempt by law and relatives of a prisoner confined therein, who visits the prison for the purpose of viewing the interior or precincts, the sum of twenty-five cents of which the warden shall render and [an] account each month to the board of control of state institutions. The money so collected shall be applied in the discretion of said board in the purchase of books, periodicals, newspapers, and furniture and furnishings for library and reading rooms, and for lectures, concerts and other entertainments and musical instruments and musical supplies for the institution for which it was collected. If at any time in the opinion of said board there be money in the fund so created not needed for the uses specified it may be transferred on the order of said board to the support fund of the institution.

**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 11 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 14, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 318.

## BREAKING STONE.

S. F. 139.

AN ACT to amend the law as it appears in section fifty seven hundred seven (5707) of the supplement to the code, 1907, relating to the breaking of stone.

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

SECTION 1. **Work in stone quarries.** That the law as it appears in section fifty-seven hundred seven (5707) of the supplement to the code, 1907, is hereby amended by striking therefrom the words "with hammers into pieces of not more than two and one-half inches in diameter."

Approved March 29 A. D. 1913.

## CHAPTER 319.

## DRAGGING OF PUBLIC HIGHWAYS.

H. F. 528.

AN ACT to amend the law as it appears in section (2) of chapter seventy (70), acts of the thirty-fourth (34) general assembly, relating to the dragging of public roads.

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

SECTION 1. **Balance in dragging fund may be transferred to general fund.** That the law as it appears in section two (2), chapter seventy (70) of the acts of the thirty-fourth (34th) general assembly of Iowa be and the same is hereby amended by adding the following to section two (2): "if at the February meeting a balance remains in the drag fund for the preceding year or years, the said balance may be transferred to the general road fund."

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 18 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 21, 1913 and in the Des Moines Capital April 22, 1913.

W. S. ALLEN,  
*Secretary of State.*

[NOTE: The above H. F. 528 was signed and enrolled in due form but failed to pass the senate as shown by page 2299 of the Senate Journal and page 2456 of the House Journal of the Thirty-fifth General Assembly.]



## APPROPRIATION ACTS.

### CHAPTER 320.

#### GENERAL LEVY FOR STATE PURPOSES.

S. F. 564.

AN ACT to provide for the general levy for state purposes for the years nineteen hundred and thirteen (1913) and nineteen hundred and fourteen (1914).

*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 thirteen (1913) 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 eight hundred thousand dollars (\$2,800,000) and in the year nineteen hundred fourteen (1914) shall fix the rate necessary to yield approximately the further sum of two million eight hundred thousand dollars (\$2,800,000)

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 deem [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 24 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader May 1, 1913 and in the Des Moines Capital April 30, 1913.

W. S. ALLEN,  
*Secretary of State.*

### CHAPTER 321.

#### STATE AND JUDICIAL OFFICERS: STATE AND OTHER EXPENSES.

S. F. 562.

AN ACT to make appropriation 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 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, for a term of two years, ending June 30, 1915, 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, 1915, 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. For the office of attorney general, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of thirty-one thousand dollars (\$31,000.00).

2. For the office of auditor of state, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of thirty-five thousand nine hundred sixty dollars (\$35,960.00).

3. For the clerk of the supreme court, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of six thousand one hundred eighty dollars (\$6,180.00).

4. For the office of governor, for the period ending June 30, 1915, for a contingent and expense fund, the sum of three thousand dollars (\$3,000.00); for the expense of employing additional counsel when necessary, under the provisions of sections sixty-three (63) and sixty-four (64) of the code the sum of twenty-five hundred dollars (\$2500.00); for the investigation of pardon and parole and for the return of paroled prisoners the sum of two hundred dollars (\$200.00); for house rent for the governor, the sum of twelve hundred dollars (\$1200.00); for employees in the office of the governor, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of eight thousand eight hundred dollars (\$8,800.00).

5. For the office of state librarian, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of ten thousand one hundred sixty dollars (\$10,160.00).

6. For the railroad commission for clerical help, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of twelve thousand eight hundred dollars (\$12800.00); for traveling expense the sum of three thousand dollars (\$3,000.00).

7. For the office of secretary of state, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of forty-one thousand dollars (\$41,000.00).

8. For the office of superintendent of public instruction, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of six thousand six hundred sixty dollars (\$6,660.00).

9. For the incidental expenses of the chief justice of the supreme court, for the period ending June 30, 1915, the sum of two thousand dollars (\$2,000.00); also for bailiff, messenger and stenographic service, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of fourteen thousand four hundred dollars (\$14,400.00).

10. For the office of treasurer of state, for the period ending June 30, 1915, as per joint resolution No. 15, for salaries and incidental expenses, the sum of eleven thousand one hundred sixty dollars (\$11,160.00).

11. For the historical department, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of twenty-three thousand two hundred eighty dollars (\$23,280.00).

12. For the office of secretary of the executive council for the period ending June 30, 1915, as per joint resolution No. 15, the sum of twenty-one thousand one hundred sixty dollars (\$21,160.00).

13. For the geological survey, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of eighteen hundred dollars (\$1800.00)

14. For the office of state mine inspector, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of two thousand dollars (\$2,000.00).

15. To the state board of health for extra clerical assistance, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of nine thousand six hundred dollars (\$9,600.00).

16. To the governor for extra service as member of the executive council, for the period ending June 30, 1915, the sum of twenty-four hundred dollars (\$2400.00), and warrants shall be issued monthly therefor at the end of each month.

17. For the office of supreme court reporter, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of fourteen hundred forty dollars (\$1440.00).

18. For expenses of the state food and dairy commissioner, for clerical assistance, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of seven thousand one hundred sixty dollars (\$7,160.00).

19. For employees under the custodian, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of sixty-six thousand six hundred eighty dollars (\$66,680.00), one thousand dollars (\$1,000.00) of which is made immediately available to pay for laundry, elevator tender and janitor service prior to July 1, 1913, to cover deficiency.

20. To the office of the bureau of labor statistics, for the period ending June 30, 1915, as per joint resolution No. 15, the sum of two thousand dollars (\$2,000.00).

21. For providential contingencies to be expended in accordance with the provisions of section one hundred seventy (170) of the code, and for expenses occasioned by accidents and emergencies for which no appropriation is made the sum of fifty thousand dollars (\$50,000.00), the said amount to be under the control of the executive council, and all payments under this section shall be reported in detail by the auditor of state in his next report.

22. There is hereby appropriated the sum of one hundred twenty thousand dollars (\$120,000.00), 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-five thousand dollars (\$25,000.00), or so much as shall be necessary, for the purchase of fuel.

23. There is hereby appropriated the sum of twenty-five thousand dollars (\$25,000.00) to be expended under the direction of the executive council, under the provisions of section one hundred sixty-four (164) of the code.

24. There is hereby appropriated for the purpose of paying express, freight and drayage, for the period ending June 30, 1915, the sum of twenty thousand dollars (\$20,000.00).

25. There is hereby appropriated for the purpose of advertising laws and publishing census returns, to be expended under the provisions of section thirty-six (36) of the code, the sum of thirteen hundred dollars (\$1300.00).

**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 warrant shall issue therefor, and the amounts thereof, and to whom paid shall be reported to the next general assembly.

**SEC. 5. Lieutenant governor.** To William L. Harding, lieutenant governor, as president of the senate, the sum of two thousand dollars (\$2,000.00).

**SEC. 6. Speaker of the house.** To Edward H. Cunningham, as speaker of the house of representatives, the sum of one thousand dollars (\$1,000.00), which shall be in addition to his regular salary as member of the house.

**SEC. 7. Chaplains.** For chaplains of the senate and of the house of the thirty-fifth general assembly, the sum of eight hundred dollars (\$800.00), or so

much thereof as may be necessary, warrants therefor to be drawn in favor of the persons entitled thereto, who shall be determined by the auditor of state upon the certified statements of the president of the senate and the speaker of the house.

SEC. 8. **Session law annotations.** To the secretary of state for the purchase of one hundred fifty-nine (159) sets of the annotations to the sessions laws of the thirty-fifth general assembly, the sum of two hundred dollars (\$200.00).

SEC. 9. **Publication of notices of pardon applications.** For the payment of claims due sundry parties for the publication of notices of application for pardon, under the provision of section five thousand six hundred and twenty-six (5626) of the code, the sum of eight hundred dollars (\$800.00), to be paid on a statement approved by the governor.

SEC. 10. **Indexing journals.** To the secretary of state for indexing journals for the house and senate of the thirty-fifth general assembly, in addition to the amount provided by law, the sum of two hundred fifty dollars (\$250.00).

SEC. 11. **Expenses of superintendent of weights and measures.** 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 dollars (\$100.00).

SEC. 12. **Board of control.** To the board of control for additional draftsmen in that department the sum of fifteen hundred dollars (\$1500.00).

SEC. 13. **Rent of storage rooms.** For rent of storage rooms for the adjutant general for the period ending July 1st, 1915, the sum of two thousand dollars (\$2,000.00).

SEC. 14. **Interest due permanent school fund.** For the purpose of paying the interest of the state to the permanent school fund, the sum of thirteen hundred twelve and 46/100 dollars (\$1312.46), 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. 15. **House and senate employes.** To the employees of the house and senate for services required after adjournment, the sum of two hundred dollars (\$200.00).

SEC. 16. **Custodian—for removal of snow.** For the custodian the sum of one thousand dollars (\$1,000.00), to pay for shoveling snow and other necessary work, warrants for same to be drawn upon the certificate of the custodian.

SEC. 17. **Executive council—necessary expenses.** To the executive council to meet necessary expenses, for which no appropriation is made, the sum of three thousand dollars (\$3,000.00). [.] to be disbursed on claims approved by the executive council, and the auditor of state shall draw warrants therefor.

SEC. 18. **Industrial equipment for Anamosa reformatory.** To the board of control of state institutions for the state reformatory at Anamosa for the purchase of industrial equipment, the sum of two thousand dollars (\$2,000.00).

SEC. 19. **Hall of archives.** To the executive council for the continuation of the work of arrangement, classification, labeling, filing, calendaring and indexing the public archives under section twenty-eight hundred eighty-one-k (2881-k) of the supplement to the code, 1907, the sum of four thousand dollars (\$4,000.00).

SEC. 20. **Badges.** To the Des Moines Rubber Stamp Works for badges for officials of the senate and house of representatives of the thirty-fifth general assembly the sum of fifty-six—and 35/100 dollars (\$56.35).

**SEC. 21. Wardens' support fund.** For the support fund of the wardens of the penitentiaries at Anamosa and Fort Madison the sum of six hundred dollars (\$600.00) each, payable quarterly, during the period ending July 1, 1915.

**SEC. 22. Wardens' house fund.** For the wardens' house fund at the penitentiaries at Anamosa and Fort Madison the sum of two hundred dollars (\$200.00) each for the period ending July 1, 1915.

**SEC. 23. Secretary of state—extra clerk hire.** For extra clerical assistance in the office of the secretary of state the sum of eighteen hundred dollars (\$1800.00).

**SEC. 24. Typewriters.** To the Underwood Typewriter Co., for rent of typewriter for special stenographer in law library during the session of the thirty-fifth general assembly, the sum of ten and 50/100 [dollars] (\$10.50).

**SEC. 25. Expenses incurred on account of the funeral of Senator Charles Gates.** To Capital City Commercial College the sum of two dollars (\$2.00); to Alpha Floral Co., the sum of twenty-five dollars (\$25.00); to W. A. Groves, sergeant-at arms, for bill paid to Lozier, the florist, the sum of three dollars (\$3.00); to McBride and Patrick, the sum of seventeen dollars (\$17.00); to L. W. Boe, the sum of six and 30/100 dollars (\$6.30), to J. A. White, the sum of six and 30/100 dollars (\$6.30); to S. W. Neal, the sum of six and 30/100 dollars (\$6.30); to J. G. Legel, the sum of six and 20/100 dollars (\$6.20); to Frederic Larrabee, the sum of six and 30/100 dollars (\$6.30), to W. I. Atkinson, the sum of six and 20/100 dollars (\$6.20); to Frank A. Thayer, the sum of six and 20/100 dollars (\$6.20); to John E. Bruce, the sum of six and 20/100 dollars (\$6.20); to Henry W. Grout, the sum of six and 20/100 dollars (\$6.20); to Charles W. Miller, the sum of six and 20/100 dollars (\$6.20); for items expended respectively by said parties for expenses incurred by the death of Senator Charles Gates, under resolution of the thirty-fifth general assembly, and making a total of one hundred nine and 40/100 [dollars] (\$109.40).

**SEC. 26. Expenses incurred on account of the funeral of Representative Frank A. Thayer.** To Representative Arthur Pickford, the sum of four and 84/100 dollars (\$4.84); to Representative Ira D. McVicker, the sum of four and 84/100 dollars (\$4.84); for amounts expended respectively by them in attending the funeral of the late Hon. Frank A. Thayer.

**SEC. 27. Expenses incurred on account of the funeral of Daniel L. Castle, doorkeeper.** To J. H. Doty, chief doorkeeper of the senate, the sum of fifty-eight and 20/100 dollars (\$58.20), for money advanced by him to pay the railroad fare and hotel expenses incurred in attending the funeral of the late Daniel L. Castle by the following parties: J. H. Doty, E. L. Stillson, D. A. Hisler, J. B. Melvin, M. M. Shirk and N. L. Callison.

**SEC. 28. Pioneer lawmakers' association.** To the pioneer lawmakers' association, to assist in defraying the expenses of publishing the proceedings of the said association, and to be paid to the secretary thereof on the presentation of proper vouchers therefor, a sum not to exceed one hundred dollars (\$100.00).

**SEC. 29. State board of education.** To the state board of education for telephone messages, telegrams, express charges, stenographers and other necessary items to be expended by said board during the biennial period ending July 1st, 1915, the sum of five hundred dollars (\$500.00), which sum is to be paid in accordance with the provisions of chapter one hundred seventy (170) of the acts of the thirty-third general assembly.

**SEC. 30. Executive council—collecting and tabulating census.** To the executive council for the purpose of collecting and tabulating the census for the

year nineteen hundred fifteen (1915), and for proofreading and other necessary expenditures to carry into effect the provisions of chapter eight (8) of title 11 of the code supplement, 1907, the sum of twenty-five thousand dollars (\$25,000.00).

SEC. 31. **Executive council—rental and other expenses of rate department of railroad commission.** To the executive council to pay rental, janitor services and other expenses for the rate department of the railroad commission in Teachout building during the period of the thirty-fifth general assembly, the sum of three hundred dollars (\$300.00).

SEC. 32. **Expenses incurred by Frank C. Pellett.** To Frank C. Pellett, bee inspector, for expenses filed with executive council, the sum of eighteen and 90/100 dollars (\$18.90).

SEC. 33. **State veterinary department—special fund.** To the state veterinary department for a special fund to take care of outbreak of disease in horses, the sum of three thousand dollars (\$3,000.00).

SEC. 34. **Executive council—expenses governors' conference.** To the executive council to pay the assessment of the state of Iowa for expenses of the governors' conference for 1912 the sum of one hundred dollars (\$100.00), and for the ensuing biennial period the further sum of three hundred dollars (\$300.00) for the same purpose.

SEC. 35. **Custodian—extra help.** To the custodian for additional help from Jan. 13th to 30th inclusive, as ordered by committee on extra help, the sum of two hundred sixty-nine and 64/100 dollars (\$269.64).

SEC. 36. **Temporary mail carrier.** To J. R. White, temporary mail carrier for eight days Jan. 11 to 20 inclusive, the sum of twenty-four dollars (\$24.00).

SEC. 37. **Expenses incurred by J. N. Hurty.** To J. N. Hurty for expenses to and from Indianapolis, by order of the state board of health, the sum of thirty-eight and 10/100 dollars (\$38.10).

SEC. 38. **Refund to estate of Herman Kreft.** To the estate of Herman Kreft as refund for money paid for treatment at the state sanatorium at Oakdale,—the sum of fifteen and 49/100 dollars (\$15.49).

SEC. 39. **Unexpired license—Elmer Myers.** To reimburse Bertha G. Myers for unexpired time on license issued to Elmer Myers, deceased, the sum of forty-four and 44/100 dollars (\$44.44).

SEC. 40. **Deputy game warden—fine and costs for killing deer.** To F. W. Habicht, deputy game warden, for fine and costs for killing deer, under orders of the game warden of Pottawattamie county, Iowa, the sum of one hundred forty-two and 5/100 dollars (\$142.05).

SEC. 41. **Chief clerk of the House—telegrams and postage.** To A. C. Gustafson, chief clerk of the house of representatives of the thirty-fifth general assembly, for cash paid for postage and telegrams connected with official business, the sum of eleven and 35/100 dollars (\$11.35).

SEC. 42. **Elsie Leo—stenographic work in law library.** To Elsie Leo, for stenographic services in law library, Jan. 14 to 20 inclusive, the sum of fourteen and 58/100 dollars (\$14.58).

SEC. 43. **Chas. E. Scholz—traveling expenses of Mr. Edwin Cooley.** To Charles E. Scholz, for money advanced for railroad fare and traveling expenses for Mr. Edwin Cooley from Chicago to Des Moines and return; as per concurrent resolution of . . . . ., 1913, the sum of twenty-four and 30/100 dollars (\$24.30).

SEC. 44. **Chairs and gavels.** To Chapman Bros. for chairs and gavels for the president of the senate and the speaker of the house, the sum of one hundred twenty dollars (\$120.00).

SEC. 45. **Executive council—necessary expenses.** There is hereby appropriated the sum of five thousand dollars (\$5,000.00), to be expended under the direction of the executive council as recommended by joint committee under date of April 5, 1913.

SEC. 46. **O. H. Jacobson—expenses incurred in contest of election.** To O. H. Jacobson, attorney's fees, witness fees, mileage, express and other expenses incurred and paid by him in election contest of Foley vs. Jacobson from the thirty-fourth representative district, the sum of one hundred eighteen and 15/100 dollars (\$118.15).

SEC. 47. **David Meredith,—expenses incurred in contest of election.** To David Meredith, attorney's fees, witness fees, mileage, express and other expenses incurred and paid by him in election contest of Salmon vs. Meredith from the thirty-eighth representative district, the sum of one hundred forty and 30/100 dollars (\$140.30).

SEC. 48. **Typewriters.** To Underwood Typewriter Co., for rent of typewriters for use in the senate, from Jan 13 to April 12, 1913 inclusive, the sum of twenty-one and 75/100 dollars (\$21.75).

SEC. 49. **Clement F. Kimball—first half of salary.** To Clement F. Kimball, for salary as senator from the nineteenth senatorial district for the first half of the session of the thirty-fifth general assembly, the sum of five hundred dollars (\$500.00).

SEC. 50. **Attorney general—expenses incurred in investigations.** To George Cosson, attorney general, the sum of three hundred dollars (\$300.00) to cover expense of investigations made by his department.

SEC. 51. **Committee on retrenchment and reform—clerical help.** To the committee on retrenchment and reform, for clerk hire and assistance that may be necessary for the period ending January 1, 1915, the sum of six hundred dollars (\$600.00), or so much thereof as may be necessary.

SEC. 52. **Henry Rood—services on Vicksburg park commission.** To Henry Rood in payment for services on Vicksburg park commission, as secretary, the sum of four hundred dollars (\$400.00).

SEC. 53. **Canvas.** To Seick Tent & Awning Co., for large canvas used in house of representatives the sum of seven and 75/100 dollars (\$7.75).

SEC. 54. **Committee on retrenchment and reform—clerical assistance in state departments.** To the committee on retrenchment and reform the sum of ten thousand dollars (\$10,000.00) per annum for extra clerical assistance in any of the departments of state that are authorized by the said committee on retrenchment and reform to have additional assistance, as provided in joint resolution No. 15.

SEC. 55. **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 25 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital April 29, A. D. 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 322.

## SOLDIERS' HOME, THE INDUSTRIAL SCHOOL FOR BOYS, THE INDUSTRIAL SCHOOL FOR GIRLS, THE STATE PENITENTIARY AND THE REFORMATORY.

S. F. 61.

AN ACT to provide additional funds for the soldiers' home [,] the industrial school for boys, the industrial school for girls, the state penitentiary and the reformatory.

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

SECTION 1. **Appropriation—how drawn and expended.** That for the purpose of increasing the support funds of the institutions hereinafter specified there is hereby appropriated from any money in the state treasury not otherwise appropriated, the sum of thirty-four thousand five hundred dollars to be divided among said institutions as follows:

For the Soldiers' Home .....	\$ 1,500
For the Industrial School for Boys.....	2,000
For the Industrial School for Girls.....	3,500
For the State Penitentiary .....	5,500
For the Reformatory .....	22,000

SEC. 2. **Appropriation—cell bank.** There is hereby appropriated from any money in the state treasury not otherwise appropriated the additional sum of five thousand dollars to continue the construction of the new cell bank of the state penitentiary.

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 6th A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader March 7, 1913, and in the Des Moines Capital March 8, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 323.

## IOWA SOLDIERS' HOME, IOWA SOLDIERS' ORPHANS' HOME, SCHOOL FOR THE DEAF, INSTITUTIONS FOR FEEBLE-MINDED CHILDREN, SANATORIUM FOR THE TREATMENT OF TUBERCULOSIS, INDUSTRIAL SCHOOLS, STATE HOSPITALS, PENITENTIARY AND REFORMATORY.

Sub. for S. F. 116.

AN ACT making appropriations for the construction, repair, improvement and contingent funds for the Iowa soldiers' home, Iowa soldiers' orphans' home, school for the deaf, institutions for feeble-minded children, sanatorium for the treatment of tuberculosis, industrial schools, state hospitals, penitentiary and reformatory.

*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 six hundred thousand five hundred fifty-five dollars (\$600,555.00) for the construction, repair, improvement and contingent funds for the Iowa soldiers' home, Iowa soldiers' orphans' home, school for the deaf, institution for feeble-minded children, sanatorium for the treatment of tuberculosis, industrial schools, state hospitals, penitentiary and reformatory.



SEC. 2. **How drawn and expended.** All money appropriated for 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, 1907. 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 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, 1914.

SEC. 3. **Soldiers' home.** Of the appropriations made by this act the Iowa soldiers' home at Marshalltown shall receive sums as follows:

For contingent and repair fund .....\$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 hospital—additional .....\$15,000.00

For schoolhouse (primary) ..... 14,000.00

For extension of water mains ..... 1,100.00

For boiler fronts ..... 750.00

For electric rewiring ..... 750.00

For copper eaves and gutters ..... 1,500.00

For repair of engine room and roof ..... 400.00

For books, periodicals and binding ..... 600.00

For contingent and repair fund ..... 5,000.00

SEC. 5. **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 repairs of schoolhouse .....\$2,000.00

For walks and improvement of grounds ..... 1,500.00

For completion of basement of main building ..... 1,000.00

For interior painting ..... 2,500.00

For green house ..... 850.00

For slaughter-house ..... 350.00

For books, periodicals and binding ..... 500.00

For contingent and repair fund ..... 3,500.00

SEC. 6. **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 completing cottage for girls .....\$125,000.00

For hospital for consumptives ..... 8,000.00

For greenhouse (blew away cyclone) ..... 2,000.00

For grading and parking grounds ..... 1,000.00

For fire department—additional equipment ..... 1,000.00

For beds and bedding ..... 4,000.00

For furniture and furnishings ..... 3,000.00

For paints and painting ..... 3,000.00

For contingent and repair fund ..... 10,000.00

SEC. 7. **Sanitorium for treatment of tuberculosis.** Of the appropriations made by this act the state sanitorium for the treatment of tuberculosis at Oakdale shall receive sums as follows:

For equipment, furniture and furnishings.....\$ 2,000.00

For housing pumping machinery ..... 1,500.00

For additional bathing and toilet facilities ..... 1,500.00

For repairing main building and pavilions ..... 1,000.00

For dairy equipment .....	\$ 750.00
For implement and stock sheds .....	600.00
For paints and painting .....	1,000.00
For lumber and mill work .....	500.00
For live stock .....	500.00
For implements and machinery .....	250.00
For lectures and amusements .....	200.00
For contingent and repair fund .....	3,000.00

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 laundry building and equipment .....	\$15,000.00
For generating unit .....	3,000.00
For fire station—additional .....	1,000.00
For changing and repairing basement of chapel .....	1,000.00
For paints and painting .....	1,000.00
For extension of main sewer .....	600.00
For transportation of boys .....	800.00
For lectures and entertainments .....	500.00
For agricultural implements .....	400.00
For extension of power plant chimney .....	500.00
For raising and repairing roof of power plant and machine shop ..	2,000.00
For extension of tunnels .....	350.00
For oculist and dental work .....	750.00
For books, periodicals and binding .....	300.00
For band instruments and supplies .....	300.00
For chaplain's fund .....	250.00
For contingent and repair fund .....	7,500.00

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 hog house .....	\$ 800.00
For brick oil house .....	300.00
For two porches for hospital .....	600.00
For new boilers .....	2,000.00
For changing dormitories and locking system .....	2,000.00
For draining land .....	1,000.00
For paints and painting .....	1,500.00
For farm and garden implements and machinery .....	1,500.00
For piano for chapel .....	300.00
For horse lawnmower .....	125.00
For oculist and dental work .....	500.00
For lantern with slides .....	175.00
For books, periodicals and binding .....	300.00
For chaplain's fund .....	250.00
For contingent and repair fund .....	3,500.00

SEC. 10. **Mt. Pleasant state hospital.** Of the appropriations made by this act the Mt. Pleasant state hospital at Mt. Pleasant shall receive sums as follows:

For addition to infirmary .....	\$15,000.00
For strengthening and repairing foundation walls of main building ..	3,000.00
For electric elevator .....	1,500.00
For silo .....	600.00
For moving and repairing farm house and repair .....	2,000.00
For ice house .....	1,000.00

For wagon shed and implement house.....	\$ 1,500.00
For improving sewage disposal plant .....	1,500.00
For draining land .....	1,000.00
For fencing .....	500.00
For improvement of grounds .....	1,000.00
For laundry machinery .....	2,000.00
For horses or mules, harness, carriages, wagons and farm implements	1,500.00
For paints and painting .....	2,500.00
For new floors .....	1,000.00
For books, periodicals and binding .....	500.00
For contingent and repair fund .....	12,000.00

SEC. 11. **Independence state hospital.** Of the appropriations made by this act the Independence state hospital at Independence shall receive sums as follows:

For homes for employes—additional.....	\$17,500.00
For electric food elevators .....	8,000.00
For paints and painting .....	3,000.00
For draining land .....	2,000.00
For fencing .....	500.00
For contingent and repair fund .....	12,000.00

SEC. 12. **Clarinda state hospital.** Of the appropriations made by this act the Clarinda state hospital at Clarinda shall receive sums as follows:

For paints and painting .....	\$ 2,000.00
For plumbing and plumbing fixtures .....	1,000.00
For books, periodicals and binding .....	500.00
Increasing water supply .....	15,000.00
For contingent and repair fund .....	10,000.00

SEC. 13. **Cherokee state hospital.** Of the appropriations made by this act the Cherokee state hospital at Cherokee shall receive sums as follows:

For carpets, rugs and bedding .....	\$ 1,000.00
For paints and painting .....	3,000.00
For additional laundry and kitchen equipment.....	1,200.00
Increasing and improving the water supply .....	6,000.00
For sheep sheds .....	600.00
For repairs for pumps .....	1,000.00
For books, periodicals, newspapers and pictures.....	500.00
For contingent and repair fund .....	10,000.00

SEC. 14. **Knoxville state hospital.** Of the appropriations made by this act the state hospital for inebriates at Knoxville shall receive sums as follows:

For custodial building .....	\$25,000.00
For industrial equipment .....	5,000.00
For cold storage and storage and store building.....	500.00
For fire equipment .....	500.00
For books, periodicals and binding .....	300.00
For contingent and repair fund .....	3,000.00

SEC. 15. **Fort Madison penitentiary.** Of the appropriations made by this act the state penitentiary at Fort Madison shall receive sums as follows:

For completing new cell bank and cell house.....	\$55,000.00
For furnishing cells .....	8,000.00
For generating unit .....	4,500.00
For reflooring shops .....	2,000.00
For water reservoir .....	2,500.00

For greenhouse .....	1,000.00
For paving street .....	3,000.00
For live stock, farm buildings and fence .....	2,000.00
For transportation of prisoners .....	1,000.00
For oculist and dental work .....	700.00
For contingent and repair fund .....	6,000.00

SEC. 16. **Anamosa reformatory.** Of the appropriations made by this act the reformatory at Anamosa shall receive sums as follows:

For dwelling house for deputy warden .....	\$ 4,000.00
For extending industries .....	10,000.00
For stone crushing plant .....	2,600.00
For extension of galleries of north and south cell banks across the ends and stairway .....	600.00
For replacing tables in prisoners' dining room .....	660.00
For repairing electric wiring system .....	1,500.00
For replacing radiators .....	300.00
For lavatories and closets .....	300.00
For improving water system at farm .....	400.00
For carpet loom .....	120.00
For lantern and slides .....	175.00
For repair of pipe organ .....	200.00
For repairing derricks .....	1,500.00
For repairing quarry bridge .....	600.00
For fencing .....	500.00
For three teams of two mules or horses each .....	1,500.00
For harness and farm implements .....	500.00
For transportation of prisoners .....	2,000.00
For repairs to steam pipes and tunnels .....	1,000.00
For feed water heater .....	1,000.00
For salaries of foremen and instructors .....	22,000.00
For oculist and dental work .....	1,000.00
For contingent and repair fund .....	6,000.00

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 25 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader May 1, 1913 and in the Des Moines Capital April 30, 1913.

W. S. ALLEN,  
Secretary of State.

#### CHAPTER 324.

STATE UNIVERSITY, IOWA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS, IOWA STATE TEACHERS COLLEGE AND COLLEGE FOR BLIND.

H. F. 691.

AN ACT providing that on and after July 1, 1913, all annual appropriations made to the state university, the Iowa state college of agriculture and mechanic arts, the Iowa state teachers college and the college for the blind shall be paid in monthly installments.

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

SECTION 1. **Appropriations—payable monthly.** All appropriations made payable annually to the state university, the Iowa state college of agriculture and mechanic arts, the Iowa state teachers college and the college for the

blind, shall on and after July 1st, 1913, be paid in twelve equal monthly installments on the last day of each month on order of the Iowa state board of education.

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

Approved April 19 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 24, 1913 and in the Des Moines Capital April 25, 1913.

W. S. ALLEN,  
*Secretary of State.*

#### CHAPTER 325.

#### ERECTION OF WOMEN'S AND CHILDREN'S BUILDING ON THE IOWA STATE FAIR AND EXPOSITION GROUNDS.

S. F. 212.

AN ACT to provide for the erection of a women's and children's building on the Iowa state fair and exposition grounds, and to make an appropriation therefor.

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

SECTION 1. **State board of agriculture—duties.** The state board of agriculture is hereby authorized, empowered and directed to cause to be erected on the Iowa state fair and exposition grounds a women's and children's building at such location on said grounds as the said board of agriculture may select.

SEC. 2. **Appropriation.** There is hereby appropriated to the Iowa department of agriculture out of any money in the state treasury, not otherwise appropriated, for the purpose of erecting and furnishing said women's and children's building the sum of seventy-five thousand dollars (\$75,000). All moneys appropriated by this act shall be drawn from the state treasury upon warrants issued by the state auditor 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 enforced from and after its passage and publication in the Register and Leader and Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved April 18 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 22, 1913 and in the Des Moines Capital April 25, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 326.

## PLANS AND SPECIFICATIONS OF BUILDINGS UNDER THE CONTROL OF THE STATE BOARD OF EDUCATION.

S. F. 555.

AN ACT amending chapter two hundred one (201) of the laws of the thirty-fourth general assembly, relating to plans and specifications and estimates of cost of buildings under the control of the board of education.

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

SECTION 1. **State architect.** That section 2, chapter two hundred one (201) of the laws of the thirty-fourth general assembly be and the same is hereby amended by striking out the word "an" after the word "by" and before "architect" in line four (4) and substituting the following: "the state".

SEC. 2. **Approval of plans and specifications.** That section 2, chapter two hundred one (201) of the laws of the thirty-fourth general assembly be and the same is hereby amended by inserting after the word "betterments" and before the word "provide" in the fifth line thereof the following: "and such plans and specifications, together with the said estimates of cost, shall be so submitted within thirty (30) days from the first day of any regular session".

Approved April 23 A. D. 1913.

## CHAPTER 327.

## STATE HISTORICAL SOCIETY.

Sub. for S. F. 236.

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—purposes.** That there is hereby appropriated to the state historical society of Iowa, out of any money in the state treasury, not otherwise appropriated, the sum of twenty thousand dollars (\$20,000) annually hereafter as permanent support and for the continuation of applied history researches and publications.

SEC. 2. **When and how paid.** That the permanent annual appropriation herein provided for shall take the place and be in lieu of all other permanent annual appropriations heretofore made to the state historical society of Iowa, and the same 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 paid July 1, 1913.

Approved April 16 A. D. 1913.

## CHAPTER 328.

STATE UNIVERSITY, IOWA STATE TEACHERS COLLEGE, COLLEGE FOR THE BLIND, IOWA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS.

H. F. 207.

AN ACT making appropriations for the state university, the Iowa state teachers college, the college for the blind, the Iowa state college of agriculture and mechanic arts.

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

SECTION 1. **State university—support, repair and contingent funds.** State university—support, repair and contingent funds. There is hereby appropriated out of any money in the state treasury not otherwise appropriated, to the state university, the sum of ninety-nine thousand dollars (\$99,000.00) annually hereafter for the following purposes:

Additional support fund .....	\$69,000.00
University extension work .....	15,000.00
Repair and contingent fund .....	10,000.00
Epidemiologist and laboratory .....	5,000.00

SEC. 2. **State university—improvements, land, etc.** State university—improvements, equipment, land, etc. There is further appropriated out of any money in the state treasury not otherwise appropriated, to the state university, the sum of one hundred fifty-five thousand dollars (\$155,000.00) for the following purposes:

Equipment and supplies .....	\$15,000.00
Equipment of buildings and buildings partially equipped.....	60,000.00
Purchase of additional land .....	10,000.00
Paving, sidewalks and campus .....	10,000.00
One thousand feet of underground tunnel connecting the central heating plant with the hospital heating plant .....	10,000.00
Domestic science building and equipment .....	17,000.00
Engineering equipment .....	25,000.00
Equipment for dentistry .....	8,000.00

The sums mentioned in the first section shall be paid in quarterly installments on order of the Iowa state board of education. The sums mentioned in the second section, with the exception of the item making appropriation for the underground tunnel, shall be paid on order of the Iowa state board of education, but not more than one-half of the entire amount shall be paid before July 1st, 1914. The appropriation for the tunnel is made available July 1st, 1913.

SEC. 3. **State teachers college—support and contingent fund.** State teachers college—support and contingent fund. There is hereby appropriated out of any money in the state treasury not otherwise appropriated, to the state teachers college, the sum of forty thousand dollars (\$40,000.00) annually hereafter for the following purposes:

Additional teachers fund .....	\$20,000.00
Additional contingent fund .....	15,000.00
Additional summer term fund .....	5,000.00

**SEC. 4. State teachers college—furniture and paving.** State teachers college—furniture and paving. There is further appropriated out of any money in the state treasury not otherwise appropriated, to the state teachers college, the sum of six thousand eight hundred dollars (\$6,800.00) for the following purposes:

For furniture for new training school building and new emergency hospital .....\$ 5,000.00  
For paving ..... 1,800.00

**SEC. 5. College for the blind—support, repair and contingent fund.** College for the blind. There is hereby appropriated out of any money in the state treasury not otherwise appropriated, to the college for the blind the sum of forty-one thousand five hundred dollars (\$41,500.00) annually hereafter, for the following purposes:

General support .....\$40,000.00  
Repair and contingent ..... 1,500.00

**SEC. 6. College for the blind—well, equipment and extension fund.** There is hereby appropriated out of any money in the state treasury not otherwise appropriated, to the college for the blind, the sum of sixty-eight thousand dollars (\$68,000.00) for the following purposes:

Well and equipment fund .....\$ 3,000.00  
Remodeling and extension of main building ..... 65,000.00

The sums mentioned in section 5 shall be paid in quarterly installments on order of the Iowa state board of education. The sums mentioned in section 6 shall be available July 1st, 1913, and paid on order of the state board of education.

**SEC. 7. Agricultural college—support, extension work, etc.** Agricultural college—support, extension work, etc. There is hereby appropriated out of any money in the state treasury not otherwise appropriated, to the Iowa state college of agriculture and mechanic arts, the additional sum of ninety-two thousand dollars (\$92,000.00) for the following purposes:

Additional support fund .....\$20,000.00  
Agricultural extension ..... 7,000.00  
Two year and other agricultural short courses ..... 4,000.00  
Agricultural experiment station ..... 10,000.00  
Trade schools and trade school extension work ..... 10,000.00  
Veterinary investigations ..... 3,000.00  
Repair and contingent fund, including enlargements of water works and sewerage plant ..... 8,000.00  
Heating plant equipment including steam lines ..... 30,000.00

The sums mentioned in section 3 shall be paid in monthly installments on order of the Iowa state board of education. The sums appropriated for any fiscal year shall be available for use until January 1st, following the close of the fiscal year. The sums mentioned in section 4 shall be paid on order of the Iowa state board of education, but not more than one-half the entire amount shall be paid before July 1st, 1914.

Approved April 23 A. D. 1913.



## CHAPTER 329.

## IOWA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS.

S. F. 557.

AN ACT making an emergency appropriation for the Iowa state college of agriculture and mechanic arts.

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

SECTION 1. **Appropriation—chemistry building—equipment.** There is hereby appropriated out of any money in the state treasury not otherwise appropriated, to the Iowa state college of agriculture and mechanic arts, the sum of one hundred and twenty-five thousand dollars (\$125,000.00), as an emergency fund to be used as an additional fund for the construction of a chemistry building and the equipment of the same, and the purchase of laboratory supplies. Not to exceed twenty-five thousand dollars (\$25,000.00) of said sum shall be used for equipment and laboratory supplies.

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 25 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader May 1, 1913 and in the Des Moines Capital April 30, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 330.

## PROMOTION OF HORTICULTURE.

S. F. 351.

AN ACT to promote horticulture by the creation of new and better adapted varieties through scientific cross-breeding and selection, and to make an appropriation therefor.

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

SECTION 1. **Appropriation—how expended.** There is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of five hundred (\$500.00) dollars annually for the next biennial period, or so much thereof as may be necessary, to be expended under the direction of the proper officers of the state horticultural society for cross-breeding and selection of fruits and edible nuts adapted to the climate of Iowa, at the Charles City plant breeding station under the management of Charles G. Patten.

SEC. 2. **Statements—warrants—how drawn.** Itemized statements of all expenditures shall be filed with the secretary of the state horticultural society, and the auditor of state is hereby authorized to draw warrants in favor of the treasurer of the state horticultural society when such itemized statements have been filed in his office and approved by the executive council.

Approved April 10 A. D. 1913.

## CHAPTER 331.

TO REIMBURSE CERTAIN EMPLOYES OF THE IOWA SCHOOL FOR THE DEAF.

H. F. 249.

AN ACT making an appropriation to reimburse certain employes of the Iowa school for the deaf for loss of wearing apparel by fire at said school on the 23d day of April, 1911.

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

SECTION 1. **Amount appropriated.** There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, the sum of two hundred thirty-five and 80/100 dollars (\$235.80) to reimburse certain employes of the Iowa school for the deaf for personal losses sustained by them by reason of a fire at said school on the 23d day April, 1911, said amount to be paid to the following persons in the sums hereinafter set out, to-wit:

Anna Schneider .....	\$127.90
Emma Schneider .....	107.90

SEC. 2. **Accepted as payment in full.** Said payments are to be in full for all claims against the state for such losses.

Approved April 17 A. D. 1913.

## CHAPTER 332.

ENFORCEMENT OF SANITARY CONDITIONS BY THE STATE BOARD OF HEALTH

S. F. 553.

AN ACT making an appropriation for carrying out the provisions of senate file No. 491. [Chapter 208, acts of the thirty-fifth general assembly.]

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

SECTION 1. **Amount appropriated.** That there is hereby appropriated out of the funds in the state treasury, not otherwise appropriated, the sum of two thousand dollars (\$2000.00), or so much thereof as may be necessary for carrying out the provisions and stipulations of senate file # [No.] 491, thirty-fifth general assembly. Said sums of money to be paid by the state treasurer on order of the state board of health on warrants properly certified by said board.

Approved April 19 A. D. 1913.

## CHAPTER 333.

## ENCOURAGEMENT OF THE DAIRY AND BEEF CATTLE GROWING INDUSTRIES.

H. F. 170.

AN ACT to encourage the dairy and beef cattle growing industries of the state of Iowa and to aid in providing instruction in practical and scientific methods and making an appropriation therefor.

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

**SECTION 1. Iowa state dairy association.** Whenever the organization now existing in the state of Iowa and known as the Iowa State Dairy Association shall have filed with the secretary of state of the state of Iowa, verified proofs of its organization, the names of its president, vice-president, secretary and treasurer, and that it has five hundred (500) bona fide members, such association shall be recognized as the Iowa state dairy association of the state of Iowa, and be entitled to the benefits of this act.

**SEC. 2. Inspection—instruction.** For the purpose of aiding in the promotion and development of the dairy industry of the state of Iowa, such association shall cause to be made such inspection of dairy farms, dairy cattle, dairy barns and other buildings and appliances used in connection therewith, dairy products and methods as they shall deem best and shall arrange to furnish such instruction and general assistance, either by institutes or otherwise, as they deem proper to advance the general interests of the dairy industry of the state.

**SEC. 3. Executive committee.** For all the purposes of this act the said association shall act by and through an executive committee of five (5) members, consisting of the president and secretary of the Iowa state dairy association, the dean of the division of agriculture of the Iowa state college of agriculture and mechanic arts, and the professor of dairying of the same institution, and the dairy and food commissioner of the state of Iowa.

**SEC. 4. Inspectors and instructors—compensation—expenses.** They may employ two or more competent persons who shall devote their entire time to such inspection and instruction under the direction of the said executive committee, and who shall hold office at the pleasure of the committee, and who shall each receive a salary not to exceed eighteen hundred dollars (\$1800.00) per annum, and actual expenses while engaged in such work.

**SEC. 5. Annual report to the governor.** The said association may require such reports from their employes as they deem proper, and shall make to the governor an annual report of their proceedings under this act, which report shall be published as part of the proceedings of the annual convention of the Iowa state dairy association.

**SEC. 6. Beef cattle breeder's association.** Whenever there shall have been filed in the office of the secretary of state for Iowa, verified proofs of the organization of the beef cattle breeder's association, together with proofs that such association has five hundred (500) bona fide members who are stock breeders or stock feeders in this state, together with the names of the president, vice-president, secretary and treasurer, such association shall be recognized as the Iowa beef cattle breeders association and be entitled to the benefits of this act.

**SEC. 7. Instruction—inspection—executive board.** It shall be the duty of the beef cattle breeders association to aid in the promotion of the beef cattle industry of the state and to provide for practical and scientific instruction in the breeding and raising of beef cattle, and to provide for the inspection of herds, premises and appliances, methods and food stuffs used in the business of feeding, for the purpose of making suggestions and demonstrations beneficial to the business. The said association shall act by and through an executive board to be composed of the dean of the division of agriculture of the Iowa state college of agriculture and mechanic arts at Ames and the professor of animal industry of the same institution, and the secretary of the state agricultural society, and the president and secretary of the said Iowa beef cattle breeder's association.

**SEC. 8. Inspectors and instructors—compensation—expenses.** The said board may employ two or more competent persons who shall devote their entire time in making inspection and giving instructions, as provided in this act under the direction of said board. Such instructors and inspectors shall hold office at the pleasure of the board and shall each receive a salary not to exceed eighteen hundred dollars (\$1800.00) per annum and actual expenses while engaged in the work.

**SEC. 9. Salaries and expenses—how paid.** The salaries of all persons employed under the provisions of this act shall be paid monthly out of the appropriation herein provided and all traveling expenses and all general expenses incurred by the said association in carrying out the purposes of this act shall be paid out of the said appropriation and in the manner provided by sections 170-d and 170-e and 170-f of the supplement to the code, 1907, and upon statements filed with the executive council as therein provided, but no bill shall be paid until after the executive committee of the board under whose authority such expense was incurred, shall have audited and approved the bill in such manner as the committee shall provide.

**SEC. 10. Appropriation.** For the purpose of carrying into effect the provisions of this act and the payment of all expenses connected therewith, there is hereby appropriated out of any fund in the treasury of the state not otherwise appropriated, the sum of fifteen thousand dollars (\$15,000.00) or so much thereof as may be necessary to pay the salaries and expense provided for under the provisions of this act, provided however, that of the said appropriation, the sum of seven thousand five hundred (\$7,500.00) dollars, shall be available for the purpose of paying the expense incurred by the Iowa state dairy association board, and the sum of seven thousand five hundred (\$7,500.00) dollars shall be available for the purpose of paying the expenses incurred by the Iowa beef cattle breeder's association board. It being the purpose of this act to provide a fund of seven thousand five hundred (\$7,500.00) dollars for the encouragement of the dairy industry and a sum of seven thousand five hundred (\$7,500.00) dollars for the encouragement of the beef cattle industry in this state.

**SEC. 11. Funds not to be used for private purposes.** None of the money appropriated by this act shall be used to pay the salaries or expense, or used in any manner for the private benefit of any member of the board of either of said associations.

Approved April 18 A. D. 1913.

## CHAPTER 334.

## PROSECUTION OF INTERSTATE RATE CASES.

H. F. 326.

AN ACT making an appropriation to enable the state railroad commission to investigate and prosecute interstate cases before the interstate commerce commission.

*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, not otherwise appropriated, the sum of forty thousand dollars (\$40,000.00), or so much thereof as may be necessary, the same to be expended by the state railroad commission, in preparing and submitting cases to the interstate commerce commission involving interstate rates and services, affecting Iowa and to investigate and prepare cases affecting Iowa intrastate rates and services.

Approved April 23 A. D. 1913.

## CHAPTER 335.

## CELEBRATION OF THE FIFTIETH ANNIVERSARY OF THE BATTLE OF GETTYSBURG.

S. F. 200.

AN ACT to enable the state of Iowa to assist in the celebration of the fiftieth anniversary of the battle of Gettysburg, and to appropriate money therefor and provide for the disbursement thereof.

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

SECTION 1. **Appropriation—purpose.** That out of the money of the state treasury not otherwise appropriated the sum of ten thousand dollars (\$10,000.00), or so much thereof as may be necessary, is hereby appropriated for the purpose of enabling the state of Iowa to assist in the celebration of the fiftieth anniversary of the battle of Gettysburg upon that battlefield; said fund to be expended as follows: For each honorably discharged surviving participant of said battle, union or confederate, now residing in the state of Iowa, the actual expenses of railroad fare to and from said battlefield for the celebration of the fiftieth anniversary of said battle from July first to July fourth, 1913, under the auspices of the national government and the state of Pennsylvania commission. In no case shall the cost exceed fifty dollars (\$50.00). For the governor of Iowa for attendance at the said celebration, there shall be allowed the like expense of transportation.

SEC. 2. **Surviving veteran—not a participant.** That any citizen of Iowa who is a surviving veteran of the civil war on either side, but was not a participant in said battle, who was honorably discharged, and desires to pay his own transportation to and from such celebration, shall be included in such encampment with such subsistence as may be provided.

SEC. 3. **Commission.** That the present commander, John D. Brown, and the assistant adjutant general, George A. Newman, of the department of Iowa, grand army of the republic, together with Guy E. Logan, the adjutant general of Iowa, are hereby appointed a commission to disburse said appropriation under such rules and regulations as they may prescribe as to discharge, identification and presence at this battle of each veteran, with such additional details as they may require to protect said appropriation and secure its payment to those only within the provisions of this act. Such fund shall be paid to this commission on or before June 1, 1913, upon their requisition on the state auditor therefor.

SEC. 4. **Duties—fund—how expended.** That the said commission shall give public notice through the press of the state, so far as the same can be done without expense for publishing, and by distributing printed circulars concerning this appropriation and the rules adopted as to those claiming the benefit thereof. They shall secure reduced transportation so far as may be, and shall pay out said fund to those only for whose benefit it is created as found by the commission entitled thereto, but in no case in excess of the actual railroad fare to and from said battlefield of Gettysburg. The said commission shall issue to each person entitled thereto a certificate showing his right to be included in the encampment at Gettysburg as a surviving participant of the battle of Gettysburg. The said commission shall serve without compensation, but the incidental expenses incurred by them shall be paid from such appropriation.

SEC. 5. **Detailed report to the governor.** Within thirty days from July 4, 1913, the said commission shall cover into the state treasury any portion of funds hereby appropriated which may have come into their hands and remain unexpended; and within thirty days thereafter they shall render to the governor of Iowa, to be laid before the next general assembly, a full account of their doings, together with a detailed account of all expenditures by them; provided that there shall be no authority to expend or contract for expenditures in excess of the amount hereby appropriated.

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 in the city of Des Moines, Iowa.

Approved April 18 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 22, 1913 and in the Des Moines Capital April 25, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 336.

## IOWA VETERANS HOME COMING.

S. F. 229.

AN ACT to appropriate money for the purpose of entertaining the Iowa veterans who enlisted in Iowa and served in Iowa organizations and in the navy from Iowa during the civil war at a home coming during the state G. A. R. encampment at Des Moines, Ia.

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

SECTION 1. **Amount appropriated—purpose.** That the sum of three thousand dollars (\$3000.00), or so much thereof as may be necessary, be and the same is hereby appropriated out of any funds in the state treasury, not otherwise appropriated, to furnish meals and lodging to the Iowa veterans who enlisted and served in Iowa organizations and in the navy from Iowa during the Civil War, at a home coming to be held during the second week in June, 1913, at the state G. A. R. encampment at Des Moines, Iowa.

SEC. 2. **Warrants—how drawn.** That the money hereby appropriated shall be paid from the state treasury on warrants issued by the state auditor upon the written order of V. P. Twombly, secretary and treasurer of the home coming committee, who shall render an itemized account of all expenditures to the state auditor.

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 17 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 21, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 337.

## EXPENSES OF INAUGURAL CEREMONIES.

S. F. 49.

AN ACT making 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 three hundred and eighty five dollars and sixty seven cents (\$385.67) or so much thereof as may be necessary to pay the expenses incurred on account of the inaugural ceremonies and reception. Warrants shall be drawn upon the treasury for the sum herein appropriated in favor of the adjutant general upon the 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 at Des Moines, Iowa.

Approved February 6th A. D. 1913.

I hereby certify that the foregoing act was published in the Des Moines Capital February 8, 1913 and in the Register and Leader February 10, 1913.

W. S. ALLEN,  
Secretary of State.

### CHAPTER 338.

#### EXPENSES OF ELECTION CONTESTS IN THE NINETEENTH AND FORTY-SIXTH SENATORIAL DISTRICTS.

S. F. 477.

AN ACT to appropriate money for the purpose of defraying the expenses incurred in the election contests in the nineteenth (19) senatorial district of Iowa and in the forty-sixth (46) senatorial district of Iowa, and to pay sundry persons for services, mileage and other expenses incurred in connection with said election contests.

*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 nine hundred eighty-five and eighty-one one-hundredths dollars (\$985.81) in full of all attorney fees, costs witness fees, mileage and other expenses incurred in the Coburn vs. Gillette election contest from the forty-sixth (46) senatorial district of Iowa and the Kimball vs. Goodwin election contest from the nineteenth (19) senatorial district of Iowa, and that the said sum of money be paid to the persons named in the respective sums as set out in sections two and three of this act.

SEC. 2. **Forty-sixth district contest—amount—to whom paid.** That out of the sum of money appropriated under section one (1) of this act there shall be paid the sum of three hundred eighty-two and eighty-four one-hundredths dollars (\$382.84) in full of all attorneys' fees, costs, witness fees, mileage and other expenses incurred in the election contest from the forty-sixth (46) senatorial district of Iowa, wherein George F. Coburn was contestant and Hon. Guy M. Gillette incumbent, and that the said sum of three hundred eighty-two and eighty-four one-hundredths dollars (\$382.84) be paid to the following named persons and in the respective sums, to-wit:

To George F. Coburn .....		\$172.94	
(To cover the following items:)			
To George M. Smith, to pay the following expenses,			
to-wit: three days' witness fees, 524 miles.....	\$	29.95	
boxing and drayage, ballots.....		4.00	
express, ballots, to and from Le Mars.....		11.60	45.55
			<hr/>
To Mazie A. Wilson, three days' witness fees, 324 miles.		19.95	
To John B. Heymer, three days' witness fees, 324 miles..		19.95	
To W. O. Dailey, to pay the following expenses, to-wit:			
three days' witness fees, 324 miles.....		19.95	



express on ballots .....	\$ 9.44	
boxing ballots, drayage and labor.....	5.50	
telephone message, Cherokee to Des Moines....	.70	35.59
<hr/>		
To Walter Culla, 3 days' witness fees, 324 miles.....	19.95	
To Richard Varner, to pay the following expenses, to-wit:		
five days' witness fees, 318 miles.....	22.15	
express, drayage and boxing ballots.....	9.80	31.95
<hr/>		
To Guy M. Gillette .....		209.90
(To cover the following items:)		
To John C. De Mar, for attorney fee.....	100.00	
To D. M. McNeal, two days' witness fees, 324 miles....	18.70	
To J. Archie Smith, three days' witness fees, 400 miles..	23.75	
To M. C. Simons, three days' witness fees, 400 miles....	23.75	
To A. I. Birch, three days' witness fees, 400 miles.....	23.75	
To C. M. Smith, three days' witness fees, 324 miles.....	19.95	
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SEC. 3. <b>Nineteenth district contest—amount—to whom paid,</b> That out of the sum of money appropriated under section one (1) of this act there shall be paid the sum of six hundred two and ninety-seven one-hundredths dollars (\$602.97) in full of all attorneys' fees, costs, witness fees, mileage and other expenses incurred in the election contest from the nineteenth (19) senatorial district of Iowa, wherein Hon. Clement F. Kimball was contestant and Mack C. Goodwin incumbent, and that the said sum of six hundred two and ninety-seven one-hundredths dollars (\$602.97) be paid to the following named persons and in the respective sums, to-wit:		
To Clement F. Kimball .....		\$441.62
(To cover the following items:)		
To Charles G. Saunders, for attorney fee.....	\$ 100.00	
To Carl Morgan, eight days' witness fee, 568 miles....	38.40	
To Charles A. Hansen, eight days' witness fee, 852 miles	52.60	
To F. E. Wilkins, three days' witness fee, 284 miles....	17.95	
To Walt Hendrix, three days' witness fee, 284 miles....	17.95	
To Henry Roark, seven days' witness fee, 568 miles....	37.15	
To Frank W. Wise, two days' witness fee, 284 miles....	16.70	
To W. A. Pickernell, two days' witness fee, 284 miles..	16.70	
To Gust G. Meyer, two days' witness fee, 284 miles....	16.70	
To constable, service of subpoenas.....	2.00	
To J. D. Hannan, to pay the following expenses, to-wit:		
drayage .....	\$ .75	
trunks and packages for ballots.....	32.40	
cash paid for packing ballots.....	4.00	
express on ballots .....	18.25	
16 days' witness fee.....	20.00	
expenses in Des Moines .....	27.55	
eight R. R. fares between Council Bluffs and Des Moines, at 2c per mile.....	125.47	
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To Mack C. Goodwin .....		161.35
(To cover the following items:)		
To Jerry B. Sullivan, for attorney fee.....	100.00	
To Charles J. Duff, five days' witness fee, 284 miles....	20.45	

To George M. Burns, five days' witness fee, 284 miles... 20.45  
 To Dennis O'Brien, five days' witness fee, 284 miles.... 20.45

SEC. 4. **Warrants—how drawn.** That the state auditor is hereby authorized and directed to draw his warrants upon the state treasury in favor of the persons whose names are set forth in sections two (2) and three (3) of this act in the respective sums herein appropriated to each.

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 in the Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved April 25 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital May 1, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 339.

### TO INDEMNIFY CLARA BAHLS.

Sub for S. F. 24.

AN ACT to appropriate money for the indemnity by way of compensation to Clara Bahls for personal injury sustained while working in the laundry department in the state institution for the deaf and dumb at Council Bluffs, Iowa.

WHEREAS, one Clara Bahls, an inmate of the state institution for deaf and dumb located at Council Bluffs, Iowa, while working in the laundry department operating a mangle, sustained personal injury which caused the loss and amputation of her right hand, and who was at the time about seventeen (17) years of age, the injury referred to occurring on or about the ..... day of ....., 1911, and who was at the time deaf and dumb but otherwise a strong, healthy person, but which injury has disabled her to such extent that she will not be able to do or perform any labor suitable to her station in life and thereby be self-supporting. That said injury occurred and was sustained by said person in an attempt upon her part to remove a cloth, or part thereof, while the mangle was in operation which caught her hand producing the injury as aforesaid. Now, therefore,

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

SECTION 1. **Amount appropriated.** There is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of \$1000. for payment in full for damages sustained by Clara Bahls arising from injuries sustained by her while at work in the laundry at the state school for the deaf & [and] dumb at Council Bluffs, Iowa; said sum to be placed in the hands of the executive council as trustee for the benefit of said Clara Bahls.

Approved March 29 A. D. 1913.

## CHAPTER 340.

## TO INDEMNIFY ALLAN W. HAMAKER.

Sub. for S. F. 43.

AN ACT appropriating the sum of twenty-seven hundred (\$2,700.00) dollars, to indemnify Allan W. Hamaker for personal injuries sustained by him while employed as a guard in the reformatory at Anamosa, Iowa.

WHEREAS: On the eleventh day of August, 1911, Allan W. Hamaker, while acting in his capacity as guard in the reformatory, was attacked by one of the prisoners and his brother, and while so engaged was shot by one of the parties and permanently injured. Now, therefore,

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

SECTION 1. **Amount appropriated.** That there is hereby appropriated out of the funds in the state treasury, and not otherwise appropriated, the sum of twenty-seven hundred (\$2,700.00) dollars, to indemnify Allan W. Hamaker in full for the damages sustained by him on account of the injuries received as aforesaid.

Approved March 25, A. D. 1913.

## CHAPTER 341.

## TO INDEMNIFY H. C. JACKSON.

H. F. 124.

AN ACT to indemnify H. C. Jackson for personal injury sustained by him while employed as head farmer at the state hospital at Mt. Pleasant, Iowa.

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

SECTION 1. **Amount appropriated.** That there be appropriated out of any money in the state treasury not otherwise appropriated the sum of five hundred (\$500) dollars for the payment in full for damages sustained by H. C. Jackson arising from injury sustained by him while engaged by the state as head farmer at the Mt. Pleasant state hospital at Mt. Pleasant, Iowa.

Approved April 17 A. D. 1913.

## CHAPTER 342.

## RELIEF OF M. O. CLEMMENS.

H. F. 647.

AN ACT for the relief of M. O. Clemmens for personal injuries sustained by him while employed as engineer in the state sanitarium [sanitorium] for the treatment of tuberculosis at Oakdale, Iowa.

WHEREAS, on or about the last week of July, 1910, M. O. Clemmens, while acting in this [his] capacity as engineer in the said sanitarium, received a tubercular infection on his right hand from the sputum of inmates of said institution, resulting in serious damage to his health and physical injury, now, therefore,

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

SECTION 1. **Amount appropriated.** There is hereby appropriated from any moneys in the state treasury not otherwise appropriated, the sum of one thousand (\$1000.00) dollars to indemnify M. O. Clemmens in full for damages sus-

tained by him on account of injuries received while employed as engineer in the state sanitarium [sanatorium] for the treatment of tuberculosis at Oakdale, Iowa.

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

Approved April 19 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader May 10, 1913, and in the Des Moines Capital May 9, 1913.

W. S. ALLEN,  
Secretary of State.

### CHAPTER 343.

#### TO REIMBURSE ESTATE OF W. R. BENTON.

H. F. 69.

AN ACT to authorize the repayment to the estate of W. R. Benton of money paid to the state of Iowa.

WHEREAS, the state of Iowa did on March 21st, 1906, issue a patent to W. R. Benton, of Sioux City, Iowa, for a certain tract of land, known as Lot "N", of section 33, township 89, range 47, Woodbury county, Iowa, under the claim that said land was an island in the Missouri river and belonging to the state of Iowa, and,

WHEREAS, the said W. R. Benton paid to the state of Iowa the sum of two hundred fifty dollars (\$250.00) in cash, and,

WHEREAS, as the result of subsequent litigation, the court held that the state of Iowa had no title to said lot at the time of the issuance of said patent, and,

WHEREAS, the title to the said W. R. Benton has wholly failed, and,

WHEREAS, the said money has never been returned to said grantee or his estate, and,

WHEREAS, the said W. R. Benton is now deceased and Laura Benton is now the duly appointed, acting, and qualified administratrix of the estate of the said W. R. Benton, now, therefore,

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

**SECTION 1. Warrant.** That the auditor of state is hereby directed to issue a warrant on the treasurer of state, in favor of Laura Benton, as administratrix of the estate of W. R. Benton, for the sum of two hundred fifty dollars, and the treasurer of state is directed to pay the same.

**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 April 18 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 25, 1913, and in the Des Moines Capital April 24, 1913.

W. S. ALLEN,  
Secretary of State.

## SPECIAL ACTS.

### CHAPTER 344.

#### SUBMITTING THE CREATION OF LARRABEE COUNTY TO THE LEGAL VOTERS OF KOSSUTH COUNTY.

H. F. 460.

AN ACT submitting the creation of the county of Larrabee to the legal voters of the county of Kossuth, Iowa.

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

**SECTION 1. Kossuth county—boundary.** That the northern boundary of the county of Kossuth shall be the southern boundary of sections 7, 8, 9, 10, 11 and 12 in township ninety-seven (97) north, of ranges twenty-seven (27), twenty-eight (28), twenty-nine (29) and thirty (30) west of the fifth principal meridian, Iowa.

**SEC. 2. Larrabee county—boundary.** That the territory now lying in Kossuth county, Iowa, north of the northern boundary thereof, as provided in section 1 of this act, consisting of the north one third of township 97, all of townships 98, 99 and 100 north, of ranges 27, 28, 29 and 30 west of the fifth principal meridian in the state of Iowa, shall constitute the county of Larrabee.

**SEC. 3. Question submitted—ballot—form.** The proposition to change the boundary of said county of Kossuth as herein provided shall be submitted to the qualified electors of the county of Kossuth as now established at the general election held therein in the year 1914. The proposition shall be submitted in the following manner: The ballot shall have written or printed thereon the following: "Shall the new boundary of Kossuth county, Iowa, be established?" and on the right hand margin, opposite these words, two spaces shall be left, one for votes favoring the new boundary, and the other for votes opposing the same. In one of these spaces, the word "Yes" shall be written or printed, in the other, the word "No", and to the right of each space, a square shall be written or printed to receive the voting cross. The elector shall designate his vote by a cross mark thus: X, placed in the proper square, all of which shall be substantially as provided by section 1106 of the code of 1897 for submitting constitutional amendments or other public measures to be voted upon.

**SEC. 4. In effect.** The provisions of this act shall take effect when the governor shall issue his proclamation as hereinafter provided, declaring that said proposed boundary has been submitted to the people of Kossuth county at a general election, and has been approved by a majority of the votes cast at said election for and against it.

**SEC. 5. Vote—how canvassed—certified to secretary of state—proclamation—primary election.** It shall be the duty of the board of supervisors of Kossuth county to canvass the votes on said proposition at the same time the

votes cast at said general election are canvassed, and immediately thereafter the county auditor of Kossuth county shall certify to the secretary of state the form of the proposition submitted to the electors and the number of votes cast for and against the same, which certificate shall be recorded in the records of the office of the secretary of state. If a majority of the votes cast for and against the proposition shall be in favor of said change of boundary, the governor shall issue his proclamation declaring the result of such election, and fixing a day for a primary election of the qualified voters of said Larrabee county, which election shall be held in their regular voting precincts, except that the voters heretofore residing in Fenton, Burt and Portland townships, in Kossuth county, shall vote at the several voting precincts immediately joining their former townships on the north, at which primary election there shall be nominated candidates for the following offices: A representative in the general assembly, three supervisors, a clerk of the district court, county treasurer, county auditor, county recorder, sheriff, superintendent of schools, county attorney, and all township officers, the date for which primary election shall not be more than ninety days nor less than sixty days after said proclamation. Any person desiring to become a candidate for any of the county offices named shall file a petition in the form as now provided in the primary election law of this state, with the county auditor of Kossuth county, signed by at least twenty-five voters of the said county of Larrabee. The county auditor of Kossuth county shall prepare primary ballots for said primary election in proper form and provide for the distribution of such ballots in the several voting precincts as by law provided. He shall prepare and have published a notice of such primary election, which notice shall contain a copy of the official primary ballot, in four newspapers of general circulation within the county of Larrabee, such publication to be in at least two issues of said newspapers prior to the date of said primary election, and no other or different notice of said primary election shall be required. The election officials who conducted [conduct] the 1914 general election shall conduct said election in the several precincts, unless, for any consideration, any of such officials cannot serve, in which event the remaining members of the election board may fill the vacancy. At such primary election, the candidate of each party receiving the highest number of the votes cast for the office for which he was a candidate, shall be the nominee of his party for such office.

**SEC. 6. Special election—how conducted.** The governor shall also issue a proclamation fixing a day for the special election by the electors of Larrabee county, under the laws governing general elections and conducted in the manner as therein provided, except as the same are herein changed, which date shall be not less than thirty nor more than sixty days after the date of the primary election herein provided for. Said election shall be held at the same precincts as provided in section 5 hereof, relating to the primary election. At such election, the several officers provided for in section 5 hereof shall be elected and the result of such election, including the canvass of the vote, shall be declared in the same manner as other elections for county and township officials, and for such purposes the board of supervisors of Kossuth county shall convene on the Monday following said election, at their usual meeting place, at which time it shall be determined by lot which of the supervisors elected shall hold office until January 1, 1917, which until January 1, 1918, and which until January 1, 1919, and the result of such determination entered of record as a part of said canvass. The county auditor of Kossuth county shall prepare a notice of the election provided for in this section, which notice shall contain a copy of the official ballot, and he shall have

same published at least ten days before said election, in four newspapers of general circulation within Larrabee county, and no other or different notice of said election shall be required. The terms of the several officers named in this act, excepting the supervisors, the term of whose office is fixed above, shall be till the next regular election, and until their successors are elected and qualified.

**SEC. 7. County seat—towns to be voted upon—how selected.** At the primary election to be held as provided in section 5 of this act, there shall be placed on the ballot the name of any town or towns as may file a petition, containing at least two hundred fifty legal voters of Larrabee county, asking that the county seat of said county be located at said town, and the two towns receiving the largest number of votes at said primary election shall be placed upon the official ballot at the special election to be held as hereinbefore provided, in an appropriate manner, by the county auditor of Kossuth county, and the town receiving the largest number of votes at said election shall be the county seat of said Larrabee county.

**SEC. 8. Election same as primary and general.** All the laws of the state of Iowa pertaining to primary elections, except as changed by this act, shall apply to the primary election provided for in section 5 hereof, and the laws pertaining to general elections shall apply to the special election provided for in section 6 hereof, except insofar as same may be changed by the provisions of this act. And the county auditor of Kossuth county shall do and perform all the duties required by his office concerning said primary and special elections, and shall follow the provisions of the primary and general laws, except as changed in this act.

**SEC. 9. Boards of supervisors—duties—temporary quarters.** The board of supervisors, elected as provided herein, shall assume the duties of their office as soon as the result of the election is officially declared by the board of supervisors of Kossuth county, and the board of supervisors of said Larrabee county shall have full power, at any time thereafter, to provide suitable temporary quarters or buildings at the place selected as the county seat of said county, as a place in which to conduct the business of said county until the necessary permanent buildings are erected. The remaining officers elected under this act shall assume the duties of their office whenever the board of supervisors of said Larrabee county have the proper arrangements therefore. [therefor.] Until the election and qualification of the officers of Larrabee county, all the public business pertaining to Larrabee county or any of its citizens, shall be conducted by the officers of Kossuth county, the same as if no division had been made.

**SEC. 10. Supervisor residing in Larrabee county—office ceases.** Any supervisor of Kossuth county residing within the territory of Larrabee county shall cease to be a member of the said board of supervisors of Kossuth county upon the election of the board of supervisors in Larrabee county.

**SEC. 11. Change of boundary not to disqualify, except county supervisors.** The fact that the proposition to change the boundary of Kossuth county shall be adopted at the general election in 1914 will not disqualify any person residing in the territory set off as Larrabee county who may be elected to any office in Kossuth county, Iowa, at said election, to hold such office, except the offices of county supervisors, providing the person or persons so elected shall become a resident or residents of Kossuth county prior to the date upon which such person is required to qualify as provided by law.

**SEC. 12. Proposition accepted—commission appointed by governor—duties—right to appeal.** In the event a majority of the votes cast at the general election in 1914 for and against the proposition to change the boundary

of Kossuth county shall have been cast in favor of said proposition, the governor shall within thirty days after the date of said election appoint a commission of three members, one of whom shall be a resident of Kossuth county, one a resident of Larrabee county, and one a resident of neither county, of which commission the non-resident member shall be chairman and one other member secretary. Such board, after each member has subscribed to an oath administered by a notary public to the faithful performance of the work of his office, shall do and perform the following duties: It shall make a thorough investigation of all of the property, real and personal, in the two counties, subject to taxation; shall appraise all of the assets of the counties, and fix the value thereof; shall ascertain the indebtedness of Kossuth county, and shall fix and determine the amount and value of the funds in each department or office of said county, and it shall equalize and apportion the indebtedness and the different funds equitably and fairly between the two counties in proportion to the value of the taxable property in each county as shown by the last preceding assessment rolls; it shall examine all the public records and documents in Kossuth county, and select such in each office in Kossuth county as pertain wholly to Larrabee county, and order the transfer of same to the proper offices in Larrabee county. Said commission shall also provide for the making of certified copies of all records and public documents that pertain partly to Larrabee county, and that may be required in the administration of the affairs of said Larrabee county, and order the transfer of same to the proper offices in Larrabee county, and said board shall do and perform all other duties additional not herein defined as may be necessary to transfer, apportion, and divide equitably the indebtedness and funds of said county. Said commission shall prepare a certificate signed by all the members thereof, which shall be duly acknowledged and filed for record in the office of the recorder in and for Larrabee county, which certificate shall contain a complete statement of the findings of said board and a reference to the books, documents and records which it has certified, and ordered transferred to said Larrabee county, and all such documents, records, books and papers so certified by it shall be admissible [admissible] in evidence the same as are other county records in the state of Iowa. Either county may appeal from the finding of such commission or any part thereof to the district court of either Larrabee or Kossuth county, but any such appeal shall include every question known to such county and to which it objects at the time the appeal is taken.

**SEC. 13. Commissioners—salary—expenses.** The commissioners provided for in section 12 hereof to reside in Kossuth and Larrabee counties shall receive six dollars per day and actual expenses, and the non-resident member ten dollars per day and actual expenses, for the time actually spent in the performance of their duties as herein provided. Kossuth county and Larrabee county shall each pay one half of the expense of such division, payment to be provided for by the board of supervisors of each county.

**SEC. 14. Larrabee county in same congressional, judicial and senatorial districts.** The county of Larrabee shall be and remain in the same congressional, judicial and senatorial districts that it now is, until otherwise provided by law.

**SEC. 15. Joint drains.** Drainage districts lying in both Kossuth and Larrabee counties shall hereafter be considered joint drains and be governed by the laws providing for such joint drains.

**SEC. 16. Joint drainage districts.** All the expenses incurred in the division provided for herein, including the cost of the primary and special elections, and the expense incurred by the commission referred to in section 12



hereof, other than the personal expenses of said commission, shall be paid by the county of Larrabee and the board of supervisors of such county shall make the necessary provision therefor.

SEC. 17. **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 the Bancroft Register, two newspapers of general circulation, which publication shall be without expense to the state.

Approved April 18 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 21, 1913 and in the Bancroft Register, May 22, 1913.

W. S. ALLEN,  
*Secretary of State.*

#### CHAPTER 345.

#### TO REIMBURSE CLIFFORD THORNE FOR EXPENSE OF PRINTING BRIEFS AND TRAVELING EXPENSES WHILE IN ATTENDANCE AT THE FINAL HEARING BEFORE THE INTERSTATE COMMERCE COMMISSION.

H. F. 286.

AN ACT to make an appropriation for the payment of the expenses of printing of briefs and the traveling expenses of one of the railroad commissioners, Clifford Thorne, while in attendance at the final hearing in the case before the interstate commerce commission involving general advancement in rates.

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

SECTION 1. **Amount appropriated.** There is hereby appropriated out of any money in the state treasury, not otherwise appropriated, the sum of four hundred forty-five dollars and ninety-nine cents, (\$445.99) for the printing of briefs, and the traveling expenses of one of the state railroad commissioners, Clifford Thorne, while in attendance at the final hearing in the case before the interstate commerce commission involving general advance in freight rates during the month of January, 1911.

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, being newspapers published in Des Moines, Iowa.

Approved April 17, A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 21, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 346.

## PAVING EAST WASHINGTON STREET, MT. PLEASANT.

S. F. 230.

AN ACT to appropriate money to aid in paving East Washington street in the city of Mount Pleasant, Iowa.

WHEREAS the city of Mount Pleasant is requiring to be paved the street known as East Washington street, which leads from the public square of the city eastward in front of a part of the grounds of the Mount Pleasant state hospital, and

WHEREAS said street is much used for heavy traffic of the hospital, particularly so much of the street as is in front of and adjacent to the grounds of the hospital, and

WHEREAS the state should bear its just proportion of the cost; therefore  
*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. **Amount appropriated.** That there is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of three thousand dollars, or as much thereof as may be necessary, for the purpose of curbing, guttering and paving East Washington street, Mount Pleasant, Iowa. The money hereby appropriated shall be used to curb, gutter and pave said street in front of the grounds of said institution and the street intersection adjoining.

SEC. 2. **Direction of board of control.** The money hereby appropriated shall be expended under the direction of the board of control of state institutions and be drawn from the state treasury on vouchers and abstracts approved by said board.

SEC. 3. **When available.** The above appropriation nor no part thereof shall be available until the city of Mount Pleasant paves that part of said street extending from the state hospital grounds to a point in said street where the paving is already laid.

Approved April 14 A. D. 1913.

## CHAPTER 347.

## AUTHORIZING THE CONSTRUCTION OF A BUSINESS MEN'S COLISEUM AND CONVENTION HALL OVER THE CEDAR RIVER IN WATERLOO.

H. F. 671.

AN ACT to authorize the construction of a business men's coliseum and convention hall over the Cedar river in the city of Waterloo, Iowa.

WHEREAS, the Cedar river is a meandered stream, and

WHEREAS, the title to the bed and banks of such stream is claimed by the state of Iowa and under the control of its legislature, and

WHEREAS, the said stream divides the city of Waterloo into two approximately equal parts, one of which is known as East Waterloo and the other as West Waterloo, and

WHEREAS, the said stream is already spanned by two re-inforced concrete Melan arched bridges, one of which is located on Fourth street and the other on Fifth street across the said river, and

WHEREAS, it is desired to construct over a portion of the Cedar river between said bridges a business men's coliseum and convention hall, whose use will be devoted to conventions and gatherings of the general public, and

WHEREAS, the same can be constructed in such a way as not to materially impede the flow of the water of such stream, now therefore

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

**SECTION 1. Petition—question submitted.** That whenever one hundred (100) electors of the city of Waterloo, Iowa, shall petition, requesting it, or whenever the council of said city by a two-thirds vote passed at a regular meeting of said council, shall request it, the mayor of said city shall by proclamation submit to the voters at the next regular city election or at a special election called for that purpose the question as to whether or not a franchise, license or lease for a length of time, which shall be stated in said proclamation, and which in no case shall be for a longer period than ninety-nine (99) years, shall be granted or made to or with a named corporation or individuals acting for themselves or for a corporation to be formed, for the purpose of erecting over the bed of the Cedar river within the limits of said city of Waterloo, Iowa, and at a place to be designated in said proclamation, a building to be known and used as business men's coliseum and convention hall.

**SEC. 2. Proposition.** That at such election the proposition to be submitted shall be: "Shall the river front improvement commission of the city of Waterloo, Iowa, make a franchise, license or lease with (here insert the name of the corporation or individuals) for a period of (here insert the number of years) for the purpose of providing for the erection of a building to be known and used as a business men's coliseum and convention hall over the bed of the Cedar river at a point situated (here insert a description of the proposed location of the building to be erected) in accordance with the provisions of chapter — of the acts of the thirty-fifth general assembly."

**SEC. 3. Cost of election—how paid—question re-submitted.** That at such election in case a special election is held for that purpose the cost thereof shall be borne by the corporation or individuals petitioning for such franchise, license or lease and in case said proposition is not adopted at the election at which it is submitted, then a similar question shall not be submitted again within one year thereafter, when it may be re-submitted in the same manner as the original.

**SEC. 4. Favorable results certified.** If a majority of the votes cast at such election shall be in favor thereof, then the mayor of the said city shall immediately certify the result of said election to the river front improvement commission of said city who shall file such certification as authority for their future acts.

**SEC. 5. River front improvement commission—duties—franchise—terms.** Within thirty (30) days from the time of the receipt of this certification from the mayor of said city stating that the proposition has carried by a majority of votes, the river front improvement commission of said city shall prepare, execute in duplicate and offer for signature to the said corporation or individuals to whom was voted the right thereto, a franchise, license or lease

which shall have been approved as to form by the attorney general of the state of Iowa authorizing said corporation or individuals to enter upon the bed of said Cedar river at the point designated and for the period of time fixed by the said referendum vote. Such franchise, license or lease shall also provide and shall be granted only upon the express terms that the erection of the building shall not materially impede the natural flow of the waters and shall not interfere with any previously designated rights of riparian land owners, and shall provide that at the expiration of the term of years fixed, that the corporation or individuals receiving said franchise, license or lease shall vacate and remove the building and all obstruction adjacent thereto, unless the period of time is extended in the same manner and method as was required for the securing of the original lease, and that in case they should fail to remove said building or obstructions at the expiration of the term fixed, then that the entire building, including foundations and equipment, shall become the property of and be vested in the river front improvement commission of the said city of Waterloo, Iowa, to be used as the said river front improvement commission shall see fit. Said franchise, license or lease shall further provide that in the construction of the building the plans shall be subject to supervision and review by the river front improvement commission, who may change or alter them by a majority vote, and shall further provide that all moneys received by grantees, from the use of the building as rentals in excess of the cost of maintenance of said building, including taxes, repairs, improvements, insurance, labor, interest, operation expenses, etc., and in excess of a sum which shall not exceed ten per cent per annum of the amount of any bond issue or mortgage which may be placed upon said building to aid in its construction, to be paid and applied upon the reduction of said bond issue or mortgage; and in excess of a sum which shall not exceed eight per cent per annum upon the money actually invested by the said corporation or individuals shall be paid to the treasurer of the river front commission of the city of Waterloo, Iowa, as rental of the portion of the meandered stream bed used, to be used by the said river front improvement commission in the enhancing and improvement of the natural beauty of the said stream.

**SEC. 6. Failure to accept—forfeiture.** Upon receipt of the said franchise, license or lease from the river front improvement commission, the corporation or individuals who are entitled to the rights thereunder by reason of the referendum vote, shall have ninety (90) days within which they may execute in duplicate the said franchise, license or lease, and return one copy to the river front improvement commission; and in case they should fail to execute the said franchise, license or lease, and should fail to return one copy thereof within the said time, then and in that event all their rights secured by virtue of the referendum vote shall be forfeited and of no further effect.

**SEC. 7. Acceptance—rights vested.** In case the parties named shall appear within ninety (90) days of said date, and enter into such franchise, license or lease, and agree to the terms therein named, then and in that event they shall become vested with the right to proceed with the erection of the building designated in the referendum vote, and shall be entitled to receive the rentals from the use of said buildings, which shall be disbursed in the manner provided in the franchise, license or lease under which the building was erected.

**SEC. 8. Plans—how approved or rejected.** Before the building is erected, the plans shall be submitted to the river front improvement commission, who, at a regular session or at a special session called for that purpose, shall review said plans and shall have the power to change or revise them in case they believe them not to be suited for the purpose for which the building is intended, and its surroundings. The river front improvement commission of

the said city shall either approve or reject the plans submitted within a period of thirty (30) days from the time they are submitted, and in case of rejection, the river front improvement commission shall, within a period of sixty (60) days from the time of the original submission of the plans to them have prepared and shall furnish to the said corporation or individuals a set of plans which shall have been approved by them and which shall be followed in the erection of the building and in carrying out of the franchise, license or lease granted.

**SEC. 9. Construction of building—supervision.** During the erection of the building, the river front improvement commission of the said city shall have the right and authority to oversee, supervise, and direct the construction of the building and may cause changes to be made if it shall appear that the plans adopted will materially impede or interfere with the natural flow of the waters.

**SEC. 10. Annual reports—how made.** Upon the erection and equipment of the building aforesaid, the grantees of the franchise, license or lease shall make to the river front improvement commission of the said city at the last regular meeting in June of each year, a full and detailed report, which shall be verified, of the business transacted by the corporation or individuals during the preceding year, which shall show a complete statement of the receipts and expenditures, and a statement from the treasurer of said river front improvement commission showing that he has received from the grantees of such lease a sum of money purporting to be the property of the city as hereinbefore provided, or a statement from the river front improvement commission treasurer to the effect that the grantees claim that the earnings of the building so erected were less than the amount provided to care for the expense of, maintenance, etc., hereinbefore provided, which report shall be received by the river front improvement commission and approved or rejected by them and for the purpose of ascertaining the correctness of such report, the river front improvement commission or any one representing them shall, at all times, have access to the books of the corporation or individuals, and may audit the accounts thereof at any time.

**SEC. 11. Reports—how approved.** In case the report submitted as above provided is not approved by the river front improvement commission, then in that event, the books of the corporation or individuals shall be examined by the river front improvement commission or someone representing them and a report made to the river front improvement commission at its next meeting if practicable, or as soon thereafter as possible, at which time the previous report shall be approved as originally presented, or corrected and approved in case error is discovered, and when approved, shall be placed on file.

**SEC. 12. False statement—penalty.** The verification above provided shall be to the best knowledge and belief of the person making it, and any person acting either for himself or for the grantees, who knowingly subscribes to a false statement or record concerning the earnings of said building for the period covered by the statement, shall be deemed guilty of perjury and shall be subject to punishment in accordance with section forty-eight hundred seventy-two (4872) of the code of Iowa, and in the manner therein provided.

**SEC. 13. 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 the city of Des Moines, Iowa.

Approved April 18 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 25, 1913, and in the Des Moines Capital April 24, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 348.

## PENSION OF SURVIVORS OF THE SPIRIT LAKE RELIEF EXPEDITION.

S. F. 80.

AN ACT to pension the survivors of the Spirit Lake relief expedition of 1857, providing the amount of such pensions, the method of payment, and making an appropriation therefor.

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

SECTION 1. **Monthly pension—to whom paid.** That on and after the passage of this act, the survivors of the Spirit Lake Relief Expedition of 1857, as shown by the roster of Iowa soldiers, vol. 6, pages 922-937 inclusive, shall receive a monthly pension of \$20.00 per month, during the life-time of each such survivor to be paid from the state treasury on the proper voucher being made, and out of funds not otherwise appropriated.

Approved April 9 A. D. 1913.

## CHAPTER 349.

## COMPENSATION OF SUPERINTENDENT OF SCHOOLS OF TAMA.

H. F. 446.

AN ACT enabling the board of directors of the independent school district of Tama, Iowa, to compensate a member for services as superintendent of schools.

WHEREAS, at the regular meeting of the board of directors of the independent district of Tama, Iowa, held on April the 4th, 1912, the superintendent of schools of said district resigned, and the schools were left without proper superintendency, and

WHEREAS the board of directors of said district, by resolution adopted, employed a member of the board, who had been for ten years a superintendent of said schools, to act as temporary superintendent, and

WHEREAS said board of directors recognize the obligation of the said district to make proper compensation for said service performed by said member at the cost of his private business, Therefore

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

SECTION 1. **Employment and compensation legalized.** That the action of said board of directors of the independent district of Tama, Iowa, in employing said member as superintendent, be and the same is hereby legalized and the said board of directors be by this act enabled to make proper compensation to said member for said service, and the issuance of a warrant upon the school funds of said district for said service is hereby made legal and valid in all respects. Provided that nothing in this act shall effect [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 at Des Moines, Iowa, and Tama News, a newspaper published at Tama, Iowa, such publication to be without expense to the state.

Approved March 21 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader March 24, 1913, and in the Tama News March 27, 1913.

W. S. ALLEN,  
*Secretary of State.*

### CHAPTER 350.

#### TRANSFER OF CERTAIN LAND TO CITY OF BURLINGTON.

S. F. 29.

AN ACT to transfer to the city of Burlington, Iowa, the title, use and control of a certain island in the Mississippi river near the city of Burlington, Iowa, known as Otter Island.

WHEREAS, there is in the Mississippi river on the Iowa side of the main channel a certain island known as Otter Island lying in sections 11, 15 and 22, township 70 north of range 2 west, which is immediately north of the city of Burlington, Iowa, and

WHEREAS, the title to said land is in the state of Iowa, the same never having been surveyed or platted by the United States or the state of Iowa, and

WHEREAS, the same is subject to survey and purchase under the provisions of chapter 2-A of title XIV of the code of Iowa, and

WHEREAS, the same is of little commercial value but would be of great benefit to the inhabitants of the city of Burlington if the same were reserved as a public park and recreation ground.

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

**SECTION 1. Title vested in city of Burlington.** That the title to Otter island lying within the jurisdiction of the state of Iowa in sections 11, 15 and 22, township 70 north of range 2 west, together with the use and control of the same, be and is hereby transferred to the city of Burlington, Iowa, to be held by the said city as a public park and recreation ground forever for the use of the citizens of Burlington and the state of Iowa.

**SEC. 2. Rules and regulations.** The city of Burlington be and is hereby given the right to make such rules and regulations concerning the said island as may be necessary and not in conflict with the laws of the state.

**SEC. 3. Plat—survey.** That said island be surveyed and platted under direction of the secretary of state as provided by law, and a record made of said plat and survey as provided by chapter 2-A of title XIV of the supplement to the code of Iowa, the expense of said plat and survey to be paid by the city of Burlington, Iowa.

**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, a Des Moines newspaper, published in the city of Des Moines, Iowa, without expense to the state.

Approved February 22nd A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader March 1, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 351.

## ISSUANCE OF PATENT TO JACOB ARNOLD.

H. F. 693.

AN ACT to confirm the title of Jacob Arnold to the south half of the south west quarter of section No. 20, township No. 85, north, range No. 30, west 5th., P. M. Greene county, Iowa, and authorizing the issuance of a patent therefor.

WHEREAS, the south half of the south west quarter of section No. 20, township No. 85, north, range No. 30, west 5th., P. M. in Greene county, Iowa, was granted by the United States to the Cedar Rapids & Missouri river railroad company by act of congress dated June 2nd., 1864 and duly approved to said grantee; and

WHEREAS, one Jacob Arnold, of Greene county, Iowa, has duly acquired title to said land through said Cedar Rapids & Missouri river railroad company and its grantees as shown by the records of Greene county, Iowa, and has been in the open adverse possession thereof under conveyances executed by said Cedar Rapids & Missouri river railroad company and its grantees for more than twenty five years last past, claiming in good faith to be the absolute owner thereof and has made valuable improvements and paid taxes thereon during all of said time; and

WHEREAS, it also appears that said land was granted to the state of Iowa by the United States on the 2nd day of July, 1862, under the grant for the state agricultural college and approved on May 27th, 1863, and

WHEREAS, the state of Iowa has never asserted its title to said land and does not now claim to hold title thereto, but said grant appears as a cloud upon the title thereof, now therefore for the purpose of perfecting the title to said land in said Jacob Arnold.

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

SECTION 1. **Title confirmed—patent.** That the title to the south half of the south west quarter of section No. 20, township No. 85, north, range No. 30, west 5th., P. M. Iowa, be and the same is hereby confirmed in said Jacob Arnold, his heirs and assigns forever, and the governor and secretary of state are hereby authorized to issue, without expense to the state of Iowa, a patent wherein the state of Iowa shall quit claim all right, title and interest in said land to Jacob Arnold, his heirs and assigns.

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 Jefferson Bee, newspapers published in Des Moines, Iowa, and Jefferson, Iowa, respectively, said publication to be without expense to the state of Iowa.

Approved April 19 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 24, 1913, and in the Jefferson Bee April 30, 1913.

W. S. ALLEN,  
Secretary of State.



## CHAPTER 352.

## ISSUANCE OF PATENT TO ANNA L. EDGAR.

S. F. 328.

AN ACT to confirm the title of Anna L. Edgar to the west one-half (w- $\frac{1}{2}$ ) of the southwest quarter (sw- $\frac{1}{4}$ ) of section two (2), township eighty-nine (89), north, range thirty-four (34), west 5th P. M. Iowa, and authorize the issuance of a patent therefor.

WHEREAS, the west one-half (w- $\frac{1}{2}$ ) of the southwest quarter (s. w.  $\frac{1}{4}$ ) of section two (2), township eighty-nine (89), north, range thirty-four (34), west 5th P. M. Iowa, was patented by the United States to John R. Hocking on September 20, 1875; and

WHEREAS, one Anna L. Edgar of Story county, Iowa has duly acquired title to said land through said John R. Hocking and his grantees as shown by the records of Calhoun county, Iowa, and has been in open and adverse possession thereof under conveyances executed by said John R. Hocking and his grantees for more than thirty-seven (37) years last past, claiming in good faith to be the absolute owner thereof and has made valuable improvements and paid taxes thereon during all of said time; and

WHEREAS, it also appears from the records of the recorder's office of Calhoun county, Iowa that the United States issued a patent to the state of Iowa conveying said premises, dated November 9, 1888; and

WHEREAS, it appears from the records of the general land office at Washington, D. C., and the records of the land office of the state of Iowa that said premises was not so patented by the United States to the state of Iowa, but that the record in the recorder's office of Calhoun county, Iowa is a mistake; and

WHEREAS, the state of Iowa has never asserted its title to said land and does not now claim to hold title thereto, but said records of recorder's office of Calhoun county, Iowa, appears as a cloud upon the title thereof, now therefore for the purpose of perfecting the title of said land to Anna L. Edgar

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

**SECTION 1. Title confirmed—patent.** That the title to the west one-half (w- $\frac{1}{2}$ ) of the southwest quarter (s. w.  $\frac{1}{4}$ ) of section two (2), township eighty-nine (89) north, range thirty-four (34) west 5th P. M. Iowa, be and the same is hereby confirmed in said Anna L. Edgar, her heirs and assigns forever, and the governor and secretary of state are hereby authorized to execute without expense to the state of Iowa, a patent wherein the state of Iowa shall quitclaim all right, title and interest in said land to Anna L. Edgar, her heirs and assigns.

**SEC. 2. Pending litigation.** Nothing in this act shall in any manner affect any pending litigation.

**SEC. 3. In effect.** This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa, said publication to be without expense to the state of Iowa.

Approved April 8 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital April 15, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 353.

## ISSUANCE OF PATENT TO CHARLES MARTIN.

S. F. 559.

AN ACT for the purpose of having a patent issued in the name of Charles Martin for a certain tract of land.

WHEREAS, on the 1st day of May, 1886, one M. L. Phillips obtained a warranty deed from Loren and Frank Thompson, both unmarried, for the west half of the northeast quarter of the northwest quarter ( $w\frac{1}{2}$  n. e.  $\frac{1}{4}$  n. w.  $\frac{1}{4}$ ) of section No. thirty five (35) township No. seventy five (75), range No. fourteen (14), west of 5th P. M., in Mahaska county, Iowa, said Loren and Frank Thompson having an unbroken title from their grantors back to the United States: and,

WHEREAS, on the 1st day of May, 1886, said M. L. Phillips, an unmarried man, borrowed from the permanent school fund of Mahaska county, the sum of two hundred dollars, (\$200.00) and to secure the payment thereof executed to Mahaska county, Iowa, for the benefit of the school fund of said county, a first mortgage on the west half of the northeast quarter of the northwest quarter ( $w. \frac{1}{2}$  n. e.  $\frac{1}{4}$  n. w.  $\frac{1}{4}$ ) of section No. thirtyfive (35), township No. seventy five (75) range No. fourteen (14), west of the 5th P. M., Mahaska county, Iowa, securing a promissory note, with interest, for said amount, due five years after date, with interest thereon at the rate of eight per cent per annum, payable on the 1st day of January: and,

WHEREAS, said mortgagor having defaulted in the payment of the interest on said loan, for over four years, said mortgage was foreclosed, as required by law, in the district court of Iowa, in and for Mahaska county, by decree entered therein in equity cause No. 6383, on the 2nd day of December, 1890: and,

WHEREAS, thereafter said premises, to-wit: west half of the northeast quarter of the northwest quarter ( $w\frac{1}{2}$  ne $\frac{1}{4}$  nw $\frac{1}{4}$ ) of section No thirty five (35), township No. seventy five (75), range No fourteen (14) west of 5th P. M., Mahaska county, Iowa, was sold under execution issued on said judgment and decree, to said Mahaska county, Iowa, for the full amount of principal and interest then due on said loan, together with the costs of said foreclosure proceedings, and a certificate of purchase issued by the sheriff of said county to said purchaser: and,

WHEREAS, still later, there being no redemption made from said sale, a sheriff's deed of said premises was in due form of law executed to said Mahaska county, Iowa, on the 26th day of April, 1892: and,

WHEREAS, subsequent to said sale under execution, the permanent school fund of said county was duly credited in full for the aggregate principal and interest then due on said loan, thereby making said school fund whole in all respects, and preserving the same from any and all loss: and,

WHEREAS, thereafter, on the \_\_\_\_\_ day of November session, 1891, said Mahaska county, through its board of supervisors, and upon the assumption that the title to said tract was absolutely in said county, entered into a contract with one F. M. Rogers, to sell said tract to him on the payment of three hundred sixty dollars, (\$360.) payable in payments of fifty dollars (\$50.00) each, he to have five years to pay the same, with interest at the rate of eight per cent per annum: and,

WHEREAS, said Mahaska county, Iowa, through its board of supervisors failed to execute and deliver to said F. M. Rogers a deed for said land: and,

WHEREAS, F. M. Rogers and his wife, Rachel A. Rogers, on the 30th day of November, 1891, executed a note for the sum of three hundred sixty dollars (\$360.00), and to secure said note, which was for the purchase price, executed, to Mahaska county, Iowa, a first mortgage on the said described property, to-wit: west half of the northeast quarter of the northwest quarter ( $w\frac{1}{2} ne\frac{1}{4} nw\frac{1}{4}$ ) of section No. thirty five (35), township No. seventy five (75), range No. fourteen (14), west of the 5th P. M., Mahaska county, Iowa, said note being due November 30th, 1896, with interest thereon at the rate of eight [per cent] per annum, payable annually: and,

WHEREAS, said note and mortgage given by said F. M. Rogers, having been duly paid, with interest, for more than ten years, as shown by the records of the auditor of Mahaska county, Iowa: and,

WHEREAS, since last described mortgage to Mahaska county, the following goodfaith sale and conveyance of said premises has been made, viz: F. M. Rogers and his wife, Rachel A. Rogers, sold and conveyed the same to Charles Martin, who is the present owner in fee of said real estate: and,

WHEREAS, doubts have now arisen as to the legality of said sale and conveyance by the said sheriff of Mahaska county, and as to whether under the school fund laws of this state at that time, the title to said premises should not have been regarded as vesting in the county of Mahaska, state of Iowa, under said sheriff's deed, thereby necessitating a resale of said premises in the same manner as other school lands belonging to the state: Now therefore, in order to clear the apparent cloud resting upon said premises and the title thereto,

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

**SECTION 1. Patent.** The governor of the state and the secretary of state are hereby authorized to issue to Charles Martin, upon investigation as to the facts set forth in the foregoing preamble, a patent for the west half of the northeast quarter of the northwest quarter ( $w\frac{1}{2} ne\frac{1}{4} nw\frac{1}{4}$ ) of section thirty five (35), township seventy five (75), range fourteen (14) west of the 5th P. M., Mahaska county, Iowa.

Approved April 19 A. D. 1913.

## CHAPTER 354.

### ISSUANCE OF PATENT TO J. M. LAUGHLIN.

H. F. 336.

AN ACT authorizing the issue of a patent to the southeast quarter (s. e.  $\frac{1}{4}$ ) of the southeast quarter (s. e.  $\frac{1}{4}$ ) of section twenty-three (23), township sixty-seven (67), range twenty-three (23), west of the fifth P. M.

WHEREAS it appears that J. M. Laughlin is now the owner of the southeast quarter (s. e.  $\frac{1}{4}$ ) of the southeast quarter (s. e.  $\frac{1}{4}$ ) of section twenty-three (23), township sixty-seven (67), range twenty-three (23), west of the fifth P. M., by purchase through an unbroken chain of title from Joseph D. Laughlin; and,

WHEREAS it also appears that the said Joseph D. Laughlin on or about the fifth day of October, 1854, purchased the said land from the state of Iowa, the same being school land; and,

WHEREAS, it appears that the said J. M. Laughlin and his grantors have been in open, notorious, hostile and adverse possession of said premises under claim of right and title thereto for more than forty years last past, before the passage of this act, and

WHEREAS it appears that no certificate of purchase or patent to the said land has ever been issued to the said Joseph D. Laughlin or any other person; therefore,

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

SECTION 1. **Patent.** That the governor and the secretary of state of Iowa are hereby authorized and directed to issue to the said J. M. Laughlin a patent for the southeast quarter (s. e.  $\frac{1}{4}$ ) of the southeast quarter (s. e.  $\frac{1}{4}$ ) of section twenty-three (23) township sixty-seven (67), range twenty-three (23), west of the fifth P. M. of Iowa.

SEC. 2. **In effect.** This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and Leader and Wayne County Democrat, newspapers published in Des Moines, Iowa, and Corydon, Iowa, said publication to be without expense to the state.

Approved March 29 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 3, 1913, and in the Wayne County Democrat April 10, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 355.

### ISSUANCE OF PATENT TO T. F. M'CAFFERY.

S. F. 363.

AN ACT for the purpose of having a patent issued in the name of T. F. McCaffery for a certain tract of land.

WHEREAS, on the 13th day of June, 1891, one Finley Burke and wife Parthenia J. Burke, borrowed from the permanent school fund of Pottawattamie Co., Iowa, the sum of one thousand dollars (\$1000.00) and to secure the payment thereof executed with his wife to Pottawattamie county, Iowa, for the benefit of the school fund of said county, a first mortgage upon block one (1) in Burke's addition to Council Bluffs, Iowa, securing a promissory note for said amount, due June 13th, 1896, with interest thereon at the rate of six per cent per annum payable annually; and

WHEREAS, said mortgagors, having defaulted in the payment of the interest on said loan, said mortgage was foreclosed as required by law in the district court of Iowa at Council Bluffs, by decree entered in equity case No. 14,035, on the 16th day of September, 1904; and

WHEREAS, thereafter all of said premises to-wit, block 1, in Burke's addition to the city of Council Bluffs, Iowa, were sold under execution issued on

said judgment and decree in said Pottawattamie county, Iowa, for the benefit of the school fund of said county for the full amount of principal and interest then due on said loan, together with the costs of said foreclosure proceedings and a certificate of purchase issued by the sheriff of said county to said purchaser; and

WHEREAS, still later there being no redemption made from said sale, a sheriff's deed of said premises, was in due form of law executed to said Pottawattamie county, Iowa, for the use of the permanent school fund on October 25th, 1905; and

WHEREAS, subsequent to said sale under execution the permanent school fund of said county was duly credited in full for the aggregate principal and interest then due on said loan thereby making said school fund whole in all respects and preserving the same from any and all loss; and

WHEREAS, thereafter, and on the 21st day of April, 1910, said Pottawattamie county, through its board of supervisors, and upon the assumption that the title to said tract was absolutely in the county, resold said premises to T. F. McCaffery and executed a deed thereof to said purchaser; and

WHEREAS, doubts have now arisen as to the legality of said sale and conveyance by said Pottawattamie county, to said T. F. McCaffery, and as to whether, under the school fund laws of this state at that time, the title to said premises should not have been regarded as vesting in the state of Iowa, under said sheriff's deed, thereby necessitating a resale of said premises in the same manner as other school lands belonging to the state; now

Therefore, in order to clear the apparent doubt resting upon said premises and the title thereto,

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

**SECTION 1. Title vested in T. F. McCaffery.** That the title to block one (1) in Burke's addition to the city of Council Bluffs, Iowa, does hereby pass from the state of Iowa, to said T. F. McCaffery, and that the same shall vest absolutely in him.

**SEC. 2. Patent.** That the governor of the state, and the secretary of state, are hereby authorized and directed to issue to the said T. F. McCaffery a patent for the said block one (1) described in section 1 hereof, and deliver same to the said T. F. McCaffery.

Approved April 8 A. D. 1913.

## CHAPTER 356.

### ISSUANCE OF PATENT TO GEORGE ROCKHOLD.

H. F. 337.

AN ACT authorizing the issue of a patent to the northeast quarter (n. e.  $\frac{1}{4}$ ) of the southeast quarter (s. e.  $\frac{1}{4}$ ) of section twenty-three (23), township sixty-seven (67), range twenty-three (23), west of the fifth P. M.

WHEREAS it appears that George Rockhold is now the owner of the northeast quarter (n. e.  $\frac{1}{4}$ ) of the southeast quarter (s. e.  $\frac{1}{4}$ ) of section twenty-three (23), township sixty-seven (67), range twenty-three (23), west of the fifth P. M. by purchase through an unbroken chain of title from the grantees of Joseph D. Laughlin; and,

WHEREAS it also appears that the said Joseph D. Laughlin on or about the fifth day of October, 1854, purchased the said land from the state of Iowa, the same being school land; and

WHEREAS, it appears that the said George Rockhold and his grantors have been in open, notorious, hostile and adverse possession of said premises under claim of right and title thereto for more than forty years last past, before the passage of this act, and,

WHEREAS it appears that no certificate of purchase or patent was ever issued to the said Joseph D. Laughlin or to any other person; therefore,

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

SECTION 1. **Patent.** That the governor and the secretary of state are hereby authorized and directed to issue to the said George Rockhold a patent for the northeast quarter (n. e.  $\frac{1}{4}$ ) of the southeast quarter (s. e.  $\frac{1}{4}$ ) of section twenty-three (23), township sixty-seven (67), range twenty-three (23), west of the fifth P. M. of Iowa.

Approved March 29 A. D. 1913.

## CHAPTER 357.

### ISSUANCE OF PATENT TO ALBERT HUSA.

H. F. 524.

AN ACT to authorize and empower the governor of the state of Iowa to issue a land patent, attested by the secretary of state, to Albert Husa, conveying certain real estate in Johnson county, Iowa, more particularly described as lot seven (7), block fifty-five (55), Iowa City, Iowa.

WHEREAS, Albert Husa is the owner of lot seven (7), block fifty-five (55), Iowa City, Iowa; and

WHEREAS, said described real estate and other lands were conveyed by the congress of the United States to the state of Iowa by virtue of an act of congress approved March 3d, 1839; and

WHEREAS, said premises were, on the 29th day of December, 1839, sold by the state to one C. Swan to whom, on the 1st day of May, 1841, was issued a certificate of final payment for said premises; and

WHEREAS, no patent was ever issued by the state to the said C. Swan or any one else; and

WHEREAS, said premises were subsequently thereto duly sold to one George W. Brandon for taxes; and

WHEREAS, the said Albert Husa is the record and equitable owner of said premises by virtue of the tax deed issued to said George W. Brandon, dated April 4th, 1848, and intermediate conveyances between said deed and a deed to said Albert Husa; and

WHEREAS, the said Albert Husa and his grantors have been in open, notorious, hostile and adverse possession of said premises under claim of right and title thereto for more than forty years last past; therefore,

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

SECTION 1. **Patent.** That the governor of the state of Iowa and the secretary of state be, and they are hereby authorized, empowered and directed

to issue to said Albert Husa a land patent in the usual form to lot seven (7), block fifty-five (55) of Iowa City, Iowa, which shall constitute an absolute conveyance of all right, title and interest which the state of Iowa may have in and to said premises.

SEC. 2. **Pending litigation.** This act shall not in any way affect pending litigation.

Approved April 18 A. D. 1913.

### CHAPTER 358.

#### RELIEF OF THE GRANTEES OF DAVID E. FRY.

S. F. 304.

AN ACT for the relief of the grantees of David E. Fry, and for the purpose of having patents issued in the names of W. F. Pomeroy and Arthur Dilley, for certain tracts of land.

WHEREAS, it appears from the records in the auditor's office of Mahaska county, Iowa, that John G. Weaver and Sarah Weaver husband and wife, on the first day of April, 1857, executed a mortgage upon the following described real estate, situated in Mahaska county, Iowa, to-wit:

West one-half ( $w\frac{1}{2}$ ) of the southwest quarter ( $sw\frac{1}{4}$ ) of the southwest quarter ( $sw\frac{1}{4}$ ) of section ten (10) township seventy-five (75), north of range sixteen (16) west of the 5th P. M., and also in the same instrument on the following described tract, to-wit:

One and one-half ( $1\frac{1}{2}$ ) acres off the east side of nineteen (19) acres of the south one-half of northwest quarter of the northeast quarter ( $s\frac{1}{2}$  of  $nw\frac{1}{4}$  of  $ne\frac{1}{4}$ ) of section thirty-five (35), township seventy-six (76) north of range sixteen (16) west, to secure to the school fund of Mahaska county, Iowa, the payment of a note for \$135.41 with interest; and,

WHEREAS, due proceedings in foreclosure of said mortgage default having been made in the same on the 7th day of November, 1862, the district court of said Mahaska county, Iowa, entered a decree foreclosing said mortgage and ordered the sale of said mortgaged property to satisfy said debt amounting to \$201.31, and on the 31st day of October, 1863, in pursuance of said decree, said land was sold and bid off by the state of Iowa, for the use of the school fund of said county, for the sum of one hundred twenty (\$120.00) dollars: that the said John G. Weaver and Sarah Weaver permitted the statutory time for redemption to elapse without making redemption from said sale, and title was obtained by the state of Iowa, for the benefit of said school fund: and,

WHEREAS, after the time of redemption had expired, the board of supervisors of Mahaska county, Iowa, by resolution, permitted the said John G. Weaver to redeem from said sale without, as it now appears, any legal authority so to do, and that the said John G. Weaver did redeem by the payment of the sum necessary to affect redemption at the time of said attempted redemption: and,

WHEREAS, thereafter, on June 7 1864, the following resolution was unanimously adopted by the board of supervisors: and,

"WHEREAS, by a former resolution of the board of supervisors allowing John G. Weaver to redeem certain lands foreclosed by order of court, and sold by the sheriff to the state of Iowa, for the use of the school fund of Ma-

haska county, Iowa, and there appearing that said resolution allowing him to redeem does not legally pass the title vested in the state by virtue of the sale aforesaid: Therefore be it resolved, that in accordance with the request of the said John G. Weaver, a deed be made to David E. Fry to whom said Weaver had previously sold said land passing all the right of the title and interest of the state of Iowa, for the use of the school fund of said county, in and to the lands described in said sheriff's deed to said state, by J. F. Alumbaugh, late sheriff of this county, on behalf of the said John G. Weaver." and,

WHEREAS, the board of supervisors of Mahaska county, Iowa, by its chairman, P. Loughridge, in accordance with said resolution, did execute a warranty deed describing said premises hereinbefore described to the said David E. Fry, said deed being recorded June 28th, 1864, in book U, page 501, of Mahaska county land deed records: and,

WHEREAS, it appears that the said David E. Fry did take immediate possession of said premises relying upon said deed and said acts of the board of supervisors, and that he and his grantees have been in actual, open and undisputed possession of said land claiming title thereto, and improving the same since the execution of said deed: and,

WHEREAS, in the making of said sale to the said David E. Fry, it appears that the board of supervisors of said Mahaska county did not comply with the provisions of law then made and provided for such sales; and,

WHEREAS, the title to said tract in section ten (10) above described is now vested in W. F. Pomeroy, and title to the tract of land in section thirty-five (35) above described, is now vested in Arthur Dilley by conveyance through intermediate grantors from the said David E. Fry; and,

WHEREAS, it appears that no patent from the state of Iowa has been issued to the said David E. Fry or any other person granting the real estate hereinbefore described: Therefore

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

**SECTION 1. Patent.** That the governor and the secretary of the state of Iowa are hereby authorized and directed to issue to the said W. F. Pomeroy a patent for the west half of the southwest quarter ( $w\frac{1}{2}$  of  $sw\frac{1}{4}$ ) of the southwest quarter ( $sw\frac{1}{4}$ ) of section ten (10) township seventy-five (75) north, range sixteen (16) west; and also

To Arthur Dilley a patent for the one and one half acres off the east side of nineteen acres of the south one-half of the northwest quarter of the northeast quarter of section thirty-five (35) township seventy-six (76) north, range sixteen (16) west of the 5th principal meridian.

Approved April 9 A. D. 1913.



## CHAPTER 359.

## RELIEF OF THE GRANTEES OF ELIAS MYRICK.

S. F. 448.

AN ACT for the relief of the grantees of Elias Myrick, and for the purpose of having a patent issued in the name of Elias Myrick for a certain tract of land.

WHEREAS, it appears that Ed. Clark and other parties are now the owners of the northeast quarter (ne $\frac{1}{4}$ ) of the southwest quarter (sw $\frac{1}{4}$ ) of section nineteen (19), township seventy-seven (77), north, range twenty-two (22), west of the fifth P. M., Iowa, in separate parts or tracts thereof by purchase from the grantees of Elias Myrick, the original purchaser or patentee, and said Ed. Clark and other parties now owning said land, and their grantors, mediate and remote, have been in the actual, open, undisturbed and adverse possession of said land, claiming title thereto and improving the same; and

WHEREAS, it also appears that the said Elias Myrick, on or about the 31st day of January, 1850, purchased said land from the state of Iowa, the same being Des Moines river grant lands, and paid the sum of one hundred dollars (\$100.00) therefor, being at the rate of one dollar and twenty-five cents (\$.25) per acre, as shown by the records of the state land office; and

WHEREAS, it appears that a certificate of purchase, No. 1346, was issued to the said Elias Myrick, but that no patent for said land has ever been issued to the said Elias Myrick or to any other person; therefore,

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

**SECTION 1. Patent.** That the governor and secretary of state of the state of Iowa are hereby authorized and directed to issue a patent in the name of Elias Myrick for the said northeast quarter (NE $\frac{1}{4}$ ) of the southwest quarter (SW $\frac{1}{4}$ ) of section nineteen (19), township seventy-seven (77), north, range twenty-two (22), west of the fifth P. M., Iowa, and the same to inure to the benefit of the said Ed. Clark and others, the present owners of the said forty (40) acre tract.

**SEC. 2. Pending litigation.** This act shall not affect pending litigation.

Approved April 15. A. D. 1913.

## CHAPTER 360.

## RELIEF OF THE GRANTEES OF G. W. PERKINS.

S. F. 134.

AN ACT for the relief of the grantees of G. W. Perkins, and for the purpose of having a patent issued in the name of John A. Ruttur, for a certain tract of land.

**SECTION 1.** WHEREAS, it appears that John A. Ruttur is now the owner of the northwest quarter of the northwest quarter of section eighteen (18), township sixty-seven (67) north, of range twenty-one (21) west of the fifth (5th) P. M., by purchase from the grantees of George W. Perkins on November 20th, 1861, and said John A. Ruttur and his immediate grantors have been in

the actual, open and undisturbed possession of said land claiming title thereto and improving the same; and

WHEREAS, it also appears that the said George W. Perkins on or about the 12th day of November, 1854, entered into contract with D. W. Baker as school fund commissioner of Wayne county, Iowa, for the purchase of said land, same being school lands; and

WHEREAS, it also appears that the said George W. Perkins paid eleven and 51/100 dollars (\$11.51) and gave his promissory note for forty-three and 55/100 dollars (\$43.55), and

WHEREAS, it appears that no certificate of purchase or patent for said land has ever been issued to the said George W. Perkins or to any other person; therefore

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

[SECTION 1.] **Patent.** That the governor and the secretary of state of the state of Iowa are hereby authorized and directed to issue to the said John A. Ruttur a patent for the northwest quarter of the northwest quarter of section eighteen (18), township sixty-seven (67), north, of range twenty-one (21) west of the fifth (5th) P. M. of Iowa.

Approved March 13th A. D. 1913.

#### CHAPTER 361.

#### CONVEYANCE OF CERTAIN TERRITORY BELONGING TO IOWA SOLDIERS' ORPHANS' HOME.

H. F. 375.

AN ACT to authorize the sale and conveyance of that part of the west half (w.  $\frac{1}{2}$ ) of the southwest quarter (s.w.  $\frac{1}{4}$ ) of section numbered nineteen (19) in township numbered seventy-eight (78) north of range numbered four (4) east of the fifty principal meridian bounded by lines described as follows: Commencing at a point in the east boundary line of said west half (w.  $\frac{1}{2}$ ) of the southwest quarter (s.w.  $\frac{1}{4}$ ) twenty-three  $\frac{12}{100}$  (23.12) chains north of the southeast corner of said west half (w.  $\frac{1}{2}$ ) of the southwest quarter (s. w.  $\frac{1}{4}$ ), thence running west five (5) chains, thence north nine (9) chains, thence east five (5) chains to said east boundary line, thence south along said boundary line to the place of beginning, subject to recorded highway reservations.

WHEREAS the state of Iowa now owns and holds the tract of land hereinafter described for the use and benefit of the Iowa soldiers' orphans' home and

WHEREAS said tract is located at a considerable distance from all other land of the state and is inconveniently located and can be used by the state only for farming and gardening and is too valuable to be held by the state for that purpose, therefore

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

SECTION 1. **Conveyance authorized.** That on the recommendation in writing of the board of control of state institutions, the governor of Iowa is hereby authorized to sell and convey to the highest and best bidder said tract of land containing about four and one-half acres and described as follows:

That part of the west half (w.  $\frac{1}{2}$ ) of the southwest quarter (s.w.  $\frac{1}{4}$ ) of section numbered nineteen (19) in township numbered seventy-eight (78) north

of range numbered four (4) east of the fifth principal meridian bounded by lines described as follows: Commencing at a point in the east boundary line of said west half ( $w\frac{1}{2}$ ) of the southwest quarter (s.w. $\frac{1}{4}$ ) twenty-three  $12/100$  (23.12) chains north of the southeast corner of said west half ( $w\frac{1}{2}$ ) of the southwest quarter (s.w. $\frac{1}{4}$ ), thence running west five (5) chains, thence north nine (9) chains, thence east five (5) chains to said east boundary line, thence south along said boundary line to the place of beginning, subject to recorded highway reservations.

Said tract shall not be sold for a sum less than one thousand (\$1,000.00) dollars per acre. In case of the sale of said tract of land the governor shall issue a patent therefor to the purchaser, attested by the secretary of state and the proceeds of the sale shall be paid into the state treasury and placed to the credit of the home. Said fund shall be used in the purchase of land or the erection of permanent buildings for the home as said board of control may elect, and be drawn from the state treasury in the manner provided for drawing other funds of the home.

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

Approved April 3 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 8, 1913, and in the Des Moines Capital April 7, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 362.

### ISSUANCE OF QUIT CLAIM DEED TO JOHN VESELY.

H. F. 525.

AN ACT to authorize and direct the board of supervisors of Johnson county, Iowa, to issue a quit claim deed to John Vesely, conveying certain real estate located in Johnson county, Iowa, more particularly described as lot six (6), block nine (9), of county seat of Johnson county, Iowa.

WHEREAS, lot six (6), block nine (9) of the county seat of Johnson county, Iowa, was, on the 14th day of January, 1846, granted or conveyed by the United States to the commissioners of Johnson county, Iowa, for county seat purposes; and

WHEREAS, the said Johnson county, Iowa, subsequently thereto sold the above described premises to one I. B. Hollingsworth who paid full consideration therefor; and

WHEREAS, no deed of conveyance appears of record conveying said premises from said commissioners of Johnson county, Iowa, or from the said Johnson county, Iowa, to said I. B. Hollingsworth or his grantees; and

WHEREAS, doubts have arisen whether said county or its board of supervisors have authority to issue such deed of conveyance; and

WHEREAS, said John Vesely is the owner of said premises by virtue of sheriff's deed dated March 21st, 1878, to one Benjamin Owen and intermediate conveyances between said deed and a deed from Frank Dunkel and wife to said John Vesely, dated March 18th, 1911; and

WHEREAS, John Vesely and his grantors have been in open, notorious, hostile and adverse possession of said premises under claim of right and title thereto by virtue of said last named conveyance for more than thirty (30) years last past; and

WHEREAS, by reason of the fact that no deed from the commissioners of Johnson county, Iowa, appear [appears] of record, a cloud is created upon the title of said premises; therefore

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

SECTION 1. **Quit claim deed.** That the board of supervisors of the county of Johnson, state of Iowa, be and they are hereby authorized and directed to issue to the said John Vesely a quit claim deed in the usual form conveying to him all right, title and interest that the said Johnson county, Iowa, may have in and to lot six (6), block nine (9) of county seat of Johnson county, Iowa.

SEC. 2. **Pending litigation.** This act shall in no way affect pending litigation.

Approved April 2 A. D. 1913.

## LEGALIZING ACTS.

### CHAPTER 363.

#### THE TOWN OF AYRSHIRE.

S. F. 376.

AN ACT to legalize ordinances of the town of Ayrshire, Iowa, and authorizing the substitution of a new ordinance record in place of the original record.

WHEREAS, doubts have arisen as to the validity of the ordinances adopted by the town of Ayrshire, Iowa, and as to their legality, because of certain errors and omissions in the passage thereof and also because of the original record thereof has [having] been lost or destroyed, and

WHEREAS, the town council of the incorporated town of Ayrshire, Iowa, have caused said ordinances to be transcribed from the published copies thereof into a book known and designated as the "ordinance book of the town of Ayrshire, Iowa", containing ordinances numbered from one to fourteen, both inclusive, now therefore,

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

**SECTION 1. Ordinances—legalized—transcripts.** That the said ordinances of the town of Ayrshire, Iowa, designated as numbers one to fourteen, both inclusive, as transcribed from the published copies of said ordinances into said record book known as the "ordinance book of the town of Ayrshire, Iowa," be and the same are hereby fully legalized and declared to be valid and of the same force and effect as if they had been in all respects adopted, approved, published and recorded in the form, manner and time provided by law and as if the law had in all respects been fully complied with and said transcript as certified by the clerk of said town, made from said published copies of ordinances as aforesaid, is hereby declared to be competent evidence of the said ordinances of the said town and such transcript shall have the same force as the original record, provided however, that this act shall not affect pending litigation.

Approved March 29 A. D. 1913.

## CHAPTER 364.

## THE TOWN OF ATLANTIC.

S. F. 358.

AN ACT legalizing a resolution passed by the council of the city of Atlantic on February twenty-seventh (27th), nineteen hundred thirteen (1913), transferring the sum of eighteen hundred dollars (\$1800.00) from the sewer fund of said city to the general fund of said city of Atlantic, Iowa, and legalizing such transfer.

WHEREAS; on the 5th day of September, 1911, the city council of Atlantic, Iowa, by resolution provided for the raising of a sewer fund with which to remedy an overflow condition on Chestnut street, between Ninth and Tenth streets in said city, and providing for the construction of a storm sewer at said point and that there has been realized from said levy the sum of nineteen hundred fifty-six dollars and ninety-seven cents (\$1956.97); and,

WHEREAS: a controversy arose in reference to the construction of said storm sewer and as to whether such construction was the proper way in which to remedy the overflow conditions at such point, and litigation was had in reference thereto, and thereafter a settlement was made whereby instead of constructing a storm sewer the grade at said point was changed and the street and sidewalks raised at a cost of eighteen hundred dollars (\$1800.00) and said improvement was paid for from the general fund of said city instead of from the sewer fund specifically provided for that purpose; and,

WHEREAS: the council of the city of Atlantic on February 27, 1913, passed the following resolution:

"Be it resolved, that the city council of the city of Atlantic, Iowa, hereby transfers from the sewer fund the sum of eighteen hundred dollars (\$1800.00) to the general fund to comply with the original intention and purpose in increasing the said sewer levy on September 11, 1911, and the proper officers of the said city of Atlantic, Iowa, are hereby authorized and directed to make the said transfer as above." And,

WHEREAS: doubts have arisen as to the legality of said resolution and the legality of said city council in so making the transfer of said fund; therefore,

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

**SECTION 1. Resolution legalized.** That the act of the city council of the city of Atlantic, Iowa, on February 27, 1913, in passing the foregoing resolution and making a transfer of said eighteen hundred dollars (\$1800.00) from the sewer fund to the general fund is hereby legalized and made binding and effective, with the same force and effect as though there was a law upon the statute book at the time authorizing and empowering said city council of the city of Atlantic, Iowa, to pass said resolution and make transfer of said fund. This act not 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 Des Moines Capital, a newspaper published in Des Moines, Iowa, and the Atlantic News-Telegraph, a newspaper published at Atlantic, Iowa, said publication to be made without expense to the state.

Approved April 9th A. D. 1913.

I hereby certify that the foregoing act was published in the Des Moines Capital April 14, 1913, and in the Atlantic News-Telegraph April 12, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 365.

## THE TOWN OF AURELIA.

H. F. 189.

AN ACT legalizing and curing the acts and proceedings of the incorporated town of Aurelia and the town council of the said incorporated town, in the county of Cherokee and state of Iowa, in relation to the establishment, erection, maintenance and operation of a system of water works and a gas plant and the issuance of bonds and warrants of said town in payment thereof, and authorizing the town council of said town to issue bonds for the purpose of taking up its floating indebtedness represented by its bonds and warrants.

WHEREAS, the qualified electors of the incorporated town of Aurelia, in the county of Cherokee and state of Iowa, did on or about the 15th day of June, 1903, at a special election held for such purpose, vote in favor of the establishment, maintenance, erection and operation of a system of water works and a gas plant, and,

WHEREAS, the town council of said town in pursuance of said election, erected, established, operated and maintained a system of water works and a gas plant within and for said town, and,

WHEREAS, the electors of the above named town did at aforesaid election vote to issue bonds in the sum of four thousand five hundred dollars (\$4500.00) for the purpose of defraying the costs thereof, and,

WHEREAS, the indebtedness of said town created for the establishment, erection, maintenance and operation of said water works and gas plant exceeded the amount authorized, and,

WHEREAS, the sum of four thousand five hundred dollars (\$4500.00) was insufficient to defray the expense of erecting, maintaining, establishing and operating the aforesaid water works and gas plant, and,

WHEREAS, the town council issued in addition to the four thousand five hundred dollars (\$4500.00) in bonds as above authorized, the warrants of said town in the payment of the indebtedness created and incurred by reason of the erection, establishment, maintenance and operation of said water works and gas plant, and,

WHEREAS, the town has used its general revenues for the purpose of paying the interest, bonds, and the taking up of a portion of the warrants issued in payment of the said water works and gas plant and the operation of the same and has issued warrants against its general fund in payment of the establishment, erection, maintenance and operation of aforesaid water works and gas plant, and,

WHEREAS, the town council was unable to issue bonds in payment of the aforesaid indebtedness, and,

WHEREAS, a large number of the said warrants so issued are outstanding and unpaid, and,

WHEREAS, doubts have arisen as to the legality of the acts and proceedings of said town in issuing the warrants in payment for the establishment, erection, maintenance and operation of said system of water works and gas plant, and,

WHEREAS, the amount of the aforesaid indebtedness has never exceeded the limit prescribed by section 3, article 11 of the constitution of the state of Iowa, and,

WHEREAS, it is the desire of said incorporated town and the citizens thereof that the acts and proceedings of the said incorporated town and the said town council in relation to the establishment, erection, maintenance and operation of said water works and gas plant, and the indebtedness created and incurred therefor, and the warrants issued in payment of said indebtedness, shall be cured and legalized and the said town council be authorized to issue bonds to pay indebtedness so created and incurred, therefore,

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

**SECTION 1. Establishment of water and gas plant—issuance of bonds—warrants—legalized.** That all of the acts of the incorporated town of Aurelia, in the county of Cherokee, in the state of Iowa, and of the town council of said incorporated town of Aurelia, relating to the establishment, erection, maintenance and operation of water works and gas plant within said incorporated town, and relating to the indebtedness created and incurred therefor and relating to the issuance of bonds and warrants of said town in payment of said indebtedness, be and the same are hereby cured and legalized and the said indebtedness and the outstanding warrants of said town are hereby legalized as a valid and binding indebtedness of said town and with the same force and effect as if the same had been legal and valid at the time of the incurring of the said indebtedness and issuing of said warrants.

**SEC. 2. Bonds to liquidate indebtedness.** That the incorporated town of Aurelia and the town council of said town, be and are hereby authorized to issue the bonds of said town for the purpose of liquidating and taking up the floating indebtedness of said town, represented by the said town warrants now outstanding, provided however, that the amount thereof including all other indebtedness of said town shall not exceed in the aggregate five per cent (5%) of the actual value of the taxable property within said incorporated town, said value to be ascertained by the state and county tax, last previous to the incurring of such indebtedness.

**SEC. 3. How paid.** That the said incorporated town of Aurelia and the town council of said incorporated town, be and are hereby authorized to provide for the payment of the said bonds and the interest thereon, in the same manner as is provided by the statutes of Iowa in relation to the payment of bonds and interest thereon issued for the construction of water works and gas plants.

**SEC. 4. Pending litigation.** Nothing in this act shall affect pending litigation.

**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, a newspaper published at Des Moines, Iowa, and the Aurelia Sentinel, a newspaper published at Aurelia, Iowa, without expense to the state.

Approved March 17th, 1913

I hereby certify that the foregoing act was published in the Register and Leader March 21, 1913 and in The Aurelia Sentinel March 28, 1913.

W. S. ALLEN,  
Secretary of State.



## CHAPTER 366.

## THE CITY OF BEDFORD.

H. F. 235.

AN ACT to legalize certain warrants of the city of Bedford, Iowa.

WHEREAS, the city of Bedford, in the county of Taylor, state of Iowa, did heretofore issue warrants evidencing indebtedness of said city in the aggregate amount of thirty-four thousand one hundred ninety-eight dollars and sixty-seven cents, (\$34,198.67), and

WHEREAS, said city by contract did heretofore cause divers streets therein to be improved, and levied assessments against the owners of property benefited thereby in proportion to the benefits conferred, which assessments were not equal to the price which the city had contracted should be paid for said improvements, and

WHEREAS, said city thereby became liable and indebted to the contractors for the deficiency between the contract price for said street improvements, and the total amount of aforesaid assessments, which deficiencies amounted to the sum of twenty-six thousand nine hundred sixteen dollars and ninety-one cents (\$26,916.91), and issued warrants in the sum of twenty-six thousand nine hundred sixteen dollars and ninety-one cents, (\$26,916.91), to evidence said indebtedness, which warrants are a portion of the warrants in the sum of thirty-four thousand one hundred ninety-eight dollars and sixty-seven cents, (\$34,198.67) above referred to, and

WHEREAS, said city did heretofore incur indebtedness for purposes authorized by law, other than street improvements, in the amount of seven thousand two hundred eighty-one dollars and seventy-six cents, (\$7,281.76), and issued warrants in the sum of seven thousand two hundred eighty-one dollars and seventy-six cents (\$7,281.76) to evidence said indebtedness, a portion of which warrants, however, represent interest on other warrants which had been presented for payment and remained unpaid for lack of funds, which warrants in the sum of seven thousand two hundred eighty-one dollars and seventy-six cents (\$7,281.76) constitute the balance of the warrants in the sum of thirty-four thousand one hundred ninety-eight dollars and sixty-seven cents (\$34,198.67) above referred to, and

WHEREAS, the city of Bedford has been, and now is enjoying the use and benefit of said expenditures for street improvements and other lawful purposes, which were well worth the contract price, and

WHEREAS, doubts have arisen concerning the legality of aforesaid warrants in the sum of thirty-four thousand one hundred ninety-eight dollars and sixty-seven cents (\$34,198.67), or a portion thereof, on the ground that the expenditures for the said warrants, or a portion thereof, were contracted in excess of the city's authorized annual revenues, and

WHEREAS, doubts have arisen concerning the legality of the aforesaid warrants, or a portion thereof, on the ground that the expenditures for which said warrants were issued, or a portion thereof, were not provided for in the city's annual appropriations, and

WHEREAS, doubts have arisen concerning the legality of aforesaid warrants, or a portion thereof, on the ground that the indebtedness which said warrants evidence was contracted in excess of the statutory limitation of indebtedness, and

WHEREAS, doubts have arisen concerning the legality of a portion of said warrants on the ground that they were issued in lieu of warrants which had been issued in violation of the rule which limits the amount of any one warrant to the sum of five hundred dollars (\$500.00), and

WHEREAS, said warrants were issued by said city of Bedford on the 7th day of November, 1910, and at various times between the 7th day of November, 1910, and on and including the 13th day of January, 1913, and are the warrants numbered as follows: 1120, 1121, 1128, 1134, 1161, 1165, 1166, 1169, 1174, 1177, 1182 to 1211 inclusive, 1216, 1241, 1246, 1248, 1249, 1271, 1281, 1287, 1293, 1296, 1297, 1302 to 1304 inclusive, 1307, 1308, 1312, 1313, 1316, 1318, 1327, 1329, 1335, 1352 to 1377 inclusive, 1390, 1391, 1398, 1417, 1424, 1438, 1453, 1470, 1489, 1491, 1499, 1512, 1521, 1522, 1527, 1529, 1530, 1539, 1545, 1546, 1550, 1564, 1571, 1574, 1576, 1589, 1590, 1603, 1621, 1632, 1636, 1639, 1652, 1654, 1656, 1659 to 1661 inclusive, 1688, 1695½, 1707, 1709, 1711, 1712, 1717, 1722, 1727 to 1729 inclusive, 1734, 1736, 1741, 1746, 1747, 1750, 1753, 1754, 1756, 1758 to 1761 inclusive, 1761½ to 1774 inclusive, now therefore,

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

**SECTION 1. Acts—legalized.** That the acts of the corporate authorities of the city of Bedford, in the county of Taylor, state of Iowa, in making expenditures for said city for street improvements and other lawful purposes, and incurring indebtedness thereby and issuing warrants to evidence said indebtedness, in the sum of thirty-four thousand one hundred ninety-eight dollars and sixty-seven cents (\$34,198.67), be and the same are hereby legalized as though the law had in all respects been complied with.

**SEC. 2. Warrants legalized.** That the aforesaid warrants of said city in the sum of thirty-four thousand one hundred ninety-eight dollars and sixty-seven cents (\$34,198.67), issued for street improvements and other lawful purposes, be and the same are hereby legalized and declared to be valid, legal, and subsisting obligations of said city, the same as though the law had in all respects been complied with.

**SEC. 3. Pending litigation.** That nothing in this act shall effect [affect] any pending litigation.

**SEC. 4. In effect.** That 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 the Bedford Free Press, a newspaper published at Bedford, Iowa, without expense to the state.

Approved March 18th, 1913.

I hereby certify that the foregoing act was published in the Register and Leader March 27, 1913 and in the Bedford Free Press April 1, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 367.

## THE CITY OF BEDFORD.

H. F. 236.

AN ACT legalizing the adoption, signing, recording and publication of the ordinances of the city of Bedford, Iowa.

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

SECTION 1. **Ordinances legalized.** That the ordinances of the city of Bedford, Taylor county, Iowa, from number one hundred (100) to number one hundred thirty (130), inclusive, published in book form in the year A. D. 1912, under the title of:

“New, revised and compiled ordinances of the city of Bedford, Taylor county, Iowa.”

and which purport to have been in force from the date of such publication, are hereby legalized and made valid in every respect as to their adoption, signing, recording and publication.

SEC. 2. **Ordinances legalized.** That the ordinances of said city, passed since the publication of said book, to-wit:

Number one hundred thirty-one (131) to number one hundred thirty-six (136), inclusive, are hereby legalized and made valid in every respect as to their adoption, signing, recording and publication.

SEC. 3. **Pending litigation.** Nothing herein contained shall be construed to affect pending litigation.

Adopted April 2 A. D. 1913.

## CHAPTER 368.

## THE CITY OF BELLE PLAINE.

S. F. 561.

AN ACT legalizing the acts of the city council, clerk and treasurer of the city of Belle Plaine, Iowa, relating to overdrafts upon the general fund, water fund, bond fund, city improvement fund, water and sewer fund, and sewer outlet fund.

WHEREAS, for the year ending April 7, 1913, there were received by the city treasurer of the city of Belle Plaine, Iowa, for the year 1912, the sum of four thousand five hundred sixty-nine dollars and sixty-nine cents (\$4,569.69), less an overdraft of eleven dollars and thirty-eight cents (\$11.38), which existed of date April 1, 1912, that said city treasurer paid out of said fund upon warrants duly issued by said council of said city, the sum of four thousand six hundred fifty dollars and eighty four cents, leaving an overdraft on said fund of ninety-two dollars and fifty three cents (\$92.53), and;

WHEREAS, on said date towit April 7, 1913, for and during the said year were received by said treasurer for said city in the water fund including a balance existing on April 1, 1912, in favor of said fund five thousand four hundred seven dollars and ninety-two cents (\$5407.92), that for and during said year said treasurer expended and paid out of said fund upon warrants

issued by said council, the sum of five thousand seven hundred seventy-four dollars and forty-three cents (\$5,774.43), leaving an overdraft on said fund of three hundred sixty-six dollars and fifty-one cents (\$366.51), and;

WHEREAS, as there were received as revenue for said city by said treasurer in bond fund including a balance existing in favor of said fund April 1, 1912, forty-four dollars and fifteen cents (\$44.15), the sum of one thousand six hundred three dollars (\$1,603.00), and that during said year ending April 7, 1913 said city treasurer paid out of said fund upon warrants issued by said council upon said city the sum of two thousand and five dollars (\$2,005.00), leaving and [an] overdraft upon said fund of four hundred two dollars (\$402.00), and;

WHEREAS, that for and during said year ending April 7, 1913, there were received by the treasurer of said city in the improvement fund, the sum of one thousand and seventy-five dollars and three cents (\$1,075.03), including a balance which existed in favor of said fund of date of April 1, 1912, the sum of six hundred seventy-nine dollars and ninety-eight cents (\$679.98), and that during said year ending April 7, 1913, said city treasurer paid out of said fund upon warrants issued by the said council of said city the sum of one thousand two hundred fifty-seven dollars and seventy-two cents (\$1,257.72), leaving an overdraft of one hundred eighty-two dollars and sixty-nine cents (\$182.69), and;

WHEREAS, during the year ending April 7, 1913, said city treasurer received for the water and sewer fund for said city, the sum of six thousand nine hundred ninety-five dollars and eleven cents (\$6,995.11) which included a balance existing in favor of said fund of April 1, 1912, the sum of four thousand two hundred thirty-six dollars and twenty-two cents (\$4,236.22), that during said year ending April 7, 1913, said city treasurer paid out of said water and sewer fund upon warrants issued by the city council of said city the sum of seven thousand two hundred twelve dollars and ninety-four cents (\$7,212.94), leaving an overdraft on said water and sewer fund of two hundred seventeen dollars and eighty-three cents (\$217.83), and;

WHEREAS, there were received by the said city treasurer of said city during said year ending April 7, 1913 for sewer outlet fund the sum of six thousand eight hundred twenty-eight dollars and ninety four cents (\$6,828.94), and that during said year ending April 7, 1913, said city treasurer paid out of said sewer outlet fund upon warrants issued by the said city council of said city, the sum of six thousand nine hundred four dollars (\$6,904.00), leaving an overdraft upon said sewer outlet fund the sum of seventy five dollars and six cents (\$75.06), and;

WHEREAS, doubts have arisen as to the legality of the issuing of the warrants upon said several funds where there were no funds with which to pay the same and the treasurer having paid the money upon the said warrants so issued without money being in the funds upon which the warrants were issued, now therefore;

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

SECTION 1. **Warrants legalized.** That all of the warrants issued by the said city council of the city of Belle Plaine, Iowa, and the acts of the said city council and the clerk of the said city with reference to the issuing of said warrants and the payment thereof and the acts of the treasurer of said city in making payment of said warrants out of said several funds, be and the same is hereby legalized and said payments shall have the same force and

effect in every respect as if duly, regularly authorized by law and issued under warrant of law and paid in accordance with law, the same force and effect as if the treasurer had money in the several funds with which to pay the same and the incoming treasurer of said city beginning the year April 7, 1913. be and is hereby authorized and empowered to apply the moneys received by him for the several funds for the purpose of and to meet overdrafts made upon the said several funds.

**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, without expense to the state.

Approved April 19 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and in the Des Moines Capital April 21, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 369.

### THE TOWN OF BUFFALO.

S. F. 320.

AN ACT to legalize the ordinances, resolutions and amendments to ordinances and resolutions passed and adopted by and the acts of the town council of the town of Buffalo, Scott county, Iowa, since the passage of an act relating to the organization of cities and towns, and known as chapter-twenty-six (26) of the acts of the thirty-second (32) general assembly of the state of Iowa.

WHEREAS, in the election of the members of the town council of the town of Buffalo, Scott county, Iowa, held since the passage and going into effect of an act relating to the organization of cities and towns, known as chapter twenty-six (26) of the acts of the thirty-second (32) general assembly of the state of Iowa, no notice has been taken of said act but elections have inadvertently been held and members of the town council elected without reference thereto but in accordance with the statutes previously existing in relation to such elections as if the said statutes were still in force and effect and un-repealed and unamended; and,

WHEREAS, as a result of such elections the town council of the town of Buffalo, in the county of Scott and state of Iowa, has since the taking effect of chapter twenty-six (26) of the acts of the thirty-second (32) general assembly of the state of Iowa, and up to the 4th day of March, 1912, consisted of six councilmen instead of five as provided by said act; and,

WHEREAS, on the 4th day of March, 1912, one of the councilmen elected and serving as heretofore recited, resigned and ceased to act as one of the councilmen of such town and thereafter the council of said town consisted of five councilmen; and,

WHEREAS, said six councilmen having qualified and filled the offices to which they respectively considered themselves elected, and performed the duties of councilmen of said town and have performed diverse official acts both as councilmen and members of the town council of the town of Buffalo, Scott county, Iowa; and,

WHEREAS, the town council of said town has acted and proceeded in all matters as if six persons, elected as aforesaid as councilmen, had been legally elected and were legally entitled to membership in the town council of said town, and said town council so composed in whole or in part of six councilmen has undertaken to pass various ordinances and resolutions and to perform other official acts; and,

WHEREAS, doubt has arisen as to the legality of all the ordinances, resolutions and amendments to ordinances and resolutions adopted by said town council of the town of Buffalo, Scott county, Iowa, and as to the legality of all of its acts and proceedings as aforesaid by reason of six persons acting as councilmen; now, therefore,

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

**SECTION 1. Ordinances, resolutions and amendments legalized.** That all of the ordinances, resolutions and amendments to ordinances and resolutions passed by and the acts of the town council of the town of Buffalo, in the county of Scott and state of Iowa, and all the acts of the town council of the town of Buffalo, Scott county, Iowa, passed by said council since the passage of an act relating to the organization of cities and towns known as chapter twenty-six (26) of the thirty-second (32) general assembly of the state of Iowa, and not in contravention of the laws of the state, are hereby legalized and declared to be valid and binding the same as if the aforesaid act had been in all respects strictly complied with in relation to the election of the number of members of said council required to be elected by the aforesaid act of the thirty-second (32) general assembly of the state of Iowa.

**SEC. 2. Pending litigation.** Nothing in this act shall affect any pending litigation.

Approved April 18 A. D. 1913.

## CHAPTER 370.

### THE TOWN OF CAMANCHE.

Sub. for S. F. 47.

AN ACT to legalize the incorporation of the city of Camanche, Clinton county, Iowa, the election of its officers and certain acts done and ordinances passed by the city council of said city.

WHEREAS, an act was passed by the sixth general assembly of the state of Iowa, whereby a charter was granted to the city of Camanche, known as chapter two hundred eleven (211) of the acts of the sixth general assembly, by the terms of which said act should take effect from and after its publication in the Iowa Register, published at Camanche, Iowa; and,

WHEREAS, records have been lost and destroyed and evidence cannot be produced to determine the fact of the publication of said act as recorded; and,

WHEREAS, the people within the boundary lines as fixed by said act proceeded to do and perform such acts as they believed they were entitled to do and perform under and by virtue of the act passed by the sixth general assembly by way of electing officers, passing ordinances, paying bills, certifying taxes to be levied, levying taxes, granting franchises, holding elections

for the purpose of voting upon the issuing of bonds and other acts and things of like kind and character as is usually had and done in such cases; and,

WHEREAS, by reason of the fact that evidence cannot be produced of the publication of the act incorporating the city of Camanche as provided by said chapter; and the further fact that doubt has arisen as to whether or not said act ever was published as required by said act of the sixth general assembly; and doubt having arisen as to the legality of any acts had and done by the people exercising the rights which they believed they were entitled to exercise under and by virtue of said act of the sixth general assembly; and doubts having arisen as to the legality of any and all ordinances passed by the city council and as to the election of its officers and bills paid and obligations incurred; and

WHEREAS, the people of said city of Camanche believed that they were duly and legally incorporated and authorized to act as a city acting under special charter, and the city council elected by said people granted certain rights-of-way along its streets and high-ways and franchises to telegraph and telephone companies and electric light companies, and the city council elected by the people of said city of Camanche, believing that they were legally and duly incorporated and acting in accordance with such belief passed certain ordinances for the purpose of issuing bonds and borrowing money for the purpose of erecting and constructing a municipal electric light plant in the sum of thirty-five hundred (\$3500.00) dollars, and there being no newspaper published within the city of Camanche, said city council was therefore unable to publish said ordinances as required by section thirty-five of said act of the sixth general assembly; and doubts having arisen as to the legality of the ordinances passed by said city council, together with other acts had and done by said city council acting within their rights as they believed. Now, therefore,

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

**SECTION 1. Charter—election—ordinances—etc. legalized.** That the charter granted to the city of Camanche by the acts of the sixth general assembly known as chapter two hundred eleven (211) of the acts of the sixth general assembly, be and the same are hereby legalized, made valid and binding as fully as if evidence was available to show the fact of publication of the charter as required by said act, and as fully legal and binding as if published; and the acts of the people of said city of Camanche in the election of its officers, be and the same are hereby legalized, and the acts of the officers, being the mayor and council in so far as the payment of bills and the granting of franchises to electric light companies, telegraph and telephone companies and rights-of-way upon the streets of said city of Camanche granted by said city council to railroad companies, electric light companies, telephone and telegraph companies, be and the same are hereby legalized; and the bills paid and moneys expended by said city council, acting as such, be and the same are hereby legalized and the acts of said city council in passing an ordinance and resolution of necessity to issue bonds to borrow money in the sum of thirty-five hundred (\$3500.00) dollars for the purpose of constructing, erecting and building municipal electric light plant, be and the same are hereby legalized, made valid and binding as fully as if the ordinance had been published and complied with in every respect as by the charter provided and granted by the acts of the sixth general assembly; provided, however, that this act shall not affect any pending litigation.

SEC. 2. **In effect.** This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Register and Leader and Des Moines Capital, newspapers published in the city of Des Moines, Iowa, without expense to the state.

Approved March 8th A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader March 12, 1913 and the Des Moines Capital March 11, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 371.

### THE TOWN OF CALMAR.

H. F. 162.

AN ACT to legalize the special election held in the town of Calmar, Iowa, on the 16th day of October, 1911, wherein there was submitted to the voters of said town the question of issuing bonds in the sum of five thousand dollars (\$5,000.00) for the purpose of erecting a system of gas-works and to validate and legalize the bonds issued in pursuance of said election.

WHEREAS, at a meeting of the town council of the town of Calmar, Iowa, held on the 4th day of September, 1911, a resolution was adopted by said town council to submit to the qualified electors of said town of Calmar the question of issuing bonds of said town for the purpose of establishing and erecting a system of gas-works, notice of which election was published for four consecutive weeks in the "Calmar Courier", a weekly newspaper published in said town, and,

WHEREAS, more than two-thirds of the legal electors of the incorporated town of Calmar, in the county of Winneshiek and state of Iowa, voting at said election, did on the 16th day of October, 1911 at a special election held for such purpose, vote for said proposition and in favor of the issuing of bonds, as aforesaid, and,

WHEREAS, the town council of said town, in pursuance of said election, established, erected and maintained a system of gas-works within and for said town, and;

WHEREAS, the indebtedness of said town created for the establishment, erection and maintenance of said system of gas-works exceeds the amount authorized by the statutes of Iowa at the time of creating the same, and,

WHEREAS, said system of gas-works was not petitioned for as prescribed by section 1306-c of the supplement of [to] the code of Iowa, and,

WHEREAS, gas-works bonds in the sum of five thousand dollars (\$5,000.00) were duly issued and sold pursuant to the aforementioned proceedings, and,

WHEREAS, the amount of the said indebtedness has never exceeded the limit prescribed by section three (3), of article eleven (11) of the constitution of the state of Iowa, and,

WHEREAS, it is the desire of the said incorporated town of Calmar, and the citizens thereof, that the acts and proceedings of the said incorporated town, and the said town council, in relation to the establishment, erection and maintenance of said system of gas-works and the indebtedness created and in-



curred therefor, and the bonds issued in payment of said indebtedness shall be cured and legalized.

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

SECTION 1. **Special election legalized.** That the submission to the electors of the town of Calmar, at the special election called for that purpose on the 16th day of October, 1911, of the question of the issuance of bonds by said city, in the sum of five thousand dollars (\$5,000.00) for a system of gas-works, the manner of submitting the same, the resolution passed in relation to the same, the issuance of bonds thereunder, and in all matters done in the calling and holding of said special election or anywise connected therewith, is hereby declared to be legal and valid, the same as though the law had been fully complied with in the form and passage of said resolution, the holding of said election, the issue of bonds thereunder and in all matters pertaining to said special election. Provided, however, that the passage of this act shall in no manner affect pending litigation.

SEC. 2. **In effect.** This act being deemed of immediate importance shall take effect from the date of its publication in the Register and Leader, a newspaper published in Des Moines, Iowa, and the "Calmar Courier", a newspaper published in Calmar, Iowa, without expense to the state.

Approved March 17th, 1913.

I hereby certify that the foregoing act was published in the Register and Leader March 21, 1913 and in the Des Moines Capital March 20, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 372.

### THE CITY OF CARROLL.

S. F. 84.

AN ACT to legalize a special election held in the city of Carroll, Iowa, at which was submitted the question of granting a franchise for the establishment of gas works and the use of the streets, alleys and public grounds of said city in connection therewith; and to legalize an ordinance passed by the city council of said city granting said franchise; and legalizing all acts of said city, and its council, in connection with the grant of the same.

WHEREAS, at a special election for that purpose held in the city of Carroll, state of Iowa, on the 7th day of August, 1911 the qualified electors of said city did vote in favor of granting to C. I. Tenney, his successors and assigns, a franchise to establish, maintain, and operate gas works in said city for the manufacture, sale and distribution of gas for illuminating and other purposes, and to use the streets, alleys and public ground of said city for such purposes, with certain rights, duties and powers. All as set forth in a proposed ordinance then on file in the office of the city clerk of said city; and

WHEREAS, the city council of said city did subsequently adopt and publish said ordinance granting said franchise to said C. I. Tenney, his successors and assigns, for the purposes before mentioned; and

WHEREAS, in the giving of the notice required for said special election, and the publication of the same, and in the ballots used at said election, there were certain irregularities and omissions as to the manner and the time of the giving of said notice of election, and the publication of the same; and in the statement upon the ballot of the proposed measure to be voted upon in a general way, and not in detail as set out in the proposed ordinance; and

WHEREAS, the ordinance granting said franchise was not regularly read at three separate meetings of the city council, nor on three different days, and the provisions of the statute allowing ordinances to be read three times and passed at the same meeting of the city council were not properly observed; and

WHEREAS, it appears that at said special election a large majority of the electors who voted thereat favored the granting of said franchise, and, relying upon the vote of the electors of said city at said special election, and upon the action of the city council of said city in passing and adopting said ordinance, the Citizens Gas Company of Carroll, Iowa, a corporation, became the owner of the said franchise and has invested a large sum of money in the erection of a gas plant in said city; and

WHEREAS, doubts have arisen as to the validity of said franchise and of the proceedings connected with the grant of the same, because of the irregularities, defects and omissions in the notice of said special election; the sufficiency of the statement upon the ballot of the proposed measure to be voted upon at said election; and the passage and adoption of the said ordinance by the city council of said city; now therefore,

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

SECTION 1. **Special election, ordinance, etc. legalized.** That the special election held in the city of Carroll, Iowa, on the 7th day of August, 1911, at which was submitted the question of granting to C. I. Tenney, his successors and assigns, a franchise to establish, maintain and operate gas works in said city, for the manufacture, sale and distribution of gas for illuminating and other purposes, and to use the streets, alleys and public grounds of said city for such purposes, be, and the same is, hereby legalized and declared to be valid with the same force and effect as though the notice of said election, the statement upon the ballot of the proposed measure to be voted thereat, and all other essential things had been done, in all particulars, in strict compliance with the laws of this state relating thereto. And the city ordinance passed, adopted and published subsequent to said election granting said franchise to C. I. Tenney, his successors and assigns, be, and the same is, hereby legalized and declared to be a valid ordinance of said city; the same as though said ordinance had been passed, adopted and published by the city council in the manner provided by law, and as though all the provisions of the law of this state relating to the passage, adoption and publication of city ordinances had been duly and fully observed with reference thereto. And all the acts of said city and its council in connection with the grant of said franchise be, and the same are, hereby legalized, as though all provisions of the law of this state pertaining thereto had been duly and fully observed.

SEC. 2. **Pending litigation.** Nothing in this act shall in any way affect any pending litigation concerning the subject matter hereof.

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 the Carroll Herald, a newspaper published at Carroll, Iowa, without expense to the state.

Approved February 6th A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader February 10, 1913 and the Carroll Herald, February 19, 1913.

W. S. ALLEN,  
*Secretary of State.*

### CHAPTER 373.

#### CITY OF CEDAR FALLS.

S. F. 540.

AN ACT to legalize a special election of the city of Cedar Falls, Iowa, held March 10th, 1913, for the acquiring of a municipal electric light and power plant, and voting bonds therefor, and the resolutions and acts of the city council relating to such electric light and power plant.

WHEREAS: there was presented to and filed by the clerk of the city of Cedar Falls, Iowa, a petition signed by more than a majority of the qualified electors of said city, asking the city council to call a special election for the purpose of voting on the propositions of constructing an electric light and power plant, and bonding the city for said electric light and power plant, and stating that the electric light and power plant could not be erected, built or furnished within the limit of one and one quarter per centum of the valuation; said petition being filed at 11:50 a. m., January 28th, 1913, and

WHEREAS: at a regular meeting of the city council of said city of Cedar Falls, Iowa, held in the evening of January 28th, 1913, said petition so filed as aforesaid was presented to said city council, and was referred to the light committee, which committee reported that 791 of the qualified electors had signed said petition, that being a large number more than a majority of the qualified electors of said city, and

WHEREAS: said city council of said city by resolution duly adopted at said regular meeting on January 28th, 1913, called a special election for the purpose of submitting to the qualified electors of said city the questions as to whether or not the city of Cedar Falls, Iowa, should issue bonds in the sum of \$50,000.00 for an electric light and power plant, and as to whether or not such city should purchase, construct, erect, maintain and operate an electric light and power plant, and

WHEREAS: the city council did, by said resolution adopted as aforesaid on said January 28th, 1913, direct that notice of such special election be given, and fixing the 24th day of February, 1913, as the time for holding said election at the usual voting places in said city, and directing the mayor to give legal notice of same, and

WHEREAS: thereafter, and on February 4th, 1913, at a special meeting of said city council called by the mayor to consider matters pertaining to electric light and special election, the resolution adopted on January 28th, 1913, calling such special election was re-considered and amended and adopted fixing the time of such special election on March 10th, 1913, and directing the mayor to give legal notice of same, and notice of such election was duly published once each week in the Daily Record and the Cedar Falls Gazette, newspapers pub-

lished in said city, for four consecutive weeks, the first publication being February 6th, 1913, and the fourth February 27th, 1913, said notice advising the electors that two propositions would be submitted at said election, to-wit:—

First: The issuance of bonds in the sum of \$50,000.00 for an electric light and power plant.

Second: The purchase, establishment, maintenance and operation of a municipal electric light and power plant, and

WHEREAS: At the said special election held on the 10th day of March, 1913, the following propositions were placed upon the ballot:—

(1). For the issuance of bonds in the sum of \$50,000.00 for an electric light and power plant. ( )

Against the issuance of bonds in the sum of \$50,000.00 for an electric light and power plant. ( )

(2). Shall the city of Cedar Falls, Iowa, purchase, establish, erect and maintain and operate within the limits of said city a municipal electric light and power plant?

Yes ( )

No ( )

and

WHEREAS: The city council of said city did on March 11th, 1913, canvass the returns of said special election and find that the proposition: "Shall the city of Cedar Falls, Iowa, purchase establish, erect and maintain and operate within the limits of said city a municipal electric light and power plant", was carried by a majority of all the votes cast, and did further find that the proposition "For the issuance of bonds in the sum of \$50,000.00 for an electric light and power plant" was carried by a two thirds vote of all the votes cast, and

WHEREAS: Said petition as presented to the city council of said city did not specifically submit to the council the question of the purchase of an electric light and power plant, but for the construction, erection and equipment of an electric light and power plant, and did not specifically submit the question of issuing bonds for the purchase of an electric light and power plant, but to be used in the construction, erection, furnishing and equipment of said municipal electric light and power plant; nor did said petition specifically state that said electric light and power plant could not be purchased within the limit of one and one quarter per centum of the valuation, but that the same could not be constructed, erected, built and furnished within the limit of one and one quarter per centum of the valuation, and

WHEREAS: The notice of election, as a part thereof, specified the days upon which voters might register, and omitted one of the days, to-wit: Saturday, March 8th, but the registry boards were in session on said day to receive registrations at the usual registry places and did register voters, and the statute expressly provided that no notice of registration need be given of a special election,

WHEREAS: The question to be submitted as contained in said resolution ordering such special election, and as submitted on the ballot included the right to purchase, as well as construct, erect, maintain and operate an electric light and power plant, and to issue bonds in the sum of \$50,000.00 for an electric light and power plant, and

WHEREAS: Doubts have arisen as to the legality and sufficiency of said petition for the reason that said petition did not contain a request to the coun-

cil to purchase, as well as construct, erect, and equip an electric light and power plant, and did not contain a request that the money derived from the sale of bonds be used to purchase as well as construct, erect, furnish and equip a municipal electric light and power plant; doubts have arisen as to the legality of the call of such special election at a special meeting of the council; doubts have arisen as to the power of the city council to call such special election at the regular meeting of the council on January 28th, 1913; and doubts have arisen as to the legality of a re-consideration of the resolution ordering said special election at such special meeting on February 4th, 1913; doubts have arisen as to the legality and sufficiency of the notice of said election; and of the acts and doings of said city council in connection with said special election: Therefore

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

**SECTION 1. Special election — resolutions — legalized — pending litigation.** That the proceedings of the city council of the city of Cedar Falls, Iowa, concerning and providing for the submission to the qualified electors of said city of the proposition for the acquiring of a municipal electric light and power plant, and for issuing bonds for such purpose and construction work, the petition submitted to the city council therefor, the notice of such submission and the time of such notice; the form of the ballot submitted at said election and all acts and proceedings of said city council prior or subsequent to said special election, whether herein particularly specified or not, had and done with reference to said proposition of acquiring an electric light and power plant and issuing bonds therefor, and construction work thereof, and each of them, be and are hereby legalized and validated as fully and completely as though the law had in all things been technically and fully complied with in every respect, and the resolutions and acts passed in aid thereof are hereby legalized and validated, and said bonds, whether issued or to be issued, shall be the valid and binding obligation of said city of Cedar Falls, Iowa. This act shall in no wise affect pending litigation.

**SEC. 2. In effect.** This act being deemed of immediate importance shall take effect from and after its publication in the Daily Record, a newspaper published in Cedar Falls, Iowa, and the Register and Leader, a newspaper published in Des Moines, Iowa, without expense to the state.

Approved April 15 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Cedar Falls Daily Record April 19, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 374.

### CITY OF DES MOINES.

S. F. 387.

AN ACT to legalize the proceedings of the city council of the city of Des Moines, Iowa, for the construction of the seventh ward sewer system in said city.

WHEREAS, the city council of the city of Des Moines, Iowa, did, on the thirtieth day of August 1911, propose a resolution declaring the neces-

sity of constructing the public improvement in said city called in said resolution the seventh ward sewer, and did thereafter adopt said resolution of necessity and did order the construction of said sewer, and did enter into contract for the construction of said sewer; and

WHEREAS, doubts have arisen respecting the legality of said resolution of necessity in that it did not state specifically what property adjacent to said sewer would be assessed for the cost thereof; therefore

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

**SECTION 1. Construction of sewer legalized.** That the proceedings of the city council of the city of Des Moines, Iowa, concerning and providing for the construction of the seventh ward sewer in said city, including the resolution of necessity, the notice thereof, and the contract for constructing said sewer, be and the same are hereby legalized, and made of as binding force as though done in strict conformity to law.

**SEC. 2. In effect.** This act, being deemed of immediate importance, shall take effect and be in force immediately after its publication in the Register & [and] Leader and the Des Moines Capital, newspapers published in the city of Des Moines, Iowa, which publication shall be without expense to the state.

Approved March 25 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader March 27, 1913 and in the Des Moines Capital March 26, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 375.

### THE CITY OF DES MOINES.

S. F. 100.

AN ACT to legalize the election of the city of Des Moines, Iowa, held on the 26th day of March, 1906, in favor of providing flood protection, as well as to legalize all acts done and resolutions passed and contracts entered into by the city council of the city of Des Moines for the improvement of the channels of the Des Moines and Raccoon rivers to protect lots, lands and property within said city from floods and high water.

WHEREAS, on the fourteenth (14th) day of March, 1906, the twenty-third (23d) of April, 1911, and the fifteenth (15th) day of July, 1912, the city council of the city of Des Moines passed certain resolutions of necessity, numbers twenty two hundred ninety three (2293), three hundred ninety three (393) and fifteen hundred sixty one (1561), respectively, for the improvement of the channels of the Des Moines and Raccoon rivers to protect lots, lands and property within said city from floods and high water; and,

WHEREAS, the records of the proceedings of said council as said records appear in the office of the city clerk, fail to show that notice of said resolutions of necessity was given by two (2) publications in each daily newspaper of general circulation published in said city as provided by section eight hundred forty nine-c (849-c) of the supplement to the code, 1907; and,

WHEREAS, owing to the failure of the record of the proceedings of said city council, as said records appear in the office of said clerk, to show the

publication of said notice in all of said newspapers for the time and in the manner provided by said section eight hundred forty nine-c (849-c) of the supplement to the code, 1907, doubts have arisen as to the legality of the election held in said city of Des Moines on the twenty-sixth (26th) day of March, 1906 on the question of providing such flood protection and the levy of a special tax therefor, and as to the legality of the official acts of the council and officers of said city thereunder and of the levy of the special tax for said improvement and the bonds ordered issued and sold in anticipation of the collection of said tax, therefore

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

**SECTION 1. Election, vote, tax, acts and bonds legalized.** That the vote of the electors and the election held in the city of Des Moines on the twenty-sixth (26th) day of March, 1906, on the question of improving the channels of the Des Moines and Raccoon rivers to protect lots, lands and property within said city from floods and high waters, and the levy of a special tax therefor, and all acts and proceedings of the city council of the city of Des Moines, and all resolutions of necessity and all contracts entered into for the improvement of the channels of the Des Moines and Raccoon rivers to protect lots, lands and property within said city from floods and high water and the special tax levied therefor, and the resolutions and proceedings for the issuing and sale of bonds in anticipation of the collection of said special tax be and the same are hereby legalized and declared as valid as if all of the provisions of chapter eight-a (chap. 8-a), title five (V) of the supplement to the code, 1907, relating to the protection of city property from floods, and acts amendatory thereof, had been fully complied with in the giving of notice and manner of giving notice of proposed resolutions of necessity of such improvement, and all acts and proceedings of said city council with respect to said flood protection and the contracts entered into therefor including special taxes levied and the resolution providing for the sale of bonds in anticipation of the collection of said special tax are hereby ratified, confirmed and legalized in all respects and are hereby declared to be valid and binding, the same as though the law had been fully complied with in the passage of resolutions of necessity, the giving of notice therefor, the election held thereunder and all official acts done with respect to said improvement.

**SEC. 2. Pending litigation.** Nothing in this act shall in any manner affect any pending litigation.

**SEC. 3. In effect.** This act being deemed of immediate importance shall take effect and be in force from and after its passage and publication in the Register & [and] Leader and Des Moines Capital, newspapers published at Des Moines, Iowa, both publications to be without expense to the state.

Approved February 22nd A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader March 1, 1913 and in the Des Moines Capital February 27, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 376.

## THE HUMBOLDT STATE BANK OF HUMBOLDT.

H. F. 283.

AN ACT to legalize the incorporation of Humboldt State Bank, Humboldt, Iowa.

WHEREAS the Humboldt County Banking Association was duly incorporated October 7, A. D. 1872, (name duly changed to Humboldt County Bank October 5, A. D. 1876, and to Humboldt State Bank April 7, 1892) and its charter renewed October 7, A. D. 1892, and on the 19th day of December A. D. 1912 articles of incorporation were adopted in renewal by the requisite vote of the stockholders and not recorded in Humboldt county until January 25, A. D. 1913, and forwarded to the secretary of state January 31, A. D. 1913, being more than three months after the expiration of the original articles of incorporation, that the filing and recording fees have been paid and in all other matters the law complied with, therefore:

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

**SECTION 1. Incorporation legalized—pending litigation.** That the incorporation of Humboldt State Bank and renewal thereof be and the same are hereby legalized the same as though the law had been fully complied with. Nothing in this act shall affect pending litigation.

**SEC. 2. In effect.** This act being deemed of immediate importance shall take effect from and after its publication in the Register and Leader, a newspaper published in Des Moines, and the Humboldt Republican, a newspaper published at Humboldt, Iowa, without expense to the state.

Approved March 21 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader March 24, 1913 and in the Humboldt Republican March 28, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 377.

## THE CITY OF IOWA CITY.

H. F. 313.

AN ACT to legalize certain warrants of the city of Iowa City, Iowa.

WHEREAS, the city of Iowa City, county of Johnson, state of Iowa, did hitherto make expenditures in the amount of \$66,437.55, to-wit: for remodeling city hall and building jail, 1912, \$12,621.60; for furniture and fixtures of said jail, \$755.15; for sewers at miscellaneous times extending over a number of years, \$8,877.66; for steam roller purchased in 1910, \$2,048.35; for street crossings during 1911 and 1912, \$1,675.00; for vault in engineer's office purchased about the year 1909, \$614.62; for a park bridge constructed about 1908, \$2,132.58; for heating plant, 1909, \$1,675.00; city scales purchased, 1912, \$294.84; for sidewalks, \$13,064.55; and for miscellaneous ex-



penditures extending over a number of years, the sum of \$22,588.20; all of which expenditures comprised the entire overdraft and indebtedness of said city on February 1st, 1913, except the overdraft on indebtedness against the fire department fund of said city; and

WHEREAS, said city of Iowa City issued warrants in the sum of \$66,437.55, to evidence the indebtedness incurred in making said expenditures; and

WHEREAS, said warrants did not when issued and do not now exceed the constitutional limitation on indebtedness; and

WHEREAS, said expenditures were all made for purposes authorized by law; and

WHEREAS, the city of Iowa City has been and now is enjoying the use and benefit of said expenditures; and

WHEREAS, the result of said expenditures were and are well worth the price which the city of Iowa City contracted should be paid therefor; and

WHEREAS, doubts have arisen concerning the legality of the aforesaid warrants, or a portion thereof, on the ground that the aforesaid expenditures, or a portion thereof, were contracted in excess of the city's authorized annual revenue; and

WHEREAS, doubts have arisen concerning the legality of the aforesaid warrants, or a portion thereof, on the ground that aforesaid expenditures, or a portion thereof, were not provided for in the city's annual appropriation; and

WHEREAS, doubts have arisen concerning the legality of aforesaid warrants, or a portion thereof, on the ground that the indebtedness, which said warrants evidence, was contracted in excess of the statutory limitations on indebtedness; now therefore

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

SECTION 1. **Acts legalized.** That the acts of the city council of the city of Iowa City, in the county of Johnson, state of Iowa, in making expenditures for the city of Iowa City and issuing warrants thereof in the sum of \$66,437.55, be and the same are hereby legalized, as though the law had in all respects been complied with.

SEC. 2. **Warrants legalized.** The aforesaid warrants of the city of Iowa City, in the sum of \$66,437.55 be and the same are hereby legalized and declared to be valid, legal and subsisting obligations, the same as though the law had in all respects been complied with.

SEC. 3. **Pending litigation.** Nothing in this act 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 Register and Leader, a newspaper published at Des Moines, Iowa, and the Iowa City Republican, a newspaper published at Iowa City, Iowa, without expense to the state.

Approved April 9 A .D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and in the Iowa City Republican April 14, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 378.

## THE TOWN OF JEWELL JUNCTION.

S. F. 35.

AN ACT to legalize a certain election held in the town of Jewell Junction, Iowa.

WHEREAS, the town council of the town of Jewell Junction, Hamilton county, Iowa, pursuant to the provisions of sections 1306-b et seq., of the supplement of 1907 to the code of Iowa, as amended, and pursuant to a petition signed by a majority of the qualified electors of said town, did heretofore call a special election, fixing the time and place thereof, for the purpose of submitting to the voters of said town, to be by them voted upon, the proposition of extending the municipal water works system, and the proposition of issuing bonds in sum not to exceed \$5,000 to procure the funds to pay the cost thereof, and ordered that notice of said election be published in an appointed form, stating the time and place of the election, and the propositions to be submitted; and

WHEREAS, said election was duly held on the fourteenth day of October, 1912, pursuant to said order of the town council, and more than two-thirds of the voters voting at said election voted in favor of each of aforesaid propositions; and

WHEREAS, pursuant to the results of said election the town council of said town provided by an ordinance duly passed, approved, and published, for the issuance of water works bonds in the sum of \$5,000, and contracted for the sale thereof; and

WHEREAS, doubts have been raised as to the validity of the proceedings under which aforesaid bonds were ordered issued and contracted to be sold on the ground that the published notices of aforesaid special election failed to conform with law and with the order of the town council calling the election, in that said notices failed to be in the form provided for by the council, failed to designate the place of the election, and failed to notify the voters of the submission of the proposition of extending the municipal water works system, although they notified the voters of the other proposition above referred to: now therefore,

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

**SECTION 1. Special election legalized.** That the special election held at Jewell Junction, Iowa, on the fourteenth day of October, 1912, be and the same is hereby legalized and declared legal and valid, the same as though the notices of said election had conformed with law and with the order of the town council calling the election, and had notified the voters of the place of the election and of the submission of the proposition of extending the municipal water works system, and as though the law had in all respects been complied with.

**SEC. 2. Pending litigation.** Nothing in this act should effect [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 and Leader", a newspaper published at Des Moines, Iowa, and the "Jewell

Record", a newspaper published at Jewell Junction, Hamilton county, Iowa, without expense to the state.

Approved February 25th A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader March 1, 1913 and in the Jewell Record March 6, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 379.

### THE TOWN OF KENSETT.

H. F. 658.

AN ACT to legalize the platting of an addition to the town of Kensett, Iowa, executed by Mrs. Marget Lukason, deceased, dated March 21, 1898, and filed for record in the office of the recorder of Worth county, Iowa, April 9, 1898.

WHEREAS Mrs. Marget Lukason, deceased, executed a plat of an addition to the town of Kensett, Iowa, dated March 21, 1898, and filed for record in the office of the recorder of Worth county, Iowa on April 9, 1898, and

WHEREAS at the time said plat was acknowledged and recorded, the statute of Iowa required that the acknowledgment recite that it was "with the free consent and in accordance with the desire of the proprietor", and

WHEREAS said acknowledgment only recited "I do hereby certify that the survey of the same into lots, blocks, streets and alleys was done by my directions", and

WHEREAS doubts have arisen as to the regularity and sufficiency of said recital in said acknowledgment, therefore,

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

**SECTION 1. Plat filed by Marget Lukason legalized.** That the plat of an addition to the town of Kensett, Worth county, Iowa, by Mrs. Marget Lukason, dated March 21, 1898, and filed for record April 9, 1898, in the office of the recorder of deeds of Worth county, Iowa, be and the same is hereby validated and legalized the same as though the form of acknowledgment thereof had in all respects fully and correctly conformed to the requirements of the statutes of Iowa then in force.

**SEC. 2. Pending litigation.** Nothing herein contained shall be construed to 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 Register & [and] Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa, without expense to the state of Iowa.

Approved April 11 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 16, 1913 and in the Des Moines Capital April 15, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 380.

## THE TOWN OF LATTNERS.

H. F. 694.

AN ACT to legalize the incorporation of the town of Lattners, Dubuque county, Iowa.

WHEREAS, the town of Lattners, Dubuque county, Iowa, was incorporated under the laws of Iowa, as appears by order entered by the district court of Iowa in and for said county on the 27th day of April, 1912, and the proceedings of which incorporation were filed in the office of the secretary of state on December 5th, 1912; and

WHEREAS, doubt has arisen as to whether or not all of the twenty-five persons petitioning for said incorporation were qualified electors of the territory proposed to be embraced in such town, it being alleged and claimed that only twenty-four of said petitioners were qualified electors; and

WHEREAS, all other proceedings connected with the incorporation of said town were regular and in all respects legal; now, therefore,

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

SECTION 1. **Incorporation—acts—proceedings—petition, legalized.** That all acts and proceedings connected with the incorporation of the town of Lattners, Dubuque county, Iowa, including the petition asking for the incorporation of the said town, as provided in section five hundred ninety-nine (599) of the code, be and the same are hereby legalized and in all respects made legal and binding the same as if all provisions of law had been strictly complied with in each and all of the proceedings had in connection with the incorporation of said town.

Approved April 19 A. D. 1913.

## CHAPTER 381.

## THE LEOPOLD DESK COMPANY OF BURLINGTON.

S. F. 413.

AN ACT to legalize the incorporation and acts and proceedings of Leopold Desk Company of Burlington, Des Moines county, Iowa.

WHEREAS, on the 14th day of May, 1886, a corporation to be known as the Northwestern Furniture Company was duly and legally organized for the purpose of engaging in the manufacturing, buying and selling of furniture at Burlington, Des Moines county, Iowa, the existence of such corporation to continue for twenty (20) years; and

WHEREAS, on the 1st day of January, 1892, the name of said corporation was duly and legally changed to the "Rand-Leopold Desk Company"; and

WHEREAS, on the 14th day of February, 1903, the name of said corporation was duly and legally changed to the "Leopold Desk Company"; and

WHEREAS, by oversight and inadvertence the officers and stockholders failed to renew the existence of said corporation upon the expiration of the time for which it was incorporated; and

WHEREAS, after the expiration of the time for which said corporation was created, the business of said corporation was continued in the same manner and by the same stockholders and officers who owned and managed said business prior to the expiration of the time for which it was created; and

WHEREAS, the oversight in failing to renew the existence of said corporation did not come to the knowledge of the stockholders and officers until January 1, 1908; and

WHEREAS, when said oversight was discovered, the same persons who owned and held all of the stock of said corporation, and were managing the business, prior to the expiration of the time for which it was created, and had continued the business subsequent to the expiration of the time for which said corporation was created in the same manner and at the same place as it had been conducted prior to such expiration, desiring to continue the same business, on the 6th day of January, 1908, signed and acknowledged articles of incorporation, which articles were duly recorded in the office of the recorder of Des Moines county, Iowa, and with the secretary of state at Des Moines, Iowa, and a certificate was duly issued by said secretary, authorizing said corporation to carry on the business for which it was incorporated, and the statutory notice of the organization of said corporation was given; and

WHEREAS, the sole purpose in the execution and recording of said articles of incorporation, and the giving of said notice, was to continue the business of the corporation in the same manner and by the same persons and at the same place as it had been conducted prior to the date of the expiration of the time for which said corporation was originally organized, and was in effect but a renewal of the corporate existence, but by oversight a schedule of the assets of the corporation was not furnished the executive council and valued by said council; and

WHEREAS, since the date of such re-incorporation, the stock of said corporation has all been owned by the same persons who owned it prior to such expiration of the time for which the corporation was originally organized, and the business of the corporation has been and is now being conducted by the same persons and in the same manner and at the same place as prior to the expiration of the corporate existence, and it is the desire of the stockholders to continue such business; and

WHEREAS, because of such omission, the legality of the corporate existence may be questioned;

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

**SECTION 1. Incorporation legalized.** That the incorporation of the Leopold Desk Company, of Burlington, Iowa, be and is hereby legalized and declared to be as legal, sufficient and binding in all respects as if said corporation had furnished the executive council of the state of Iowa with a schedule of its assets and said assets had been valued, as provided by statute.

**SEC. 2. Pending litigation.** Nothing herein contained shall be construed to 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 Register & [and] Leader and Des Moines Capital, newspapers published in the city of Des

Moines, Iowa, and in the "Saturday Evening Post", a newspaper published at Burlington, Des Moines county, Iowa, without expense to the state.

Approved April 4 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital April 9, 1913 and in the Saturday Evening Post, Burlington, Iowa, April 12, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 382.

### THE CITY OF MARSHALLTOWN.

H. F. 177.

AN ACT to legalize certain acts of the mayor and city council of the city of Marshalltown, and to legalize certain warrants of the said city of Marshalltown, Iowa.

WHEREAS, the city of Marshalltown, county of Marshall and state of Iowa, did hitherto make expenditures in the amount of thirty thousand dollars (\$30,000.00), and

WHEREAS, the said city of Marshalltown did issue warrants in said sum of thirty thousand dollars (\$30,000.00) to evidence the indebtedness incurred in making said expenditures, and

WHEREAS, said warrants so issued were issued by the city clerk of Marshalltown, Iowa, upon order and authority by resolution of the mayor and city council, as follows:

On November 1st, 1912, one thousand six hundred and fifty dollars (\$1650.00) to the Marshalltown Sewer Pipe & Tile Company for sewer pipe used in the construction of a storm sewer.

On January 4th, 1913, two thousand three hundred sixty-two dollars and fifty cents (\$2362.50) to the Marshalltown Sewer Pipe & Tile Company for sewer pipe used in the construction of a storm sewer.

And between November 1st, 1912, and January 1st, 1913, in sundry amounts, amounting to eight hundred four dollars and fifty cents (\$804.50) for labor expended in the year 1912 for the laying of a storm sewer.

On January 23rd, 1913, the sum of twenty-five thousand one hundred eighty-three dollars (\$25,183.00) to Elzy & Carlson, paving contractors, for street intersections and deficiencies not taxable against abutting property owners under paving contracts in the year 1912 of the city of Marshalltown, Iowa, and

WHEREAS, said warrants did not when issued and do not now in fact exceed the constitutional limitation of indebtedness of said city, and

WHEREAS, said expenditures were all made for purposes necessary for the welfare of said city and its inhabitants and were authorized by law, and

WHEREAS, the city of Marshalltown and its inhabitants have been and are now enjoying the use and benefits of said expenditures so made, and

WHEREAS, the results of said expenditures were well worth the price and sum which the city of Marshalltown contracted should be paid therefor, and

WHEREAS, doubts have arisen concerning the legality of the aforesaid warrants or a portion thereof on the ground that the aforesaid expenditures or

a portion thereof were contracted in excess of the city's authorized annual revenues, and,

WHEREAS, doubts have arisen concerning the legality of the aforesaid warrants or a portion thereof on the ground that the aforesaid expenditures or a portion thereof were not provided for in the city's annual appropriations and could not have been reasonably anticipated, and

WHEREAS, doubts have arisen concerning the legality of the aforesaid warrants or a portion thereof on the ground that the indebtedness which said warrants evidence was contracted in excess of the statutory limitation of indebtedness, now therefor, [therefore,]

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

**SECTION 1. Acts legalized.** That the acts of the mayor and city council of the city of Marshalltown in the county of Marshall and state of Iowa, in making the expenditures for the city of Marshalltown, Iowa, and issuing warrants therefor in the sum of thirty thousand dollars (\$30,000.00), consisting of warrants issued to the Marshalltown Sewer Pipe & Tile Company in the sum of four thousand twelve dollars and fifty cents (4012.50); to Elzy & Carlson, paving contractors, in the sum of twenty-five thousand one hundred eighty-three dollars (\$25,183.00), and for labor expended in placing storm sewer in the sum of eight hundred four dollars and fifty cents (\$804.50), and amounting to the sum total of thirty thousand dollars (\$30,000.00), be and the same are hereby legalized as though the law had in all respects been complied with.

**SEC. 2. Warrants legalized.** The aforesaid warrants of the city of Marshalltown, Iowa, in the aggregate sum of thirty-thousand dollars (\$30,000.00) be and the same are hereby legalized and declared to be valid, legal and subsisting obligations the same as though the law had in all respects been complied with in the issuing thereof by said city and its officers.

**SEC. 3. Pending litigation.** Nothing in this act 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 Register and Leader, a newspaper published at Des Moines, Iowa, and the Times Republican, a newspaper published at Marshalltown, Iowa, without expense to the state.

Approved March 11th, 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Times-Republican March 14, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 383.

## THE TOWN OF MILES.

S. F. 516.

AN ACT to legalize a certain election held January 13, 1913 in town of Miles, Jackson county, Iowa.

WHEREAS, the town council of the town of Miles, Jackson county, Iowa, pursuant to a petition signed by a majority of the qualified electors of the town of Miles, did hitherto call a special election of the voters of the town of Miles to vote on the question of building and constructing a waterworks system and the operation of the same, and

WHEREAS, a notice of the time and place of said election was given by publication in the "Preston Times" a newspaper published in the town of Preston, Iowa, the nearest town to said town of Miles on December 12th, 19th and 26th 1912, and January 2, 1913, there being no newspaper published in said town of Miles, and

WHEREAS, out of the eighty-nine qualified voters residing in said town of Miles, Iowa, sixty-five voted in favor of said proposition and twelve voted against the same, and

WHEREAS, doubt has arisen concerning the validity of the special election on the ground that the notice of said special election was not posted in three public places in said town of Miles, Iowa, two of which were the mayor's office and the post-office in said town, now therefore,

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

SECTION 1. **Special election legalized.** That the special election held at Miles, Jackson county, Iowa, on the 13th day of January 1913 be, and the same is hereby legalized and declared legal and valid the same as though said notice had been posted at three public places within the said town of Miles, Iowa, one of which places was the mayor's office, and the other the post-office in said town, and as though the law had in all respects been complied with.

SEC. 2. **Pending litigation.** Nothing in this act shall effect [~~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 & [and] Leader" a newspaper published at Des Moines, Iowa, and in the "Preston Times", a newspaper published at Preston, Iowa, without expense to the state.

Approved April 17 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 19, 1913 and in the Preston Times April 24, 1913.

W. S. ALLEN,  
*Secretary of State.*



## CHAPTER 384.

## THE TOWN OF MILFORD.

S. F. 587.

AN ACT to legalize certain warrants of the town of Milford, Iowa.

WHEREAS, at a regular council meeting on the 6th day of November, 1911, the town council of the town of Milford, in the county of Dickinson and state of Iowa, approved a contract for the erection of a town building and fire station, and called an election and submitted thereat to the voters of said town, to be by them voted upon, the proposition of adopting the aforesaid contract, at which election, held on the 11th day of December, 1911, a majority of the voters of said town voting thereat voted in favor of the adoption of the aforesaid contract, and

WHEREAS, a town building and fire station has been contracted for, and said city in payment therefor has issued its warrants of general indebtedness in the aggregate amount of two thousand (\$2000.00) dollars, under date of the 29th day of March, 1913, numbered consecutively from 916 to 919, both numbers inclusive, and

WHEREAS, said warrants with all other indebtedness of said town did not, when authorized by the vote aforesaid, exceed the constitutional limitation of indebtedness, and

WHEREAS, doubts have arisen concerning the legality of the aforesaid warrants or a portion thereof on the ground that the indebtedness of said town was, when said warrants were issued, in excess of the statutory limitations of indebtedness, now therefore,

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

**SECTION 1. Acts legalized.** That the acts of the town council of the town of Milford, Iowa, in contracting expenditures for said town, and issuing warrants evidencing the indebtedness of said town in the sum of two thousand (\$2000.00) dollars be and the same are hereby legalized as though in entire conformity with law.

**SEC. 2. Warrants legalized.** Aforesaid warrants of said town in the sum of two thousand (\$2000.00) dollars be and the same are hereby legalized and declared valid, legal and subsisting obligations of said town, and evidence of the general indebtedness and liability of said town as through on [in] entire conformity with law.

**SEC. 3. Pending litigation.** Nothing in this act 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 Register & [and] Leader, a newspaper published at Des Moines, Iowa, and the Milford Mail, a newspaper published at Milford, Iowa, without expense to the state.

Approved April 17 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 19, 1913 and in the Milford Mail April 24, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 385.

## THE TOWN OF MODALE.

H. F. 343.

AN ACT to legalize an election held in the town of Modale, Iowa, March 25th, 1912, in electing councilmen; and to legalize the acts of the council of said town in filling vacancies in said council.

WHEREAS, the town of Modale, Iowa, did on the 25th day of March, 1912, hold an election for the election of city officers, and

WHEREAS, the notice of said election as published by the clerk of said town provided for the election of only two councilmen, and

WHEREAS, the two members of said council, following their said election, appointed three other members of said council, and

WHEREAS, doubt has arisen as to the legality of said appointments and as to the legality of the acts of said council, therefore,

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

**SECTION 1. Election of councilmen legalized.** That the election of the two members of the town council of the town of Modale, Iowa, at the election held in said town on the 25th day of March, 1912, and the subsequent acts of said two members in filling the vacancies in said council are hereby declared to be legal and valid as though all the members of said council had been elected as provided by law.

**SEC. 2. Pending litigation.** Nothing in this act shall in any way 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 passage and publication in the Register & [and] Leader, a newspaper published in Des Moines, Iowa, and the Logan Observer, a newspaper published in Logan, Iowa, both of which publications shall be without expense to the state of Iowa.

Approved March 29 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and in the Logan Observer April 3, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 386.

## THE TOWN OF NEW MARKET.

H. F. 206.

AN ACT to legalize the ordinances of the town of New Market, Taylor county, Iowa.

WHEREAS, on the 29th day of April 1912 the town council of the town of New Market, Iowa, duly adopted certain ordinances of said town, designated and numbered one to six, both inclusive, which were duly approved by the mayor of said town; and,

WHEREAS, on the 2nd day of May, 1912 the town council of the town of New Market, Iowa, duly adopted certain ordinances of said town, designated and numbered seven to eighteen, both inclusive, which were duly approved by the mayor of said town; and,

WHEREAS, said council provided for and caused the publication of said ordinances in book form and known and designated as "The revised and compiled ordinances of the town of New Market, Taylor county, Iowa," the same being duly certified by the mayor and town clerk of said town as being true and correct copies of said ordinances; and,

WHEREAS, said ordinances were adopted, approved and published in the manner and form provided by law, but doubts have arisen, and now exist as to the legality of said ordinances and the acts and proceedings of the said council, mayor, and clerk, relative thereto, now therefore,

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

**SECTION 1. Ordinances legalized—pending litigation.** That the said ordinances of the town of New Market, Taylor county, Iowa, designated and numbered one to six, both inclusive, duly adopted and approved on April 29th, 1912, said ordinances, of said town designated and numbered seven to eighteen, both inclusive, duly adopted and approved May 2nd, 1912, and all of which was published in book form and designated and known as "The revised and compiled ordinances of the town of New Market, Taylor county, Iowa," be and hereby are, each and all fully legalized and declared valid and of the same force and effect as if they had in all respects been adopted, approved and published in the manner, form and time provided by law, provided, however, that this act shall not 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 New Market Herald newspapers published at Des Moines, Iowa, and New Market, Iowa, respectively; said publications to be without expense to the state.

Approved March 21 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader March 24, 1913 and in the New Market Herald March 27, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 387.

## THE CITY OF ONAWA.

H. F. 133.

## AN ACT to legalize certain warrants of the city of Onawa, Iowa.

WHEREAS, the city of Onawa, in the county of Monona, state of Iowa, did hitherto make expenditures in the amount of ten thousand six hundred and seventy-four dollars and forty-one cents, (\$10,674.41), and

WHEREAS, said city of Onawa issued warrants in the sum of ten thousand six hundred and seventy-four dollars and forty-one cents (\$10,674.41), to evidence the indebtedness incurred in making said expenditures; and

WHEREAS, said warrants did not when issued and do not now exceed the constitutional limitation on indebtedness; and

WHEREAS, said expenditures were all made for purposes authorized by law; and

WHEREAS, the city of Onawa has been and now is enjoying the use and benefit of said expenditures; and

WHEREAS, the result of said expenditures were and are well worth the price which the city of Onawa contracted should be paid therefor; and

WHEREAS, doubts have arisen concerning the legality of the aforesaid warrants, or a portion thereof, on the ground that the aforesaid expenditures or a portion thereof, were contracted in excess of the city's authorized annual revenue; and

WHEREAS, doubts have arisen concerning the legality of the aforesaid warrants, or a portion thereof, on the ground that aforesaid expenditures, or a portion thereof, were not provided for in the city's annual appropriation; and

WHEREAS, doubts have arisen concerning the legality of aforesaid warrants, or a portion thereof, on the ground that the indebtedness, which said warrants evidence, was contracted in excess of the statutory limitations on indebtedness; and

WHEREAS, doubts have arisen concerning the legality of one or more of said warrants, on the ground that said warrant or warrants violated the rule that no warrant shall exceed the sum of five hundred dollars (\$500.); and

WHEREAS, the warrants referred to are the warrants drawn on the general fund of said city of Onawa, numbered 3205, 3212, 3218, 3220, 3222, 3228 to 3301 inclusive, 3310, 3325, 3329, 3333, 3334, 3338, 3343 to 3356 inclusive, 3358 to 3371 inclusive; the following warrants drawn on the electric light fund of said city, 3427, 3428, 3430 to 3434 inclusive, 3436, 3438, 3439 to 3500 inclusive, 3502 to 3541 inclusive, 3585, 3726, 3728, 3732, 3733, 3813, 3875, 3966, 3987; on the electric light tax fund of said city warrant # [No.] 4, and on the road fund of said city warrant # [No.] 43; now therefore,

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

SECTION 1. **Acts legalized.** That the acts of the city council of the city of Onawa, in the county of Monona, state of Iowa, in making expenditures for the city of Onawa and issuing warrants therefor in the sum of ten thousand six hundred and seventy-three dollars and thirty-seven cents. (\$10,673.37), be and the same are hereby legalized, as though the law had in all respects been complied with.

SEC. 2. **Warrants legalized.** The aforesaid warrants of the city of Onawa, in the sum of ten thousand six hundred and seventy-three dollars and thirty-seven cents, (\$10,673.37) be and the same are hereby legalized and declared to be valid, legal and subsisting obligations, the same as though the law had in all respects been complied with.

SEC. 3. **Pending litigation.** Nothing in this act 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 Register and Leader, a newspaper published at Des Moines, Iowa, and the Onawa Democrat, a newspaper published at Onawa, Iowa, without expense to the state.

Approved March 29 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Onawa Weekly Democrat April 3, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 388.

### THE CITY OF OSCEOLA.

H. F. 632.

AN ACT to legalize the act of the electors of the city of Osceola, Iowa, in voting for the issuance of bonds in aid of improvement and extension of the city water works.

WHEREAS; the city of Osceola, Iowa, is the owner of a water works plant designed to furnish water for public and private use and the water supply thereof has failed, and the city is without water for fire and other protection or for private use, and

WHEREAS; a sufficient reservoir for the collection of surface water cannot be builded except at the expenditure of a very large amount of money, and

WHEREAS; it is deemed economical and prudent to sink a deep well to make available the subterranean waters, and

WHEREAS; the city council called an election which was held on the 30th day of December, 1912, and the electors of the said city voted bonds for \$6500, by a vote of 246 yea to 29 nay, thus authorizing said issuance, and

WHEREAS; the council before ordering said election failed to require it to receive a petition of the majority of the legal voters of the said city, preliminary to the calling of the said election, and

WHEREAS; doubts have arisen as to the legality of the said bonds so voted; therefore,

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

SECTION 1. **Bonds legalized.** That the bonds and amounts, \$6500.00, voted by the voters of the city of Osceola, Iowa, on the 30th day of December, 1912, for the purpose of aiding in the extension and improvement of the city water service by sinking a deep well, be and the same are hereby legalized and rendered valid and binding to the same extent they would have been had it been a legal vote and a petition of the majority of the legal voters petitioning for

such election, had been filed with the council prior to the calling of such election. That all illegalities in connection with the voting of the said bonds are hereby legalized and validated.

SEC. 2. **Pending litigation.** Nothing herein shall affect pending litigation.

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 Osceola Sentinel, a newspaper published at Osceola, Iowa, and the Register and Leader, a newspaper published at Des Moines, Iowa, which publication shall be without expense to the state.

Approved April 9 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 14, 1913 and in the Osceola Sentinel April 17, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 389.

### THE TOWN OF PACIFIC JUNCTION.

S. F. 221.

AN ACT legalizing the ordinances, resolutions and acts of the council of the incorporated town of Pacific Junction in Mills county, Iowa, so far as affected by the election of six members of said council instead of five.

WHEREAS, the town of Pacific Junction, Mills county, Iowa, has at each town election for many years elected six councilmen for said town, pursuant to the provisions of section six hundred and forty-five (645), of the code of 1897, and said councilmen have qualified and acted as such, and have passed and adopted ordinances and resolutions, and performed such other acts as properly devolve upon such council by law; and,

WHEREAS, it has been since discovered that said section six hundred and forty-five (645), of the code was amended by chapter 26 of the acts of the 32d general assembly, reducing the number of councilmen in towns to five councilmen at large, and doubts have arisen as to the legality of said acts, resolutions and ordinances of said town council because of the larger number of its councilmen than was required by said statute as amended; therefore

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

SECTION 1. **Ordinances, resolutions, acts—legalized.** That the ordinances, resolutions and acts of the town of Pacific Junction, Mills county, Iowa, not inconsistent with the laws of the state, and the proceedings of the council of said town in reference thereto, be and the same are hereby rectified, confirmed and legalized in every respect and declared to be valid and binding to the same extent as though section six hundred and forty-five (645), of the code of Iowa, so far as the same relates to the number of councilmen had not been amended by a subsequent act of the general assembly of the state of Iowa.

SEC. 2. **Pending litigation.** This act shall in no wise 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 Register & [and] Leader, a newspaper published at Des Moines, Iowa, and the Glenwood Opinion, a newspaper published at Glenwood, Iowa, which publication shall be without expense to the state.

Approved March 25 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader March 27, 1913 and in the Glenwood Opinion April 10, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 390.

### THE TOWN OF ROWAN.

S. F. 466.

AN ACT to legalize the passage, adoption and publication of the ordinances of the incorporated town of Rowan, Wright county, Iowa.

WHEREAS, doubts have arisen as to the legality of all of the ordinances, from one to fourteen inclusive, of the incorporated town of Rowan, Wright county, Iowa, in that the same were not regularly read, at three separate meetings of the council, nor on three different days; and the rule allowing ordinances to be read three times and passed at the same meeting of the council, was not properly observed and suspended, and in that the ordinances were not published in the manner prescribed by the Iowa statute relating to the publication of ordinances; now therefore:

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

SECTION 1. **Acts, ordinances—legalized—pending litigation.** That all of the acts of the council of the incorporated town of Rowan, Wright county, Iowa, on the passage, adoption and publication of the ordinances, from one to fourteen inclusive, of said town, be and the same are hereby legalized and declared to be as valid, as if all of the provisions of the law of the state, relating to the passage, adoption and publication thereof had been duly and fully observed, and all of the ordinances are hereby legalized and declared as valid and of the same force and effect, as if the same had been read at three separate meetings and on three different days, and as if the same had been duly published in the manner provided by law, for the reading, adoption and publication thereof; provided that nothing in this act shall in any wise effect [affect] pending litigation.

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

Approved April 14 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital April 19, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 391.

## THE TOWN OF SHARPSBURG.

Sub. for S. F. 95.

AN ACT to legalize the incorporation of the town of Sharpsburg, Taylor county, Iowa, the election of its officers, the passage and record of all valid ordinances and resolutions, and all acts done that were in compliance with law by the council of said town.

WHEREAS, doubts have arisen as to the legality of the incorporation of the town of Sharpsburg, Taylor county, Iowa, the election of its officers, the passage of its ordinances and resolutions, the signing of the same by the mayor and the record thereof;

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

SECTION 1. **Incorporation, election—legalized.** That the incorporation of the town of Sharpsburg, Taylor county, Iowa, and the election of its officers, are declared to be valid and binding the same as though the law in all respects had been strictly complied with in the incorporation of said town and election of said officers.

SEC. 2. **Ordinances, acts, etc., legalized—pending litigation.** That all ordinances, official acts and the record thereof, that are legal and valid in all other respects, other than that said town was not legally incorporated, are declared to be valid and binding the same as though the law in all respects had been strictly complied with in the incorporation of the said town, and all acts done by the officials of said town and the record thereof that might be void on account of failure to comply with the law in incorporating the said town, are declared legal and valid. But 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 Register and Leader and the Des Moines Capital, newspapers published at Des Moines, Iowa, without expense to the state.

Approved April 4 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital April 14, 1913.

W. S. ALLEN,  
*Secretary of State.*



## CHAPTER 392.

## THE TOWN OF SHELDAHL.

H. F. 385.

AN ACT to legalize an ordinance of the incorporated town of Sheldahl, Iowa, granting a franchise to Boone Electric Company, to erect, maintain and operate an electric power plant in said town.

WHEREAS, on the 9th. day of September, 1912, the town council of the incorporated town of Sheldahl, Iowa, passed an ordinance, entitled, "An ordinance authorizing the acquirement, erection, maintenance and operation of an electric light and power plant in the incorporated town of Sheldahl, Iowa, by Boone Electric Company, its successors or assigns, and establishing rules and regulations governing the same", and,

WHEREAS, the question of the adoption and passage of said ordinance was submitted to the legal electors of said town at a special election, therein held on the 15th. day of October, 1912, and,

WHEREAS, upon the passage of said ordinance by the town council of said town, all of the members of the town council voted in favor of the passage of the same, and,

WHEREAS, at said special election a majority of all of the legal electors of said town, voted in favor of the adoption and passage of said ordinance, and,

WHEREAS, the Boone Electric Company, and its successor, has established electric service in said town, all as required by said ordinance, and,

WHEREAS, the proceedings of the town council and town officers of said town of Sheldahl, Iowa, in granting said franchise and in submitting the granting of said franchise to the voters of said town at an election held for such purpose, did not comply with the law in such cases made and provided in that the records of said town council do not show that three distinct readings were had, and in that it appears that the ordinance granting said franchise was not read on three different days, and in that it appears that the notice given to the electors of said town of the special election to vote on the granting of said franchise, did not distinctly describe the ordinance providing for the granting of said franchise except by reference thereto and said ordinance was not incorporated in said notice, and in that said notice provided that the polls should be open from 1 o'clock to 5 o'clock p. m., and in that said polls were not open during the hours prescribed by law for the keeping of the polls open at such election, and

WHEREAS, all the provisions of law relating to the granting of franchise may not have been strictly complied with in other respects than those above enumerated in the granting of said franchise, and

WHEREAS, doubts have arisen as to the legality and sufficiency of the records and proceedings of the said town council and town officers of said town because of the matters and things above referred to, now therefore:

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

SECTION 1. **Ordinance legalized—pending litigation.** That an ordinance of the incorporated town of Sheldahl, Iowa, passed September 9th. 1912, entitled, "An ordinance authorizing the acquirement, erection, maintenance and operation of an electric light and power plant in the incorporated town of Sheldahl, Iowa, by Boone Electric Company, its successors or assigns, and establishing

rules and regulations governing the same." be and the same is hereby declared legal and valid, the same as if all provisions of law relating to the granting of said franchise had in all respects been strictly complied with. This act shall not affect pending litigation.

Approved April 2 A. D. 1913.

### CHAPTER 393.

#### THE CITY OF TIPTON.

S. F. 391.

AN ACT to legalize the proceedings of the city council of the city of Tipton, Iowa, for the construction of a sewer system.

WHEREAS, the city council of the city of Tipton, Iowa, did on the 22nd day of January, 1912, pass a resolution declaring the necessity of constructing a system of sewers and a disposal or purifying plant in said city, and did thereafter order the construction of said sewer system and disposal or purifying plant, and did let contracts for the construction of said improvements; and

WHEREAS, doubts have arisen respecting the legality of the proceedings of the city council preliminary to entering into the contract for the construction of said sewer system and respecting the legality of the resolution of necessity, the resolution ordering the construction of said improvements, the proposal to bidders and the notice thereof; therefore

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

**SECTION 1. Resolutions, proposal for bids, notice—legalized—pending litigation.** That the resolution of necessity passed by the city council of the city of Tipton, Iowa, relative to the construction of the sewer system in said city, and the resolution ordering the construction of said work, and the proposal for bids and notice thereof dated February 3rd, 1913, be and the same are hereby legalized and made of as binding force as though done in strict conformity to law. 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 force immediately after its publication in the Register & [and] Leader and the Des Moines Capital, newspapers published in the city of Des Moines, Iowa, which publication shall be without expense to the state.

Approved March 25 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader March 27, 1913 and in the Des Moines Capital March 26, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 394.

## THE CITY OF VALLEY JUNCTION.

S. F. 465.

AN ACT to legalize the special election held in the city of Valley Junction, Iowa, on the 14th day of March, 1913, wherein there was submitted to the voters of said city the question of purchasing or erecting and establishing a water works and electric light and power plant, and also the question of the issuance of bonds in a sum not to exceed \$65,000.00 for water works and electric light and power plant purposes, and to validate and legalize the proceedings of the city council had in relation to said special election preliminary to the holding thereof, and to legalize the ballots used at said special election; the acts of the election boards in the conduct of said election and in making the returns thereof; the action of the city council in canvassing the returns of said election and declaring the result thereof, and to legalize the bonds to be issued in pursuance thereof.

WHEREAS, on the 14th day of January, A. D. 1913, there was submitted to the city council of the city of Valley Junction, Polk county, Iowa, a petition as follows, to-wit:

“To the city council, city of Valley Junction, Iowa:

The qualified electors of the city of Valley Junction, Iowa, whose signatures are to this petition hereinafter signed, respectfully represent: That they desire that the city of Valley Junction expend not to exceed sixty five thousand dollars (\$65,000.00) for the purchase or building, erection and furnishing of a water works and electric light and power plant in said city, to be owned and operated by the city of Valley Junction, Iowa; that said water works and electric light and power plant is necessary for the public benefit and cannot be purchased or built, erected and furnished within the limit of one and one-quarter per centum ( $1\frac{1}{4}\%$ ) of the valuation of the property located in said city.

Wherefore said qualified electors of said city of Valley Junction, Iowa, whose signatures are affixed hereto, petition your honorable body to call an election for the purpose of submitting to said qualified electors whether such expenditures be made or not.

Dated this 6th day of January, A. D. 1913.”

Said petition bearing the signatures of three hundred and thirty-seven (337) qualified electors of said city, and

WHEREAS, at the next regular meeting of the city council held on the 3rd day of February, 1913, said council duly passed a resolution authorizing empowering and instructing the mayor of said city to issue and have published a proclamation of the holding of a special election in said city, for the purpose of voting on the question of issuing bonds for water works and electric light and power plant purposes, and

WHEREAS, said council at the same meeting duly passed a resolution ordering the submission to a vote of the qualified electors of said city, the following proposition, to-wit:

“Shall the city of Valley Junction, Polk county, Iowa, purchase or erect and establish a water works and electric light and power plant in and for said city?”. and

WHEREAS, said resolutions provided for the holding of said special election on March 14, 1913, and

WHEREAS, the mayor of said city, pursuant to said resolutions, issued and published notice of said special election in the "Valley Express", a weekly newspaper published in said city, for four consecutive weeks, the last publication of which was on February 27, 1913, and

WHEREAS, pursuant to said petition, resolutions and notice aforesaid, there was submitted to the qualified electors of said city at said special election held in said city on the 14th day of March, 1913, the said public measures in the following form, to-wit:

"Shall the city of Valley Junction, Polk county, Iowa, purchase or erect and establish a water works and electric light and power plant, in and for said city?"

Yes
No

Those in favor of purchasing or erecting and establishing a water works and electric light and power plant in said city will put a cross (X) in the square after the word "Yes".

Those not in favor of purchasing or erecting and establishing a water works and electric light and power plant in said city will put a cross (X) in the square opposite the word "No."

For the issuance of bonds in a sum not to exceed \$65,000.00 for a water works and electric light and power plant purposes.

Against the issuance of bonds in a sum not to exceed \$65,000.00 for a water works and electric light and power plant purposes.

Those in favor of issuing bonds for water works and electric light and power plant purposes, will mark a cross (X) in the square opposite the "For the issuance of bonds", etc.

Those not in favor of issuing bonds for water works and electric light and power plant purposes will mark a cross (X) in the square opposite the "Against the issuance of bonds," etc." and

WHEREAS, more than a majority of the legal electors voting at said election as shown by the official canvass of said vote, voted in favor of the first of said public measures above set forth, and more than two-thirds of the legal electors voting at said special election, as shown by the official canvass, voted for the issuance of bonds as indicated in the second of the public measures above set forth, and

WHEREAS, doubts have arisen as to the regularity of the resolutions passed by said city council, the legality of said petition on which said special election was called; the notice of said election and publication thereof; the legality of the questions submitted and the manner and form in which the same were submitted; the legality of said election by reason of the failure of certain judges thereof to endorse their initials on the back of the ballots, as required by law; the failure of the election boards to proclaim the result as by law required; the action of the city council in canvassing the returns of said election and declaring the result thereof, and as to the legality of the bonds to be issued in pursuance of said special election, therefore

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

**SECTION 1. Special election—bonds, acts, etc., legalized—pending litigation.** That the proceedings of the city council of the city of Valley Junction, Polk county, Iowa, concerning and providing for the submission to the qualified electors of said city of the proposition to purchase or erect and establish a water works and electric light and power plant in and for said city, and for

the issuance of bonds in a sum not to exceed \$65,000.00 for water works and electric light and power plant purposes; the petition submitted to the city council therefor; the resolutions of the city council ordering the submission of said propositions to a vote of the qualified electors; the notice of such submission; the time, form and publication thereof; the form of ballot submitted at said election; the returns and canvass thereof and the declaration of the result of said election; and all acts and proceedings of said city council prior or subsequent to the holding of said special election, whether herein particularly specified or not, had and done in relation and with reference to said proposition to purchase or erect and establish a water works and electric light and power plant, and the proposition for the issuance of bonds in a sum not to exceed \$65,000.00; and the acts and omissions of certain election judges in connection with the conduct of said special election, and each of them, be, and they are hereby legalized and validated as fully and completely as though the law had in all things been fully and technically complied with in every respect, and said bonds, whether issued or to be issued, shall be the valid and binding obligation of said city of Valley Junction, Iowa. This act shall in no wise affect pending litigation.

**SEC. 2. In effect.** In effect. This act being deemed of immediate importance, shall take effect from and after its publication in the "Valley Express", a newspaper published in Valley Junction, Iowa, and the "Register & [and] Leader" a newspaper published in Des Moines, Iowa, without expense to the state.

Approved April 14 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 19, 1913 and in the Valley Express April 24, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 395.

### THE CITY OF VALLEY JUNCTION.

S. F. 548.

AN ACT to legalize the issuance of \$18,000.00 sewer outlet and disposal or purifying plant bonds of the city of Valley Junction, issued on the 3rd day of February, A. D. 1913, and secured by special taxes levied and pledged to the payment of said bonds and interest.

WHEREAS, the city of Valley Junction, Iowa, by it's [its] council, did, on the 3rd day of February, A. D. 1913, pass a certain resolution wherein it was ordered that there be issued \$18,000.00 worth of negotiable coupon sewer outlet and disposal or purifying plant bonds of said city, and

WHEREAS, said bonds were to be used in paying for the sewer outlet and disposal or purifying plant constructed by the city of Valley Junction pursuant to proceedings had prior thereto, and

WHEREAS, said city council of said city has levied a special tax of three (3) mills on the dollar on all taxable property within the corporate limits of the city of Valley Junction, as provided by chapter 54 of the acts of the 33rd general assembly, said levy to cover a period of ten (10) years, and has also levied a city sewer tax of two (2) mills on the dollar on all taxable prop-

erty within the corporate limits of the city of Valley Junction, said levy to extend over a period of ten (10) years, both of which levies are irrevocably pledged to the payment of said bonds and interest as the same falls due, and

WHEREAS, doubts have arisen as to the right of a city to pledge said taxes for a period of ten (10) years, and

WHEREAS, the contractors employed to construct said sewer outlet and disposal plant, have constructed the same under the belief that said city could legally pledge said special taxes for a period of ten (10) years, and issue bonds in anticipation of the collection thereof, therefore

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

SECTION 1. **Sewer tax—bonds—legalized—pending litigation.** That the acts of the city council of the city of Valley Junction, Iowa, in levying a three (3) mill sewer outlet and disposal plant tax and making said levy to extend over a period of ten (10) years; and the acts of the said city council in levying a city sewer tax of two (2) mills on the dollar and making said levy to extend over a period of ten (10) years, and pledging both of said levies to the amortization of said sewer outlet and disposal plant bonds, be, and the same are fully validated and legalized, and the bonds issued pursuant to the proceedings of said city council, be, and they are hereby legalized as fully and completely as though they were authorized by law, and as though the law had in all things been fully and technically complied with in every respect, and said bonds shall be the binding and valid obligation of the city of Valley Junction, Iowa. This act shall in no wise effect [affect] pending litigation.

SEC. 2. **In effect.** In effect. This act, being deemed of immediate importance, shall take effect from and after it's [its] publication in the "Valley Express", a newspaper published in Valley Junction, Iowa, and the "Register & [and] Leader", a newspaper published in Des Moines, Iowa, without expense to the state.

Approved April 19 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 25, 1913 and in the Valley Express May 1, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 396.

### THE COUNTY OF WAPELLO.

S. F. 316.

AN ACT to legalize the adoption of certain propositions at an election of the county of Wapello, state of Iowa, with the effect of authorizing the board of supervisors of said county to purchase land for an addition to the county home farm of said county, and to incur indebtedness for the purchase of such land, and to levy a continuing annual tax to provide for the payment of such indebtedness.

WHEREAS, on the thirteenth day of November, 1911, the board of supervisors of the county of Wapello, state of Iowa, adopted a resolution providing that the purchase of said described land for an addition to the county farm of said county at the price of \$10,925, be submitted to the voters of said county at the next annual election, as provided by law; and

WHEREAS, pursuant to notice, at said general election held on the fifth day of November, 1912, there were submitted to the voters of said county the proposition to purchase the aforesaid land for an addition to the county home farm for the sum of \$10,925, and the proposition to issue bonds of said county to the amount of \$11,000, for the purpose of raising the necessary sum to purchase the aforesaid land for an addition to the county home farm, and to levy a tax to pay said bonds and interest at a rate not to exceed one per cent on the county valuation in one year, the rate of such tax being such as to pay the said debt incurred by the issuance of said bonds in a period not exceeding ten years; and

WHEREAS, doubts have arisen as to whether the aforesaid propositions were properly ordered submitted to the voters, and respecting the legality and regularity of the proceedings of the board of supervisors leading up to said election, of the notice of said election, and of the propositions submitted at said election, and respecting the authority vested in said board of supervisors by said election; therefore

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

**SECTION 1. Proceedings of board of supervisors in purchase of land—execution of warrants, tax levy—legalized.** That the proceedings of the board of supervisors in ordering the submission of the county home propositions at the general election November 5th, 1912, and canvassing the results of the vote on said propositions, and the notice of said election and of the propositions submitted thereat, be and the same are hereby legalized, and the adoption of said propositions by the voters of said county as herein recited be and the same is hereby legalized and declared to have the following force and effect:

First. To authorize the board of supervisors of said county to purchase the land referred to in said propositions for an addition to the county home farm of said county, at the price of \$10,925.

Second. To authorize said board of supervisors to pay for said land with any money in the treasury of said county not otherwise appropriated, or to incur indebtedness for the purchase of aforesaid land for aforesaid purpose, and to execute warrants to evidence such indebtedness.

Third. To authorize said board of supervisors, if such indebtedness be incurred, to levy a tax, at a rate not to exceed one per centum of the assessed valuation of the taxable property within said county in any one year, to pay and discharge said indebtedness and the interest thereon, said tax to be levied annually and the rate thereof to be such as to pay said indebtedness and the interest thereon in a period not exceeding ten years.

**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 at Des Moines, Iowa, and the Ottumwa Daily Courier, a newspaper published at Ottumwa, Iowa, said publications to be without expense to the state.

Approved April 3 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 8, 1913 and in the Ottumwa Daily Courier April 7, 1913.

W. S. ALLEN,  
Secretary of State.

## CHAPTER 397.

## THE CITY OF WINTERSSET.

H. F. 677.

AN ACT to legalize the regular city election of the city of Winterset, Iowa, held on the 31st day of March, A. D. 1913, and to legalize a certain franchise, and the ratification thereof by the voters at such election, granted by the said city of Winterset to the Winterset mutual telephone company.

WHEREAS, at a regular meeting of the city council of the city of Winterset, Madison county, Iowa, the said city council approved ordinance No. 104, being an ordinance entitled as follows:—

“An ordinance granting to the Winterset mutual telephone company of Winterset, Iowa, the right to erect and maintain in the alleys of Winterset, Iowa, the poles, wires, and fixtures necessary to the use and enjoyment of a telephone company, except where it is necessary to use a street,” and

WHEREAS, said city council at said meeting ordered the same submitted to the voters of Winterset, Madison county, Iowa, for ratification at the general election held in said city of Winterset on March 31st, 1913, and

WHEREAS, due and legal publication of said ordinance and notice of said election to pass on said franchise was given by publication in the Winterset News, and the Winterset Madisonian, weekly newspapers published at Winterset, Iowa, and

WHEREAS, at a general election held in the city of Winterset, Madison county, Iowa, on March 31st, 1913, there was submitted to the voters therein the question: “Shall a franchise be granted the Winterset Mutual Telephone Co.”; and

WHEREAS, at such election seven hundred nineteen (719) votes were cast, of which number five hundred seventy-two (572) voted on said question of granting a franchise to the Winterset Mutual Telephone Co.; three hundred thirty-one (331) votes being for, and two hundred forty-one (241) votes being against granting such franchise; and

WHEREAS, there was but one form of ballot used at such general election, and which ballot contained both the names and offices of the persons to be elected to office at said election and the said question of granting a franchise to said telephone co., and was printed on white paper, and

WHEREAS, no separate ballot was prepared for submitting such question of granting said telephone co. a franchise, and printed on yellow paper, and having thereon the words:—“Shall the following public measure be adopted”, and having on the back thereof appropriate words to distinguish such ballot from the official ballot for candidates for office; and

WHEREAS, because of the defects in said ballots herein referred to, doubt has arisen as to the legality of such election in so far as same concerns the question of granting said franchise to the said The Winterset Mutual Telephone Co.; now therefore,

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

SECTION 1. **General election, granting of franchise—legalized.** That the general election held March 31st, 1913, submitting to the voters of the city of Winterset, Madison county, Iowa, the question of granting a franchise to the Winterset Mutual Telephone Co., is hereby legalized and declared to be



valid and binding the same as though the law had in all respects been strictly complied with, and the same as though such question had been voted upon by the electors at such election with separate ballots, printed upon yellow paper, and in every way complying with the laws of this state relating thereto.

SEC. 2. **Ordinance legalized—pending litigation.** That the said city ordinance of the city of Winterset, Iowa, designated as Ordinance No. 104, adopted and approved by the city council of Winterset, Iowa, on the 28th day of February, 1913, and which is hereinbefore referred to, be and is hereby fully legalized and declared valid and of the same force and effect as if the said ordinance had in all respects been adopted, approved and voted upon in the form and manner as provided by the laws of this state, and as if the law in all respects had been fully complied with; provided, however, that this act shall not affect pending litigation.

Approved April 19 A. D. 1913.

## JOINT RESOLUTIONS.

### HOUSE JOINT RESOLUTION NO. 3.

#### PROVIDING FOR THE TIME OF HOLDING GENERAL ELECTIONS.

##### HOUSE JOINT RESOLUTION.

Joint resolution proposing an amendment to the constitution of the state of Iowa, repealing section seven (7) of article two (2) of said constitution and proposing a substitute therefor, relating to and providing for the time of holding general elections.

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

SECTION 1. That the following amendment to the constitution of the state of Iowa be and the same is hereby proposed:

To repeal section seven (7) of article two (2) of the constitution of Iowa and to adopt in lieu thereof the following, to-wit:

“The general election for state, district, county and township officers in the year 1916 shall be held in the same month and on the same day as that fixed by the laws of the United States for the election of presidential electors, or of president and vice-president of the United States; and thereafter such election shall be held at such time as the general assembly may by law provide.”

SEC. 2. That the foregoing amendment to the constitution of the state of Iowa be, and the same is hereby referred to the legislature to be chosen at the next general election for members of the general assembly, and that the secretary of state cause the same to be published as provided by law.

Approved April 8 A. D. 1913.

### HOUSE JOINT RESOLUTION NO. 4.

#### TAXATION OF PROPERTY FOR STATE REVENUE PURPOSES.

##### HOUSE JOINT RESOLUTION.

Joint resolution proposing an amendment to the constitution of the state of Iowa, authorizing the general assembly to provide for the exclusive taxation of classes of property for state revenue purposes.

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

SECTION 1. That the following amendment to the constitution of the state of Iowa be, and the same is hereby proposed: To add, as section thirty-nine (39) to article three (3) of said constitution the following, to-wit:

“SECTION 39. For the purpose of providing revenue for state purposes, the general assembly may provide for the exclusive taxation of such classes of property as it may deem proper. When any class of property is exclusively

## JOINT RESOLUTIONS OF THE THIRTY-FIFTH GENERAL ASSEMBLY

taxed for state revenue purposes, such class shall not be otherwise taxed for general county, township or municipal purposes.”

SEC. 2. That the foregoing proposed amendment to the constitution of the state of Iowa be, and the same is hereby referred to the legislature to be chosen at the next general election for members of the general assembly, and that the secretary of state cause the same to be published for three months previous to the day of such election, as provided by law.

Resolved further, that should said proposed amendment be agreed to by a majority of the members of the said succeeding general assembly, the said proposed amendment shall be submitted to the electors of the state of Iowa at the general election in the year 1916.

Approved April 16 A. D. 1913.

## HOUSE JOINT RESOLUTION NO. 5.

## PROVIDING FOR THE INITIATIVE AND REFERENDUM.

## HOUSE JOINT RESOLUTION.

Joint resolution to amend the constitution relating to legislative authority; providing for the initiative and referendum with reference to the enactment of laws, or laws enacted by the general assembly, and amendments to the constitution.

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

That the following, designated as section one (1), be and the same is hereby proposed as an amendment to section one (1), of articles (III) of the legislative department of the constitution of the state of Iowa, which, when agreed to by this, the thirty-fifth general assembly, shall be referred to the thirty-sixth general assembly and, if by it agreed to, shall be referred to the qualified electors of the state of Iowa, and, if approved and ratified by a majority of the qualified electors voting thereon, it shall be valid as a part of the constitution of the state of Iowa, as amended, and, when said section one (1). of article (III) of the legislative department is so amended, it shall read as follows:

SECTION 1. The legislative authority of this state shall be vested in a general assembly which shall consist of a senate and house of representatives, and the style of every law shall be, “Be it enacted by the general assembly of the state of Iowa”, but the people reserve unto themselves the right and power to propose laws, to enact, approve or reject the same at the polls, independent of the general assembly, and reserve the right and power to approve or reject any item, section or part of any act enacted by the general assembly, except otherwise provided by this section.

The general assembly shall fix the number of qualified electors required to propose the enactment of any proposed law, which shall be not less than twelve (12%) per cent nor more than twenty-two (22%) per cent of the qualified electors of each of the congressional districts of the state. Every law proposed by the people shall be presented by petition, signed by the required number of qualified electors, addressed to and filed with the secretary of state not less than one hundred and fifty (150) days before the general election at which the proposed law shall be submitted. The petition shall contain the full text of the proposed law, with title and enacting clause.

JOINT RESOLUTIONS OF THE THIRTY-FIFTH GENERAL ASSEMBLY

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If the proposed measure be to enact a law, the enacting clause shall be as follows: "Be it enacted by the people of the state of Iowa."

The right and power to initiate and enact laws shall be restricted within the same constitutional limitations as apply to the general assembly.

The required number of qualified electors required to exercise the right and power to require an act passed by the general assembly to be referred for approval or rejection shall be fixed by the general assembly, but shall not be less than ten (10%) per cent nor more than twenty (20%) per cent of the qualified electors of each of the congressional districts of the state. Petitions therefor shall be addressed to and filed with the secretary of state within ninety (90) days from the final adjournment of the general assembly which passed the act to which the petition is addressed, and shall contain a full text of that part of the act to be referred; but such right and power shall not extend or apply to an act passed by the general assembly relating to the preservation of the public peace, public health or appropriations for the support and maintenance of the department of state and state institutions. All acts, and parts thereof, enacted by the general assembly and submitted to the people shall be and remain in full force and effect until rejected by the people, as herein provided.

Until the general assembly enacts a law fixing the per cent of qualified electors required for petition, the required per cent shall in all cases be fifteen (15%) per cent of the qualified electors of each of the congressional districts of the state.

The whole number of votes cast for secretary of state at the regular general election past preceding the filing of petition shall be the basis for the number of legal voters required to sign such petition.

The veto power of the governor shall not apply or extend to any measure initiated and enacted by the people.

All measures for proposed laws under the initiative or referred under the referendum shall be submitted to the people for adoption or rejection at the regular biennial election first occurring after the filing of the petition.

All measures for proposed laws under the initiative shall become a law when approved by a majority of the voters whose votes are cast thereon, and shall take effect as hereinafter provided.

Any measure referred under the referendum shall cease to be a law when rejected by a majority of the voters whose votes are cast thereon and proclamation has been made by the governor as hereinafter provided. All proposed laws under the initiative shall take effect and any measure referred under the referendum shall cease to be a law from and after the date of official declaration of the vote thereon by proclamation issued by the governor, which shall be not later than thirty days after the vote has been canvassed by the state canvassing board for that purpose, composed of the governor, secretary of state and attorney general, and certificate thereof made not later than December first following the election.

The petition contemplated by this section shall consist of sheets having such general form, printed or written, as shall be prescribed by the secretary of state, and shall be signed by the required number of qualified electors, in their proper persons only, to which shall be attached the resident addresses of such persons signing the petition and the date of signing. To each of such sheets shall be attached and made a part thereof an affidavit of some qualified elector that each signature thereon is the signature of the person whose name it purports to be, and that, to the best of the knowledge and belief of the affiant, each of the persons signing said petition was, at the time of signing, a qualified elector. Such petition, so verified, shall be prima

JOINT RESOLUTIONS OF THE THIRTY-FIFTH GENERAL ASSEMBLY

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facie evidence that the signatures thereon are genuine and true, and that the persons signing the same are qualified electors of the state of Iowa.

Immediately upon the filing of a petition for the submission of a proposed law to the voters, the secretary of state shall submit the said proposed law to the supreme court for its opinion upon the constitutionality thereof, which shall be rendered within twenty (20) days, and if the court finds that the proposed measure conflicts with the constitution of the United States or the state of Iowa, the proposed measure shall not be submitted.

Until the general assembly shall provide by law a method of procedure of printing, distributing and submitting proposed measures, the secretary of state shall, ninety (90) days preceding the general election at which the measure will be voted upon, cause to be printed any and all measures for or to which petition has been filed, in pamphlet form, containing the full text thereof, with the title and enacting clause, together with arguments for and against the same, within the limits prescribed by the secretary of state. The number printed shall be not less than one for each voter voting at the last general election preceding the filing of the petition, which shall be delivered to the county auditor of each county.

For each voter in each voting precinct of each political party voting at the last general election, the auditor of each county shall deliver one copy to each precinct committeeman of each political party in the county.

The secretary of state shall submit all measures petitioned for in accordance with the provisions of this section, to the people for adoption or rejection at the polls in compliance herewith; but the right and power reserved to the people shall not operate to deprive or limit the power of the general assembly to enact laws.

If, at an election, conflicting measures submitted to the voters of the state shall be approved by a majority of the votes, severally cast thereon, the measure receiving the highest number of affirmative votes shall become law as to all conflicting provisions.

Insofar as applicable, the provisions of this amendment shall govern in the initiative and adoption of amendments to the constitution; provided, however, that no amendment so submitted shall become a part of the constitution until it shall have first received an affirmative majority vote at two successive regular biennial elections, the majority vote at the first of which shall be the authority for preparation of the ballot and re-submission at the second. The word "enacted" shall be replaced by the word "resolved" in the enacting clause when amendments to the constitution are submitted. This section of the constitution shall be, in all respects, self-executive.

Approved April 17 A. D. 1913.

## JOINT RESOLUTIONS OF THE THIRTY-FIFTH GENERAL ASSEMBLY

## HOUSE JOINT RESOLUTION NO. 6.

## RELATING TO THE RIGHT OF SUFFRAGE.

## HOUSE JOINT RESOLUTION.

Joint resolution proposing an amendment to the constitution of the state of Iowa by repealing section one (1) of article two (2) of said constitution and the enactment and adoption of a substitute therefor, relating to the right of suffrage.

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

SECTION 1. That the following amendment to the constitution of the state of Iowa is hereby proposed, to-wit:

“Repeal section one (1) of article two (2) of the constitution of the state of Iowa and in lieu thereof enact and adopt the following, to-wit:

‘SECTION 1. Every citizen of the United States, of the age of twenty-one years, who shall have been a resident of this state six months next preceding the election, and of the county in which he or she claims his or her vote, sixty days, shall be entitled to vote at all elections which are now or hereafter may be authorized by law.’ ”

Approved March 15th, 1913.

## HOUSE JOINT RESOLUTION NO. 7.

## ELECTION OF UNITED STATES SENATORS.

## HOUSE JOINT RESOLUTION.

A joint resolution and enactment ratifying the amendment to the constitution of the United States, proposed by the congress of the United States relating to the selection of senators in the congress of the United States.

WHEREAS, both houses of the sixty-second congress of the United States of America, at the second session thereof, by a constitutional majority of two-thirds thereof did propose an amendment to the constitution of the United States of America in the following words, to-wit:

“Resolved by the senate and house of representatives of the United States of America in congress assembled (two-thirds of each house concurring therein,)

That in lieu of the first paragraph of section three of article I of the constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the constitution, which shall be valid to all intents and purposes as part of the constitution when ratified by the legislatures of three-fourths of the states:

‘The senate of the United States shall be composed of two senators from each state, elected by the people thereof, for six years; and each senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

When vacancies happen in the representation of any state in the senate, the executive authority of such state shall issue writs of election to fill such vacancies: Provided, that the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

JOINT RESOLUTIONS OF THE THIRTY-FIFTH GENERAL ASSEMBLY

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This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the constitution." Therefore,

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

That the said proposed amendment to the constitution of the United States of America as set forth herein be and the same is hereby ratified and consented to by the state of Iowa and by the general assembly thereof.

Be it further resolved and enacted that certified copies of this enactment and resolution be forwarded by the governor of this state to the secretary of state of the United States at Washington and to the presiding officers of each house of the congress of the United States.

Approved February 6th, 1913.

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HOUSE JOINT RESOLUTION NO. 9.

AUTHORIZING JOINT COMMITTEE ON RETRENCHMENT AND REFORM TO EMPLOY EXPERT ACCOUNTANTS AND EFFICIENCY ENGINEERS.

JOINT RESOLUTION authorizing the joint committee on retrenchment and reform to employ expert accountants and efficiency engineers, to institute reform, and appropriating funds therefor.

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

SECTION 1. That the joint committee on retrenchment and reform is hereby authorized and empowered to employ expert accountants and efficiency engineers to assist said committee in the inquiry required by the statute.

SEC. 2. Said joint committee on retrenchment and reform is hereby authorized and empowered to institute such changes in the administration of public affairs as will promote the efficient and economical administration of the affairs of the state in its various departments.

SEC. 3. There is hereby appropriated sufficient funds with which to meet the expenses contemplated by this resolution out of the general funds of the state not otherwise appropriated.

Approved February 6th, 1913.

## JOINT RESOLUTIONS OF THE THIRTY-FIFTH GENERAL ASSEMBLY

## HOUSE JOINT RESOLUTION NO. 10.

## COMPENSATION OF ADDITIONAL EMPLOYEES OF GENERAL ASSEMBLY.

## HOUSE JOINT RESOLUTION.

House joint resolution amending senate joint resolution No. 1 of the thirty-fifth (35th) general assembly relating to the compensation of additional employees of the thirty fifth general assembly.

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

SECTION 1. That section one (1) of said senate joint resolution No. 1, adopted January 16, 1913, be and the same is hereby amended by striking out of lines 6 and 7 thereof the words "seventy dollars per month" and inserting in lieu thereof "three dollars per day from and after February 1, 1913."

SEC. 2. That section ten (10) of said joint resolution No. 1, be and the same is hereby amended by striking out of line 3 of said section the words "seventy dollars per month" and inserting in lieu thereof the words "three dollars per day from and after February 1, 1913."

SEC. 3. That section two (2) of said senate joint resolution be and the same is hereby amended by striking the last four words of said section, to-wit: "seventy dollars per month" and inserting in lieu thereof the words, "three dollars per day from and after February 1, 1913."

SEC. 4. That section eleven (11) of said senate joint resolution be and the same is hereby amended by striking out the words "seventy dollars per month" and inserting in lieu thereof the words "three dollars per day from and after February 1, 1913."

SEC. 5. That section twelve (12) of said senate joint resolution be and the same is hereby amended by striking from said section the words "sixty dollars per month" wherever the same appears in said section and inserting in lieu thereof the words "three dollars per day from and after February 1, 1913."

Approved April 17 A. D. 1913.

## HOUSE JOINT RESOLUTION NO. 16.

## APPROVING ESTIMATES OF COST, PLANS AND SPECIFICATIONS FOR BUILDING AND IMPROVEMENTS AT CERTAIN STATE INSTITUTIONS.

House joint resolution approving estimate of cost, plans and specifications for buildings and improvements at the soldiers' orphans' home, school for the deaf, institute for feeble minded children, state sanatorium for the treatment of tuberculosis, industrial school for boys, Mount Pleasant state hospital for insane, Independence state hospital for insane, Clarinda state hospital for insane, Cherokee state hospital for insane, state hospital for inebriates, state penitentiary and state reformatory.

WHEREAS, the board of control of state institutions has submitted to the thirty-fifth general assembly of the state of Iowa, estimated cost, plans and specifications, for the erection of certain buildings and improvements to be completed and erected under the provisions of the laws enacted by the thirty-fifth general assembly, and

WHEREAS, said estimate of cost, plans and specifications are in every way proper and suitable, therefore



JOINT RESOLUTIONS OF THE THIRTY-FIFTH GENERAL ASSEMBLY

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

SECTION 1. That the plans and specifications for the erection of a hospital, at a cost not to exceed \$25,000.00, and for a school house at a cost not to exceed \$14,000.00, at the soldiers' orphans' home, submitted to the general assembly of Iowa for approval, are hereby approved.

SEC. 2. That the plans and specifications for the erection of a cottage for girls, at a cost not to exceed \$125,000.00, for an addition to the main building, bake shop, office, and school room, at a cost not to exceed \$20,000.00, for a kitchen and dining room for boys, at a cost not to exceed \$15,000., for a hospital for consumptives at a cost not to exceed \$8,000.00; for cow barn at a cost not to exceed \$9,000.00, at the institution for feeble minded children, submitted to the general assembly of Iowa for approval, are hereby approved.

SEC. 3. That the plans and specifications for the erection of a hospital for advanced cases of tubercular patients, for the treatment of tuberculosis, at a cost not to exceed \$50,000.00; for the erection of a medical building for the treatment of tuberculosis at a cost not to exceed \$35,000.00, at the state sanatorium for the treatment of tuberculosis, submitted to the general assembly of Iowa for approval, are hereby approved.

SEC. 4. That the plans and specifications for the erection of a wing to administration building, at a cost not to exceed \$60,000.00; for laundry building and equipment, at a cost not to exceed \$15,000.00, at the industrial school for boys, submitted to the general assembly of Iowa for approval, are hereby approved.

SEC. 5. That the plans and specifications for the erection of psychopathic hospital for men, at a cost not to exceed \$85,000.00; for an addition to infirmary, at a cost not to exceed \$15,000.00, at the state hospital for insane, at Mount Pleasant, submitted to the general assembly of Iowa for approval, are hereby approved.

SEC. 6. That the plans and specifications for building for home for employees, at a cost not to exceed \$57,500.00 at the state hospital for insane, at Independence, submitted to the general assembly of Iowa, for approval, are hereby approved.

SEC. 7. That the plans and specifications for the psychopathic hospital, at a cost not to exceed \$135,000.00 at the state hospital for insane, at Clarinda, submitted to the general assembly of Iowa for approval, are hereby approved.

SEC. 8. That the plans and specifications for the building for employees' home, at a cost not to exceed \$57,500.00; hospital for tubercular patients at a cost not to exceed \$50,000.00 at the hospital for insane at Cherokee, submitted to the general assembly of Iowa for approval, are hereby approved.

SEC. 9. That the plans and specifications for the hospital building at a cost not to exceed \$15,000.00; for custodial building at a cost not to exceed \$40,000.00, for state hospital for inebriates, submitted to the general assembly of Iowa for approval, are hereby approved.

SEC. 10. That the plans and specifications for the office and industrial building, including isolation cells, at a cost not to exceed \$38,000.00, at the state reformatory, submitted to the general assembly of Iowa for approval, are hereby approved.

## JOINT RESOLUTIONS OF THE THIRTY-FIFTH GENERAL ASSEMBLY

SEC. 11. The board of control of state institutions is hereby authorized to erect all of the buildings enumerated in sections one (1), two (2), three (3), four (4), five (5), six (6) seven (7), eight (8), of this joint resolution, and that the hospital for tubercular patients at the state sanatorium, for the treatment of tuberculosis, be erected during the year nineteen hundred fourteen (1914).

Approved April 25 A. D. 1913.

## SENATE JOINT RESOLUTION NO. 1.

## ADDITIONAL EMPLOYEES OF GENERAL ASSEMBLY.

Joint resolution relating to the selection of additional employes of the thirty-fifth 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 the following named persons, J. H. Hill, T. J. Hubbard, H. C. Corbin, A. J. Scott, John Troutner, Joseph Carmon, J. B. Cameron, G. W. Trude, R. O. Hughes, J. J. Lane, George D. Thomas, L. L. Couse, H. A. King, J. H. Hensal, to be designated as assistants to the custodian, whose duties shall be designated by him, and whose salary shall be seventy dollars per month.

SEC. 2. The secretary of state is hereby authorized and directed to appoint Ed I. Ramsey and J. W. Pace for service as clerks in the document department at a salary of seventy dollars per month.

SEC. 3. The secretary of state is hereby authorized and directed to appoint L. A. Mitchell and L. Snyders for service in the document room at a salary of seventy dollars per month.

SEC. 4. The secretary of the executive council is hereby authorized and directed to appoint W. E. Jenison for service in the supply department at a salary of seventy dollars per month.

SEC. 5. The custodian is hereby authorized and directed to appoint three experienced elevators tenders at a salary of sixty dollars per month.

SEC. 6. J. O. Jenkins is hereby appointed mail carrier.

SEC. 7. The law librarian is hereby authorized and directed to appoint Russell E. Ostrus assistant at a salary of seventy dollars per month.

SEC. 8. The law librarian is hereby authorized and directed to appoint Miss Elsie Leo stenographer at a salary of sixty dollars per month, and Edwin Berger page at a salary of forty-five dollars per month.

SEC. 9. C. P. Foster and Humphrey Richards are hereby appointed assistant doorkeepers of the senate.

SEC. 10. The custodian is hereby authorized and directed to appoint A. C. Henderson, W. C. Pugh, C. A. Smith and Henry Johnson as policemen at a salary of seventy dollars per month.

SEC. 11. B. R. Shipley is hereby appointed assistant bill clerk of the senate, at a salary of seventy dollars per month.

SEC. 12. The curator of the historical building is hereby authorized and directed to appoint Harry Northrup elevator tender at a salary of sixty dollars per month, and to appoint William Jackson, William L. Pointer and John Miller janitors at a salary of sixty dollars per month.

## JOINT RESOLUTIONS OF THE THIRTY-FIFTH GENERAL ASSEMBLY

SEC. 13. The speaker of the house is hereby authorized and directed to appoint Albert Litot page for service as telephone messenger at a salary of forty-five dollars per month.

SEC. 14. The custodian is hereby authorized and directed to appoint F. A. Hackley and Henry McCraven as assistant janitors in the house cloak and toilet rooms at a salary of three dollars per day.

SEC. 15. The custodian is hereby authorized and directed to appoint Mrs. William Coalson for service as assistant matron at a salary of sixty dollars per month.

SEC. 16. The secretary of state is hereby authorized and directed to retain as many clerks hereby appointed to serve in the document room as he may deem necessary for a period of time not to exceed two weeks after the adjournment of the thirty-fifth general assembly.

Approved January 27th A. D. 1913.

## SENATE JOINT RESOLUTION NO. 10.

REFERRING HOUSE JOINT RESOLUTION NO. 6 RELATING TO RIGHT OF SUFFRAGE TO THE THIRTY-SIXTH GENERAL ASSEMBLY.

Resolution referring house joint resolution number six (6), relating to the amendment proposed to section one (1) of article two (2) of the constitution of the state of Iowa, to the thirty-sixth general assembly.

WHEREAS house joint resolution number six (6) proposing an amendment to section one (1) of article two (2) of the constitution of Iowa has been duly adopted by both houses of the thirty-fifth general assembly of Iowa, now therefore

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

SECTION 1. That said house joint resolution number six (6) be and the same is hereby referred to the thirty-sixth general assembly of Iowa.

Approved April 8 A. D. 1913.

## JOINT RESOLUTIONS OF THE THIRTY-FIFTH GENERAL ASSEMBLY

## SENATE JOINT RESOLUTION NO. 14.

APPROVING ESTIMATES OF COST, PLANS AND SPECIFICATIONS FOR BUILDINGS  
AT THE STATE UNIVERSITY, STATE COLLEGE OF AGRICULTURE  
AND MECHANIC ARTS AND THE STATE TEACHERS COLLEGE.

Joint resolution approving estimates of cost, plans and specifications for buildings at the state university, the state college of agriculture and mechanic arts, and the state teachers college.

Approving estimates of cost, plans and specifications for the erection of new buildings at the state university, at the state college of agriculture and mechanic arts, and at the state teachers college.

Approving estimates of cost, plans and specifications for the erection of a gymnasium, reconstruction of roof of medical laboratory, changes in chemical laboratory, ware house, tunnel to Currier hall, kitchen for hospital, at the state university; a chemistry building, agricultural laboratories, transportation laboratory, animal husbandry laboratories, at the state college of agriculture and mechanic arts; a dormitory for women, and a manual training building at the state teachers college.

WHEREAS: The state board of education has submitted to the 35th general assembly of the state of Iowa, estimates of cost, plans and specifications for the election of a gymnasium, reconstruction of roof of medical laboratory, changes in chemical laboratory, ware house, tunnel to Currier hall, and kitchen for hospital at the state university; a chemistry building, agricultural laboratories, transportation laboratory, and animal husbandry laboratories, at the state college of agriculture and mechanic arts; a woman's dormitory and manual training building at the state teachers college, to be built and erected under the provisions of chapter 201 of the acts of the 34th general assembly, and

WHEREAS: The 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 gymnasium at a cost not to exceed one hundred twenty-five thousand dollars (\$125,000.00), reconstruction of roof of medical laboratory, at a cost not to exceed twelve thousand dollars (\$12,000.00), changes in chemical laboratory at a cost not to exceed eight thousand dollars (\$8,000.00), ware house at a cost not to exceed three thousand dollars (\$3,000.00), tunnel to Currier hall at a cost not to exceed thirteen thousand dollars (\$13,000.00), and kitchen for hospital at a cost not to exceed fifteen thousand dollars (\$15,000.00), at the state university, submitted to the general assembly of Iowa for approval, are hereby approved.

SEC. 2. That the plans and specifications for the erection of a chemistry building at a cost not to exceed two hundred fifty thousand dollars (\$250,000.00), agricultural laboratories at a cost not to exceed ninety-five thousand dollars (\$95,000.00), transportation laboratory, at a cost not to exceed sixty-five thousand dollars (\$65,000.00), animal husbandry laboratories at a cost not to exceed fifty thousand dollars (\$50,000.00), at the state college of agriculture and mechanic arts, submitted to the general assembly of Iowa for approval, are hereby approved.

## JOINT RESOLUTIONS OF THE THIRTY-FIFTH GENERAL ASSEMBLY

SEC. 3. That the plans and specifications for the erection of a woman's dormitory at a cost not to exceed one hundred thousand dollars (\$100,000.00), and a manual training building at a cost not to exceed one hundred thousand dollars (\$100,000.00), at the state teachers college, submitted to the general assembly of Iowa for approval, are hereby approved.

SEC. 4. The state board of education is hereby authorized to erect all of the buildings enumerated in sections 1, 2 and 3 of this joint resolution.

Approved April 19 A. D. 1913.

## SENATE JOINT RESOLUTION NO. 15.

## NUMBER AND COMPENSATION OF EMPLOYES OF STATE DEPARTMENTS.

## JOINT RESOLUTION.

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, 1915, 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.

	Per annum
For the office of the Attorney General.	
Two assistants to the attorney general at salaries, each, of not to exceed .....	\$2,500.00
Two stenographers at salaries, each, not to exceed.....	900.00
Additional assistance and contingent fund not to exceed the sum of..	6,500.00
To pay claims against the department prior to Jan. 1, 1910.....	1,000.00
One law clerk and stenographer .....	1,200.00
For the office of Auditor of State.	
One chief clerk in the insurance department at a salary not to exceed	1,800.00
One securities clerk in the insurance department, who shall give bond, at a salary of not to exceed .....	1,600.00
One fee clerk in the insurance department, who shall give bond, at a salary of not to exceed .....	1,400.00
Extra clerical assistance in insurance, revenue and banking departments, expense in adjusting accounts between the state and counties, expense in attending meetings of the insurance commissioners and such other expense as shall be approved by the executive council, not to exceed.....	1,000.00
One chief clerk in the revenue department at a salary of not to exceed	1,600.00
One chief clerk in the banking department at a salary of not to exceed	1,600.00
One assistant clerk in the banking department at a salary of not to exceed .....	1,000.00
Five stenographers at salaries, each, of not to exceed.....	900.00
One janitor at a salary of not to exceed.....	780.00
One chief clerk in the department of municipal accounting, also to serve as general clerk, at a salary of not to exceed.....	1,500.00
One additional clerk at a salary of not to exceed.....	1,200.00

## JOINT RESOLUTIONS OF THE THIRTY-FIFTH GENERAL ASSEMBLY

For the office of the Clerk of the Supreme Court. Per Annum  
 One clerk at a salary of not to exceed.....\$1,200.00  
 One clerk at a salary of 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 not to exceed ..... 840.00  
 For additional clerical assistance not to exceed ..... 150.00

## For the office of the Governor.

One pardon clerk at a salary of not to exceed..... 1,300.00  
 One requisition clerk at a salary of not to exceed..... 1,300.00  
 One notarial clerk and stenographer at a salary of not to exceed.... 900.00  
 One messenger and usher, who shall act as janitor, at a salary not  
 to exceed ..... 900.00

## For the State Librarian's office.

One cataloger at a salary of not to exceed..... 1,000.00  
 One stenographer and bookkeeper at a salary of not to exceed.... 900.00  
 One janitor at a salary of not to exceed..... 780.00  
 One legislative and general reference assistant, (who shall be under  
 the direction of assistant to librarian)..... 1,000.00  
 One stenographer for the law and document department at a salary  
 of not to exceed ..... 900.00  
 Extra allowance for special janitor work in the law department,  
 not to exceed ..... 200.00  
 One apprentice assistant in law department at a salary of not to exceed 300.00

## For the office of Railroad Commissioners.

One general clerk at a salary of not to exceed..... 1,300.00  
 One statistical and rate clerk at a salary of not to exceed..... 1,200.00  
 One assistant statistical and rate clerk at a salary of not to exceed.. 900.00  
 One reporter at a salary of not to exceed..... 1,200.00  
 Two stenographers at a salary, each, of not to exceed..... 900.00

## For the office of Secretary of State.

One chief clerk, who shall give bond, at a salary of not to exceed.... 1,600.00  
 One corporation clerk at a salary of not to exceed..... 1,200.00  
 One assistant corporation clerk at a salary of not to exceed..... 1,200.00  
 One general clerk at a salary of not to exceed ..... 1,200.00  
 Two stenographers at salaries, each, of not to exceed..... 900.00  
 One librarian of document department at a salary of not to exceed.. 1,200.00  
 One document clerk and accountant for storage building at a salary  
 of not to exceed ..... 1,200.00  
 One janitor and messenger at a salary of not to exceed..... 900.00

## Motor Vehicle Department.

One chief clerk at a salary of not to exceed..... 1,500.00  
 One cashier at a salary of not to exceed..... 1,200.00  
 One chief examiner of applications, at a salary of not to exceed.... 1,200.00  
 One bookkeeper at a salary of not to exceed..... 1,000.00  
 One stenographer, at a salary of not to exceed..... 900.00  
 One index clerk at a salary of not to exceed..... 900.00  
 One general clerk, (receipts, plates, etc.) at a salary of not to exceed 900.00

## JOINT RESOLUTIONS OF THE THIRTY-FIFTH GENERAL ASSEMBLY

Extra help (estimated).	Per Annum
Eight clerks at \$65.00 per month, each, for three months, Three clerks at \$65.00 per month, each, for four months, Two clerks at \$65.00 per month, each, for two months,	
For the office of Superintendent of Public Instruction.	
Two stenographers at salaries, each, of not to exceed.....	\$ 900.00
One janitor, at a salary of not to exceed.....	780.00
For extra clerical assistance, not to exceed.....	750.00
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 not to exceed .....	900.00
For stenographic and messenger service, not to exceed.....	6,300.00
For the office of Treasurer of State.	
One cashier, who shall give bond, at a salary of not to exceed.....	1,500.00
One bookkeeper at a salary of not to exceed.....	1,200.00
One general clerk at a salary of not to exceed.....	900.00
One stenographer at a salary of not to exceed.....	900.00
One watchman, who shall be janitor, and who shall be prohibited from depositing or handling state funds, at a salary of not to exceed .....	780.00
For additional clerical assistance and contingent, not to exceed....	300.00
For the office of the Curator of the State Historical Department.	
Two assistants to the curator, at salaries, each, of not to exceed.....	1,200.00
One clerk and stenographer at a salary of not to exceed.....	900.00
One museum director at a salary of not to exceed.....	1,200.00
Six guards, at salaries, each, of not to exceed.....	780.00
One porter, who shall be under forty-five years of age.....	780.00
One index clerk for archives department, at a salary of not to exceed	900.00
One matron, at a salary of not to exceed.....	780.00
The guards and porter above provided are in lieu of all janitors, elevator tenders and night watchmen heretofore provided for the historical building.	
For the Executive Council.	
One secretary at a salary of not to exceed.....	2,400.00
One clerk at a salary of not to exceed.....	1,600.00
One clerk in the supply room, who shall keep the stock book, the office supply accounts, make the quarterly reports to officers, and who shall give bond, at a salary of not to exceed.....	1,100.00
One capitol grounds extension representative, to be named by the gov- ernor, at a salary of not to exceed.....	1,500.00
For stenographic and clerical assistants to be employed by the sec- retary, upon the approval of the executive council, not to exceed	2,200.00
One postmaster, who shall carry mail as directed by the executive council, not to exceed.....	1,000.00
One janitor, who shall also be janitor for the board of health, to be named by the secretaries of the executive council and of the board of health, not to exceed.....	780.00

## JOINT RESOLUTIONS OF THE THIRTY-FIFTH GENERAL ASSEMBLY

For the Board of Control.	Per Annum
One chief accountant at a salary of not to exceed.....	\$1,800.00
One storekeeper and clerk at a salary of not to exceed.....	1,200.00
One estimate clerk at a salary of not to exceed.....	1,200.00
One stenographer and proofreader, at a salary of not to exceed....	1,000.00
Three 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.....	1,500.00
For the department of Geological Survey.	
One stenographer at a salary of not to exceed.....	900.00
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 not to exceed.....	1,000.00
For the office of the State Board of Health.	
One assistant secretary, not to exceed.....	1,200.00
One clerk and stenographer at a salary not to exceed.....	900.00
Extra clerical assistance not to exceed the sum of.....	900.00
For one clerk and stenographer for vital statistics at a salary of not to exceed .....	900.00
One keeper of accounts .....	900.00
For the office of Supreme Court Reporter.	
One clerk at a salary of not to exceed.....	720.00
For the office of the Library Commission.	
One secretary at a salary of not to exceed.....	1,600.00
One librarian, (traveling library) at a salary of not to exceed....	1,080.00
One field and reference assistant at a salary of not to exceed....	1,000.00
One library organizer at a salary of not to exceed.....	900.00
One clerk and general stenographer, at a salary of not to exceed...	900.00
One cataloger, not to exceed.....	900.00
One general assistant, at a salary of not to exceed.....	600.00
For extra help as needed, including service of shipping clerk, not to exceed .....	400.00
For the office of the State Pharmacy Commission.	
One secretary at a salary of not to exceed.....	1,500.00
For extra clerical assistance not to exceed the sum of.....	150.00
For the office of the Food and Dairy Commissioner.	
One clerk at a salary of not to exceed.....	900.00
One clerk at a salary of not to exceed.....	900.00
One janitor for rooms occupied by food and dairy commissioner and state veterinarian, at a salary of not to exceed.....	780.00
For extra clerical assistance, to be used only in case of necessity, on approval of executive council, not to exceed.....	1,000.00



## JOINT RESOLUTIONS OF THE THIRTY-FIFTH GENERAL ASSEMBLY

(For janitors for certain offices.)	Per Annum
For the offices of the department of agriculture (agricultural society) there shall be one janitor to be selected by them, at a salary of not to exceed .....	\$ 780.00
For the offices of the pharmacy department, mining inspector and labor bureau, there shall be one janitor, to be selected by the custodian, at a salary of not to exceed.....	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 not to exceed.....	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 not to exceed .....	780.00
The last four 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.....	1,200.00
One electrician and machinist at a salary of not to exceed.....	1,200.00
One assistant electrician and machinist at a salary of not to exceed..	1,000.00
One carpenter at a salary of not to exceed.....	1,000.00
One chief of police at a salary of not to exceed.....	900.00
Two night watchmen at salaries, each, of not to exceed.....	900.00
One boiler tender at a salary of not to exceed.....	900.00
Six firemen and wardens at salaries, each, of not to exceed.....	840.00
Eight floor janitor [janitors] at salaries, each, not to exceed.....	780.00
One storage room janitor, to be named by the executive council at a salary of not to exceed.....	780.00
One janitress to have charge of the ladies' toilet rooms at a salary of not to exceed .....	780.00
One elevator tender at a salary of not to exceed.....	780.00
Allowance for washing towels, not to exceed.....	600.00
One florist and yard man at a salary of not to exceed.....	840.00
Extra help as may be needed, not to exceed the sum of.....	720.00
One clerk and stenographer at a salary of not to exceed.....	900.00
Three janitors for capitol building, who shall be less than forty-five years of age, at a salary, each, of not to exceed.....	780.00

## For the bureau of Labor Statistics.

One clerk and statistician at a salary of not to exceed..... 1,000.00

All janitors employed 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 shall discharge any janitor for incompetency, neglect of duty or insubordination.

All employes provided for in this act shall devote their entire time to the service of the state, except that this requirement shall not be interpreted to prevent the allowance of a reasonable vacation, such vacation to be at the discretion of the head of the department or commission interested, and in no case to exceed two weeks in any one year.

## JOINT RESOLUTIONS OF THE THIRTY-FIFTH GENERAL ASSEMBLY

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.

No additional help shall be employed by the head of any department, and no additional pay shall be granted or authorized to any of the employes provided for in this act, without first having received the approval of the committee on retrenchment and reform.

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 25 A. D. 1913.

## SENATE JOINT RESOLUTION NO. 16.

## AUTHORIZING PUBLICATION OF WORKMEN'S COMPENSATION ACT.

## JOINT RESOLUTION.

Joint resolution authorizing and directing the secretary of state to publish, in pamphlet form, senate file No. 3, known as the workmen's compensation act.

WHEREAS, the people of the state of Iowa are interested in knowing the terms of the compensation act known as senate file No. 3, enacted by the thirty-fifth general assembly, for the purpose of enabling them to prepare and adjust their business to the change contemplated within, and as provided by such act. Now therefore,

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

That the secretary of state be and he is hereby authorized and directed to cause the act known as the Workmen's Compensation Act, senate file No. 3, to be printed in pamphlet form for general distribution to those who apply for a copy thereof, upon the payment of twenty-five (25c) cents, the proceeds received by the secretary of state to be paid into the state treasury. But not more than 5000 copies shall be printed in advance of actual sale.

This resolution being deemed of immediate importance shall be in full force and effect from and after its publication in the Des Moines Capital and Register and Leader newspapers published in Des Moines, Ia.

Approved April 19 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 24, 1913 and the Des Moines Capital April 25, 1913.

W. S. ALLEN,  
Secretary of State.

## CERTIFICATE

STATE OF IOWA,  
Office of Secretary of State.

I, W. S. Allen, Secretary of State of the state of Iowa, hereby certify that the acts and joint resolutions herein contained were copied from the enrolled bills and joint resolutions on file in this office, and that the same are true and correct copies of the acts and joint resolutions of the thirty-fifth general assembly as shown by the aforesaid bills and joint resolutions, except that the words and figures 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 second day of June, A. D. 1913.

[SEAL]

*W. S. Allen*

Secretary of State.

## CONDITION OF THE TREASURY

Department of the Auditor of State,  
Des Moines, Iowa, June 6, 1913.

Hon. W. S. Allen, 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-fifth general assembly, the following statement of the receipts and disbursements of public moneys for the biennial fiscal period commencing July 1, 1910, and ending June 30, 1912.

Respectfully,

*John L. Beasley*

Auditor of State.

## STATEMENT OF THE CONDITION OF THE TREASURY.

Showing amount of funds in the treasury belonging to each fund at close of last fiscal period ending June 30, 1910, the amount received from all sources during the biennial period ending June 30, 1912, disbursements during the period ending June 30, 1912, and balances in the treasury belonging to the several funds June 30, 1912.

Funds	Balance in Treasury July 1, 1910	Receipts from July 1, 1910 to July 1, 1912	Total to be accounted for	Disbursed during period ending June 30, 1912	Balance on hand, June 30, 1912
General revenue	\$ 1,965,915.35	\$ 9,270,224.40	\$10,234,240.24	\$ 9,222,754.30	\$ 1,011,485.94
Agricultural col. endowment fund, bonds	980,700.00		980,700.00	5,450.00	975,250.00
Agricultural col. endowment fund, cash	27.27	5,450.00	5,727.27		5,727.27
Special state university fund	300,777.14	282,482.02	583,259.16	310,000.00	273,259.16
Special Iowa state college fund	312,911.12	282,448.75	595,359.87	254,286.50	341,073.37
Special state teachers college fund	28,793.28	141,133.82	169,927.10	100,000.00	69,927.10
Sale of lake beds	3,911.68		3,911.68		3,911.68
Totals	\$ 1,589,589.47	\$ 9,983,830.48	\$11,573,419.95	\$ 9,927,490.80	\$ 1,645,929.15

## STATEMENT NO. 1.

Showing Receipts and Disbursements in General State Revenue During Fiscal Period Ending June 30, 1912.

## RECEIPTS.

General state revenue tax	\$ 4,669,623.65
Interest on delinquent state tax	21,145.67
Sale of laws by county auditors	3,680.40
From counties for support of insane	1,249,782.30
From counties for support of inebriates	47,079.74
From counties for clothing for blind	578.61
From counties for clothing for deaf	1,071.24
From counties for clothing for feeble-minded	47,940.75
From counties for support of orphans at Orphans' Home	71,320.01
Fees from auditor of state, insurance	139,368.19

## CONDITION OF THE TREASURY

Fees from auditor of state, building and loan.....	485.50
Fees from auditor of state, bank examiners.....	41,072.20
Fees from auditor of state, insurance examinations.....	5,896.75
Fees from auditor of state, municipal examiners.....	7,785.28
Fees from governor, notary certificates.....	15,630.00
Fees from clerk of supreme court.....	7,977.61
Fees from dairy commission.....	37,376.25
Fees from state entomologist.....	1,841.00
Fees from pharmacy commission.....	71,871.00
Fees from secretary of state.....	449,327.24
Fees from superintendent of public instruction.....	36,608.00
Fees from board of medical examiners.....	8,843.00
Fees from board of health.....	4,919.70
Fees from board of dental examiners.....	2,987.00
Fees from mine inspectors board of examiners.....	866.00
Fees from board of animal health.....	3,080.00
Fees from itinerant physician license.....	5,250.00
From insurance tax.....	710,246.26
From tax on freight lines and transportation companies.....	16,682.29
From sales and refunds by state institutions.....	124,649.82
From contract labor and support of patients state institutions.....	120,399.25
From banks for interest on average daily deposits.....	43,178.23
From collateral inheritance tax.....	490,849.46
From transfer from temporary school fund.....	1,315.61
From Federal aid to Soldiers' Home.....	116,383.50
From hunters license.....	180,946.03
From automobile tax.....	505,571.62
From miscellaneous sources.....	6,729.79
Total receipts from all sources.....	\$ 9,270,324.80
Balance on hand July 1, 1910.....	1,003,915.35
Total to be accounted for.....	\$ 10,274,240.24

## DISBURSEMENTS.

Auditor's warrants redeemed.....	\$ 9,232,754.20
Balance cash in treasury July 1, 1912.....	1,041,486.04
Total.....	\$ 10,274,240.24

## PERMANENT SCHOOL FUND.

Amount received by treasurer of state.....	\$ 7,933.99
Transferred to counties.....	\$ 7,933.99

## TEMPORARY SCHOOL FUND.

Amount received from interest on state bonds.....	\$ 1,415.61
Amount apportioned to counties.....	\$ 1,415.61

## STATEMENT NO. 2.

Showing the Amount of Warrants Issued and to what Charged During the Biennial Period Ending June 30, 1912.

Adjutant general, salary.....	\$ 4,400.00
Adjutant general, assistants and clerks.....	5,400.00
Adjutant general, temporary arsenal.....	2,000.00
Attorney general, salary.....	8,000.00
Attorney general, assistant and clerks fund.....	7,650.00
Attorney general, add. and contingent fund.....	10,277.05
Attorney general, traveling expense.....	2,231.20
Auditor of state, salary.....	4,400.00
Auditor of state, executive council.....	2,000.00
Auditor of state, deputy salary.....	3,600.00
Auditor of state, insurance actuary salary.....	7,735.65
AAuditor of state, assistant insurance examiner, per diem and expense.....	7,434.90
Auditor of state, clerk's fund.....	32,925.22
Auditor of state, extra clerk and contingent fund.....	1,564.85
Auditor of state, bank examiners.....	30,660.43
Auditor of state, municipal examiners.....	7,297.48
Agricultural college, support.....	475,027.47
Agricultural college, animal breeding.....	1,850.00
Agricultural college, library books, etc.....	9,800.00

## CONDITION OF THE TREASURY

Agricultural college, contingent and repair.....	46,000.00
Agricultural college, pure bred stock.....	3,568.59
Agricultural college, buildings and repairs and live stock.....	116,285.90
Agricultural college, engineering experiment department.....	11,280.80
Agricultural college, college departments.....	6,700.00
Agricultural college, experiment station.....	105,508.24
Agricultural college, cataloguer.....	600.00
Agricultural college, good roads experimentations.....	16,022.75
Agricultural college, experimental work.....	69,060.00
Agricultural college, furniture and fixtures.....	18,485.60
Agricultural college, extension work.....	15,006.49
Agricultural college, agricultural course.....	5,013.74
Agricultural societies, aid to.....	42,818.08
Automobile, tax fund.....	365,653.65
Board of parole, members, per diem.....	8,500.00
Board of parole, secretary's salary.....	3,983.83
Board of parole, additional help and expense.....	11,650.64
Board of parole, return of paroled prisoners.....	419.13
Board of control, members and secretary's salary.....	22,000.00
Board of control, architect's salary.....	6,000.00
Board of control, architect and expense.....	2,099.27
Board of control, clerk's fund.....	18,569.56
Board of control, general expense.....	4,173.56
Board of control, state agent.....	10,045.32
Board of control, inspection of private insane institutions.....	3,210.98
Board of control, tuberculosis investigation.....	7,790.49
Board of control, transportation to state hospital.....	196.47
Board of control, quarterly conference expense.....	412.62
Board of dental examiners.....	3,162.93
Board of health, general expense.....	9,735.02
Board of health, clerk's fund.....	5,640.83
Board of health, embalmers' department.....	3,017.43
Board of health, vital statistics.....	3,695.33
Board of health, nurses' department.....	1,552.16
Board of medical examiners.....	8,711.58
Board of optometry.....	703.29
Board of health, antitoxine department.....	1,637.77
Bacteriological laboratory.....	11,684.52
Board of educational examiners.....	31,985.04
Commission of animal health.....	2,014.14
Clerk of supreme court, salary.....	4,400.00
Clerk of supreme court, deputy salary.....	3,600.00
Clerk of supreme court, clerk's fund.....	5,896.25
Collateral inheritance tax, enforcement fund.....	25,590.78
Collateral inheritance tax, court costs.....	226.30
Collateral inheritance tax, refund.....	1,386.66
Commission of labor, salary.....	3,600.00
Commission of labor, deputy salary.....	3,000.00
Commission of labor, factory inspector.....	4,750.00
Commission of labor, clerks fund.....	1,900.00
Commission of labor, expense fund.....	3,863.84
Custodian public property, salary.....	2,915.32
Custodian public property, extra help.....	1,670.77
Custodian public property, employes.....	59,082.76
Custodian public property, shoveling snow.....	855.97
Court costs by state departments.....	1,848.26
Clock for watchman.....	515.54
Department of agriculture, secretary and assistants' salary.....	4,900.00
Department of agriculture, insurance of buildings.....	2,000.00
Department of agriculture, improvements.....	85,000.00
District judges' expense outside of districts.....	785.68
Department of G. A. R.....	1,496.63
District judges' salaries, 56 judges.....	384,163.89
Engravings, plates and cuts.....	2,605.51
Executive council, clerk's fund.....	15,627.50
Executive council, contingent fund.....	1,908.90
Expert accountant.....	3,012.62
Employers' liability commission.....	4,759.77
Executive council, repairs to state house.....	9,582.81
Fish and game, warden's salary.....	966.67
Fish and game, general expense.....	137,944.74
Fish and game, boundary waters department.....	2,446.99
Food and dairy commissioner, salary.....	4,840.00
Food and dairy commissioner, deputy and assistants.....	13,982.21
Food and dairy commissioner, general expense.....	43,873.16
Food and dairy commissioner, encouragement of industry.....	10,052.48
Food and dairy commissioner, chemist's salary.....	4,480.00
Food and dairy commissioner, clerk's fund.....	5,260.00
Food and dairy commissioner, encouragement of beef industry.....	6,205.93
Food and dairy commissioner, food and feeding stuffs.....	5,911.87
Freight, express and cartage.....	20,655.39
Farmers' institutes.....	12,314.06
General assembly, thirty-fourth, members' mileage.....	2,118.40
General assembly, thirty-fourth, employes.....	52,597.27
General assembly, thirty-fourth, members' salaries.....	86,000.00
General assembly, thirty-fourth, chaplain.....	660.00
General assembly, thirty-fourth, special expense.....	823.94

## CONDITION OF THE TREASURY

General assembly, thirty-fourth: special appropriations.....	4,070.22
Gray uniforms, 2d and 3d Iowa Infantry.....	57.00
Governor's salary.....	11,200.00
Governor's executive council service.....	2,000.00
Governor's private secretary, salary.....	3,600.00
Governor's clerk's fund.....	8,847.96
Governor's contingent fund.....	864.97
Governor's contingent fund to pay council.....	150.00
Governor's return of fugitives.....	9,603.27
Governor's return of paroled prisoners.....	171.60
Governor's reward for arrest of murderers.....	300.00
Geological survey, general expense.....	15,544.59
Geological survey, clerk's fund.....	2,000.00
Historical department, curator's salary.....	1,599.99
Historical department, completing building.....	24,798.40
Historical department, support of society.....	28,268.98
Historical department, clerks and janitors.....	12,531.32
Historical department and library consolidated.....	15,250.36
Horticultural society support.....	8,000.00
Inebriate, return of escaped.....	621.35
Insane, return of escaped.....	678.97
Insane, non-resident.....	1,288.74
Insane, commission of inquiry.....	196.25
Insane, transportation of.....	28.04
Iowa library commission, salaries.....	11,151.00
Iowa library commission, expense.....	8,548.54
Interest on state school fund bonds.....	1,315.81
Iowa weather and crop.....	5,237.47
Iowa national guard, permanent camp grounds.....	14,179.00
Inauguration expense.....	462.83
Laboratory for hog cholera serum.....	6,915.98
Mine inspectors, salaries.....	10,800.00
Mine inspectors, expense.....	3,339.66
Mine inspectors, board of examiners.....	4,803.59
Mine inspectors, clerk's fund.....	2,000.00
Miscellaneous code, 165.....	101,384.24
Miscellaneous code, 165, fuel.....	21,633.06
Miscellaneous code, 164.....	13,992.36
Militia.....	258,941.14
Monument, Vicksburg national park.....	31,369.90
Monument at Shiloh.....	7,448.75
Monument to unknown soldiers at Keokuk.....	300.00
Oil inspectors.....	52,656.58
Postmaster, salary and expense.....	2,508.19
Publishing acts of general assembly.....	557.67
Providential contingent fund.....	12,397.95
Pharmacy commission.....	12,108.39
Public archives.....	4,104.00
Prison breach, return of.....	269.25
Refund to counties, overpayment state institution acc'ts.....	596.39
Roster of Iowa soldiers.....	4,552.27
Relief of Hull.....	480.00
Relief of Metz.....	480.00
Railroad commission's and secretary's salaries.....	16,500.00
Railroad commission, clerk's fund.....	10,744.66
Railroad commission, expense.....	2,486.50
Railroad commission, investigation freight rates.....	16,533.31
Railroad commission, maps.....	3,194.00
Railroad commission, commerce counsel salary.....	5,000.00
Removal of officers.....	69.23
Reward for escaped prisoners.....	200.00
State entomologist.....	1,877.32
State librarian and assistant's salaries.....	16,200.00
State librarian, cataloguer and janitors.....	8,344.00
State librarian, law department.....	9,920.00
State librarian, miscellaneous department.....	5,806.13
State binder.....	48,658.76
State printer.....	93,757.48
Secretary of state, salary.....	4,400.00
Secretary of state, executive council.....	2,000.00
Secretary of state, deputy salary.....	3,000.00
Secretary of state, clerk's fund.....	31,681.76
Secretary of state, indexing journals.....	300.00
Superintendent of public instruction, salary.....	4,400.00
Superintendent of public instruction, deputy.....	3,000.00
Superintendent of public instruction, clerks.....	5,475.93
Superintendent of public instruction, school journals.....	198.00
Superintendent of public instruction, traveling expense.....	505.03
Superintendent of weights and measures.....	99.75
Supreme judges salaries, six judges.....	72,000.00
Supreme court bailiff and stenographers.....	12,377.00
Supreme court contingent fund.....	695.66
Supreme court reporter.....	6,000.00
Supreme court reporter, clerk.....	1,440.00
State university support.....	754,768.94
State university contingent and repair.....	39,752.75
State university buildings and improvements.....	65,500.00

## CONDITION OF THE TREASURY

State university, purchase of land.....	37,500.00
State university, library.....	33,001.37
State fire marshal.....	7,849.10
State board of educational institutions, per diem and expense.....	3,121.50
State board of educational institutions, finance committee.....	21,000.00
State board of educational institutions, clerks and expense.....	21,940.97
State teachers' college, support.....	201,412.08
State teachers' college, summer term.....	19,601.63
State teachers' college, nurses' hospital.....	2,000.69
State teachers' college, contingent and repair.....	89,604.40
State teachers' college, buildings and improvements.....	500.00
State teachers' college, library and assistants.....	24,406.60
State drainage commission.....	3,172.21
Survey of lake beds.....	2,641.61
Special appropriation 33d G. A.....	28.95
Special appropriation for dam at Marshalltown.....	4,000.00
Treasurer of state, salary.....	4,400.00
Treasurer of state, executive council.....	2,000.00
Treasurer of state, deputy.....	3,600.00
Treasurer of state, clerk's fund.....	11,160.00
Treasurer of state, extra clerk and contingent.....	1,163.44
Treasurer of state, bond fund.....	4,000.00
Teachers' institutes.....	10,300.00
Thirty-fourth G. A., special appropriations.....	2,784.16
Training teachers for normal schools.....	18,837.19
Temporary tax commission.....	6,111.08
Twenty-seventh G. A., special appropriation.....	188.93
Vinton college for the blind support and current expense.....	67,719.54
Vinton, buildings and improvements.....	28,492.85
Veterinary surgeon, salary.....	3,600.00
Veterinary surgeon, clerk's fund.....	4,200.00
Veterinary surgeon, assistants per diem and expense.....	19,781.94

## STATE INSTITUTIONS UNDER BOARD OF CONTROL.

Anamosa Penitentiary—	
Support and current expense.....	\$ 265,463.96
Buildings and improvements.....	45,964.00
Cherokee Hospital for Insane—	
Support and current expense.....	320,885.77
Buildings and improvements.....	35,712.65
Clarinda Hospital for Insane—	
Support and current expense.....	351,981.95
Buildings and improvements.....	44,229.21
Council Bluffs School for the Deaf—	
Support and current expense.....	129,275.00
Buildings and improvements.....	11,894.36
Davenport Soldiers' Orphans' Home—	
Support and current expense.....	181,803.21
Buildings and improvements.....	8,987.35
Eldora Industrial School for Boys—	
Support and current expense.....	147,845.12
Buildings and improvements.....	54,100.12
Ft. Madison Penitentiary—	
Support and current expense.....	221,112.50
Buildings and improvements.....	67,061.72
Glenwood Institution for Feeble-minded—	
Support and current expense.....	410,759.87
Buildings and improvements.....	43,378.34
Independence Hospital for Insane—	
Support and current expense.....	362,408.44
Buildings and improvements.....	78,003.36
Knoxville Hospital for Inebriates—	
Support and current expense.....	80,727.17
Buildings and improvements.....	6,226.05
Marshalltown Soldiers' Home—	
Support and current expense.....	329,614.47
Buildings and improvements.....	20,374.54
Mitchellville Industrial School for Girls—	
Support and current expense.....	87,458.45
Buildings and improvements.....	15,924.43
Mt. Pleasant Hospital for Insane—	
Support and current expense.....	361,062.48
Buildings and improvements.....	52,114.65



## CONDITION OF THE TREASURY

Oak Dale Sanatorium for Tuberculosis—	
Support and current expense.....	110,271.91
Buildings and improvements.....	22,134.29
Purchase of land for state institutions.....	27,219.35
Total warrants issued from July 1, 1910, to July 1, 1912.....	\$ 9,251,721.71
Warrants outstanding July 1, 1910.....	47,001.30
Total .....	\$ 9,298,723.01
Warrants redeemed from July 1, 1910, to July 1, 1912.....	9,232,754.20
Warrants outstanding July 1, 1912.....	65,968.81
Total .....	\$ 9,298,723.01

## STATEMENT NO. 3.

## Miscellaneous Items.

## WARRANTS—SPECIAL UNIVERSITY.

Warrants issued from July 1, 1910, to July 1, 1912.....	\$ 310,000.00
Warrants redeemed from July 1, 1910, to July 1, 1912.....	310,000.00

## WARRANTS—SPECIAL AGRICULTURAL COLLEGE.

Warrants issued from July 1, 1910, to July 1, 1912.....	284,296.20
Warrants redeemed from July 1, 1910, to July 1, 1912.....	284,296.20

## WARRANTS—SPECIAL STATE TEACHERS' COLLEGE.

Warrants issued from July 1, 1910, to July 1, 1912.....	\$ 105,000.00
Warrants redeemed from July 1, 1910, to July 1, 1912.....	105,000.00



# INDEX

	Page
ABANDONED CEMETERIES—Tax may be used for support and maintenance of	44
ABATEMENT OF NUISANCES—Emission of dense smoke within corporate limits of cities .....	43
Regulation of slaughter houses and other such places.....	50, 51
ABORTION—Aiding in, revocation of physicians' license.....	238
ABSENTEE—Administration on estate of, bar .....	292
ABSTRACTS—Of primary election returns on United States senator filed with secretary of state .....	97
ABUTTING PROPERTY—Jurisdiction over, by dock board.....	64
May be assessed for improvement of streets and public grounds in certain towns .....	68
Assessable for sanitary or storm waterways in special charter cities.....	70
ACCOUNTANTS, EXPERT—Employed by committee on retrenchment and re- form .....	23
ACKNOWLEDGMENTS—Legalized where defective .....	278, 279
ACTION IN REM—To restore lost or destroyed records.....	302
ACTIONS—Involving drainage districts, board of supervisors proper party.....	180
For recovery of real estate where deed was recorded prior to January 1, 1890	296
To set aside will must be commenced within one year.....	297
Against unknown defendants—manner of commencement of.....	299
ADDITIONAL EMPLOYEES—Of Thirty-fifth General Assembly—joint resolution fixing compensation and duties .....	430
ADMINISTRATION OF ESTATES—Of absentees .....	292
ADMINISTRATORS—Funds of, how invested.....	37
ADMISSION—To soldiers' home of members who pay their own support.....	20
Fathers and mothers of soldiers admitted to soldiers' home.....	243
Army nurses admitted to soldiers' home.....	243
Of pupils to school for deaf and dumb.....	255
To state colony for epileptics .....	257
To sanatorium for treatment of advanced stages of tuberculosis.....	258
ADVERTISEMENT—On state or United States flag prohibited.....	315
ADVERTISING, FRAUDULENT—By transient merchants prohibited.....	52
Fraudulent advertising defined .....	316
AFFIDAVIT—Of transient merchant filed with county auditor before offering goods for sale .....	52
Of candidate for senator or representative, relative to election of United States senator .....	96, 97
Of candidates for delegates .....	99
For president or vice-president .....	100
On appeal from decision of state board of medical examiners.....	239
Explaining defects in title arising prior to January 1, 1900, on record— conclusive evidence .....	289
Of editor, legalized in all cases where decrees were obtained prior to Janu- ary 1, 1911 .....	299
AGENTS—Under Blue Sky law, how and when appointed.....	141
AGRICULTURAL COLLEGE—(See Iowa State College of Agriculture and Me- chanic Arts.)	
AGRICULTURAL DEPARTMENT—(See Department of Agriculture.)	
AGRICULTURAL SOCIETIES—(See County Agricultural Societies.)	
AGRICULTURE—County corporations for improvement of.....	146
Teaching of elementary agriculture, domestic science and manual training in public schools .....	266
AIR AND ESCAPE SHAFTS IN GYPSUM MINES—Two distinct openings.....	218
Location and construction of air shafts .....	218
Escape shafts equipped with stairway—how constructed.....	218, 219
Escape shafts equipped with hoisting apparatus.....	219
Escape shafts equipped with fans for ventilating purposes.....	219
Time limits in which to make outlets.....	219

## INDEX

	Page
AIR CURRENT IN GYPSUM MINES—Amount of air to be supplied.....	219
Distance of, from working face.....	219
Mine inspectors may order changes.....	219
ALDERMAN—Filling of vacancies in office of.....	78
ALLISON MEMORIAL COMMISSION PLAN—Erection of capitol ground build- ings in accordance with.....	17
ALTERNATE DELEGATES—To national convention, election of.....	99
When alternates are entitled to be delegates.....	102
AMENDMENT—To charter, articles of incorporation or by-laws, filed with secre- tary of state under Blue Sky law.....	138
Joint resolution proposing amendment to constitution of Iowa providing time for holding general election.....	422
Joint resolution proposing amendment to constitution of Iowa relative to taxation of certain classes of property for state revenue purposes..	422, 423
Joint resolution proposing amendment to constitution of Iowa providing for initiative and referendum.....	423
Joint resolution proposing amendment to constitution of Iowa relative to right of suffrage.....	426
ANALYSIS—Of calcium carbide—when made.....	225
ANAMOSA REFORMATORY—Compensation of officers and employes of.....	322
ANIMAL HUSBANDRY—County corporations for improvement of.....	146
ANNIVERSARY—Appropriation for celebration of fiftieth anniversary of battle of Gettysburg.....	345
ANNOTATIONS—For code supplement.....	2
Appropriation for.....	328
ANNUITIES, COLLATERAL—(See, also, collateral inheritance tax.)	
Collection of tax on.....	108
ANNULMENT—Legalizing certain decrees to annul marriages where service of original notice was by publication.....	287
Of illegal marriages—original notice may be served by publication—when..	298
APPARATUS—For department of public safety.....	81
APPEAL—How made in cases transferred from mayor's court to justice of peace	49
From decision of secretary of state under Blue Sky law.....	141
From decision of industrial commissioner.....	168
Involving drainage districts.....	180
From award of commission when private property is taken for internal im- provement.....	184
From decision of state board of medical examiners—procedure.....	239
When triable.....	239
APPLICATION—For registration of highways.....	120
For registration of motor vehicles.....	127
For appointment of board of arbitration—by whom.....	303
When made by both parties to dispute, must state whether terms of board of arbitration are to be binding.....	304
For writs of habeas corpus, to whom made.....	305
APPOINTMENT—Of additional judge of supreme court.....	26
Of judge in fourth judicial district.....	30
Of judge in fifteenth judicial district.....	31
Of trustees of cemetery funds, by district court.....	32
Library trustees in certain cities.....	85
Superintendent of public instruction by governor.....	90
Clerk and reporter of supreme court.....	93
Mine inspectors, term of office.....	218
Members of board of health, term, qualifications.....	232
Board of arbitrators—by whom.....	303
Clerk of grand jury—duties—compensation.....	319
APPRAISERS AND COMMISSIONERS—For drainage districts—compensation of.....	184
APPROPRIATIONS—General and Special—	
For compilation and publication of supplement to the code, 1913.....	3
To pay claims upon certain school lands in Webster and Hamilton counties	6
To pay state examiners of county records.....	9
To pay expenditures of executive council in making investigations.....	15
To pay expert accountants and efficiency engineers employed by committee on retrenchment and reform.....	23
For improvement and maintenance of county hospitals.....	38

## INDEX

APPROPRIATIONS—Continued	Page
For dues in League of Iowa Municipalities, authorized.....	50
For salaries and expenses under Blue Sky law.....	140
For salary and expenses of industrial commissioner.....	166
For carrying out provisions of workmen's compensation act.....	166, 167
For support of the National Guard.....	205
For public health purposes .....	234
For work of state entomologist .....	235
For department of state fire marshal.....	246
For establishment of laboratory for manufacture of hog cholera serum....	251
For establishment of teachers' training school.....	262
For certain consolidated schools where vocational and industrial subjects are taught .....	268
For general levy for state purposes.....	325
For state and judicial officers, state and other expenses.....	325
For erection of women's and children's building on state fair grounds....	337
For promotion of horticulture through scientific breeding.....	341
To reimburse certain employes of school for deaf for loss of clothing by fire.	342
To state board of health to pay expense of improving sanitary conditions where complaint is made by five or more citizens.....	342
For encouragement of dairy and beef cattle growing industries.....	343
For prosecution of interstate rate cases.....	345
To assist in celebration of fiftieth anniversary of battle of Gettysburg.....	345
For home coming of Iowa veterans.....	347
For inaugural expenses .....	347
For election contest of Kimball-Goodwin.....	348
For election contest of Gillette-Coburn.....	348
To indemnify Clara Bahl's .....	350
To indemnify Allan W. Hamaker.....	351
To indemnify H. C. Jackson .....	351
For personal injuries sustained by M. O. Clemmens.....	351
To reimburse estate of W. R. Benton.....	352
To reimburse Clifford Thorne for printing of briefs and traveling expenses in final hearing before interstate commerce commission.....	357
To aid in paving East Washington street, Mt. Pleasant.....	358
To pension survivors of Spirit Lake Expedition.....	362
<b>APPROPRIATIONS—State Institutions—</b>	
For soldiers' home .....	244
For support of inmates in soldiers' orphans' home.....	253
For support of industrial schools for boys and girls.....	254
For buildings and equipment for treatment of patients in advanced stages of tuberculosis .....	259
For library commission .....	275
For general support of prisoners in reformatory and penitentiary.....	322
For additional funds for soldiers' home.....	332
For additional funds for industrial school for boys.....	332
For additional funds for industrial school for girls.....	332
For additional funds for state penitentiary .....	332
For additional funds for state reformatory .....	332
For cell bank at state penitentiary.....	332
For soldiers' home, improvements and repairs.....	333
For soldiers' orphans' home, improvements and repairs.....	333
For school for the deaf, improvements and repairs.....	333
For institution for feeble-minded children, improvements and repairs....	333
For sanitorium for treatment of tuberculosis, improvements and repairs....	333
For industrial school for boys, improvements, repairs, etc.....	334
For industrial school for girls, improvements, repairs, etc.....	334
For Mt. Pleasant state hospital—improvements, repairs, etc.....	334
For Independence state hospital, improvements, repairs, etc.....	335
For Clarinda state hospital, improvements, repairs, etc.....	335
For Cherokee state hospital, improvements, repairs, etc.....	335
For Knoxville state hospital, improvements, repairs, etc.....	335
For Ft. Madison penitentiary, improvements, repairs, etc.....	335
For Anamosa reformatory, improvements, repairs, etc.....	336
For state university, payable in twelve equal monthly installments.....	336
For Iowa state college of agriculture and mechanic arts, payable in twelve equal monthly installments .....	336

APPROPRIATIONS—State Institutions—Continued.	Page
For Iowa state teachers college, payable in twelve equal monthly installments	336
For college for blind, payable in twelve equal monthly installments.....	336
For state historical society for permanent support and applied history re- search .....	338
For state university, support, repair and contingent fund.....	339
For state university for improvements, land, etc.....	339
For state teachers' college, support and contingent fund.....	339
For state teachers' college, furniture and paving.....	340
For college for the blind, support, repair and contingent fund.....	340
For college for the blind, well, equipment and extension fund.....	340
For agricultural college, support, extension work, etc.....	340
For Iowa state college of agriculture and mechanic arts, construction and equipment of chemistry building .....	341
APPROVAL—Of plans and specifications of buildings under control of state board of education, by state architect .....	338
ARBITRATION—(See board of arbitration)— Under workmen's compensation act—committee—how formed, oath, duties, decisions, expenses, how paid.....	167
ARCHIVES—(See Hall of Archives.)	
ARMORY RENT—Allowance to National Guard for.....	204
ARMY NURSES—May be admitted to soldiers' home.....	243
ARNOLD, JACOB—Issuance of patent to, authorized.....	364
ARTICLES OF INCORPORATION—(See corporations for pecuniary profit)— Index of articles by county recorder—form.....	134
ASSESSMENT—To secure bonds for fire equipment.....	56
Special, for street improvements, may be levied against property within three hundred feet .....	68
Special, for street improvements and sewers.....	70
Of cost of sanitary or storm waterway against abutting property in special charter cities .....	70
Of property for reconstruction of street improvements.....	71
For street improvements .....	71
How paid when previous assessment is void.....	71
For construction of main sewer, may cover entire drainage area.....	73
Of stock of building and loan associations.....	107
For drainage, payable by drainage warrants.....	178
For benefit of roads in drainage districts—how paid.....	181
ASSESSOR—Elected biennially in cities of second class.....	46
Compensation of assessors and deputies in cities and towns, same as town- ship, except in certain cities.....	48
To be furnished with list of stockholders by banks.....	105
Building and loan associations to furnish statement to.....	107
ASSIGNMENTS—Of original entry or certificate in certain cases, same force as deeds of conveyance .....	291
ASSISTANT ATTORNEY GENERAL—How appointed, salary.....	27
ASSOCIATIONS—For support and maintenance of cemeteries.....	44
ATLANTIC, TOWN OF—To legalize certain resolution of.....	378
ATTORNEY GENERAL—To appear for counties, cities and towns in certain cases when directed by governor.....	5
Salary of .....	8
Assistant, how appointed .....	27
Appropriation for office of.....	326
Expenses incurred in investigations, appropriation for.....	331
Number and compensation of employes of.....	433
ATTORNEYS—(See also County Attorney)—Admitted to practice in another state, requirements in this state.....	37
AUCTION—Baggage of guests of hotels may be sold to satisfy liens.....	286
AUDITOR—(See County Auditor.)	
AUDITOR OF STATE—Salary of.....	8
To appoint examiner of counties.....	9
To install uniform system of accounting .....	9
To examine county records annually.....	9-11
Duplicate statement of daily accounting filed with.....	23
To publish annual reports of municipal accounts.....	82
To furnish county auditor list of stockholders of foreign building and loan associations, etc. ....	107
To approve compensation of directors of state and savings banks.....	173

451  
INDEX

AUDITOR OF STATE—Continued.	Page
To be furnished list of real and personal estate by trust companies, state and savings banks .....	177
To be member of board of appointment of state board of health.....	232
Appropriation for office of.....	326
To draw warrants in favor of treasurer of state horticultural society for promotion of horticulture .....	341
To draw warrants on order of V. P. Twombly for expense of home coming of Iowa veterans .....	347
To draw warrants for inaugural expenses.....	347
To draw warrant to reimburse estate of W. R. Benton.....	352
Number and compensation of employes of.....	433
AUDUBON COUNTY—Fifteenth judicial district.....	31
AURELIA, TOWN OF—To legalize issuance of bonds and warrants in establishment of water and gas plant.....	380
AUTHORITY—Additional, granted to committee on retrenchment and reform..	24
AUTOMOBILE—(See motor vehicle).	
AUTOMOBILE INSURANCE—Against loss resulting from accidents.....	150
AWARD—Appeal from—how taken—change of venue.....	184
AYRSHIRE, TOWN OF—To legalize ordinances and transcripts of.....	377
BADGES—For house and senate employes, appropriation for.....	328
BAGGAGE—Of hotel guests may be sold to satisfy liens.....	286
BAHLS, CLARA—Appropriation to indemnify.....	350
BAKERIES—(See food producing establishments).	
BALLOTS—Form of, in election of United States senators.....	97
Form of, in primary elections .....	100
Printing, uniform in color, quality, texture and size, how counted.....	102
Election of officers in independent school districts.....	264
Form of, in submitting question of creation of Larrabee county.....	353
BANKS—(See also Savings Banks).	
Local or other, to be depositories of daily balances of city treasurers—bond	47
Refusal to furnish list of stockholders to assessor.....	105
To pay interest on deposits of school treasurers.....	266
To legalize incorporation of Humboldt state bank, Humboldt.....	396
BANK STOCKS—Taxation of, refusal by banks to report to assessor.....	105
BEDFORD, CITY OF—To legalize certain warrants issued by and acts of.....	381, 382
To legalize certain ordinances of.....	383
BEE INSPECTOR—Inspection of bees by—compensation and expenses.....	236
Appropriation for .....	330
BEES—Importation of diseased bees prohibited .....	235
Certificate of health .....	235
Violation—penalty .....	235
Inspection of, by state inspector.....	236
BEEF AND DAIRY CATTLE GROWING INDUSTRIES—Appropriation for encouragement of .....	344
BEEF CATTLE BREEDERS' ASSOCIATION—Organization—verified proof filed with secretary of state .....	343
Instruction—inspection—executive board.....	344
Compensation, expenses, how paid .....	344
Appropriation for .....	344
BELLE PLAINE, CITY OF—To legalize certain warrants issued by and acts of..	383
BENTON, W. R.—Appropriation to reimburse estate of .....	352
BEQUESTS—(See also Collateral Inheritance Tax.)	
To cemeteries, how used and invested.....	33
Collection of tax on.....	108
BERRY BOXES—Standard size of .....	282
BIDS—Public officers not to divulge contents of sealed bids.....	20
For construction of public docks .....	66
BLACK HAWK COUNTY—In tenth judicial district .....	28
BLANKS—For registration of highway routes furnished by state highway commission .....	120
BLIND, COLLEGE FOR—(See also College for Blind.)	
Salary of chief executive of.....	256
BLUE SKY LAW—Sale of certain stocks and bonds prohibited .....	137
Permits to be granted by secretary of state .....	137
Information, documents, statements—filed—fee .....	138
Amendments approved by secretary of state .....	138
Certified financial statement—fee—failure—forfeit.....	139

<b>BLUE SKY LAW—Continued.</b>	<b>Page</b>
Accounts open to inspection .....	139
Permits cancelled—when .....	139
False statements—guilty of felony.....	140
Sale of stocks without permit—misdemeanor.....	140
Duties of secretary of state.....	140
Collection—fees—records—office assistants .....	140
Appeals—how made .....	141
Agents, when and how appointed—standard securities .....	141
Stock brokers permits .....	141
Reports .....	141
Bona fide owner, resident of state.....	142
Permit, form of .....	142
Words to be printed across face of permit.....	142
Terms defined—acts in conflict repealed .....	143
<b>BOARDING HOUSES—When provided with sleeping rooms for rent or hire, must have means of escape from fire .....</b>	<b>313</b>
<b>BOARD OF APPOINTMENT—For purpose of organization of state board of health—members .....</b>	<b>232</b>
<b>BOARD OF ARBITRATION—For settlement of disputes between employer and employe .....</b>	<b>303</b>
Petition for appointment filed with Governor .....	303
How appointed .....	303
Organization—compensation .....	304
Power to summon witnesses .....	304
Investigations may be conducted beyond limits of state—completed—when ..	304
Decision, filed with governor, binding one year.....	304, 305
Decision published by labor commissioner .....	305
Expenses—how paid .....	305
<b>BOARD OF CONTROL—Duty as to maintenance of roads over state grounds ..</b>	<b>119</b>
May commit patients to custodial department for inebriates .....	206
Duty as to admissions to soldiers' home.....	243
Can consent to admission of pupils over twenty-one years of age at school for deaf and dumb .....	255
Establishment of state colony for epileptics, purchase of land, erection of buildings .....	257
Transfer of patients from county asylum.....	256
To fix per capita allowance for patients in state sanatorium for treatment of tuberculosis .....	258
To fix salaries of officers and employes of reformatory at Anamosa and penitentiary at Fort Madison—approved by governor.....	321, 322
Additional draftsmen—appropriation for .....	328
Appropriation to aid in paving East Washington St., Mt. Pleasant, expended by .....	358
Plans, specifications and estimated cost of buildings and improvements for certain state institutions submitted by.....	428-430
Number and compensation of employes of .....	436
<b>BOARD OF CURATORS—Appropriation paid to state historical society on order of</b>	<b>338</b>
<b>BOARD OF DIRECTORS OF SCHOOL CORPORATIONS—Power to contract with free public library .....</b>	<b>60</b>
<b>BOARD OF EDUCATION—(See State Board of Education.)</b>	
<b>BOARD OF ELECTION—How chosen .....</b>	<b>104</b>
<b>BOARD OF EXAMINERS—For license of plumbers.....</b>	<b>51</b>
<b>BOARD OF HEALTH—(See State Board of Health.)</b>	
<b>BOARD OF HOSPITAL TRUSTEES—To determine amount necessary for maintenance and improvement of county hospitals .....</b>	<b>38</b>
<b>BOARD OF MEDICAL EXAMINERS—(See also State Board of Medical Examiners.)</b>	
Appeal from decision of .....	239
<b>BOARD OF PAROLE—Clerk of district court to make criminal reports to....</b>	<b>34</b>
Duty regarding unsexing of habitual criminals, diseased and degenerate persons, etc. ....	209, 210
Annual report to governor .....	210
<b>BOARD OF PUBLIC DOCKS—How appointed—powers, duties .....</b>	<b>63</b>
<b>BOARD OF PUBLIC WORKS—Duties in reconstruction of street improvements</b>	<b>71</b>
<b>BOARD OF REVIEW—Compensation of councilmen as members of.....</b>	<b>48</b>



## INDEX

	Page
<b>BOARD OF SUPERVISORS—To pay pensions to dependent children.....</b>	33
Duties of, as to separation and maintenance of persons suffering with pulmonary tuberculosis .....	38
Levy county tax for hospital fund.....	38
To levy tax for erection of soldiers' and sailors' monuments—when.....	39
To designate newspaper in which certain county notices shall be published..	43
May make special contract with city or town assessors for extra services...	49
To transfer unclaimed funds in county treasury to city treasury.....	78
To appoint two registrars in each voting precinct .....	96
To select boards of election by lot .....	104
To employ county engineer—designate county roads .....	110
To prepare county map for state highway commission.....	110
To adopt resolutions of necessity for construction of permanent bridges—hear protests .....	114
To repair and drag roads.....	115
May remove obstructions in highways .....	116
To require bonds of contractors .....	116
May apply for prison labor on public highways .....	133
To hear petitions relative to condemnation of land by private cemetery associations—recommend to governor .....	145
May submit question of tax levy for improvement of agriculture, animal husbandry and horticulture, etc. ....	148
Proper party where actions affect drainage districts .....	180
Right to employ counsel to represent parties other than adverse where action affects drainage districts .....	180
Proper party to action for failure to perform work on drainage ditches....	181
To canvass petition relative to management of pumping stations.....	182
Order election—name judges—etc. ....	183
Duty of, in raising or lowering grades of highways at railroad crossings....	186
Power to condemn land where material can be had for road improvement..	187
Non-feasance in office—removal .....	187
Duties relative to construction of electric railroads and electrification of steam roads' .....	191
To allow bounty for killing crows .....	212
To audit expense accounts of peace officers directed to investigate alleged infractions of liquor laws.....	214
Patients of county asylums transferred by .....	257
To levy necessary tax in payment of bonded indebtedness of school corporations .....	270
May file petition with governor asking appointment of board of arbitration..	303
Of Larrabee county—duties .....	355
Authorized to issue patent to John Vesely.....	375
Proceedings in connection with addition to county home farm in Wapello county, legalized .....	418, 419
<b>BOARD OF TOWNSHIP TRUSTEES—Duties as to destruction of noxious weeds.</b>	123
<b>BONDED INDEBTEDNESS—Of school corporations—levy for .....</b>	270
<b>BONDS—Must be given by banks when made depositories of public funds.....</b>	47
Of transient merchants .....	52
Fire fund—for equipment—secured by assessments.....	56
Issue of, for dock fund.....	66
For flood protection in certain cities .....	73
Issued for park purposes.....	76
Of levee improvement commissioners.....	80
To purchase equipment for department of public safety.....	82
For garbage disposal plant—how paid .....	83
Of county supervisors—amount—public officers .....	104
Issuance and payment of, by cities and towns.....	106
Of county engineer of road system .....	110
Of mine inspectors .....	218
Of school treasurer to secure funds deposited in bank .....	266
Of bank, to secure fund deposited by school treasurer.....	266
<b>BOOKS—Must be produced in actions growing out of contracts with state or municipal corporations .....</b>	25
<b>BOOKS OF ACCOUNT—When admissible as evidence, may be photographed....</b>	307
<b>BOUNDARIES. LOST—Established by river front improvement commission....</b>	77

	Page
BOUNTY—For killing crows, proof .....	212
For killing wolves .....	212
BOXES—For berries, must be standard size .....	282
BOYS INDUSTRIAL SCHOOL—At Eldora, separate institution.....	254
Support of .....	254
BREAKING STONE—By inmates of reformatory and penitentiary, amended....	324
BREWERY—Not included in five mile limit law when petition of consent is obtained .....	214
BRIDGE OR CULVERT—Validity of patents in construction involved.....	5
BRIDGES—Length and size of to show by survey .....	111
BUCHANAN COUNTY—In tenth judicial district .....	28
BUFFALO, TOWN OF—To legalize certain ordinances, resolutions and amend- ments .....	385
BUILDING AND LOAN ASSOCIATIONS—Assessment of property of.....	107
BUILDING CODE—Adoption of .....	54
BUILDINGS—Erected on capitol grounds to be according to Allison Memorial commission plan .....	17
Regulation for erection of .....	54
Erection or removal of, within fire limits.....	55
On water fronts, plans to be approved by board .....	64
Erection of, for state colony of epileptics .....	257
To enter with explosives with intent to commit burglary .....	309
Protection against fire in boarding houses in which sleeping rooms are kept for rent or hire.....	313
Erection at state fair grounds of women's and children's building .....	337
Plans and specifications of buildings under control of state board of education submitted by state architect .....	338
BULLETINS—Posting of, at railway stations.....	189
On weights and measures by dairy and food commissioner .....	284
BURDEN OF PROOF—Rests on employer to rebut presumption of negligence....	155
Of damages or injuries sustained in construction of transmission lines....	198
On common carrier as to transportation of live stock.....	203
BUREAU OF LABOR STATISTICS—Right to enter premises.....	216
Reports to be made to .....	216
Commissioner, salary—deputy, salary .....	217
Three factory inspectors—one of whom shall be a woman—how appointed..	217
Salary—clerk .....	217
Woman inspector—duties .....	217
Record of accidents .....	217
Report of accidents .....	217
Failure—penalty .....	217
Appropriation for office of .....	327
BURGLARY—To enter building with explosives with intent to commit.....	309
BURLINGTON, CITY OF—Transfer of Otter Island to .....	363
BUSINESS MEN'S COLISEUM AND CONVENTION HALL—Erection of at Water- loo .....	358
BY-LAWS—Adopted by county corporation for improvement of agriculture, etc..	147
CAB—Of locomotive engines must be equipped with frost glass .....	190
CALCIUM CARBIDE—How sold, labels, analysis, fee, sampling each container..	225
Dairy and food commissioner charged with enforcement—fee—refusal to comply—penalty .....	225
CALMAR, TOWN OF—To legalize special election and issuance of bonds for erect- ing gas works .....	388, 389
CAMANCHE, TOWN OF—To legalize incorporation, election and ordinances of..	386, 387
CANCELLATION—Of registration of highway routes .....	120
CANDIDATE—For nomination on non-partisan judicial ticket .....	91
For senator or representative—affidavit .....	96
For delegate or alternate to national convention .....	99
For delegate to county convention .....	100
For office of president or vice president.....	100
Prohibited from making political promises for support .....	312
CANNERIES—(See food producing establishments.)	
CANVAS—Used in House of representatives, appropriation for.....	331
CANVASS—Of votes for nomination of United States Senator.....	97
By state board .....	98

	Page
CANVASS OF PREFERENTIAL VOTE—For president and vice president by board of supervisors .....	102
By executive council .....	102
CAPITAL STOCK—Of foreign corporations—how issued.....	135
CAPITOL GROUNDS EXTENSION—Plat .....	16
Levy of special tax for purchase of real estate .....	16
Condemnation of land .....	17
Erection of buildings .....	17
Options—leases—sale Governor Square .....	17
Special fund to be used—interest bearing certificates, how paid.....	18
Deposited with treasurer of state .....	19
Sale—certificates—proceeds .....	19
CARROLL, CITY OF—To legalize special election, ordinance and acts of .....	389
CASS COUNTY—Fifteenth judicial district .....	31
CASTLE, DANIEL A.—Appropriation for expenses incurred on account of funeral of .....	329
CEDAR FALLS, CITY OF—To legalize special election of.....	391
CELL BANK AT STATE PENITENTIARY—Appropriation for .....	332
CEMETERY—Property left by gift or bequest turned over to trustees .....	32
Tax may be used for abandoned cemeteries .....	44
Property of cemetery associations exempt from taxation.....	106
CEMETERY ASSOCIATIONS, PRIVATE—Condemnation of land by .....	144
Petition filed with county auditor .....	144
What to contain .....	145
Right to condemn granted—procedure .....	145
CENSUS RETURNS—Appropriation for publishing of.....	327
CERTIFICATE—Capitol grounds extension .....	18
Deposited with treasurer of state .....	19
Sale—proceeds .....	19
Of highway commission of registered routes.....	120
Of soundness of stallions and jacks .....	211
Revocation of physicians' certificates—when .....	238
CERTIFICATE OF APPOINTMENT—As foreign administrator, executor or guardian filed with clerk of district court .....	293
CERTIFICATE OF ELECTION—Issued by secretary of state .....	103
CERTIFICATE OF GRADUATION—From training school for teachers for rural schools—renewal of .....	262
CERTIFICATE OF OSTEOPATHIST—May be revoked by affirmative vote of three members of board of examiners.....	239
CERTIFICATE, STATE TEACHERS'—Graduates of certain accredited colleges may receive .....	248
CERTIFICATE, TEACHERS'—Provisional—teachers holding such certificates may be used to supply demand.....	263
Minimum wage scale based on.....	267
CESTUI QUE TRUST—Interest in real estate barred unless proceedings are commenced prior to March 1, 1914 .....	296
CHAPLAINS—Of house and senate—appropriation for.....	327
CHARCOAL—Must be sold by weight—delivery ticket to show actual number of pounds delivered .....	282
CHARITABLE ORGANIZATIONS—Soliciting public aid must register with secretary of state—license—exceptions .....	144
CHAUFFEUR—Operating motor vehicle without consent of owner guilty of malicious mischief .....	310
CHEATING—By fraudulent advertising, punished .....	316
CHEESE FACTORY—(See food producing establishments.)	
CHEMISTRY BUILDING—Iowa State College of Agriculture and Mechanic Arts—appropriation for .....	341
CHEROKEE COUNTY—Twenty-first judicial district .....	30
CHEROKEE STATE HOSPITAL—(See Hospital for Insane.)	
CHIEF CLERK OF HOUSE—Appropriation for telegrams and postage .....	330
CHIEF CLERK, SUPERINTENDENT OF PUBLIC INSTRUCTION—Duties, salary .....	90
CHIEF EXECUTIVE—College for the blind—salary of.....	256
Iowa •soldiers' orphans' home—salary of .....	256
CHIEF JUSTICE OF SUPREME COURT—How chosen.....	26, 27
To name and transfer judges from other judicial districts.....	31
To select sheriff's jury when taking private property for internal improvement Appropriation for incidental expenses and office of.....	185 326

	Page
CHIEF OF FIRE DEPARTMENT—To make reports to state fire marshal—failure —penalty .....	245
CHILDREN—(See dependent children.)	
CHILDRENS' BUILDING—To be erected at state fair grounds.....	337
CIRCUIT COURT OF UNITED STATES—Lien of judgment attaches to real estate—when .....	301
CITIES AND TOWNS—Improvement of streets abutting on state property—joint action of city and state .....	14
Certain terms held to be part of every contract.....	25
Trustees created in perpetuity for funds or bequests left to cemeteries.....	32
Emission of dense smoke in corporate limits a nuisance .....	43
Extension of limits—how effected .....	45
Unplatted lands within limits not exempt from public library tax.....	45
Classification of, not affected by loss of population.....	46
Election and appointment of certain officers in second class.....	46
Compensation of councilmen as members of board of review.....	48
Compensation of assessors and deputies in certain towns .....	48
Appropriation authorized for dues in league of Iowa municipalities .....	50
Regulation of slaughter houses in .....	50
License of plumbers .....	51
License of transient merchants .....	51
Adoption of building code .....	54
To enact ordinances for protection against fires.....	55
Organization and equipment of fire departments.....	55
Authorized to contract to purchase and sell heat, gas, water and elec- tric current .....	56
Power to sell products of municipal heat, water, gas, electric light and power plants .....	57
Levy of library tax .....	58
Power of city councils to contract for use of public libraries.....	60
Power to purchase ground and erect city hall.....	61
Election of hospital trustees .....	61
Of first class may use sinking fund for purchase of water works.....	62
To create a department of public docks.....	62
Power to levy special tax for dock fund.....	66
Of certain population, power to improve streets and public grounds.....	68
Levy and collection of special assessments in, for street improvements.....	68
Re-paving of streets—sale of salvage.....	69
Special assessment of, for street improvement and sewers.....	70
Incorporated—right to levy special tax for street improvements.....	71
Assessment for main sewer in.....	73
May issue flood protection bonds .....	74
Additional tax levy for park purposes in certain towns.....	75
Annual tax levy for park purposes.....	76
Tax levy in certain cities for park improvements.....	76
Right to levy river front improvement fund.....	77
Right to levy special tax for gas or electric light or power.....	78
Transfer of unclaimed funds.....	78
Special charter cities—improvement of water fronts in.....	80
Special tax for department of public safety.....	81
Municipal accounting of .....	82
Power of, in construction and maintenance of garbage disposal plant.....	83
Election of park commissioners and providing for appointment until next municipal election .....	84
Appointment and powers, library trustees in.....	85
Custody and control of trees and shrubbery on public streets.....	86
Issuance and payment of bonds .....	106
Destruction of noxious weeds in.....	125
Tax levy in aid of railroads .....	190
Petition to be submitted before voting on question of aiding in construction of railroads .....	190
Limiting number of saloons in certain cities.....	215
Powers relative to establishment of public play grounds.....	273
Plats of additions to, must be approved by city council.....	277

	Page
<b>CITIES, SPECIAL CHARTER—Improvement of streets abutting on state property—joint action of city and state.....</b>	14
Emission of dense smoke in corporate limits a nuisance.....	43
Power to regulate and license plumbers.....	51
Adoption of building code .....	54
To enact ordinances for protection against fires.....	55
Organization and equipment of fire departments.....	55
Erection of city hall in .....	61
Department of public docks applicable to.....	67
Levy and collection of special assessments in, for street improvements.....	68
Assessment of cost for sanitary or storm waterways in.....	70
Assessment for main sewers .....	73
Right to levy river front improvement fund.....	76
Real estate not platted by county auditor.....	78
Vacancies in city council—how filled.....	79
Improvement of water front in.....	80
Levee improvement commission—term—bond—powers—duties .....	79
Tax levy in aid of railroads—petition—number of signers.....	190
Reduction of number of saloons operated in.....	215
Power relative to establishment of public playgrounds.....	273
<b>CITIES, UNDER COMMISSION FORM—To regulate and license plumbers.....</b>	51
Adoption of building code .....	54
Organization and equipment of fire departments.....	55
Street improvements—sewers—special assessments—how ordered.....	70
May contract indebtedness and issue flood protection bonds.....	73
May levy tax for river front improvement fund.....	76
Flood protection in—divided into districts, tax levy for, how expended....	82
Cities under two thousand included in.....	87
Power relative to establishment of public play grounds.....	273
<b>CITY AUDITOR OR CLERK—To make annual reports of municipal accounts to state auditor .....</b>	81
<b>CITY CLERK—To act as deputy clerk of superior court.....</b>	34
<b>CITY COUNCIL—Authority to receive and invest donations for cemeteries.....</b>	33
To appoint clerk in all cities.....	47
To appoint city solicitor in cities of second class.....	47
To prepare assessments for reconstruction of street improvements.....	71
Interest on special assessments from date of acceptance by.....	71
Power to re-assess where previous assessment is void.....	71
Power to appoint park commissioners to hold office until regular election...	74
To fix rate of levy for river front improvement fund.....	77
In special charter cities, vacancies—how filled.....	79
To levy special tax for equipment and apparatus for department of public safety .....	81
Duty relative to flood protection.....	73
Not to elect library trustees .....	85
May appropriate money for public play grounds.....	274
Must approve all plats of additions where streets and alleys are to be dedicated to city .....	277
<b>CITY HALL—Purchase of ground for and erection of, in certain cities.....</b>	61
<b>CITY HOSPITAL TRUSTEES—Election of .....</b>	61
<b>CITY RECORDER—To act as deputy clerk of superior court.....</b>	34
<b>CITY SOLICITOR—Appointed by council in cities of second class.....</b>	46
<b>CITY TREASURER—Must deposit daily balances at interest in local or other banks, in certain cities .....</b>	47
To accept unclaimed funds in county treasury.....	78
<b>CIVIL TOWNSHIPS—(See Townships.)</b>	
<b>CLAIMS—Of sub-contractors for construction of drainage ditches—how filed—time—adjudication of .....</b>	179, 180
Railway freight—adjustment of .....	202, 203
Owner of claims against estates examined.....	294
For labor, against estates of decedent, preferred.....	294
<b>CLARINDA STATE HOSPITAL—(See Hospital for Insane.)</b>	
<b>CLASSIFICATION—Of cities and towns—change of class.....</b>	46
Of schools by superintendent of public instruction.....	89
<b>CLEMMENS, M. O.—Appropriation for relief of, for personal injuries.....</b>	351
<b>CLERICAL HELP, OTHER EXPENSES—State and judicial officers—appropriation for .....</b>	326, 327
<b>CLERK—(See City Clerk.)</b>	

	Page
CLERK OF GRAND JURY—Appointment—duties—compensation .....	319
CLERK OF SUPERIOR COURT—Duties may be performed by city recorder or clerk .....	34
CLERK OF SUPREME COURT—Salary of.....	8
Appointment—term of office—vacancies—how filled.....	93
Appropriation for office of .....	326
CLERK OF THE DISTRICT COURT—To make criminal reports to board of parole—when .....	34
County auditor to report expense of criminal prosecutions to—when.....	35
Furnishes blanks to county auditor.....	35
Compensation in certain counties .....	36
To designate newspaper for publication of notices pertaining to his office....	43
To approve bond of board of supervisors.....	104
Transcript of evidence filed with, in appeals from decision of state board of medical examiners .....	239
License of dentists filed with.....	241
Change of residence filed with .....	241
Record—index—furnish information to state board of dental examiners.....	241
Return of marriage made to—when.....	287
Certificate of appointment of foreign administrator, executor or guardian filed with .....	293
To index notices of pending action affecting real estate—how.....	300
Attested copy of lien of judgment filed with.....	301
To make transcripts from dockets of justice of peace where vacancy exists..	306
CLOSETS—At railway stations to be kept sanitary.....	199
COAL—CHARCOAL—COKE—Must be sold by weight—delivery ticket showing actual number of pounds.....	282, 283
COAL SHEDS—Erected on railroad lands—procuring or holding sites for.....	201
COBURN, GEORGE F.—Appropriation for payment of expenses of election contest	348
COCAINE OR OTHER NARCOTIC—Bringing of into certain state institutions forbidden—penalty .....	311
CODE SUPPLEMENT—Compilation and publication of.....	1
Code supplement commission—appointment—vacancies—expenses .....	1
General supervision .....	1
Editor—duties—compensation—copyright .....	2
What laws to be compiled—how arranged—annotations.....	2
Section numbers—index—additional help .....	2
How printed and bound—distribution and sale.....	2
Official publication—price per volume—number of volumes.....	3
Traveling expenses of members—supplies .....	3
Bills for expenses—approved—how paid—appropriation—compilation of future statutes—when .....	3
CODE—Amendments of or additions to—	
Title I.    chapter 2, section 12, compensation of members of general assembly .....	4
Title II.   chapter 1, relative to executive department.....	5
chapter 2, section 81, relating to sale of certain lands.....	5,6
section 86, compensation of state officers.....	8
chapter 3, section 98, compensation of state officers.....	8
chapter 3, examiners for counties .....	9
chapter 4, section 115, compensation of state officers.....	8
Title III.  chapter 2, section 211, compensation of state officers.....	8
chapter 6, section 265, relative to clerk of supreme court....	34
chapter 9, relating to qualifications of county attorneys.....	36
Title IV.  chapter 4, section 491, relative to county treasurer.....	41
section 491, relative to deputy county treasurer.....	41
Title V.   chapter 1, section 616, taxation of unplatted lands in cities and towns .....	45
chapter 2, section 639, classification of cities and towns.....	46
chapter 3, sections 691, 692, transfer of certain cases from mayor's court .....	49
chapter 5, relative to purchase of water works.....	62
chapter 6, section 751, streets and public grounds.....	68
chapter 7, section 792, sale of salvage in street improvements. section 807, assessment of abutting property in special charter cities.....	69
section 816, lien of tax where collected in two or more places .....	70

## INDEX

CODE—Amendments of or additions to—Continued.		Page
	section 820, reconstruction of street improvements.	71
	section 836, re-assessment for local improvements....	71
	section 825, street improvements and sewers.....	71
	chapter 14, section 937, filling vacancies in city councils in special charter cities.....	79
Title VI.	chapter 3, section 1106, elections .....	98
	chapter 4, section 1150, canvass of votes.....	96
	section 1151, canvass of votes .....	96
	section 1157, canvass of votes .....	96
Title X.	chapter 6, section 1162, canvass of votes .....	96
	chapter 4, section 2009, taking of private property.....	184
	section 2017, raising or lowering of highways at railway crossings .....	185
	chapter 5, construction of electric railroads or electrification of steam railroads .....	191
	relative to headlights .....	195
Title XII.	chapter 6, section 2428, duty of peace officers relative to intoxicating liquors .....	213
	chapter 8, section 2474, bureau of labor statistics.....	216
Title XIII.	chapter 14, section 2806, relative to school taxes.....	60
	section 2772, use of tobacco in the public schools...	261
	section 2756, elections in independent school districts .....	264
	section 2761, secretary of independent school districts .....	265
	section 2768, school treasurer .....	265
	section 2780, school treasurer .....	265
Title XIV.	chapter 6, conveyance of real estate .....	276
Title XV.	chapter 10, section 3138, liability and lien of hotel and innkeepers .....	286
Title XVI.	chapter 1, sections 3146, 3147, solemnization of marriage.....	287
Title XVII.	chapter 3, section 3340, claims against estates .....	294
	section 3348, payment of labor claims by estates of decedents .....	294
	chapter 4, section 3377, election as between distributive share and occupancy of homestead....	295
Title XVIII.	chapter 2, section 3447, limitation of actions .....	296
	section 3447, limitation of action to set aside wills .....	297
	chapter 6, section 3534, service of notice by publication.....	298
	section 3534, annulment of illegal marriage.....	298
	section 3536, proof of publication made by editor instead of publisher .....	298, 299
	chapter 9, section 3802, lien of judgments .....	301
Title XXI.	chapter 16, section 4420, writ of habeas corpus.....	305
Title XXII.	chapter 1, section 4585, transcript of docket from justice of the peace .....	306
Title XXIII.	chapter 1, section 4612, incriminating questions asked certain witnesses .....	306
	section 4623, books of account as evidence.....	307
Title XXIV.	chapter 4, section 4823, operating motor vehicles without consent of owner .....	310
CODE—To repeal—		
Title III.	chapter 1, sections 193, 194, organization of supreme court....	26
	chapter 8, section 293, criminal statistics .....	34
	chapter 12, section 364, investment of funds .....	37
Title IV.	chapter 3, section 475, criminal statistics .....	35
	chapter 9, section 549, publication of notices.....	43
Title V.	chapter 7, section 793, streets improvements .....	70
Title VI.	chapter 1, section 1067, clerk and reporter of supreme court.	93
Title VII.	chapter 1, section 1326, assessment of stock of building and loan associations .....	107
Title XIII.	chapter 1, superintendent of public instruction .....	88
Title XV.	chapter 1, sections 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3019, 3020, 3021, 3034, 3035, weights and measures .....	284
	chapter 8, section 3093, sub-contractors' mechanics' liens.....	285

## INDEX

CODE—Amendments of or additions to—Continued.		Page
Title XVI.	chapter 2, section 3165, family expenses .....	288
Title XVII.	chapter 2, section 3308, release of liens by foreign administrators, etc. ....	293
	chapter 4, section 3379, share of surviving spouse and parents.....	295, 296
Title XVIII.	chapter 5, section 3538, actions against unknown defendants. ....	299
	chapter 6, section 3543, notice of lis pendens .....	300
	chapter 9, section 3705, instructions to juries by district court .....	300
Title XXIV.	chapter 13, section 5044, cheating by using false weights and measures .....	284
CODE SUPPLEMENT—Amendments of or additions to—		
Title III.	chapter 1, section 205, compensation of state officers.....	8
	chapter 5, section 227, tenth judicial district.....	28
	section 227, relative to judges in fifteenth judicial district .....	30
	chapter 5-a, section 254-a12, appointment of trustees.....	32
	chapter 5-b, section 254-a20, maintenance of dependent children .....	33
	chapter 8, section 298, compensation of clerks and deputies of district court .....	36
Title IV.	chapter 2, section 422, free public libraries .....	59
	section 430, dependent soldiers' and sailors' tax....	39
	section 458-c, injury to domestic animals by dogs or wolves .....	40
	chapter 4, section 490, relating to county treasurer.....	41
	chapter 10, section 586, relative to cemetery tax .....	44
	chapter 10, section 592-a, township trustees, to contract for use of public libraries .....	59
Title V.	chapter 1, section 615, limits of cities and towns .....	45
	chapter 2, section 669, councilmen .....	48
	chapter 3, section 694-a, league of Iowa municipalities.....	50
	chapter 4, section 696, prevention of nuisance.....	50
	section 700, not applicable as to plumbers.....	51
	section 711, fire limits .....	55
	section 724, relative to powers of cities and towns..	57
	section 729-a, library trustees .....	59
	section 732, library tax .....	58
	section 740, maintenance of benevolent institutions. ....	32
	section 741-d, erection of city hall.....	61
	section 741-o, election of city hospital trustees.....	61
	chapter 7, section 840-d, construction of main sewers .....	73
	chapter 9, section 850-c, tax levy for park improvement.....	70
	chapter 9-a, sections 879-g, 879-o, powers and duties of river front improvement commissions. ....	77
	chapter 11, section 894, power of cities and towns to sell products of certain municipal plants. ....	57
	section 894, cemetery tax .....	44
	section 894, library tax .....	58
	chapter 13, section 922, platting of real estate .....	78
	chapter 14-a, section 1056-a9, municipal accounting .....	82
	chapter 14-c, department of public safety .....	81
	garbage disposal plant .....	83
	sections 1056-a25, 1056-a26, library trustees.....	85
Title VI.	chapter 1, section 1065, department of public instruction....	88
	section 1072, county superintendent of schools.....	93
	chapter 2, section 1076, registration of voters.....	95
	chapter 2-a, primary elections .....	99
	chapter 2-a, section 1087-a10, nomination of United States senator .....	96
	chapter 2-a, section 1087-a27, nomination of United States senator .....	96
	chapter 2-a, section 1087-a22, nomination of United States senator .....	96
	chapter 3, section 1106, election of United States senator....	96
	chapter 3, section 1093, election boards .....	104
	chapter 6, section 1182, bonds of county supervisors.....	104
	chapter 10, section 1272, county superintendent of schools....	93



## INDEX

CODE SUPPLEMENT—Amendments of or additions to—Continued.		Page
Title VII.	chapter 1, section 1304, lands leased to state no longer exempt from taxation .....	106
	section 1304, exemption of certain classes of property from taxation .....	106
Title IX.	chapter 3, section 1657-n, secretary of department of agriculture .....	149
	section 1660, tax levy for county agricultural societies .....	150
	chapter 4, section 1709, relative to automobile insurance.....	150
	section 1706, insurance against sprinkler leakage..	151
	chapter 8, section 1806, investment of funds of life insurance companies .....	151
	chapter 10, section 1850, funds of savings banks may be invested in states outside of Iowa.	173
Title X.	chapter 2-a, section 1989-a13, drainage warrants to be used in payment of drainage assessments	178
	claims for construction of drainage ditches.....	179
	sections 1989-a19, 1989-a26, 1989-a27, 1989-a38, assessment for benefit of roads in drainage districts .....	181
	relative to drainage ditches .....	182
	section 1989-a41, compensation of appraisers and commissioners of drainage districts .....	181
	chapter 4, section 2064, taking of private property for internal improvements .....	185
	chapter 5, section 2077, relating to passenger rates .....	188
	section 2077-a, posting of bulletins .....	189
	section 2085, tax levy in aid of railroads in certain cities .....	190
	chapter 6, section 2113, board of railroad commissioners.....	195
	section 2116, duty of railroads to furnish transportation .....	200
	chapter 7, section 2157-s, transportation of live stock .....	203
Title XII.	chapter 2-a, section 2310-a19, parole of patients from state institutions .....	207
	chapter 3, bounty on wolves .....	212
	chapter 4, section 2358, partition fences .....	213
	chapter 6, section 2448, relating to sale of intoxicating liquors	214
	chapter 6, sections 2448, 2448-a, sale of intoxicating liquors..	215
	chapter 8, section 2472, bureau of labor statistics.....	216
	chapter 15, section 2540, protection of fish.....	231
	chapter 15, section 2540, spearing of fish.....	231
	chapter 17, section 2578, revocation of physicians' certificates...	238
	chapter 17, sections 2576, 2578-a, practice of medicine.....	237
	chapter 17, section 2578-b, appeal from decision of state board of medical examiners .....	239
	chapter 17, section 2583-c, practice of osteopathy.....	239
	chapter 18, section 2594, itinerant vendors of drugs.....	240
	chapter 20, section 2604, soldiers' home .....	242
	chapter 20, section 2608, soldiers' home .....	244
Title XIII.	chapter 1, section 2622, normal institutes .....	246
	chapter 2, section 2634-f, teachers' state certificates.....	248
	chapter 11-a, section 2727-c, Iowa soldiers' orphans' home.....	256
	section 2727-c, college for the blind.....	256
	chapter 11-b, section 2727-a64, removal of patients from county asylums .....	256
	chapter 11-c, sections 2727-a85, 2727-a86, state sanatorium for treatment of tuberculosis.....	258
	chapter 12, section 2732, public schools .....	261
	chapter 13, section 2742, county superintendent.....	93
	chapter 13, section 2734-p, qualification of teachers.....	263
	chapter 14, section 2754, elections in independent school districts .....	264
	chapter 14, section 2814, school sites .....	271
	chapter 14-a, sections 2823-a, 2823-l, compulsory education.....	272
	chapter 16, section 2849, school funds .....	275

## INDEX

CODE SUPPLEMENT—Amendments of or additions to—Continued.		Page
Title XIV.	chapter 2-b, section 2900-a23, leasing state land.....	275
Title XXIV	chapter 3, section 4799-a, burglary with explosives.....	309
	chapter 5, section 4852-d, larceny of poultry .....	310
	chapter 7, section 4897-a, prison breach, violation of parole..	310, 311
	chapter 7, section 4913-a, offenses against public justice.....	311
	chapter 9, section 4975-c, soliciting for purposes of prostitution	313
	chapter 10, section 4999-a4, safety and comfort of laborers....	314
	chapter 10, section 4999-a7, protection against fire.....	313
	chapter 12, section 5040-a, observance of decoration day.....	318
Title XXVI.	chapter 2, section 5707, breaking stone by convicts.....	324
CODE SUPPLEMENT, To repeal—		
Title III.	chapter 3, section 212, assistant attorney general .....	27
Title IV.	chapter 3, section 479, county auditor .....	40
	chapter 5, section 495, county recorder .....	42
	chapter 6, P. 16, section 511, compensation of sheriff for board- ing prisoners .....	42
Title V.	chapter 2, section 674, compensation of assessors and deputies	48
	chapter 4, section 741-n, city or town councils to contract for use of public libraries.....	60
	chapter 9, section 850-c, annual levy for park purposes.....	76
Title IX.	chapter 12, section 1869, compensation and loans to officers of state and savings banks.....	173
Title X.	chapter 2, section 1948, declaring drainage ditches a nuisance	179
	chapter 2-a, section 1989-a15, declaring drainage ditches a nuisance .....	179
	chapter 4, section 2022, private crossings over railroads.....	186
	chapter 4, section 2024-i, road improvement .....	187
Title XII.	chapter 2, section 2308-a, care of non-resident insane.....	205
	chapter 8, section 2477, bureau of labor statistics.....	216
	chapter 16, section 2564, state board of health.....	232
	section 2575-a52, state entomologist .....	235
	chapter 19-a, sections 2600-i, 2600-j, practice of dentistry.....	240
	chapter 20, section 2606, soldiers' home .....	243
Title XIII.	chapter 1, superintendent of public instruction .....	88
	section 2738, normal schools .....	246
	chapter 4, section 2674-f, state highway commission.....	109
	chapter 6, sections 2691, 2692, soldiers' orphans' home.....	253
	chapter 11, section 2724, school for deaf.....	255
	chapter 11-c, section 2727-a85, state sanatorium for treatment of tuberculosis .....	258
	chapter 13, section 2734-b, county superintendents .....	93
	chapter 14, section 2813, tax to pay school bonds.....	270
	chapter 14-a, sections 2823-j, k, l, m, publication and distribu- tion of school laws.....	272
Title XIV.	chapter 6, section 2930, platting of real estate.....	277
Title XV.	chapter 1, section 3016, weights and measures.....	284
Title XXIV.	chapter 11, section 5028-a, desecration of flag.....	315
	section 5028-b, unfair discrimination in commerce and trade .....	317
Title XXV.	chapter 14, section 5256, clerk of grand jury.....	319
Title XXVI.	chapter 2, sections 5669-a, 5716, 5718-a28, compensation and allowances of officers and em- ployees of reformatory and peni- tentiary .....	321, 322
	section 5685-a, collection of money from visitors at reformatory and penitentiary....	323
COKE—	Must be sold by weight, delivery ticket to show actual number of pounds delivered .....	282
COLD STORAGE FOOD—	How sold .....	224
COLD STORAGE WAREHOUSES—	Terms defined .....	222
	How established .....	222
	License granted by dairy and food commissioner.....	222
	Must be sanitary .....	222
	Storage of diseased or tinted food prohibited.....	223
	Food not for human consumption plainly marked.....	223
	Storage period .....	223
	Containers plainly marked .....	223

	Page
<b>COLD STORAGE WAREHOUSES—Continued.</b>	
Sale of storage goods.....	224
Re-storage prohibited—when .....	224
Labels .....	224
Penalty .....	224
<b>COLISEUM AND CONVENTION HALL—Construction of at Waterloo.....</b>	358
<b>COLLATERAL INHERITANCE TAX—Property subject to taxes—rate.....</b>	108
Annuities, legacies, bequests, gifts, subject to taxation.....	108
Delinquent taxes to draw interest.....	108
<b>COLLECTION—Of money from visitors at reformatory and penitentiary.....</b>	323
Of special assessment in cities and towns for street improvements.....	68
Of special tax for department of public safety.....	81
<b>COLLEGE FOR THE BLIND—Salary of chief executive.....</b>	256
Appropriation payable in twelve equal monthly installments.....	336
Appropriation for support, repair and contingent fund .....	336
Appropriation for well, equipment and extension work.....	340
<b>COLLUSION—Prohibited in obtaining certain contracts.....</b>	25
<b>COMFORT AND SAFETY OF LABORERS—Required in certain factories.....</b>	314
<b>COMMENCEMENT OF ACTION—Against unknown defendants .....</b>	299
Petition sworn to .....	299
Parties to action .....	299
Original notice—contents .....	299
<b>COMMERCE AND TRADE—Unfair discrimination in buying and selling defined</b>	
<b>COMMERCE COUNSEL—Duties of .....</b>	200, 201
<b>COMMERCIAL FERTILIZER—Manufacture and sale of—packages plainly</b>	
marked—certificates—quantity—material .....	229
False analysis—penalty .....	230
<b>COMMISSION—To disburse appropriation provided to assist in celebration of</b>	
fiftieth anniversary of the battle of Gettysburg.....	346
<b>COMMISSIONER—IOWA INDUSTRIAL—(See Iowa Industrial Commissioner.)</b>	
Deputy—bond—compensation—clerks and assistants .....	153
Insurance examiners—compensation—how paid .....	153
Records, reports and securities filed with.....	153
Fees .....	153
<b>COMMISSIONER OF INSURANCE—Appointed by governor, ratified by senate.</b>	
Term—bond—duties—powers—compensation .....	152
<b>COMMISSIONER OF LABOR—Salary—duties .....</b>	217
Report of accidents to be made to.....	217
To publish decision and report of board of arbitration.....	305
<b>COMMISSIONER OF PUBLIC DOCKS—Appointed by mayor, term, powers, du-</b>	
ties, removals .....	63
<b>COMMISSIONERS—Appeal from award of, in assessing damages where private</b>	
property is taken for works of internal improvement.....	184
Of insanity, transfer of patients from county asylum.....	257
<b>COMMISSION FORM OF GOVERNMENT—(See cities under commission form of</b>	
government.)	
<b>COMMISSION, RIVER FRONT IMPROVEMENT—Duties and powers of.....</b>	77
<b>COMMISSIONS—STATE—Must make daily accounting to state treasurer.....</b>	22
<b>COMMITTEE ON RETRENCHMENT AND REFORM—Empowered to employ ex-</b>	
pert accountants and efficiency engineers .....	23
Additional authority granted .....	24
Authorized by joint resolution to employ expert accountants and efficiency	
engineers .....	427
<b>COMMITTEEMEN, NATIONAL—Election of .....</b>	99
<b>COMMON CARRIERS—(See also, Railroads.)</b>	
To settle claims for delay in delivery of freight.....	202
Injury or loss of freight in transit.....	202
Excessive rates .....	202
Duty of, in transportation of live stock.....	203
Burden of proof .....	203
Not to accept colonies of bees unless accompanied by certificate of health..	235
<b>COMPENSATION—Of members of the general assembly.....</b>	4
Of state officers .....	8
Of assistant attorney general .....	27
Of clerks and deputies in certain counties.....	36
Of county auditor in certain counties.....	40

	Page
<b>COMPENSATION—Continued.</b>	
Of county treasurer—amount .....	41
Of deputy county treasurer and other assistants.....	41
Of county recorder in certain counties .....	42
Of sheriff for boarding prisoners .....	42
Of councilmen when members of board of review.....	48
Of assessors and deputies in certain cities .....	48
Of state examiner of municipal accounts.....	82
Of mayor and commissioners according to population.....	86, 87
Of superintendent of public instruction, deputy, chief clerk.....	90
Of county superintendent of schools .....	94
Of state highway commission .....	109
Of secretary of department of agriculture .....	149
Of insurance commissioner, deputy, insurance examiners, clerks, stenographers .....	153
Of officers and directors of state and savings banks.....	173
Of appraisers and commissioners of drainage districts .....	184
Of officers and men of national guard in time of service.....	204
For labor of patients at state hospital for inebriates.....	206
Of labor commissioner and factory inspectors.....	217
Of fish and game warden, deputies and assistants.....	230, 231
Of state bee inspector .....	236
Of state fire marshal .....	245, 246
Of chief executive in college for blind.....	256
Of chief executive in Iowa soldiers' orphans' home.....	256
Of school treasurer .....	265
Of chief inspector of weights .....	279
Of members of board of arbitration for settlement of disputes between employers and employes .....	304
Of clerk of grand jury .....	319
Of officers and employes of reformatory and penitentiary.....	321, 322
Of inspectors and instructors of Iowa state dairy association.....	343
Of inspectors and instructors of beef cattle breeders association.....	344
Of superintendent of schools of Tama, legalized.....	362
Joint resolution relative to compensation of additional employes of the thirty-fifth general assembly.....	428
Of additional employes of thirty-fifth general assembly fixed by joint resolution .....	430
<b>COMPENSATION OF LOSS—For injuries occurring prior to taking effect of workmen's compensation act .....</b>	<b>172</b>
<b>COMPENSATION SCHEDULE—Under employer's liability and workmen's compensation act .....</b>	<b>159, 160, 161</b>
<b>COMPLAINTS—Of unsanitary condition of closets at railway stations—how filed .....</b>	<b>199</b>
<b>COMPULSORY EDUCATION—Attendance in public schools—age limit changed .....</b>	<b>272</b>
<b>COMPUTATION SCHEDULE—Under workmen's compensation act.....</b>	<b>162, 163</b>
<b>CONCEALED WEAPONS—(See also Weapons.)</b>	
Carrying of .....	307
<b>CONDEMNATION—Of land for extension of capitol grounds.....</b>	<b>17</b>
Of property for construction of harbor, dock, belt railway, etc.....	64
Of land for private cemetery associations.....	144
Of private property for works of internal improvement—appeal from award, how taken .....	184
Of private property for works of internal improvement by sheriff's jury selected by chief justice of supreme court.....	185
Of land by board of supervisors for raising or lowering highway crossings at railroads .....	185
Of land where material can be had for road improvement.....	187
Of private property for construction of electric transmission lines.....	197
<b>CONFISCATION—Of incorrect weighing devices.....</b>	<b>284</b>
<b>CONSENT RESOLUTIONS—Saloons—Cancellation of excess of, in special charter cities—when .....</b>	<b>215</b>
<b>CONSOLIDATED SCHOOLS—State aid when home economics, agriculture, and other vocational subjects are taught .....</b>	<b>268</b>
<b>CONSOLIDATION—Of township road districts .....</b>	<b>118</b>

	Page
CONSTITUTION OF IOWA—Joint resolution proposing amendment to, relative to taxation of certain classes of property for state revenue purposes .....	422, 423
Joint resolution proposing amendment to, providing time for holding general election .....	422
Joint resolution proposing amendment to, relative to right of suffrage....	426
CONSTITUTION OF THE UNITED STATES—Joint resolution ratifying amendment to, relative to selection of United States senators.....	426
CONSTRUCTION—Of transmission lines, supervision of.....	197
CONSUMPTION—(See Tuberculosis.)	
CONTAGIOUS DISEASES—Syphilis and gonorrhoea declared contagious.....	236
Duty of physicians to report .....	237
CONTAINER—Of calcium carbide to be labeled.....	225
Of foods deposited in cold storage to be plainly marked.....	223
CONTEST OF ELECTION—Of David Meredith, appropriation for.....	331
Of O. H. Jacobson, appropriation for .....	331
Of Senators Kimball and Goodwin, appropriation for.....	349
Of Senators Gillette and Coburn, appropriation for.....	348
CONTINGENCIES—Providential, appropriation for .....	327
CONTINGENT FUND—Of school districts may be increased.....	269
CONTRACTOR—(See also sub-contractor.)	
To furnish bond for road work.....	116
May release claims for construction of drainage ditches—how.....	180
CONTRACTS—To be made by executive council for improvement of streets and alleys abutting on state property.....	14
Obtained by collusion—liquidated damages—witness required to testify... ..	25
Entered into with state or any municipality, liability fixed.....	25
Certain statutory terms included in every contract.....	25
Collusion prohibited .....	25
City may contract to purchase and sell heat, gas, water and electric current	56
By school corporations and residents for use of free public libraries.....	60
Partial payment of, on road work, manner of letting of bids—liability on..	113-116
To relieve employer from liability not operative.....	168
Fraudulent .....	165
For deed, given prior to January 1, 1900, in certain cases deemed abandoned	290
Limitation of action to foreclose or enforce contract or mortgage.....	297
CONVENTION—For election of county superintendent of schools, delegates....	93
CONVENTION HALL AND COLISEUM—Construction of in Waterloo.....	358
Petition—proposition submitted—election—cost of—results certified.....	359
CONVEYANCES—Of state land by executive council .....	275
Of real estate prior to January, 1890, legalized.....	276
Not affected by suit commenced on or before September 1, 1913.....	276
Filed prior to January 1, 1890, legalized in certain cases.....	278
By certain instruments executed prior to January 1, 1900, legalized.....	288
Certain assignments to carry same force as deeds of conveyance.....	291
Made prior to January 1, 1913, legalized.....	291
Of real property under foreign wills prior to January 1, 1913, legalized....	292
Of real estate by spouse of absentee, legal, when .....	292
Of certain territory belonging to Iowa soldiers' orphans' home, authorized.	374, 375
CONVICTS—Suspension of execution of sentence in certain cases.....	320
Governor may pardon,—when .....	320
Appropriation for support of, in reformatory and penitentiary.....	322
COOLEY, EDWIN—Appropriation to Chas. E. Scholz for traveling expenses of	330
CORONER—Fatal accidents in gypsum mines to be reported to.....	220
CORPORATIONS—Liability fixed on contracts with state or municipal corporations .....	25
Of county for improvement of agriculture, etc.....	146
CORPORATIONS FOR PECUNIARY PROFIT—Articles must be indexed by county recorder .....	134
COSSON, GEORGE—Expenses incurred in investigations, appropriation for... ..	331
COSTS—Incurred by state in certain suits—how paid.....	13
For removal of buildings within fire limits.....	55
Of waterworks in certain cities may be paid from sinking fund.....	62
Of construction of garbage disposal plant—how paid.....	83
Of culvert construction for 1913 paid from special culvert fund.....	121
Prison labor on public highways and public works—how paid.....	133

	Page
<b>COSTS—Continued.</b>	
Of witnesses in attending criminal actions pending in another state—how paid .....	320
Estimated—of buildings under control of state board of education, submitted to state architect .....	338
<b>COUNCILMEN—</b> Compensation of, when members of board of review.....	48
<b>COUNSEL—</b> Employed by board of supervisors in drainage litigation.....	180
<b>COUNTIES—</b> Comprising tenth judicial district.....	28
Liable for support of inmates of soldiers' orphans' home.....	253
<b>COUNTY—</b> Officers of, must adopt uniform system of accounting—officers and offices to be examined annually.....	10
<b>COUNTY AGRICULTURAL SOCIETY—</b> Tax levy for—question submitted—how expended .....	150
<b>COUNTY ASYLUM—</b> Removal of patients to state hospital.....	256
<b>COUNTY ATTORNEY—</b> Qualifications and duties of.....	36
To direct peace officers to investigate alleged infractions of liquor laws...	213
To enforce provisions of dental laws.....	242
<b>COUNTY AUDITOR—</b> To act as trustee of cemetery funds—when.....	32
To report expense of criminal prosecutions to district court—when.....	35
Compensation of, in certain counties .....	40
To designate newspaper for publication of notices pertaining to his office..	43
To act as authorized agent for service of notice on transient merchants...	52
To keep record of liens for special taxes.....	70
Not to plat real estate in special charter cities.....	79
To prepare ballot for preferential vote for president and vice president and for national delegates and alternates .....	102
To publish notice of primary election.....	102
To file county road map—fix date for hearing thereon—forward map to state highway commission for approval .....	110, 111
To record approved road survey in county road book.....	112
Issue warrants .....	113
Plans and specifications for bridge construction to be filed with.....	113
Petition for condemnation of land by private cemetery associations filed with	144
To publish notice giving date of hearing on petition for condemnation of land .....	145
Claim of sub-contractor for construction of drainage ditches to be filed with	179
To certify costs of establishing legal settlement of non-resident insane patients .....	205
To destroy proof where bounty is paid for killing crows.....	213
To enter on tax list amount in default on partition fences.....	213
Sworn statement relative to investigation of alleged infraction of liquor laws, filed with .....	214
To index transfer and transcripts in index book.....	277
Plats of additions must be approved by city council before being entered by	277
<b>COUNTY BRIDGE SYSTEM—</b> To apply to all highways outside limits of cities of first class .....	118
<b>COUNTY COMMISSIONERS—</b> Of insanity, to investigate legal settlement of non-resident insane patients .....	205
<b>COUNTY CORPORATIONS—</b> For improvement of agriculture, animal husbandry and horticulture .....	146
Purpose—how formed .....	146
Articles—form of—recorded .....	146, 147
Private property exempt—seal .....	147
By-laws .....	147
Bond by treasurer .....	147
Annual report .....	148
Tax levy submitted to voters—ballot form.....	148
Canvass of votes .....	148
Funds, how expended .....	148
False certificate—misuse of funds—penalty .....	148
To certify to board of supervisors amount advanced by government.....	149
<b>COUNTY ENGINEER—</b> Of county road system—appointment—term—bond—compensation—duties .....	110
<b>COUNTY HIGH SCHOOLS</b> (See High Schools).	
<b>COUNTY HOSPITALS—</b> Improvement and maintenance of—appropriation.....	38

	Page
COUNTY OF WAPELLO—To legalize proceedings of board of supervisors in purchase of land, etc., for addition to county home farm.....	418, 419
COUNTY RECORDER—Compensation—duties—fees to be reported and paid..	42
To designate newspaper for publication of notices pertaining to his office	43
To index articles of incorporation for pecuniary profit—form of index...	134
Articles of incorporation of county corporations for improvement of agriculture, etc., filed with .....	146
Transcript of records affecting real estate same effect as original.....	277
To keep complete record of permits to carry concealed weapons and revocation thereof .....	308
Report of sale of dangerous weapons filed with.....	309
COUNTY ROAD SYSTEM—Designated by board of supervisors.....	110
Approved by state highway commission.....	111
May be enlarged .....	112
To apply outside of limits of cities and towns.....	118
COUNTY SEAT—Larrabee county, how selected.....	355
COUNTY SUPERINTENDENT—How chosen, qualifications, term—vacancy—how filled .....	93
To hold teachers' institute annually .....	247
To report deaf and dumb pupils to superintendent of state institution....	255
To be furnished printed school laws .....	273
COUNTY SUPERVISORS—(See Board of Supervisors.)	
Bonds required of .....	104
COUNTY TREASURER—Compensation—deputies—qualifications—other assistants .....	41
To designate newspaper for publication of notices pertaining to his office....	43
Transfer of unclaimed funds to city treasurer.....	78
To accept drainage warrants in payment of drainage assessments.....	178
COURT—(See District Court.)	
CREAMERY—(See also food producing establishments.)	
Construction—sanitary conditions .....	227
CRIMINAL ACTION—Pending in another state, witness may be required to attend .....	320
CRIMINAL REPORT—Clerk of district court to make to board of parole.....	34
CRIMINALS—Habitual—to prevent procreation of.....	209
CRIMINAL STATISTICS—County auditor to report expense of criminal prosecutions to clerk of district court—when .....	35
CRIMINATING QUESTIONS—May be asked witnesses who are attempting to create a trust .....	306
CROSSINGS—Raising or lowering of roads at railway crossings.....	186
Private—over railroads—how obtained .....	186
CROWS—Bounty for killing of, allowed by board of supervisors—proof destroyed .....	212
CULVERT—Length of, shown by survey, width not less than twenty feet.....	111
Fund for 1913, how expended .....	121
CUSTODIAL DEPARTMENT—Creation of—location—certain patients committed .....	206
Patients, how released or transferred.....	206
Habitual inebriates kept separate .....	206
Able-bodied patients employed—remuneration .....	207
Acts in conflict repealed .....	207
CUSTODIAL FARM—District—levy of special tax for.....	21
CUSTODIAN—Appropriation for employes of.....	327
Appropriation for removal of snow.....	328
Appropriation for extra help from January 13 to 30, inclusive.....	330
DAILY ACCOUNTING—State departments except agricultural, must make.....	22
DAIRIES—(See also Food Producing Establishments.)	
Sanitary conditions required .....	226
DAIRY AND BEEF CATTLE GROWING INDUSTRIES—Appropriation for encouragement of .....	343
DAIRY AND FOOD COMMISSION—(See also Weights and Measures.)	
To issue license for operation of cold storage and refrigeration warehouses..	222
To revoke license .....	222
Rules for sanitary preparation of food .....	223
Inspection of cold storage and refrigeration warehouses.....	223
Charged with enforcement of law on calcium carbide.....	225

	Page
DAIRY AND FOOD COMMISSION—Continued.	
License to sell commercial fertilizer issued by—fee.....	230
To enforce provisions of act relative to commercial fertilizer.....	230
Make analyses of fertilizer .....	230
Duties relative to inspection of weights and measures.....	279
DAMAGES—Measure of, in certain contracts with state or municipal corporations .....	25
Paid for injury to domestic animals by dogs and wolves.....	40
Appeal from award of commissioners when taking private property for internal improvement .....	184
Caused by construction and maintenance of transmission lines—how paid.....	198
Delay in delivering freight—injury or loss—how paid.....	202, 203
DANGEROUS WEAPONS—(See Weapons.)	
DAYLIGHT CLOSING—Hours during which liquor may be sold in saloons....	215
DEAF AND DUMB—School for admission of non-resident pupils.....	255
DEALERS—Motor vehicles to be registered annually.....	127
May secure permit to sell dangerous weapons.....	308
Must report sales to county recorder.....	308, 309
DEALERS, WHOLESALE—Not required to secure permit to sell dangerous weapons .....	309
DEATH RESULTING FROM INJURY—Liability under workmen's compensation act .....	161
DECEDENTS—Claims for labor against estates of, preferred.....	294
DECISION OF BOARD OF ARBITRATION—In labor disputes binding for one year .....	304
DECORATION DAY—Proper observance of .....	318
DECREE—To annul certain marriages legalized.....	287
Obtained prior to January 1, 1911, legalized where proof of publication was made by editor instead of publisher.....	298
Form of restoration of lost or destroyed records .....	302
In quieting title prior to January 1, 1900, legalized.....	289
DEED—Of sheriff on foreclosure of execution prior to January 1, 1900, legalized	289
By executors, administrators, etc., showing certain irregularities legalized	290
Tax deeds showing certain irregularities legalized.....	291
DEER—Distraint and disposition of .....	232
DEFACEMENT—Of signs of designated highway routes.....	120
DEFECTS—In title to real estate in certain cases legalized.....	288-291
DEGENERATES—And diseased persons, to prevent procreation of.....	209
DELAWARE COUNTY—In tenth judicial district .....	28
DELEGATES—To select county superintendent—how selected—expenses.....	94
National and county election of.....	99
DELINQUENT TAXES—Collateral inheritance to draw interest.....	108
DENTISTRY—Practice of, defined .....	240, 241
Names of persons employed posted in conspicuous place.....	241
License in open view.....	241
Unlicensed dentists not permitted to practice.....	241
License filed with clerk of district court.....	241
Failure to file license—penalty .....	241
Change of residence recorded .....	241
Practice of dentistry in violation of provisions—penalty .....	241
Revocation—notice—hearing .....	242
Word person defined .....	242
County attorney to enforce laws .....	242
Acts in conflict repealed .....	242
DEPARTMENT OF AGRICULTURE—Exempt from daily accounting of fees to state treasurer .....	22
Compensation of secretary of .....	149
DEPARTMENT OF INSURANCE—Creation of—insurance commissioner appointed by governor—office—supplies .....	152
Deputy—examiners—clerks and assistance—how appointed.....	153
Expenses—how paid .....	153
To approve insurance under workmen's compensation act.....	170
DEPARTMENT OF PARKS—To have supervision of trees and shrubbery on public streets .....	86
DEPARTMENT OF PUBLIC DOCKS—Creation of, in certain cities and towns—commission appointed by mayor—term, organization, rules and regulations—removal—powers—duties .....	62



	Page
DEPARTMENT OF PUBLIC INSTRUCTION—Establishment of—appointment of superintendent—term—qualifications .....	88
DEPARTMENT OF PUBLIC SAFETY—Special tax for—how expended.....	81
DEPENDENT CHILDREN—Pension of—mother—widow proper guardian.....	33
DEPENDENTS—Defined under workmen's compensation .....	164
DEPOSITIONS—Taking of, where books of account are used as evidence.....	307
DEPOTS—Bulletins showing arrival of trains to be posted.....	189
DEPUTY—Assessors—compensation in certain cities and towns.....	48
County treasurer—qualifications—compensation .....	41
Superintendent of public instruction—qualifications—salary .....	90
Insurance commissioner—bond—compensation—duties .....	153
Fish and game warden—compensation .....	230
Game warden—fine and expense for killing deer—appropriation for.....	330
Clerks of superior court—city recorder or city clerk to act.....	34
Clerks of district court—compensation in certain counties.....	36
DESECRATION OF UNITED STATES OR STATE FLAG—Term defined.....	315
Penalty .....	315
DES MOINES—To legalize the seventh ward sewer system of.....	393
To legalize a certain election providing for flood protection bonds.....	394
DEVICES—For making or attempting escape—bringing of into certain state institutions prohibited .....	311
DILLEY, ARTHUR—Issuance of patent to, as grantee of David E. Fry authorized .....	371
DIRECTOR OF LABORATORY—For manufacture of hog cholera serum—how appointed—duties .....	249-251
DISCRIMINATION, UNFAIR—Between different sections and localities in certain commodities .....	317
Unfair discrimination in buying or selling defined.....	317
DISEASED PERSONS—Employment of, in food producing establishments prohibited .....	227
DISEASES—Declared contagious and infectious .....	236
Physicians' duty to report—record—name not disclosed.....	236, 237
Failure to report—penalty—transmission—penalty .....	237
DISSOLUTION—Of foreign corporations by courts.....	136
DISTRIBUTIVE SHARE—And occupancy of homestead by surviving spouse....	295
DISTRICT COURT—Fourth and twenty-first judicial districts schedule.....	29
When business cannot be disposed of—how additional judges may be secured .....	31
To appoint trustees for cemetery funds .....	32
Compensation of clerk and deputy of, in certain counties.....	36
Election of judges of, on nonpartisan ticket.....	91
To enforce certain provisions of workmen's compensation act.....	167
Instruction to jurors—when and how made—when taken—motion for new trial .....	300
DISTRICT COURT OF UNITED STATES—Lien of judgments attaches to real estate, when .....	301
DISTRICT CUSTODIAL FARM—Special tax levy for improvements, etc.....	21
DISTRICT ROAD SUPERINTENDENT—Office of, to terminate February 1, 1914	118
DISTRICTS—Flood protection divided into.....	83
DITCHES—(See Drains, ditches, levees and water courses.)	
DOCK BOARD—Appointed by mayor—powers, duties, etc.....	63
DOCKET—Of justice of peace transcripts—how made when vacancy exists...	306
DOGS—Domestic animals injured by .....	40
DOMESTIC ANIMALS—Injured by dogs and wolves.....	40
DOMESTIC CORPORATIONS—Defined under Blue Sky law.....	143
DOMESTIC SCIENCE—Teaching of, in public schools—qualifications of teachers for .....	266
DONATIONS—To cemeteries, institutions of benevolence, including hospitals—how expended .....	32
DRAGGING OF ROADS—Township trustees to designate roads to be dragged....	114
Balance in drag fund may be transferred to general fund.....	324

	Page
<b>DRAINS, DITCHES, LEVEES AND WATER COURSES—Assessment for main sewer may be against entire drainage area</b> .....	73
Drainage assessments deducted from value of real estate when investing insurance funds .....	151
Drainage assessments paid with drainage warrants.....	178
Drainage bonds—issuance of—purposes .....	181
Drainage ditches declared nuisance in certain cases .....	179
Claim of sub-contract for construction of.....	179, 180
In actions involving drainage districts—board of supervisors to represent district .....	180
Constructed across highways .....	181
Claim of sub-contract for construction of .....	179, 180
Improvement certificates—how paid—drainage bonds .....	181
Benefit to highways included .....	181
Benefit to cities and towns included .....	182
Provisions made retroactive .....	182
Pumping station—petition for management by trustees—how elected—when—term—powers—duties .....	182, 183
Expenses—how paid .....	183
Reports—where filed .....	183
Compensation of appraisers for drainage districts—fees, expenses .....	184
Assessment for benefit of roads in drainage district .....	181
Appeal from actions involving drainage districts .....	180
Drainage warrants used in payment of drainage assessment.....	174
<b>DRUG FIENDS—To prevent procreation of</b> .....	209
<b>DRUGS—Unexpired license of itinerant vendors may be assigned—fee</b> .....	240
<b>DRUNKARDS—To prevent procreation of</b> .....	209
<b>DUBUQUE AND PACIFIC RAILROAD—Land grant</b> .....	6
<b>EAST WASHINGTON STREET—MT. PLEASANT—Appropriation to aid in paving of</b> .....	358
<b>EDGAR, ANNA L.—Issuance of patent to</b> .....	365
<b>EDITOR—Of code supplement—compensation—duties</b> .....	2
<b>EDUCATION—(See State Board of Education.)</b>	
Compulsory—age limit changed .....	272
<b>EFFICIENCY ENGINEERS—Joint resolution authorizing committee on retrenchment and reform to employ</b> .....	427
Employed by committee on retrenchment and reform.....	23
<b>ELDORA INDUSTRIAL SCHOOL—(See Industrial School.)</b>	
Industrial school for boys .....	254
<b>ELECTION—(See also Primary Elections.)</b>	
Additional judge in tenth judicial district .....	28
Of judges of judicial districts composed wholly of one county .....	28
Of judges in fourth judicial district .....	30
Of certain officers in cities and towns of second class .....	46
Of city hospital trustees .....	61
Of park commissioners .....	84
Question of adoption of commission form of government .....	87
Of judges—non-partisan .....	91
Of United States senator by vote of the people .....	92
Of county superintendent in convention, by delegates chosen—how .....	94
Of national delegates and alternates, national committeemen, delegates to county and state conventions—number of .....	99
Ballot form .....	100
Of trustees to manage pumping stations in drainage districts.....	182
Polls—time open—canvass of vote—returns—certificate .....	182
Special—on proposition of construction of electric railroads or electrification of steam railroads .....	191
Of officers in independent school districts—nominations filed with secretary of school board—ballot—judges .....	264, 265
Of school district to purchase land for sites—petition for .....	271
As between distributive share and occupancy of homestead by surviving spouse .....	295
Contest of David Meredith, appropriation for expenses incurred .....	331
Contest of O. H. Jacobson, appropriation for expenses incurred .....	331
Contest of senators Kimball, Goodwin, Gillette-Coburn, appropriation for expenses incurred .....	348, 349

	Page
<b>ELECTION—Continued.</b>	
Submission of creation of Larrabee county to voters of Kossuth county, same as primary and general .....	353-355
Joint resolution ratifying amendment to constitution of United States relative to election of United States senators .....	426
<b>ELECTION BOARDS—To be chosen by lot.....</b>	<b>104</b>
<b>ELECTION, GENERAL—Joint resolution proposing an amendment to constitution of Iowa relative to time for holding of.....</b>	<b>422</b>
<b>ELECTRICAL APPARATUS—Regulated by cities .....</b>	<b>55</b>
<b>ELECTRIC CURRENT—Cities and towns to purchase and sell.....</b>	<b>56</b>
Cities to sell products of municipal plants.....	57
Franchise granted by railroad commissioners for establishing lines and transmission of .....	196
Construction of lines .....	197
Danger signals—form .....	197,198
Injuries—damages—burden of proof .....	198
Damages payable annually .....	198
<b>ELECTRIC LIGHT OR POWER—Special tax by certain cities for.....</b>	<b>78</b>
<b>ELECTRIC RAILROADS—Construction of—tax levy—proposition submitted—election—taxes—how collected—benefited property—to aid in construction .....</b>	<b>191</b>
<b>ELEMENTARY AGRICULTURE—Teaching of, in public schools—qualification of teachers .....</b>	<b>266</b>
<b>ELEVATORS—And other buildings located on railroad lands.....</b>	<b>201</b>
Railroad commissioners to adjust disagreements .....	201
Liability of railroad companies defined .....	202
<b>EMBEZZLEMENT—Of bank funds—punishment for .....</b>	<b>174</b>
<b>EMINENT DOMAIN—Vested with holders of franchise in construction of transmission lines .....</b>	<b>197</b>
<b>EMPLOYERS—May file petition with governor asking for board of arbitration..</b>	<b>303</b>
Duty of, in reporting accidents to bureau of labor statistics—failure—penalty	217
<b>EMPLOYERS' LIABILITY AND WORKMEN'S COMPENSATION ACT—(See also Workmen's Compensation Act.)</b>	
Injuries sustained by employes prior to taking effect of general act in all its parts .....	172
<b>EMPLOYES—Practicing in dental offices—names must be posted.....</b>	<b>241</b>
May file petition with governor for appointment of board of arbitration....	303
Joint resolution fixing compensation and number of, in state departments..	433
Thirty-fifth general assembly, joint resolution fixing compensation and defining their duties .....	430
Additional, joint resolution relative to compensation of.....	428
<b>ENGINEERS, EFFICIENCY—Employed by committee on retrenchment and reform .....</b>	<b>23</b>
<b>ENGINEER, TOWNSHIP—(See also County Engineer.)</b>	
To survey roads provided by county road system—report to board of supervisors .....	115,116
In employ of state board of health, compensation.....	233
Of gypsum mines—competency of .....	219
<b>EPILEPTICS—State colony for—levy of special tax.....</b>	<b>21</b>
To prevent procreation of .....	209
Establishment of state colony for .....	257
<b>EQUIPMENT—For fire departments, tax levy for.....</b>	<b>55</b>
For department of public safety.....	81
Of gypsum mines with speaking tubes, adequate brakes, competent engineers, timber for props .....	219
Of food producing establishments, clean and sanitary.....	226
<b>ESCAPE—Of prisoners from reformatory or penitentiary.....</b>	<b>311</b>
From fire provided in certain buildings.....	313
<b>ESCAPE SHAFTS—(See Air and Escape Shafts in Gypsum Mines.)</b>	
<b>ESTABLISHMENT—Of state colony for epileptics.....</b>	<b>257</b>
<b>ESTATE—Administration on estates of absentees—bar.....</b>	<b>292</b>
Release of liens by foreign administrators, executors and guardians.....	293
Owner of claims against, examined .....	294
Claims for labor performed within ninety days, preferred.....	294
Share of surviving spouse when intestate leaves no issue.....	295
Share of parents .....	296

	Page
<b>EVIDENCE</b> —Of officers not incriminating as to divulging contents of sealed bids .....	20
Not incriminating in certain contracts with state or municipal corporations..	25
Prima facie, of transient merchants .....	53
Prima facie, possession of calcium carbide, punishment.....	225
Prima facie, opening of office to practice dentistry—advertisement.....	240, 241
Recorded affidavits explaining defects in chain of title, prima facie evidence for three years, thereafter, conclusive.....	289
Where difference exists between christian name and initials in certain cases, conclusive .....	290
Power of board of arbitrators in labor disputes to summon witnesses.....	304
Incriminating questions allowed with witnesses who are attempting to create a trust .....	306
When books of account are admissible, may be photographed.....	307
Prima facie, possession of concealed weapons without permit.....	308
Presumptive, leaving of drugs, weapons, etc., near certain state institutions..	311
Presumptive, bringing or passing articles used in making escape into certain state institutions .....	311
Presumptive, possession of United States flag containing advertisement of any nature .....	316
<b>EXAMINATION</b> —Of teachers .....	89
Of investment companies under Blue Sky law by secretary of state—fee.....	139
Of injured employes—fee .....	161-168
Of stallions and jacks, by whom made.....	210
Of cold storage and refrigerating warehouses by state dairy and food commissioner—fee .....	222
Of teachers, must include elementary agriculture, domestic science and manual training .....	266
Of owners of claims against estates .....	294
<b>EXAMINERS</b> —Insurance—appointment of—compensation .....	153
<b>EXCEPTIONS</b> —To instructions to juries—when taken.....	300
<b>EXECUTION</b> —Of sentence—governor may pardon after suspension of.....	320
<b>EXECUTIVE COUNCIL</b> —To pay court costs and other expenses in suits instituted by state departments .....	13
Power to improve streets and alleys on abutting property owned by state....	14
To incur expenses, make investigation of property values for taxation, procure data to determine value at which property may be exchanged for capital stock .....	14, 15
To purchase real estate, make contracts, options, for extension of capitol grounds .....	17
Members ex-officio of state board of health.....	234
To determine number of school laws to be published.....	272, 273
Power to sell, convey and lease state land .....	275
To certify general levy for state purposes .....	325
Appropriation for necessary expenses .....	328
Collection and tabulation of census, appropriation for.....	329
Rental and other expenses of rate department of railroad commissioner, appropriation for .....	330
Appropriation to pay expenses of governors' conference.....	330
Appropriation for necessary expenses .....	331
Number and compensation of employes .....	435
<b>EXECUTOR</b> —Personal service of notice in setting aside will.....	297
<b>EXECUTORS AND ADMINISTRATORS</b> —Deed by in certain cases, legalized....	290
Funds—how, invested .....	37
Under foreign wills, conveyance of real property legalized.....	292
Administration on estate of absentee—rights barred—when .....	292
Release of liens by foreign—when legal.....	293
Release of judgments by foreign—legalized prior to January 1, 1913.....	294
Claims for labor preferred .....	294
<b>EXEMPTION</b> —Of pension of disabled and retired firemen from liability for debts .....	12
Of certain property of soldiers and sailors and their widows, from taxation..	105
Property leased to state not exempt from taxation .....	106
Property of cemetery associations, from taxation .....	106

	Page
<b>EXPENSE</b> —Of code supplement commission—how paid.....	3
Of legal assistance for appearance in behalf of counties, cities and towns in certain cases .....	5
Of state examiner for counties—how paid .....	11
Incurred by state in suits instituted by state departments.....	13
In making investigations of property values for assessment and taxation....	15
Incurred by retrenchment and reform committee .....	24
Of judges transferred to other districts.....	31
Record of, in criminal prosecutions kept by county auditor.....	35
Of procuring bond for city treasurer .....	47
Of extension and repair of streets and public grounds.....	68
Of arbitration incurred under workmen's compensation act.....	168
Of trustees in management of pumping stations in drainage districts.....	183
Of care of non-resident insane patients .....	205
Of peace officers in investigating alleged infractions of liquor laws.....	213, 214
Of teachers' institutes .....	246
Of summer schools .....	248
Family expenses, chargeable upon property of both husband and wife.....	288
Of superintendent of weights and measures, appropriation for.....	328
Incurred on account of funeral of Senator Chas. Gates, appropriation for....	329
Incurred on account of funeral of Representative F. A. Thayer, appropriation for .....	329
Incurred on account of the funeral of Daniel Castle, doorkeeper, appropriation for .....	329
J. N. Hurty, appropriation for, by order of state board of health.....	330
Inspectors and instructors Iowa state dairy association.....	343
Inspectors and instructors beef cattle breeders' association.....	344
Of election contests, Kimball-Goodwin an Gillette-Coburn.....	348, 349
Of platting and surveying Otter Island .....	363
<b>EXPERIMENT STATION</b> —For agriculture, appropriation—how distributed.....	252
<b>EXPERT ACCOUNTANTS</b> —Joint resolution authorizing employment of.....	427
<b>EXPLOSIVES</b> —To enter building with explosives with intent to commit burglary	309
Bringing of, into certain state institutions forbidden.....	311
<b>EXPOSITION</b> —Passenger rates to .....	188
<b>EXPRESS</b> —Freight, drayage—appropriation for .....	327
<b>EXTENSION</b> —Capitol grounds .....	16
Limits of cities and towns .....	45
Work of Iowa state college of agriculture and mechanic arts.....	252
<b>FACTORY</b> —Penalty for failure to equip for safety and comfort of laborers....	314
<b>FACTORY INSPECTORS</b> —Number—appointment—one to be a woman—compensation .....	216, 217
<b>FAIRS</b> —Passenger rates to.....	188
<b>FALSE WEIGHTS OR MEASURES</b> —Use of punished.....	284
<b>FAMILY EXPENSES</b> —Including education of children chargeable to both husband and wife.....	288
<b>FARM</b> —District custodial, special tax levy for.....	21
<b>FEE</b> —State officers, except agricultural department, must make daily accounting of, to state treasurer.....	22
Collected by county recorder reported to board of supervisors—when....	42
When certain cases are transferred from mayor's court—how paid.....	49
Of transient merchants paid into general fund.....	52
For inspection under building code.....	54
For registration of highway routes.....	120
For registration of motor vehicles.....	126
Motor vehicle—eight per cent apportioned to state highway commission....	131
For permit under Blue Sky law—filing annual statement—collection of—delivered to state treasurer.....	137-140
Of insurance companies and associations to be paid to insurance commissioner .....	153
Of appraisers and commissioners of drainage districts.....	184
For analysis of calcium carbide .....	225
License to sell commercial fertilizer .....	230
Splitting or division of, by physicians deemed unprofessional conduct.....	238
For transfer of unexpired license of itinerant vendors of drugs.....	240
For examination of teachers.....	247
For permit to sell hog cholera serum.....	250

	Page
<b>FEE</b> —Continued.	
For weighing devices.....	283
Of witness required to attend and give testimony in criminal actions pending in another state—tendered in advance.....	321
<b>FEEBLE-MINDED</b> —(See also Institution for Feeble-minded.)	
To prevent procreation of .....	209
<b>FELONY</b> —Carrying concealed weapons without permit.....	309
Punishment may be reduced on first offense.....	309
<b>FEMALES</b> —Industrial reformatory for.....	21
Parole of patients from hospital for insane—conditions.....	208
<b>FENCE, PARTITION</b> —Default—damages—how collected.....	213
<b>FENCE VIEWERS</b> —Duties as to parties in default.....	213
<b>FERTILIZER</b> —(See Commercial Fertilizer.)	
<b>FIFTEENTH JUDICIAL DISTRICT</b> —Composed of Pottawattamie, Cass, Shelby, Audubon, Montgomery, Mills, Page, Fremont and Harrison counties—additional judge appointed by governor—term.....	31
<b>FINANCE COMMITTEE</b> —State board of education—to release mortgages—when	244
<b>FIREARMS</b> —No person under fourteen allowed to carry.....	307
Bringing of into certain state institutions, forbidden.....	311
<b>FIRE DEPARTMENT</b> —Organization, equipment and tax levy for.....	55
Fire fund bonds.....	56
<b>FIRE LIMITS</b> —Established by cities.....	55
<b>FIRE MARSHAL</b> —(See State Fire Marshal.)	
<b>FIREMEN</b> —Pensions for disabled or retired.....	11
<b>FIRE PROTECTION</b> —Means of escape provided in boarding houses in which sleeping rooms are kept for rent.....	313
Against electrical apparatus—fire limits—material used in construction of buildings—removal of buildings.....	55
<b>FISH AND GAME</b> —Protection of—fishing—when permitted.....	231
Spearing certain fish—when.....	231
Warden—compensation, traveling expenses, three assistants—compensation	231
Distract and disposition of deer .....	232
<b>FISHING</b> —When permitted.....	231
<b>FISHWAY</b> —(See Fish and Game.)	
<b>FIVE MILE LIMIT</b> —Intoxicating liquors not to be sold within five miles of state educational institutions.....	214
<b>FLAG</b> —Display of United States flag in schools and public buildings.....	263
Desecration of United States or state flag—defined—penalty.....	315
<b>FLOOD PROTECTION</b> —Bonds in certain cities.....	73
In cities under commission form of government.....	73
Legalizing election providing for flood protection bonds in city of Des Moines .....	394
<b>FOOD</b> —Misbranding of—correct weight or measure.....	314
Contents package conspicuously marked.....	314
<b>FOOD AND DAIRY COMMISSIONER</b> —(See also Dairy and Food Commissioner.)	
Number and compensation of employes of.....	436
<b>FOOD PRODUCING ESTABLISHMENTS</b> —Building sanitary, foods wholesome	226
Equipment, vehicles—clean .....	226
Construction of buildings—doors and windows screened.....	226, 227
Equipped with toilet, lavatories and cuspidors.....	227
Living in work rooms prohibited.....	227
Employment of diseased persons prohibited.....	227
Slaughter houses—construction—unsanitary conditions defined.....	227
Street display—show cases—food screened.....	228
License—fee—revocation .....	228
Inspection by dairy and food commissioner .....	229
Penalty for failure to comply with law.....	229
<b>FORECLOSURE</b> —Of real estate mortgage or contract, limitation of action....	297
<b>FOREIGN ADMINISTRATOR, EXECUTOR AND GUARDIAN</b> —Release of liens by .....	293
Certificate of appointment filed with clerk of district court.....	293
Not authorized to make releases when another administrator is acting....	293
Release of certain judgments executed by, prior to January 1, 1913, legalized	294

	Page
<b>FOREIGN CORPORATIONS</b> —Owning or controlling public utilities in state must comply with domestic corporation laws.....	135
Includes so-called "holding companies".....	135
Capital stock—how issued .....	135
Annual report—fee .....	136
Sale of stock.....	136
Violation—stock void .....	136
Enforcement—dissolution—receiver .....	136
<b>FOREIGN EXECUTORS</b> —Conveyance of real property by—legalized.....	292
<b>FOREIGN WILLS</b> —Conveyance of real estate by executor or trustee under....	288
Conveyance of real property under, prior to January 1, 1913, legalized.....	292
<b>FORM</b> —Of articles of incorporation for improvement of agriculture, etc.....	146
Employers' notice to reject.....	155
Employes' notice to reject.....	156
Of notice of personal injuries.....	159
<b>FORTY-SIXTH SENATORIAL DISTRICT</b> —Appropriation for expense of Gillette- Coburn contest .....	349
<b>FOURTH JUDICIAL DISTRICT</b> —Time and place of holding court.....	29
Composed of Woodbury and Monona counties—three judges—term— vacancy to be filled by governor—unexpired term—election.....	30
<b>FRANCHISES</b> —For construction of lines and transmission of electric current granted by Railroad Commission—additional rights—how granted.....	196, 197
Eminent domain .....	197
<b>FRAUD</b> —In manufacture and sale of commercial fertilizer.....	229
<b>FRAUDULENT ADVERTISING</b> —By transient merchants, prohibited.....	52
Of investment companies under Blue Sky law, prohibited—penalty.....	140
Defined .....	316
<b>FREIGHT</b> —Damages for excessive rates to be adjusted within certain time— delay in delivery—loss in transit .....	202
<b>FREMONT COUNTY</b> —Fifteenth judicial district.....	31
<b>FROST GLASS</b> —Locomotive engines to be equipped with.....	190
<b>FRY, DAVID E.</b> —Issuance of patent to W. F. Pomeroy and Arthur Dilley— grantees of—authorized .....	371
<b>FUEL</b> —Appropriation for .....	327
<b>FUNDS</b> —Special tax levy for state institutions—how expended.....	21, 22
Investment of, by executors, administrators, trustees and guardians.....	37
Public, loaning and depositing of by city treasurer.....	47
Library, may be transferred from building to maintenance fund.....	58
River front improvement, levied by city council—how expended.....	77
Unclaimed, transferred to general fund .....	78
County bridge, used in construction of bridges and certain culverts.....	112
Special township culvert .....	121
General or road, used to destroy weeds on highway.....	125
Of life insurance companies—how invested.....	151
Of savings banks may be invested in states adjoining Iowa.....	173
Of state and savings banks may be loaned to officers and directors—how....	173
Belonging to estates—power of trust companies, state and savings banks relative to .....	174-176
Of county teachers' institutes.....	247
Created by special tax levy for Iowa state college of agriculture and me- chanic arts .....	252
For support of industrial schools for boys and girls.....	254
For purchase of land and erection of buildings for state colony for epileptics	257
Of school treasurer to be deposited in bank—draw interest.....	265
Loan of school funds.....	275
Balance in drag fund may be transferred to general.....	324
Appropriation for encouragement of dairy and beef cattle growing industries —not to be used for private purposes.....	344
<b>FURNITURE, STORES AND SUPPLIES</b> —Appropriation for.....	327
<b>GAME</b> —(See Fish and Game.)	
<b>GARBAGE DISPOSAL PLANT</b> —Construction and maintenance of.....	83

	Page
GAS—Cities and towns to purchase and sell.....	56
Cities may sell product of municipal plant.....	57
GAS OR ELECTRIC LIGHT OR POWER—Levy of special tax for.....	78
GATES, CHARLES—Appropriation for expenses incurred on account of funeral of .....	329
GENERAL ASSEMBLY—Compensation of members of.....	4
Joint session to canvass votes cast for governor and lieutenant governor....	4
Joint resolution relative to compensation of additional employes of.....	428
GEOLOGICAL SURVEY—Appropriation for office of.....	326
Compensation of employes of.....	436
GETTYSBURG—Appropriation to assist in celebration of fiftieth anniversary of battle of .....	345
Soldiers eligible .....	345
Commission organized .....	346
Funds—how expended—commission to make report to governor.....	346
GIFTS—To cemeteries—how invested .....	32
GIFTS OR BEQUESTS—(See also collateral inheritance tax.)	
Collection of tax on .....	108
GILLETTE, GUY M.—Appropriation for expense of election contest.....	348
GIRLS—Industrial school for—separate institution.....	254
Industrial school for—support of.....	254
GONORRHOEA—Declared a contagious and infectious disease.....	236
Physicians' duty to report.....	236, 237
Failure—penalty .....	237
GOOD ROADS CLUBS—Right to use material condemned for road improvement —misuse—penalty .....	187
GOODWIN, MACK G.—Appropriation for expenses of election contest.....	349
GOVERNOR—Canvass of vote and date of inauguration of.....	4
May direct attorney general to appear for counties, cities and towns in cer- tain cases .....	5
To return patents to original grantees on certain school land, upon proper proof .....	6
To appoint additional judge of supreme court.....	26
To appoint district judge to fill vacancy in fourth judicial district.....	30
To appoint additional judge in fifteenth judicial district.....	31
To appoint superintendent of public instruction—confirmed by senate.....	88
To grant right to private cemeteries to condemn land.....	145
To appoint commissioner of insurance—when.....	152
To appoint industrial commissioner—term.....	166
To receive written recommendations for industrial commissioner.....	170
To appoint three mine inspectors.....	218
Member of board of appointment.....	232
Petition for appointment of board of arbitration to be filed with.....	303
Appointment of board of arbitration.....	303
May extend time for making investigations by board of arbitration.....	304
Decision and report of board of arbitration filed with.....	305
Evidence, exhibits, documents, of board of arbitration filed with.....	305
May pardon convicts after suspension of execution of sentence—conditions..	320
To approve salaries of officers and employes of reformatory and penitentiary	322
Appropriation for office of .....	326
Appropriation for services as member of executive council.....	327
Annual reports of Iowa state dairy association to be made to.....	343
Detailed report of expenditures of Gettysburg fund to be made to.....	346
To issue proclamation declaring proposed boundary of Kossuth county has been submitted—results .....	353
To issue proclamation fixing date of special election by electors of Larra- bee county .....	354
Authorized to issue patent to Jacob Arnold.....	364
Authorized to issue patent to Anna L. Edgar.....	365
Authorized to issue patent to Charles Martin.....	366
Authorized to issue patent to J. M. Laughlin.....	367
Authorized to issue patent to T. F. McCaffery.....	368, 369
Authorized to issue patent to George Rockhold.....	369, 370
Authorized to issue patent to Albert Husa.....	370, 371



	Page
<b>GOVERNOR—Continued.</b>	
Authorized to issue patent to W. F. Pomeroy and Arthur Dilley.....	371
Authorized to issue patent to Elias Myrick.....	373
Authorized to issue patent to John A. Ruttur.....	373, 374
Number and compensation of employes of.....	434
<b>GOVERNOR'S SQUARE—Sale of .....</b>	<b>17</b>
<b>GRAND JURY—Clerks of—appointment—duties—compensation .....</b>	<b>319</b>
<b>GROCERIES—(See Food Producing Establishments.)</b>	
<b>GROUND—Purchase of, for erection of city hall .....</b>	<b>61</b>
<b>GRUNDY COUNTY—In tenth judicial district.....</b>	<b>28</b>
<b>GUARDIAN—Mother of dependent children—pension.....</b>	<b>33</b>
Funds of—how invested .....	37
Deed executed by, legalized in certain cases.....	290
Release of judgments affecting real property, made prior to January 1, 1913, legalized in certain cases.....	294
<b>GYPSIES—Camping on highways, trading horses, deemed vagrants.....</b>	<b>318, 319</b>
<b>GYP SUM MINES—(See also Air and Escape Shafts in Gypsum Mines.)</b>	
Two distinct openings—ventilation—inspection .....	218, 219
Fatal accidents reported to coroner.....	220
Map of mines—surveys ordered—when .....	220, 221
<b>HABEAS CORPUS—Application for writs of—to whom made.....</b>	<b>305</b>
<b>HABITUAL INEBRIATES—To be kept in separate departments.....</b>	<b>206</b>
<b>HALL OF ARCHIVES—Appropriation for.....</b>	<b>328</b>
<b>HAMAKER, ALLAN W.—Appropriation to indemnify.....</b>	<b>351</b>
<b>HAMILTON COUNTY—Sale of certain school lands situated in.....</b>	<b>6</b>
<b>HAMMERS—Use of for breaking stone by convicts, amended.....</b>	<b>324</b>
<b>HARBOR FRONTS—Improvement of in certain cities.....</b>	<b>62</b>
<b>HARRISON COUNTY—In fifteenth judicial district .....</b>	<b>31</b>
<b>HEADLIGHTS—On locomotive engines to be of certain candle power.....</b>	<b>194</b>
Roads under twenty miles in length excepted.....	195
<b>HEARING—When previous assessment for local improvement is void.....</b>	<b>71</b>
Of appeal from decision of state board of medical examiners.....	239
On revocation of certificate to practice dentistry.....	242
<b>HEAT—Cities and towns may purchase and sell.....</b>	<b>56</b>
Cities may sell products of municipal plant .....	57
<b>HEIRS—Interest in real estate barred unless proceedings are commenced prior     to March 1, 1914, in certain cases.....</b>	<b>296</b>
<b>HIGH SCHOOL TUITION—Of county high schools—amount—how paid.....</b>	<b>259</b>
Pupils permitted to attend outside of home district—how paid.....	259
<b>HIGHWAY ROUTES—Application for registration of—marking of.....</b>	<b>120</b>
<b>HIGHWAYS—(See Roads and Highways—also State Highway Commission.)</b>	
<b>HISTORICAL DEPARTMENT—Appropriation for office of.....</b>	<b>326</b>
<b>HOG CHOLERA SERUM—Establishment of laboratory for manufacture of....</b>	<b>249</b>
Location .....	249
Appointment of director and assistants.....	249
Serum—how sold—funds—how disbursed .....	249
Director to declare standard of potency.....	249
Permits to sell—how issued—fees—bond.....	249
Sale of serum below standard—forfeiture of bond.....	250
Virus—how and by whom sold—penalties.....	250
Seizure—examination—penalty .....	251
What serum to be used.....	251
Present laboratory to be discontinued.....	251
Appropriation .....	251
<b>HOLDING COMPANIES—(See Foreign Corporations.)</b>	

	Page
HOME COMING OF IOWA SOLDIERS AND SAILORS—Appropriation for.....	347
HOMEOPATHIC MEDICAL COLLEGE—Establishment of three additional chairs	245
HOMESTEAD—Election as between distributive share or occupancy of by surviving spouse—when mentally incapable of election—hearing—order..	295
HORSE TRADERS—Camping on public highways deemed vagrants.....	318, 319
HORTICULTURE—County corporations for improvement of.....	146
Promotion of, through scientific cross breeding—appropriation for.....	341
HOSPITAL—(See County Hospital.)	
HOSPITAL FOR INEBRIATES—Custodial department established.....	206
Who committed—how released or transferred.....	206
Habitual inebriates kept separate.....	206
Employment of able-bodied patients—remuneration.....	206
Appropriation for improvements, repairs, etc. ....	335
Joint resolution approving erection of hospital building and custodial building .....	429
HOSPITAL FOR INSANE—Care of non-resident insane patients—liability of county for legal settlement .....	206
Cherokee—Joint resolution approving erection of employes' home—hospital for tubercular patients .....	429
Clarinda—Joint resolution approving erection of psychopathic hospital....	429
Independence—Joint resolution approving erection of home for employes...	429
Mt. Pleasant—Joint resolution approving erection of psychopathic hospital for men—addition to infirmary.....	429
HOSPITAL TRUSTEES—City—election of .....	61
HOTEL AND INN KEEPERS—Lien upon baggage—right to sell at public auction after certain period on publication of notice—residue—disposition .....	286
HOTEL INSPECTOR—Duties relative to equipment and maintenance of sanitary closets at railway stations—inspection of—fee.....	199
HOTELS—(See also Food Producing Establishments.)	
Inspection of—to be kept clean and sanitary—sheets to be ninety-six inches long .....	208
Lien upon baggage of guests—after certain period may sell at public auction	286
HOUSE AND SENATE EMPLOYES—Required after adjournment—appropriation for .....	328
HUMBOLDT STATE BANK OF HUMBOLDT—Incorporation of, legalized.....	396
HURTY, J. N.—Appropriation for expenses of, by order of state board of health	330
HUSBAND AND WIFE—Annulment of certain marriages legalized.....	287
Return of marriage to be made within fifteen days.....	287
Family expenses, including education of children, chargeable to—may be sued jointly or separately.....	288
ICE HOUSES—Located on railroad lands—procuring or holding sites for.....	201
IDIOTS—To prevent procreation of.....	209
ILLEGAL MARRIAGES—Annulment of—service of notice may be made by publication—when .....	298
IMBECILES—To prevent procreation of.....	209
IMPORTATION—Of stallions and jacks prohibited unless accompanied by veterinarian's certificate .....	211
Of diseased bees prohibited.....	235
IMPROVEMENT—Of streets and alleys when abutting property is owned by state	14
Of county hospitals—funds—how provided.....	38
Of water and harbor fronts in certain cities—plan, etc. ....	62
Of streets and public grounds—how paid.....	68

	Page
<b>IMPROVEMENT—Continued.</b>	
Re-assessment for, when previous assessment is void.....	71
Of parks—tax levy for .....	76
Of water fronts in special charter cities.....	80
<b>INAUGURAL CEREMONIES—</b> Appropriation for expense of.....	347
<b>INAUGURATION—</b> Governor and lieutenant governor—fixing time for canvass of votes at joint session of general assembly.....	4
<b>INCORPORATED TOWNS—</b> Right to levy special tax for street improvements..	72
<b>INDEBTEDNESS—</b> Limit of in independent school districts.....	13
Of school districts to purchase sites—limit of—petition for election.....	271
<b>INDEPENDENCE STATE HOSPITAL—</b> (See Hospital for Insane.)	
<b>INDEPENDENT SCHOOL DISTRICT—</b> (See also Schools.)	
Election of officers in—how conducted.....	264
<b>INDEPENDENT TOWN OR CITY DISTRICT—</b> Secretary of school board to make monthly statement of receipts and disbursements.....	265
<b>INDEX—</b> Clerk of district court to index notice of lis pendens affecting real estate—how .....	300
<b>INDEXING—</b> Of articles of incorporation by county recorder—form.....	134
<b>INDEXING JOURNALS—</b> House and senate—appropriation for.....	323
<b>INDIGENT PERSONS—</b> Afflicted with pulmonary tuberculosis, segregated.....	38
<b>INDUSTRIAL COMMISSIONER—</b> (See Iowa Industrial Commissioner.)	
<b>INDUSTRIAL EQUIPMENT—</b> For Anamosa reformatory, appropriation for....	323
<b>INDUSTRIAL REFORMATORY FOR FEMALES—</b> Levy of special tax for—new location .....	21
<b>INDUSTRIAL SCHOOLS—</b> Levy of special tax for buildings, improvements, etc.	21
For boys and girls, support of, by state, appropriation, monthly payments.	254
For boys and girls, separate institutions.....	254
For girls—appropriation for additional support.....	332
For boys—appropriation for additional support.....	332
For girls—appropriation for improvement, repairs, etc. ....	333
For boys—appropriation for improvement, repairs, etc. ....	333
For boys—joint resolution approving erection of wing to administration building, laundry and equipment.....	429
<b>INDUSTRIES—</b> Maintained at state institutions—special tax levy for.....	21
<b>INEBRIATES—</b> (See also Hospital for Inebriates.)	
Habitual—to be kept separate.....	206
<b>INFORMATION—</b> Filed before mayor for violation of city or town ordinance....	49
<b>INFRINGEMENT—</b> On name or color scheme of registered highway route—penalty	120
<b>INITIATIVE AND REFERENDUM—</b> Joint resolution providing for, with reference to enactment of laws and amendment to constitution.....	423
<b>INJURIES—</b> Notice of—form—failure to report.....	158, 159
Caused in construction of transmission lines—burden of proof.....	198
<b>INMATES—</b> Support of in Iowa Soldiers' orphans' home—counties liable.....	253
Of state institutions—application for writs of habeas corpus.....	305
<b>INN KEEPERS—</b> (See Hotel Keeper.)	
<b>INNS—</b> Inspection of—to be kept clean and sanitary—sheets to be ninety-six inches long .....	208
<b>INSANE—</b> Care of non-resident patients—cost and expenses—how paid, legal settlement, how established .....	205
To prevent procreation of.....	209
Removal of patients from county asylum.....	256
<b>INSPECTION—</b> And regulation of plumbing.....	51
Under building code .....	54
Of hotels, inns and lodging houses—to be kept clean and sanitary.....	208
Of gypsum mines .....	219
Notice of necessary changes—copy of map of mine furnished inspector....	220
Failure to comply with orders of mine inspector—penalty.....	221
Of food producing establishments by state dairy and food commissioner.....	229
Of scales, weights and measures—by whom—fee.....	283
<b>INSPECTORS—</b> Of mines and mining—how appointed.....	218

	Page
INSTALLMENTS—Interest on from date of acceptance by city council.....	71
INSTITUTES—County—to be held annually under direction of superintendent of public instruction .....	89
For normal training .....	246
INSTITUTION FOR FEEBLE MINDED CHILDREN—Levy of special tax for buildings, improvements, etc. ....	21
Appropriation for improvements, repairs, etc. ....	333
Joint resolution approving erection of cottage for girls—addition to main building—hospital for consumptives .....	429
INSTITUTION—INDUSTRIAL—For boys and girls—separate institutions.....	254
INSTRUCTIONS TO JURIES—By the district court to be in writing—when and how made—exceptions—when taken .....	300
Submitted to counsel before read to jury—objections and exceptions made before being read to jury.....	300
INSURANCE—Against loss resulting from automobiles and other conveyances—limitation of risks .....	150, 151
Kinds of, that may be written.....	151
Against loss resulting from sprinkler leakage.....	151
Funds of life companies—how invested—drainage assessments deducted....	151
Mutual—benefit—under workmen's compensation act .....	165-171
Approved by department of insurance.....	170
INSURANCE DEPARTMENT—(See Department of Insurance.)	
INTEREST—Due permanent school fund.....	328
INTERNAL IMPROVEMENT—Taking private property for—appeal from commissioners' decision—how taken—change of venue.....	184
Taking private property for works of—sheriff's jury—how selected.....	185
INTERSTATE-INTRASTATE-COMMERCE—Provisions of workmen's compensation act—applicable to .....	165
INTERSTATE RATE CASES—Appropriation for prosecution of.....	345
INTOXICATING LIQUORS—Duty of peace officers to investigate alleged infractions of law .....	213, 214
County attorney to direct.....	213, 214
Sworn statements filed with county auditor.....	214
Sale of, prohibited within five miles of state educational institutions.....	214
Not in effect until after expiration of present consent petitions.....	214
Hours during which it may be sold in saloons.....	215
Bringing of, into certain state institutions forbidden.....	311
INTOXICATION—Of injured party a bar to recovery.....	155
INVALID TAXES—County—transferred to general fund.....	78
INVESTIGATIONS—Made by board of arbitration—limited.....	304
INVESTMENT—Of funds or bequests left for maintenance and improvement of cemeteries .....	32
Of funds by executors, administrators, trustees and guardians—in what to be made .....	37
Of insurance funds of life companies .....	151
Of funds of savings banks in unincumbered real estate in adjoining states..	173
INVESTMENT COMPANIES—(See also Blue Sky law.)	
Regulation and supervision of.....	143
IOWA CITY, CITY OF—To legalize certain warrants of.....	396
IOWA INDUSTRIAL COMMISSIONER—Appointment of by governor—salary, expenses .....	166
Political activity prohibited .....	166
Powers and rules of.....	167
May terminate insurance plan.....	171
IOWA INDUSTRIAL SCHOOL—(See Industrial Schools.)	
IOWA LEAGUE OF MUNICIPALITIES—Appropriation authorized for membership in .....	50
IOWA LIBRARY COMMISSION—(See Library Commission.)	
IOWA SOLDIERS' ORPHANS' HOME—Appropriation for support of inmates—how paid—counties liable .....	253
Salary of chief executive of.....	256
Conveyance of certain territory belonging to, authorized.....	374, 375

## INDEX

	Page
IOWA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS—Laboratory for manufacture of hog cholera serum established in connection therewith .....	249
Special tax levy for extension work—how distributed—balance transferred to general revenues of state.....	252
Appropriation payable in twelve equal monthly installments.....	336
Appropriation for support, extension work, etc. ....	340
Appropriation—emergency fund for construction and equipment of chemistry building .....	341
Joint resolution approving erection of chemistry building, agricultural laboratories, transportation laboratory and animal husbandry laboratories .....	432
IOWA STATE DAIRY ASSOCIATION—Organization—verified proofs filed with secretary of state .....	343
Inspection—school of instruction—compensation—expenses—how paid.....	343
Annual report to governor.....	343
Appropriation .....	343
IOWA STATE FAIR GROUNDS—Erection of women's and children's building on IOWA STATE TEACHERS' COLLEGE—Appropriation payable in twelve equal monthly installments .....	336
IOWA VETERANS—Home coming of—appropriation for.....	347
ITINERANT VENDORS OF DRUGS—Unexpired license assignable—fee.....	240
JACK OR STALLION—Inspection of .....	210
Certificate of soundness .....	211
Importation of—certificate .....	211
Blind—examination by three veterinarians—certificate.....	212
JACKSON, H. C.—Appropriation to indemnify.....	351
JACOBSON, O. H.—Appropriation for expenses incurred in election contest.....	331
JANITORS—Number and compensation of in certain offices.....	437
JEWELL JUNCTION, TOWN OF—To legalize special election of.....	398
JOHNSON COUNTY—Board of supervisors to issue quit claim deed to John Vesely .....	375
JOINT COMMITTEE—Retrenchment and reform, additional powers and minority members added .....	24
JOINT RESOLUTION—Proposing an amendment to constitution of Iowa for the time of holding general elections.....	422
Proposing an amendment to constitution of Iowa relative to taxation of certain classes of property for state revenue.....	422, 423
Providing initiative and referendum for enactment of laws and amendment to constitution .....	423
Proposing an amendment to the constitution of Iowa relating to right of suffrage .....	426
Ratifying amendment to constitution of United States relative to election of United States senators.....	426, 427
Authorizing committee on retrenchment and reform to employ expert accountants and efficiency engineers.....	427
Relative to compensation of additional employes of Thirty-fifth general assembly .....	428
Approving estimates of cost, plans and specifications for buildings and improvements at certain state institutions.....	428-430
Fixing compensation and duties of additional employes of thirty-fifth general assembly .....	430
Referring joint resolution relating to right of suffrage to the thirty-sixth general assembly .....	431
Approving estimates of cost, plans and specifications for buildings at certain state educational institutions .....	432
Fixing number and compensation of employes in the state departments.....	433
Authorizing publication of workmen's compensation act.....	438
JUDGES—How nominated in districts composed wholly of one county.....	28
Tenth judicial district—number—governor to fill vacancy.....	28
Twenty-first judicial district—two judges—term.....	30
Fourth judicial district—term .....	30
Transfer of—how made—duties .....	31
Non-partisan—nomination and election of—petition—ticket—candidate—primary and general election—withdrawal—vacancies .....	91, 92
Of election in independent school districts.....	264
Instructions to juries submitted to counsel before being read.....	300

	Page
JUDGES OF SUPREME COURT—Number of—appointment of additional judge by governor—confirmed by senate—term.....	26
JUDGMENTS—In quieting title prior to January 1, 1900, legalized.....	289
After ten years, certain judgments legalized.....	290
Lien of district or circuit courts of United States and supreme court of Iowa, attaches—when .....	301
JUDICIAL DISTRICTS—Composed wholly of one county.....	28
Tenth—counties composing district—number—vacancy filled by governor....	28
Fourth and twenty-first—times of holding court—places—schedule .....	29
Additional judge appointed in fifteenth district.....	30
Transfer of judges in certain cases.....	31
JURIES—Instruction by district court—when and how made—exceptions—when taken .....	300
JURY—(See also Grand Jury.)	
JUSTICE OF THE PEACE—Certain cases transferred from mayor's court to....	49
Transcript from docket of—how obtained when vacancy exists.....	306
JUVENILE COURT—To allow pensions to dependent children.....	33
KENSETT, TOWN OF—To legalize platting of addition executed by Marget Lukason, deceased .....	399
KIMBALL, CLEMENT F.—First half of salary—appropriation for.....	331
Appropriation for expenses of election contest.....	349
KOSSUTH COUNTY—Creation of Larrabee county submitted to voters of—boundary .....	353
KREFT, HERMAN—Refund to estate of, for money paid for treatment at sanatorium at Oakdale—appropriation .....	330
LABELS—On each container of calcium carbide printed in English language..	225
LABOR—Appointment of board of arbitration for settlement of disputes.....	303-305
Of prisoners on roads and highways and other public works optional—under custody of warden.....	132
Care of prisoners while absent.....	133
Cost of labor—how paid.....	133
Allowed part of earnings.....	133
Clothing not conspicuous .....	133
Violation—return .....	133
LABORATORY—For manufacture of hog cholera serum. (See Hog Cholera Serum.)	
LABOR COMMISSIONER—(See Commission of Labor.)	
LABORERS—Providing for safety and comfort of—flues arranged for escape of deleterious fumes .....	314
LABOR STATISTICS—Compensation of employe of.....	437
LAND—(See also State Lands.)	
Purchase of for state institutions.....	21
LARCENY OF POULTRY—In the day time—penalty.....	310
LARRABEE COUNTY—Creation of submitted to voters of Kossuth county.....	353
Boundary .....	353
County seat .....	355
Board of supervisors .....	355
Commissioners—salary .....	356
Same congressional, judicial and senatorial districts.....	356
Joint drainage districts .....	356
LATTNERS, TOWN OF—To legalize incorporation acts, proceedings, petition of	400
LAUGHLIN, J. M.—Issuance of patent to.....	367
LAWS—Enactment of joint resolution providing initiative and referendum for..	423
LEAGUE OF IOWA MUNICIPALITIES—Cities and towns authorized to appropriate for dues in.....	50
LEASE—Of buildings and grounds acquired in extension of capitol grounds....	17
Of property to state does not exempt from taxation.....	106
Of state land by executive council.....	275
LEGACIES—(See Collateral Inheritance Tax.)	
Collection of tax upon .....	103
LEGALIZED—Certain conveyances prior to January, 1890.....	276
Release and satisfaction of mortgages filed prior to January 1, 1902.....	278
Certain instruments affecting title filed prior to January 1, 1890.....	278
Conveyances of real estate by executors or trustees under foreign wills.....	288
Decrees quieting title prior to January 1, 1900.....	289

	Page
<b>LEGALIZED—Continued.</b>	
Sheriff's deed executed prior to January 1, 1900.....	289
Deeds given by executors, administrators, etc., prior to January 1, 1900, showing irregularities .....	290
After ten years certain judgments, decrees and contracts.....	290
Tax deeds executed prior to January 1, 1895, showing certain irregularities .....	291
Conveyances of real property by executors or trustees under foreign wills..	291
Certain conveyances of real property under foreign wills.....	292
Certain releases or discharges of judgments executed by foreign administrators, executors and guardians prior to January 1, 1913.....	294
Legalizing decrees obtained prior to January 1, 1911, where proof of publication was made by editor instead of publisher.....	298
Action of board of directors in employing and compensating superintendent of schools at Tama .....	362
Certain ordinances and transcripts of town of Ayrshire.....	377
Certain resolution of town of Atlantic.....	378
Acts, issuance of bonds, warrants in establishment of water and gas plant at Aurella .....	380
Certain warrants issued by the city of Bedford and acts of.....	381, 382
Certain ordinances of city of Bedford.....	383
Certain acts and warrants of city of Belle Plaine.....	383
Certain ordinances, resolutions and amendments of the town of Buffalo....	385
Incorporation, election and ordinances of town of Camanche.....	386, 387
Special election and issuance of bonds for erection of gas works of town of Calmar .....	388, 389
Special election, ordinance and acts of city of Carroll.....	389
Special election of the city of Cedar Falls .....	391
The seventh ward sewer system of the city of Des Moines.....	393
A certain election, vote, tax and bonds providing for flood protection in the city of Des Moines .....	394
The incorporation of the Humboldt State Bank of Humboldt .....	396
Certain warrants of the city of Iowa City.....	396
Special election held in town of Jewell Junction.....	398
Plat of an addition to town of Kensett, executed by Marget Lukason, deceased .....	399
Incorporation, acts, proceedings—petition of town of Lattners.....	400
Incorporation, acts and proceedings of Leopold Desk Company of Burlington.....	400, 401
Certain acts of mayor and city council and certain warrants of city of Marshalltown .....	402, 403
Special election of town of Miles .....	404
Certain acts and warrants of town of Milford.....	405
Election of councilmen and subsequent acts of, in town of Modale.....	406
Certain ordinances of the town of New Market.....	407
Certain acts and warrants of city of Onawa.....	408, 409
Issuance of bonds for extension of water works in city of Osceola.....	409, 410
Certain ordinances, resolutions and acts of town of Pacific Junction.....	410
Certain acts and ordinances of town of Rowan.....	411
Incorporation, election, ordinances, acts, etc., of town of Sharpsburg.....	412
Certain ordinances of the town of Sheldahl .....	413
Proceedings of city council of Tipton in construction of sewer system.....	414
Special election, bonds and acts for water works, electric and power plant of the town of Valley Junction .....	415
Issuance of sewer outlet bonds and special tax levy for, in city of Valley Junction .....	417
Proceedings of board of supervisors in purchase of land, tax levy, etc., for addition to county home farm in county of Wapello.....	418, 419
Certain city election and granting of franchise to Winterset Mutual Telephone Company in city of Winterset.....	420, 421
<b>LEGAL SETTLEMENT—Of non-resident insane patients, how established.....</b>	<b>205</b>
<b>LEO, ELSIE—Stenographic work in law library, appropriation for.....</b>	<b>330</b>
<b>LEOPOLD DESK COMPANY OF BURLINGTON—To legalize incorporation, acts and proceedings of .....</b>	<b>400, 401</b>
<b>LEVEES—(See also Drains, Ditches, Levees and Water Courses.)</b>	
For flood protection .....	74
Destruction of—penalty .....	179

## INDEX

	Page
LEVEE IMPROVEMENT COMMISSION—Appointment—term—bond—powers and duties .....	80
LEVY—Special tax for extension of capitol grounds .....	16
Special taxes for state institutions .....	21
Amount funds held by state treasurer—how expended—procedure in case of loss .....	22
Tax sufficient to maintain and improve county hospital.....	38
Of cemetery tax .....	44
Special tax for maintaining fire departments .....	55
Of library tax .....	58
By cities and towns for dock fund.....	66
Of special assessment in cities and towns for street improvement.....	68
Re-levy for local improvement where previous assessment is void.....	71
Of special tax in incorporated towns for street improvements.....	72
Of annual tax for park purposes.....	76
Of tax for park improvement .....	76
Of tax for river front improvement fund.....	77
Of special tax for department of public safety.....	81
Of tax for construction and maintenance of garbage disposal plant.....	83
Power to continue, for flood protection.....	74
Of tax for improvement of agriculture, etc., submitted to voters.....	148
Of tax for county corporations for improvement of agriculture.....	146
May be discontinued after five years.....	149
Of tax for county agricultural society—question submitted—how expended..	150
Of tax in aid of railroads in certain cities.....	190
Of tax to aid in the construction of electric railroads or the electrification of steam railroads .....	192
Aid given only to owners unless approved by railroad.....	192
Of special tax for extra work at Iowa State College of Agriculture and Mechanic Arts .....	252
Tax to pay bonded indebtedness of school corporations.....	270
Of tax for establishment and maintenance of public play grounds.....	274
How discontinued .....	274
General for state purposes .....	325
LIABILITY—Of state growing out of sale of certain school lands in Webster and Hamilton counties .....	6
Pensions paid to disabled and retired firemen exempt from debts.....	12
Fixed on contracts entered into with state or any municipal corporation...	25
For destruction of warehouses and other buildings located on railroad lands.	202
Of care of non-resident insane patients of county of legal settlement—if non-resident of state .....	205
Of counties for support of inmates of Soldiers' Orphans' Home.....	253
Of county for patients in advanced stages of tuberculosis .....	259
Of owner to contractor and sub-contractor under mechanics' lien.....	285
For family expenses—education of children chargeable to property of both husband and wife .....	288
LIBRARIES—Free, public—power of library trustees, township trustees, city or town councils and board of directors.....	59, 60
LIBRARY—(See also Public Library and State Library.)	
LIBRARY COMMISSION—Appropriation for .....	275
Number and compensation of employes of .....	436
LIBRARY TAX—Levy for in certain cities .....	58
LIBRARY TRUSTEES—Power to contract for free use of library.....	59
Appointment and powers in certain cities.....	85
LICENSE—To practice law revoked—disqualification for office of county attorney	36
To plumbers .....	51
To transient merchants .....	51
For charitable institutions soliciting public aid no fee required.....	144
To conduct food producing establishment issued by state dairy and food commission .....	228
To sell commercial fertilizer .....	230
Of itinerant vendor of drugs—may be assigned.....	240
Of dentists must be open to view in operating room.....	241
Dentist's license must be filed with clerk of district court—failure—penalty...	241
Revocation of notice—hearing .....	242
Issuance of, to users of automatic weighing devices.....	283



	Page
LIEN—For insurance under workmen's compensation act.....	171
Sub-contractors, mechanics' lien—how vacated and discharged.....	285
Upon baggage of hotel guests—right to sell after certain period.....	286
Release of by foreign administrators, executors and guardians.....	293
Valid when certificate of appointment is filed with clerk of district court....	293
Of judgments of district or circuit courts of United States and supreme court of Iowa—attaches—when .....	301
LIEN OF TAXES—Where collected in two or more places.....	70
LIEUTENANT GOVERNOR—Inauguration and canvass of vote of.....	4
Appropriation for salary .....	327
LIFE INSURANCE FUNDS—Investment of .....	151
LIMITATION OF ACTIONS—To set aside judgment or decree quieting title ten years .....	289
After one year certain right terminated.....	291
Period of, in certain cases not applicable.....	291
For recovery of real estate where deed was recorded prior to January 1, 1890 .....	296
Setting aside wills .....	297
To foreclose or enforce mortgages or contract on real estate.....	297
LIMITATION OF INDEBTEDNESS—Of flood protection bonds.....	74
LIMITS—Of cities and towns—extending of .....	45
LIQUIDS—Standard measure .....	280
LIQUORS—(See Intoxicating Liquors.)	
LIS PENDENS—Notice of—affecting real estate.....	300
Filed with clerk of district court—how indexed.....	300
LIVE STOCK—Transportation of .....	203
Burden of proof rests with common carrier .....	203
LOANING AND DEPOSITING—Of public funds by city treasurer—local or other banks .....	47
Interest—private use of funds prohibited—expense of procuring bond—how paid .....	47
LOCOMOTIVE ENGINES—Equipped with frost glass—time .....	190
LODGING HOUSES—Inspection of—to be kept clean and sanitary—sheets 96 inches long .....	208
LODGING PRISONERS—By sheriff—compensation .....	42
LOSSES—Resulting from automobiles and other conveyances.....	150
LOST OR DESTROYED—Records—how restored .....	302
LUNATICS—To prevent procreation of .....	209
LYON COUNTY—Twenty-first judicial district .....	30
McCAFFERY, T. F.—Issuance of patent to, authorized.....	368, 369
MAIL CARRIER—Temporary—appropriation for salary of.....	330
MAINTENANCE—Of dependent children—pension.....	33
MALICIOUS MISCHIEF—Operating motor vehicle without consent of owner....	310
MANUAL TRAINING—Teaching of in public schools—qualification of teachers..	266
MAP—County—to show roads .....	110
Or plan of gypsum mines—surface boundary lines and underground work- ings to be shown on.....	220
Separate map of each seam of gypsum.....	220
Separate map to be made of surface—when.....	220
Original or true copies to be kept in office of mine.....	221
Copies furnished state mine inspector.....	221
Extension of survey to be made annually and entries made on maps.....	221
Map of abandoned or indefinitely closed mine.....	221
MARRIAGE—Time for making return of.....	287
Service of notice to annul illegal marriage may be made by publication....	298
MARSHALLTOWN, CITY OF—To legalize certain acts of mayor and city coun- cil and certain warrants of.....	402, 403
MARTIN, CHARLES—Issuance of patent to, authorized.....	366, 367
MATERIALS, MACHINERY OR FIXTURES—Liable for sub-contractor's mechanics' lien .....	285
MATRON—Of female department at reformatory to be allowed furnished apart- ment in addition to salary .....	322
MAYOR—And council to invest moneys and property donated or bequeathed to cemeteries .....	33

	Page
Of cities of second class elected biennially .....	46
To appoint members of department of public docks .....	63
To act as chairman of levee improvement commission.....	80
To appoint library trustees in certain cities—when .....	85
May file petition with governor asking appointment of board of arbitration to settle labor disputes .....	303
MAYOR'S COURT—Transfer of certain cases from—procedure—appeal.....	49
Jurisdiction of mayor—violation of city or town ordinance.....	49
MEASURES—(See Weights and Measures.)	
MEAT MARKETS—(See Food Producing Establishments.)	
MECHANICS' LIENS—Sub-contractor's—owner's liability—lien, how vacated and discharged .....	285
MEMBERSHIP—In league of Iowa municipalities .....	50
MEMORIAL DAY—Name changed to Decoration day .....	318
MERCHANTS, TRANSIENT—Who regarded as—granting of license to—how secured—fee .....	52, 53
Non-transferable .....	52
Bond filed with county auditor .....	52
Fraudulent advertising prohibited—penalty.....	52
Evidence furnished on complaint .....	53
MEREDITH, DAVID—Appropriation for expenses incurred in contest of election.....	331
MILES, TOWN OF—To legalize special election of.....	404
MILFORD, TOWN OF—To legalize certain acts and warrants of.....	405
MILITARY CODE OF IOWA—Authority of sheriff to call out national guard—repealed .....	204
Compensation of officers and men—stoppage of pay.....	204
Rent of armory—how apportioned—appropriation .....	204, 205
MILK BOTTLES—Size plainly blown in bottle—designating number.....	282
MILLS COUNTY—In fifteenth judicial district.....	31
MINE INSPECTOR—(See also State Mine Inspector.)	
How appointed—term .....	218
MINES AND MINING—(See also Gypsum Mines.)	
Appointment of mine inspectors—term—vacancy—how filled—bond.....	218
Gypsum mines—construction and operation of—two distinct openings—escape and air shafts—one year to make required changes.....	218, 219
Ventilation of—speaking tubes—adequate brakes—competent engineers—timber props .....	219
Map of mines—surveys ordered .....	220
Failure to comply .....	221
MINORITY MEMBERS—Added to committee on retrenchment and reform.....	24
MINORS—Of certain deceased firemen to receive pension.....	12
Injury of—compensation paid to trustee.....	162
MISBRANDING OF FOODS—Packages must be marked with correct weight and measure—contents conspicuously marked .....	314
MISDEMEANOR—Refusal of banks to furnish list of stockholders to assessors..	105
Violation of provisions of registration of highway routes.....	120
Failure to destroy noxious weeds .....	124
Failure to comply with regulation of meeting and passing vehicles on public highways .....	129
Failure of charitable institutions soliciting public aid to register with secretary of state .....	144
For industrial commissioner to espouse cause of any political party.....	169
To refuse inspection of books and pay rolls by industrial commissioner.....	169
To obstruct drainage ditches—breaking levees .....	179
Wrongful use of material condemned for road purposes.....	187
Failure to post bulletins at railway stations.....	189
Failure to equip locomotives with certain headlights.....	194
Failure to equip and maintain sanitary closets at railway stations.....	199
Failure to report accidents to bureau of labor statistics.....	217
Failure to properly pack and label calcium carbide.....	225
Failure to keep food producing establishments in sanitary condition.....	229
To give false analysis of commercial fertilizer.....	230
Transmission of venereal diseases.....	237
Practicing dentistry in violation of statutes.....	241
Failure of chief of fire department to make reports to state fire marshal....	245
Refusal to comply with weights and measures act.....	284

	Page
<b>MISDEMEANOR</b> —Continued.	
Failure to report sale of dangerous weapons.....	308, 309
Candidates making political promises for support.....	312
Desecration of state or United States flag.....	315
<b>MITCHELLVILLE</b> —(See also Industrial Schools.)	
Industrial school for girls.....	254
<b>MODALE, TOWN OF</b> —To legalize election of councilmen in.....	406
<b>MONEY</b> —Collected from visitors at reformatory and penitentiary—how expended.....	323
<b>MONEY AND CREDIT</b> —Taxation of bank stocks—refusal to report to assessor— by banks.....	105
<b>MONONA COUNTY</b> —In fourth judicial district.....	29
<b>MONTGOMERY COUNTY</b> —In fifteenth judicial district.....	31
<b>MORPHINE</b> —Bringing of, into certain state institutions forbidden—penalty.....	311
<b>MORTGAGES</b> —Limitation of action to foreclose real estate.....	297
<b>MOTION FOR NEW TRIAL</b> —Must state specifically the grounds relied upon—that error in instructions was not discovered at time of trial.....	301
<b>MOTOR CYCLES</b> —(See Motor Vehicles.)	
<b>MOTOR VEHICLE DEPARTMENT</b> —Number and compensation of employes of... ..	434
<b>MOTOR VEHICLES</b> —Defined—application for registration—what to contain— filed with secretary of state.....	125, 126
Assignment of number—two number plates—duplicates—fee.....	126
Registration renewed annually.....	126
Rate—one-half fee—over four years old.....	126, 127
One-half rate when purchased after August 1st.....	127
May operate on dealer's number fifteen days after purchase.....	127
Dealers' numbers—duplicates—fees.....	127
Dealers to register annually.....	128
Penalties.....	128
Meeting and passing of, on public highways.....	129
Operation of, upon public highways.....	130
Fees—eight per cent apportioned to maintenance fund of state highway com- mission.....	131
Insurance against loss resulting from automobiles and other vehicles.....	150
To operate without consent of owner—penalty.....	310
<b>MOUNT PLEASANT STATE HOSPITAL</b> —(See Hospital for Insane.)	
<b>MOUNT PLEASANT, TOWN OF</b> —Appropriation to pave East Washington street in.....	358
<b>MUNICIPAL ACCOUNTING</b> —Of cities and towns.....	82
<b>MUNICIPAL CORPORATIONS</b> —Liability fixed on contracts.....	25
<b>MYERS, ELMER</b> —Refund of unexpired license—appropriation for.....	330
<b>MYRICK, ELIAS</b> —Issuance of patent to, authorized.....	373
<b>NAME</b> —Difference in Christian name or initials in proof of title to real estate— in certain cases conclusive evidence.....	290
Words to be incorporated in name of trust companies, state or savings banks.....	176
<b>NATIONAL COMMITTEEMEN</b> —Election of.....	99
<b>NATIONAL GUARD</b> —Authority of sheriff to call out—repealed.....	204
<b>NEGLIGENCE</b> —In properly equipping gypsum mines.....	220
Of co-employe causing injury.....	154
Burden of proof on employer to rebut presumption of negligence.....	155
<b>NEW MARKET, TOWN OF</b> —To legalize certain ordinances of.....	407
<b>NEWSPAPERS</b> —Publication of notices in—may be printed in either English or foreign language.....	43
<b>NEW TRIAL</b> —Motion for, must state specifically grounds therefor.....	301
<b>NINETEENTH SENATORIAL DISTRICT</b> —Appropriation for Kimball-Goodwin contest in.....	348
<b>NOMINATION</b> —Judges in districts composed wholly of one county.....	28
Of judges—non-partisan.....	91
Of candidates for office in independent school districts.....	264
<b>NOMINATION PAPERS</b> —Of candidates for United States senator—affidavit... ..	96
In primary elections.....	98
Signed by ten qualified voters of any sub-division of a county.....	98
Of candidates for delegates to national convention—where filed—national committeemen.....	99
<b>NONFEASANCE</b> —In office—board of supervisors—removal.....	187
<b>NON-PARTISAN NOMINATION</b> —And election of judges.....	91
<b>NON-RESIDENT INSANE PATIENTS</b> —Care of, cost and expense—how paid— legal settlement—how established.....	205

	Page
NORMAL COURSE—For training of teachers for rural schools.....	261, 262
NORMAL INSTITUTES—Teachers conventions and institutes—expenses—how paid—institute fund—annual report—summer school.....	246
NORMAL SCHOOL—(See Iowa State Teachers' College.)	
NOTICE—May be published in newspapers printed in foreign language but must be in English language.....	43
Posting of, in extension of limits of cities and towns.....	45
Service on county auditor for transient merchants.....	52
Of primary election—how published .....	102
For destruction of noxious weeds—how given .....	122
Posting list of noxious weeds.....	124
Service of, on secretary of state for foreign corporations.....	138
To land owners to condemn land for private cemetery associations.....	145
Of employers to reject—form .....	155
Of employes to reject—form .....	156
To reject waiver .....	158
Of injury to employe—form.....	159
Failure to give notice to reject terms.....	159
Of hearing of removal of Iowa industrial commissioner.....	170
To set aside wills, served same as original notices.....	297
Service of, by publication, when action is to annul illegal marriage.....	298
Of lis pendens affecting real estate, filed with clerk of district court—how indexed .....	300
NOXIOUS WEEDS—Land owners or tenants to destroy—when.....	122
Defined .....	122
Neglect or refusal to destroy.....	122
Notice to property owners.....	123
Road fund may be expended for destruction of.....	123
Destruction of may be assessed against land.....	123
Township trustees—duty of .....	123
Complaints—where filed .....	123
Applicable to cities and towns.....	124
Posting of notice by township clerk.....	124
Annual reports .....	124
Penalty .....	124
NUISANCE—Emission of dense smoke within city limits—how abated.....	43
Prevention and regulation of slaughter houses, etc.....	50
In construction of drainage ditches, defined.....	179
NUMBER PLATES—For motor vehicles .....	126
O'BRIEN COUNTY—In twenty-first judicial district.....	30
OBSERVANCE OF DECORATION DAY—Certain games prohibited—time.....	318
OCCUPANCY OR DISTRIBUTIVE SHARE—Of homestead by surviving spouse.....	295
OFFICE—Of commissioners at city hall.....	87
Of superintendent of public instruction at state capitol.....	89
Term of, of county superintendent .....	95
Of department of insurance at state capitol.....	152
Of mine inspectors—term—six years.....	218
OFFICERS OF STATE—Must make daily accounting of fees to state treasurer.....	22
Appropriation for .....	325-331
ONAWA, CITY OF—To legalize certain acts and warrants of.....	408, 409
OPINIONS—Of superintendent of public instruction—when given.....	89
OPIUM—Bringing of, into certain state institutions forbidden.....	311
OPTIONS—Secured by executive council in extension of capitol grounds.....	17
ORDINANCES—Violation of—jurisdiction of mayor—may transfer case to justice of the peace—judicial notice of.....	49
ORIGINAL INSTRUMENT—Transcript of, affecting real estate from recorder's office same effect as.....	277
ORIGINAL NOTICE—Service of, by publication when action is to quiet title....	298
Proof of publication made by editor instead of publisher, legalized in certain cases .....	298, 299
By publication to annul marriages, legalized .....	298
In actions against unknown defendants—contents of.....	299
ORPHANS' HOME—(See Iowa Soldiers' Orphans' Home.)	
OSCEOLA, CITY OF—To legalize issuance of bonds for extension of water works .....	409, 410
OSCEOLA COUNTY—In twenty-first judicial district .....	30
OSTEOPATHY—Practice of, revocation of certificate.....	239

## INDEX

	Page
OTTER ISLAND—Transferred to city of Burlington.....	363
PACIFIC JUNCTION, TOWN OF—To legalize certain ordinances, resolutions and acts of .....	410
PACKAGES—Containing food must be marked with contents—correct weight and measures .....	314
PAGE COUNTY—In fifteenth judicial district .....	31
PARDON—May be granted by governor after suspension of execution of sentence—conditions .....	320
PARENTS—Share in estate when intestate leaves no issue.....	296
PARK COMMISSIONERS—Appointed by city council until election.....	84
PARK IMPROVEMENT—Tax levy for .....	76
PARKS—Annual tax levy for .....	76
PAROLE—(See also Board of Parole.)	
Of patients in state hospital for inebriates and certain female patients in hospital for insane—conditions .....	207
Violation of—returned to hospital .....	207, 208
Penalty for violation of parole .....	311
PARTITION FENCES—Default, damages—how collected .....	213
PASSENGER RATES—To fairs or expositions .....	188
PASSENGER SERVICE—What is reasonable, defined.....	200
PATENT—Issuance of, to Jacob Arnold, authorized.....	364
Issuance of, to Anna L. Edgar, authorized .....	365
Issuance of, to Charles Martin, authorized .....	366, 367
Issuance of, to J. M. Laughlin, authorized .....	367
Issuance of, to T. F. McCaffery, authorized .....	368, 369
Issuance of, to George Rockhold, authorized .....	369, 370
Issuance of, to Albert Husa, authorized .....	370, 371
Issuance of, to W. F. Pomeroy and Arthur Dilley, grantees of David E. Fry, authorized .....	371
Issuance of, to Elias Myrick, authorized .....	373
Issuance of, to John A. Ruttur, grantee of G. W. Perkins, authorized.....	373, 374
PATIENTS—Removal of, from county asylum .....	256
PAVING—Levy and collection of special assessment for, on property situated not more than three hundred feet from street improved.....	68, 69
Sale of salvage on repaving of streets.....	69
How ordered, what vote of city council required.....	70
Re-assessment for, when previous assessment is void.....	71
Re-construction of, costs—how assessed .....	71
Of East Washington St., Mt. Pleasant, appropriation to aid in.....	358
PAYMENT OF CLAIMS—Against estates of decedents—for labor—preferred..	294
PEACE OFFICERS—To make investigation of alleged infraction of liquor laws	213
PEDIGREED STOCK—Examination of stallions and jacks by licensed veterinarian—certificate of soundness—importation prohibited unless accompanied by veterinarian's certificate .....	211
PELLET, FRANK C.—Expenses of, as bee inspector—appropriation for.....	330
PENALTY—For divulging contents of sealed bids.....	20
For violation of ordinances regulating slaughter houses, etc.....	50, 51
For fraudulent advertising by transient merchants.....	53
For selling goods as transient merchant without license.....	53
Fixed by city council for violation of building code.....	54
For refusal to furnish list of stockholders, by banks.....	105
For defacement of sign boards, etc., marking highway routes.....	120
For removal or destruction of guards placed around unsafe places in public highways .....	121
For failure to destroy noxious weeds .....	124
For failure to register motor vehicles.....	128
For soliciting funds for public aid without license.....	138
For refusing to comply with terms of Blue Sky law.....	140
For misuse of bank funds .....	173, 174
For obstructing drainage ditches or breaking levees.....	179
For using for any other purpose, material condemned for road improvement .....	187
For failure to post bulletins showing arrival of trains.....	189
For failure to equip locomotive engines with frost glass.....	190
For failure to equip locomotives with proper headlights.....	194
For failure to equip and maintain sanitary closets at railway stations.....	199
For failure of railroad companies to adjust claims within required time.....	203

	Page
<b>PENALTY—Continued.</b>	
For failure to report accidents to bureau of labor statistics.....	217
For failure to properly equip and maintain gypsum mines.....	221, 222
For violation of provisions of cold storage and refrigerator warehouse act	224
For improper packing and labeling of calcium carbide.....	225
For unsanitary conditions of food producing establishments.....	229
For selling commercial fertilizer without license .....	230
For false analysis of commercial fertilizer .....	230
For importing diseased bees .....	235
For failure to report cases of syphilis and gonorrhoea to local board of health .....	237
For practicing dentistry contrary to requirements of law.....	241
For failure of chief of fire department to make reports to state fire marshal	245
For selling hog cholera serum which is below standard potency.....	250
For distributing virus from cholera infected hogs without permit.....	250
For selling hog cholera serum without permit.....	251
For violation of act providing minimum wage scale for teachers.....	267
For refusing to comply with weights and measures act.....	284
For carrying concealed weapons without permit.....	308
For selling dangerous weapons .....	308, 309
For escape from reformatory and penitentiary.....	311
For violation of parole .....	311
For carrying drugs, liquors, weapons, etc., into certain state institutions..	311
For soliciting for the purpose of prostitution.....	313
For desecration of United States or state flag—fine paid into school fund.	315
For unfair discrimination in commerce and trade.....	317
<b>PENITENTIARY—(See also Reformatory.)</b>	
Levy of special tax for improvements, etc.....	21
Fort Madison—Compensation of officers and employes of.....	321, 322
Fort Madison—Appropriation for improvements, repairs, etc.....	335
<b>PENITENTIARY AND REFORMATORY—Escape from—violation of parole—penalty .....</b>	
Money collected from visitors—how expended .....	310
Money collected from visitors—how expended .....	323
<b>PENSIONS—For disabled and retired firemen .....</b>	
Who entitled to—amount—how paid.....	11
Exempt from liability for debts .....	12
For volunteers or call members.....	12
For survivors of Spirit Lake relief expedition—appropriation for.....	362
<b>PERKINS, G. W.—Issuance of patent to Jno. A. Ruttur, grantee of, authorized.</b>	373, 374
<b>PERMANENT ROAD SURVEY—Permanent bridges—government corners, etc.</b>	111
<b>PERMIT—Under Blue Sky law—how obtained—words to be printed across face</b>	
—revocation or cancellation of .....	137-142
To sell hog cholera serum—how issued—fee.....	249
For carrying or selling dangerous weapons—how obtained.....	308
<b>PERSONS—Liability established in contracts entered into with state or municipal corporations .....</b>	
	25
<b>PETITION—For re-hearing of cases in supreme court.....</b>	
By five or more resident attorneys for additional judge.....	26
For street improvements and sewers in certain towns.....	31
For submission of question of adoption of commission form of government...	70
Of candidate on non-partisan judicial ticket .....	87
Of private cemetery associations to condemn land.....	91
For management of pumping stations in drainage districts by trustees.....	144
For submission of question of tax levy in aid of railroads—number of signers necessary in certain cities .....	182
To submit proposition of construction of electric railroads or electrification of steam railroads .....	190
For construction of electric transmission line—what to contain—publication of .....	191
For enforcement of sanitary conditions filed with state board of health—number of signers .....	196
For levy of tax for establishment of public play grounds—special election.	234
In actions against unknown defendants—contents of—verification.....	273
In action to restore lost or destroyed records.....	299
Affecting real estate, filed with clerk of district court—how indexed.....	302
	300

491  
INDEX

	Page
PETITION—Continued.	
For appointment of board of arbitration filed with governor—by whom made .....	303
To require witnesses to attend and give testimony in criminal actions in other states .....	320
PHARMACY COMMISSION—(See State Pharmacy Commission.)	
PHOTOGRAPHIC COPY—Of books of account to be admitted as evidence—when	307
PHYSICIANS—To report to local board of health, cases of syphilis and gonorrhoea—failure—penalty .....	236, 237
Certificates—cause for revocation of—unprofessional conduct defined.....	238
Appeal from decision of state board of medical examiners.....	239
PIONEER LAW MAKERS' ASSOCIATION—Appropriation for certain expenses	329
PLANS AND SPECIFICATIONS—For road work.....	115
By state architect for buildings under control of state board of education..	338
PLANTS, MUNICIPAL—To sell water, heat, gas and electric current.....	57
PLAT—Of capitol grounds extension .....	16
Of Otter Island, made under direction of secretary of state.....	363
PLATS—Of real estate in special charter cities not made by county auditor.....	79
Of additions in which streets and alleys are to be dedicated to city, must be approved by city council .....	277
PLAY GROUNDS—Levy of tax for—question submitted .....	273
PLUMBERS—License and examination of—qualifications .....	51
PLUMBING—Regulation and inspection of.....	51
PLYMOUTH COUNTY—In twenty-first judicial district .....	30
POLITICAL PROMISES—By candidates for office, prohibited .....	312
POLL TAX—To be used to maintain roads over state lands.....	119
POMEROY, W. F.—Issuance of patent to, as grantee of David E. Fry, authorized	371
POSTAL SAVINGS DEPOSITS—Securities deposited with United States Treasurer as security for .....	174
POTTAWATTAMIE COUNTY—In fifteenth judicial district .....	31
POULTRY—Larceny of .....	310
POWER—Of retrenchment and reform committee.....	23
Of certain cities and towns to purchase ground and erect city hall.....	61
Of trust companies, state and savings banks relative to trust funds of estates .....	175, 176
PRACTICE OF DENTISTRY—(See Dentistry.)	
PRACTICE OF MEDICINE—Examination papers to be kept on file three years..	237
Revocation of license—procedure .....	237
Three additional chairs established in homeopathic department.....	245
PRACTICE OF OSTEOPATHY—Revocation of certificate.....	239
PRACTITIONERS OF LAW—In other states—requirements in this state.....	37
PREFERENTIAL VOTE—For president and vice-president .....	99
PRESIDENT OF SENATE—Appropriation for chair and gavel for.....	331
PRESIDENT OF UNITED STATES—Preferential vote for.....	99
PRIMARY ELECTION—Of judges in districts composed wholly of one county..	28
Of judges on non-partisan ticket .....	91
Of United States senator .....	92
Nomination papers signed by ten qualified voters in certain cases.....	98
Of delegates and alternates to national convention—committeemen—delegates to county convention—when held.....	99
PRINTING—Of code supplement .....	2
Of official ballot .....	102
PRISONERS—Compensation for boarding and lodging of, by sheriff.....	42
Able-bodied—labor on public highways and other public work—optional...	132
Under custody of warden .....	132
Care—cost of labor—allowed part of earnings.....	133
Clothing not conspicuous—violation of rules—return.....	133
Escape of—violation of parole—penalty .....	311
Appropriation for support of, in reformatory and penitentiary.....	322
Working at breaking stone with hammers, amended.....	324
PRIVATE CEMETERIES—Support and maintenance of.....	44
PRIVATE CEMETERY ASSOCIATIONS—(See Cemetery Associations.)	
PRIVATE CROSSINGS—Over railroads—how obtained .....	186
PRIVATE PROPERTY—Taken for internal improvement—appeal from award—damages .....	184
PRIVIES—Must be kept sanitary at railway stations.....	199
PROCREATION—Of habitual criminals, rapists, idiots, feeble-minded, insane, diseased and degenerate persons—how prevented .....	209

	Page
PROMISES—Political—by candidates for office, prohibited .....	312
PROOF—Required to obtain bounty for killing crows.....	212
Required in action to restore lost or destroyed records.....	302
Of publication of original notice made by editor, legalized when decrees were obtained prior to January 1, 1911.....	298, 299
PROOF OF TITLE—Derived from deeds executed prior to January 1, 1900, where differences exist in christian names and initials—conclusive evidence .....	290
PROPERTY—Of soldiers and sailors and their widows, exempt from taxation up to certain amount.....	105
PROSECUTION—Criminal—expense reported to clerk of district court by county auditor .....	35
Of interstate rate cases—appropriation for .....	345
PROSTITUTION—Soliciting for purpose of, penalty .....	313
PROTECTION AGAINST FIRES—Fire limits—removal of buildings.....	55
Means of escape provided in certain buildings.....	313
PROTECTION AGAINST FLOODS—Issue of bonds for.....	73
PROVIDENTIAL CONTINGENCIES—Appropriation for .....	327
PUBLIC BUILDINGS—Duty of custodian relative to display of United States flag .....	264
PUBLIC DOCKS—Acquirement, construction, maintenance and operation of...	62
PUBLIC FUNDS—Loaning and depositing of by city treasurer.....	47
Interest accrues to benefit of general city fund.....	47
PUBLIC GROUNDS—Improvements of streets and alleys—how paid.....	68
PUBLIC HIGHWAYS—(See Roads and Highways.)	
PUBLIC INSTRUCTION—Establishment of department of.....	88
PUBLIC LIBRARIES—Taxation of unplatted lands for.....	45
PUBLIC LIBRARY FUND—Transfer of building fund to maintenance fund....	58
PUBLIC OFFICERS—Not to divulge contents of sealed bids.....	20
PUBLIC PLAY GROUNDS—Establishment—supervision .....	273
Petition for tax levy—question submitted .....	273
Money—how expended .....	274
Question of discontinuance of levy, submitted .....	274
Appropriation by city council .....	274
PUBLIC RECREATION AND PLAY GROUNDS—(See Public Play Grounds.)	
PUBLIC SAFETY DEPARTMENT—Levy and collection of special tax for—how expended .....	81, 82
Bonds—how paid—cities affected .....	82
PUBLIC SCHOOLS—(See also Schools.)	
Use of tobacco prohibited in .....	261
PUBLICATION—Of report and decision of board of arbitration.....	305
Of workmen's compensation act, authorized .....	438
PUBLICATION OF NOTICES—Newspapers designated—by whom.....	43
To condemn land for private cemetery associations.....	145
Of pardon applications—appropriation for .....	328
Of sale of baggage to satisfy lien .....	286
PUBLICATION OF ORIGINAL NOTICE—To annul marriages, legalized.....	287
Service of, to quiet title when personal service cannot be had.....	298
To annul illegal marriages .....	298
Proof of, made by editor legalized, where decree was obtained prior to Jan- uary 1, 1911.....	299
PUBLICATION OF SCHOOL LAWS—When .....	89
Every four years .....	272, 273
Superintendent of public instruction to publish and distribute.....	273
Number to be determined by executive council.....	273
PUPILS—Of high schools—tuition—how paid.....	259
PURE FOOD—(See Food Producing Establishments.)	
QUALIFICATION—Of members of dock board.....	63
QUESTIONS—Incriminating—may be asked witnesses who are attempting to create a trust .....	306
QUESTION SUBMITTED—For creation of department of public docks.....	62
Of adoption of commission form of government.....	87
Of tax for improvement of agriculture, animal husbandry and horticulture	148
Of tax levy in aid of railroads in certain cities.....	190
Relative to aid in construction of electric railroads or electrification of steam roads .....	191
Of indebtedness of school district to purchase site.....	271



	Page
<b>QUESTION SUBMITTED—Continued.</b>	
Of tax levy for establishment of public play grounds.....	273
New boundary of Kossuth county—ballot—form—canvass of vote—certified to secretary of state—primary election—special election—how conducted .....	353, 354
Selection of county seat of Larrabee county.....	355
<b>QUIETING TITLE—Certain defects in, legalized .....</b>	<b>289</b>
Service of notice by publication.....	298
<b>QUIT CLAIM DEED—Issuance to John Vesely, authorized.....</b>	<b>375</b>
<b>RAILROAD COMMISSIONERS—Duty of in raising and lowering grades at crossings .....</b>	<b>185</b>
Authority to order private overhead or underground crossings when parties cannot agree .....	186
To determine rates to fairs and expositions.....	188
To approve levy of tax for aid in construction of electric railways or electrification of steam railways.....	192
Duties as to installation of uniform gauge for railroads.....	193
Powers and duties of.....	195
Power to grant franchise for establishment and transmission of electric current .....	196
Petition for erection of line filed with.....	196
General supervision of construction .....	197
Additional powers granted by.....	197
Commerce counsel to be legal adviser of.....	201
To adjust disagreements between railroads and owners of elevators and other buildings located on railroad lands.....	201
Appropriation for office of.....	326
Appropriation for prosecution of interstate rate cases.....	345
Number and compensation of employes of.....	434
<b>RAILROADS—(See also Common Carriers.)</b>	
<b>RAILROADS—(See also Electric Railroads.)</b>	
Raising or lowering of crossings at highways—disagreements referred to railroad commissioner .....	185
Private crossings over—how obtained.....	186
Passenger rates to fairs and expositions.....	188
To post bulletins at stations showing time of arrival of trains.....	189
What regarded as on time.....	189
Cabs of engines equipped with frost glass—time—violation—penalty.....	190
Electrification of—tax levy—proposition submitted—election—taxes—how collected .....	191
Uniform gauge for .....	193
To equip locomotives with headlights of certain candle power—when.....	194
Switch engines and electric power cars excepted.....	194
Failure to equip—penalty .....	194
Short lines operated wholly within the state not compelled to adopt certain headlights .....	195
Power of railroad commissioners relative to repairs, improvements, etc....	195
To equip and maintain sanitary closets at stations.....	199
Failure to comply—penalty .....	199
To furnish reasonable passenger service on certain lines.....	200
Commerce counsel—duties of .....	200, 201
Elevators and other buildings located on railroad lands—liability for loss....	201, 202
To settle claims for delays in delivery of freight—for injury or loss of freight—excessive rates—adjustment within limited time.....	202, 203
Failure to adjust losses—penalty.....	203
One claim filed for each shipment.....	203
Transportation of live stock .....	203
To be moved at the highest practicable speed—burden of proof.....	203
<b>RAPISTS—To prevent procreation of.....</b>	<b>209</b>
<b>RATES—Established by cities and towns for sale and purchase of heat, gas, water and electric current.....</b>	<b>56, 57</b>
Of passengers to fairs or expositions.....	188
Excessive freight rates—adjusted within certain time—failure.....	202, 203
<b>REAL ESTATE—Situated in special charter cities not platted by county auditor</b>	<b>78</b>
Acquisition of, for school sites.....	271
To legalize conveyance of, prior to January, 1890.....	276

	Page
<b>REAL ESTATE—Continued.</b>	
Not affected by suit commenced on or before September 1, 1913.....	276
Transcripts from recorder's office affecting.....	277
Entries of transfers—transcripts—by county auditor.....	277
Certain instruments filed prior to January 1, 1902, legalized.....	278
Certain conveyances filed prior to January 1, 1890, legalized.....	278
Certain conveyances of, made by executors or trustees under foreign wills, prior to January 1, 1900, legalized.....	288
Conveyance of, under foreign wills, legalized.....	292
Legalizing certain releases affecting real estate, made prior to January 1, 1903	294
Limitation of action for recovery of, in certain cases.....	296
Limitation of action to foreclose or enforce mortgage or contract.....	297
Service of original notice by publication, quieting title, when personal service cannot be had.....	298
Notice of lis pendens affecting real estate—filed with clerk of district court— how indexed.....	300
Lien of judgment of district and circuit court of United States and supreme court of Iowa, attaches—when.....	301
<b>RECEIPTS AND DISBURSEMENTS—During biennial period ending June 30, 1912.....</b>	<b>440</b>
<b>RECEIVER—Of foreign corporations—qualifications—appointment.....</b>	<b>136</b>
<b>RECONSTRUCTION—Of street improvements, assessment for.....</b>	<b>71</b>
<b>RECORDER—(See County Recorder.)</b>	
<b>RECORDS—Of insurance companies—where filed.....</b>	<b>153</b>
Transcript of, affecting real estate may be recorded in another county.....	277
Lost or destroyed—how restored—action in rem—petition—notice—decree— form—proof required—restored records—how filed.....	302
<b>RECOVERY—Of real estate—limitation of action in certain cases.....</b>	<b>296</b>
<b>REFERENDUM, INITIATIVE AND—Joint resolution providing for, regarding enactment of laws and amendment to constitution.....</b>	<b>423</b>
<b>REFORMATORY—Levy of special tax for improvements, etc.....</b>	<b>21</b>
Iowa industrial, for females—levy of special tax—change of location.....	21
Inmates of—breaking stone—amended.....	324
Appropriation for industrial equipment.....	328
Appropriation for improvements—repairs, etc.....	335
Joint resolution approving erection of office and industrial building, includ- ing isolation cells.....	429
<b>REFORMATORY AND PENITENTIARY—Escape from.....</b>	<b>310, 311</b>
Violation of parole—penalty.....	311
Compensation of officers and employes of.....	321
Money collected from visitors—how expended.....	323
<b>REFRIGERATING WAREHOUSES—How established.....</b>	<b>222</b>
Storage of diseased or tainted food, prohibited.....	223
Food not for human consumption plainly marked.....	223
<b>REFUND—Of money transferred as unclaimed funds.....</b>	<b>78</b>
To estate of Herman Kreft, of money paid for treatment at Oakdale sana- torium, appropriation for.....	330
<b>REGISTRARS—One for each political party—how appointed.....</b>	<b>96</b>
<b>REGISTRATION—Of voters for general elections.....</b>	<b>95</b>
Of highway routes.....	120
Of motor vehicles—half rate—when.....	125, 126
Of charitable organizations soliciting public aid—statement filed with secre- tary of state—failure to comply.....	144
Fees—motor vehicle—eight per cent apportioned to state highway commis- sion.....	131, 132
<b>RELEASE—Of liens by foreign administrators, executors and guardians—when valid and effective.....</b>	<b>293</b>
Of certain judgments executed by foreign administrators and guardians prior to January 1, 1903, legalized.....	294
<b>RELEASE AND SATISFACTION OF MORTGAGE—Filed prior to January 1, 1902, legalized.....</b>	<b>278</b>
<b>REMOVAL OF BUILDINGS—Within fire limits—cost—how paid.....</b>	<b>55</b>
<b>RENT—Of storage rooms—appropriation for.....</b>	<b>328</b>
<b>RE-PAVING OF STREETS—Sale of salvage.....</b>	<b>69</b>

	Page
REPORT—Criminal—made to board of parole by clerk of district court—contents	34
Blanks for criminal statistics furnished auditor by clerk of district court...	35
Of state superintendent annually to state auditor.....	89
Annual, by foreign corporations—fee.....	136
Made biennially to governor by industrial commissioner.....	167
Of injuries to employes.....	169
To be made to bureau of labor statistics—by whom.....	216, 217
Of county superintendents for institutes and summer schools.....	248
REPORTER OF SUPREME COURT—Appointment—term—vacancies.....	93
Compensation of.....	436
RESTAURANT—(See also Food Producing Establishments.)	
Sanitary condition of—doors and windows screened.....	226, 227
RETRENCHMENT AND REFORM—Committee of, powers and duties—employ	
efficiency engineers and expert accountants—appropriation for.....	23
Joint committee—minority members added—organization, etc.....	24
Appropriation for clerical assistance in state departments.....	331
Clerical help for period ending January 1, 1915—appropriation for.....	331
Joint resolution authorizing employment of expert accountants and effi-	
ciency engineers.....	427
RETURN—Of solemnization of marriage—must be made within fifteen days.....	287
REVENUES OF STATE—Balance of fund created by tax levy for Iowa state	
college of agriculture and mechanic arts, covered into general.....	252
REVOCATION—Of license to operate cold storage or refrigerating warehouses..	222
Of license of food producing establishments.....	228
Of physicians' certificates—when.....	237, 238
Of certificate of osteopathist—affirmative vote of board changed from three	
to five.....	239
Of dentist's license—causes—notice—hearing.....	242
Of permit to carry concealed weapons by peace officers.....	308
RIVER BEDS—Title to, in river front improvement commission.....	77
RIVER FRONT IMPROVEMENT COMMISSIONS—Powers and duties of.....	77
ROAD FUND—Use of to destroy weeds.....	125
ROADS AND HIGHWAYS—Validity of patents in construction of bridges and	
culverts involved.....	5
Creation of state highway commission appointed by governor, organization	
location, compensation—Attorney general to act as attorney for	
highway commission.....	109
Board of supervisors to designate county roads.....	110
County engineer—to make map of.....	110
Length of bridges.....	111
Use of county bridge fund.....	112
Enlargement of county road system.....	112
Manner of letting bids.....	113
Construction of permanent bridges.....	113
Roads to be dragged.....	115
Superintendent of township road system—compensation.....	114, 115
Removal of obstructions in.....	116
Contractor must furnish bond.....	116
Poll tax used in maintaining, over state lands.....	119
Over state grounds, separate road districts—how maintained.....	119
Registration of highway routes—blanks—fees—certificate—infringement pro-	
hibited—defacement of signs—penalty—cancellation of certificate...	120
Levy of culvert fund for 1913, how expended.....	121
Guarding unsafe places in—removal of guards—penalty.....	121
Destruction of noxious weeds on.....	122
Destruction of weeds on—road or general fund may be expended for.....	125
Regulation of meeting and passing of vehicles on.....	129
Rules and regulations for operation of motor vehicles on.....	130
Turn to right when meeting another vehicle.....	130
To left when passing.....	130
Emission of steam or smoke—muffler—cut out.....	131
Operator must be fifteen or over.....	131
Right of way—when.....	131
Leave standing on street.....	131
Prosecutions—procedure.....	131
Prison labor on—labor not to be leased.....	132

	Page
<b>ROADS AND HIGHWAYS—Continued.</b>	
Supervision, state highway commission .....	133
Application for prison labor by board of supervisors—contract.....	133
Construction of drainage ditches across—amended.....	181
Raising and lowering of, at railroad crossings.....	185
Condemnation of land where material can be had for road improvement....	187
All persons camping on—for purpose of trading horses, deemed vagrants....	319
Dragging of—balance in drag fund may be transferred to general fund.....	324
<b>ROAD SUPERINTENDENT, DISTRICT—Office to terminate on February 1, 1914 .....</b>	<b>118</b>
<b>ROCKHOLD, GEORGE—Issuance of patent to, authorized.....</b>	<b>369, 370</b>
<b>ROOD, HENRY—Appropriation for services on Vicksburg park commission.....</b>	<b>331</b>
<b>ROUTES—Registration of highway .....</b>	<b>120</b>
<b>ROWAN, TOWN OF—To legalize certain acts and ordinances of.....</b>	<b>411</b>
<b>RULES—For submission of cases on re-hearing before supreme court.....</b>	<b>26</b>
<b>RURAL SCHOOLS—Training of teachers for.....</b>	<b>262</b>
<b>RUTTUR, JOHN A.—Issuance of patent to, as grantee of G. W. Perkins, authorized .....</b>	<b>373, 374</b>
<b>SAFETY APPLIANCES—Under workmen's compensation act.....</b>	<b>165</b>
<b>SAILORS—(See Soldiers and Sailors.)</b>	
<b>SALARY—(See Compensation.)</b>	
<b>SALE—Of salvage in street improvements.....</b>	<b>69</b>
Of certain stocks and bonds prohibited.....	137
Of cold storage food—how marked.....	224
Of certain territory belonging to Iowa soldiers' orphans' home, authorized..	374, 375
Of dangerous weapons—permits—how obtained—to whom issued.....	307-309
<b>SALE BY WEIGHT—Certain dry commodities—coal—charcoal—coke—weight plainly stamped or written thereon.....</b>	<b>282</b>
<b>SALOONS—Limiting hours in which liquor may be sold during the day.....</b>	<b>215</b>
Limiting number in cities and towns—reduction of number in special charter cities .....	215
<b>SALVAGE—Sale of, in street improvements.....</b>	<b>69</b>
<b>SANATORIUM FOR TREATMENT OF TUBERCULOSIS—Admission—support..</b>	<b>258</b>
Appropriation for improvements, repairs, etc. ....	333
<b>SANITARY—Closets at railway stations—equipment and maintenance of.....</b>	<b>199</b>
Food producing establishments to be kept clean and.....	226-229
Conditions enforced by state board of health on complaint of five or more citizens .....	234
Appropriation to aid state board of Health in enforcing sanitary conditions	342
<b>SATISFACTION OF MORTGAGES—Filed prior to January 1, 1902, legalized....</b>	<b>278</b>
<b>SAVINGS BANKS—Investment of funds by, in unencumbered Iowa real estate or may invest funds in adjoining states.....</b>	<b>173</b>
Compensation of officers and directors of.....	173
Securities deposited to secure postal deposits.....	174
Additional powers conferred upon—same as trust companies.....	175-178
Name, words to be incorporated in.....	177
<b>SCALES—Slot or automatic—use prohibited without license—fee.....</b>	<b>283</b>
False or incorrect—complaint .....	284
<b>SCHEDULE—Class "A," "B" and "C" defined.....</b>	<b>188</b>
<b>SCHNEIDER, ANNA—Appropriation to reimburse for loss of wearing apparel by fire at school for deaf.....</b>	<b>342</b>
<b>SCHNEIDER, EMMA—Appropriation to reimburse for loss of wearing apparel by fire at school for deaf.....</b>	<b>342</b>
<b>SCHOLZ, CHAS. E.—Appropriation to, for traveling expense of Edwin Cooley..</b>	<b>330</b>
<b>SCHOOL BUILDINGS—Plans and specifications secured from state superintendent .....</b>	<b>89</b>
<b>SCHOOL CORPORATIONS—Certain provisions to be part of every contract.....</b>	<b>25</b>
Right to contract for use of free public libraries.....	26
Right to contract for use of free public library.....	60
Where county high schools are maintained, not liable for tuition.....	260, 261
Bonded indebtedness of—tax—principal—interest .....	270
<b>SCHOOL DISTRICTS—Indebtedness of in independent.....</b>	<b>13</b>
May increase the amount of levy in teachers' and contingent fund.....	269
Limit of indebtedness of, independent.....	271

## INDEX

	Page
SCHOOL FOR DEAF—Levy of special tax for buildings, improvements, etc. . . . .	21
Admission of pupils to . . . . .	255
Appropriation for improvements, repairs, etc. . . . .	333
Appropriation to reimburse certain employes for loss of wearing apparel by fire at . . . . .	342
SCHOOL LANDS—Settlement of liability of state growing out of sale of, in Webster and Hamilton counties . . . . .	5
SCHOOL LAWS—Published every four years . . . . .	89
Distribution of, by superintendent of public instruction . . . . .	272
SCHOOL TAXES—Increase authorized in contingent, teachers' and transporta- tion funds . . . . .	269
SCHOOL TEACHERS—(See Teachers.)	
SCHOOLS—Normal institutes—how conducted—expenses—how paid . . . . .	246
Industrial, for boys and girls—separate institutions . . . . .	254
High school tuition—amount—how paid—neglect to pay—how collected . . . . .	259
Use of tobacco prohibited in public . . . . .	261
Training of teachers for the rural schools . . . . .	261, 262
Normal courses in certain high schools—state aid—certificate of graduation	262
Duty of directors relative to display of flag . . . . .	263
Election of officers in independent districts—nominations—ballot—conduct of election . . . . .	264
Secretary of board to make monthly statements . . . . .	265
Duties and compensation of school treasurers—deposit of funds in bank to draw interest . . . . .	265
Teaching of elementary agriculture, domestic science and manual training in —when . . . . .	266
Minimum wage for teachers—based on certificate grade—credit for experi- ence and normal training . . . . .	267
Teaching of vocational training and industrial subjects in—state aid—amount —warrants, how drawn . . . . .	268
Increase of tax may be levied in school districts for teachers and con- tingent fund . . . . .	269
Tax levy to pay bonded indebtedness . . . . .	270
Board of supervisors to levy tax . . . . .	270
Acquisition of additional real estate for sites of . . . . .	271
Limit of indebtedness for school districts for school sites—petition for election . . . . .	271
Compulsory attendance—age limit changed . . . . .	272
Publication and distribution of school laws by superintendent of public instruction . . . . .	272
School boards in certain districts to authorize use of buildings and grounds for public recreation and play grounds . . . . .	273
Loan of school funds . . . . .	275
Employment and compensation of superintendent at Tama, legalized . . . . .	362
SECRETARY—Board of hospital trustees—to certify amount necessary for im- provement and maintenance, to county auditor . . . . .	38
SECRETARY OF EXECUTIVE COUNCIL—To act as secretary of board of ap- pointment . . . . .	232
Appropriation for office of . . . . .	326
SECRETARY OF SCHOOL BOARDS—To make monthly statements of receipts and disbursements . . . . .	265
SECRETARY OF STATE—To issue certificate upon lands of Dubuque and Pa- cific Railroad company . . . . .	7
To certify names of candidates to county auditor . . . . .	102
Salary of . . . . .	8
State returns filed with . . . . .	103
To file abstracts of election returns in state election book . . . . .	103
To issue certificates of election . . . . .	103
To certify vote on president and vice president to state chairman . . . . .	103
Nomination papers of candidates filed with . . . . .	99
Abstract of primary returns forwarded to . . . . .	102
To register motor vehicles . . . . .	128
Grants permits under Blue Sky law . . . . .	137
Amendment of charter, articles of incorporation and by-laws under Blue Sky law filed with . . . . .	138

	Page
<b>SECRETARY OF STATE—Continued.</b>	
General supervision of Blue Sky law—powers—examiners—expenses—permit cancelled by—additional help for.....	139
To issue license to certain charitable institutions to solicit public aid—no fee	144
Member board of appointment.....	232
To send certified copy of law requiring witness to appear and give testimony in criminal actions in another state to executive departments of all other states .....	321
Appropriation for office of.....	326
Appropriation for extra clerk hire.....	329
Proof of organization of Iowa state dairy associations filed with.....	343
Proof of organization of beef cattle breeders' association filed with.....	343
To have Otter Island surveyed and platted.....	363
Governor and, to issue patent to Jacob Arnold.....	364
Governor and, to issue patent to Anna L. Edgar.....	365
Governor and, to issue patent to Charles Martin.....	366, 367
Governor and, to issue patent to J. M. Laughlin.....	367
Governor and, to issue patent to T. F. McCaffery.....	368
Governor and, to issue patent to George Rockhold.....	369, 370
Governor and, to issue patent to Albert Husa.....	370, 371
Governor and, to issue patent to W. F. Pomeroy and Arthur Dilley.....	371
Governor and, to issue patent to Elias Myrick.....	373
Governor and, to issue patent to John A. Ruttur.....	373, 374
Number and compensation of employes of.....	434
Joint resolution authorizing publication of workmen's compensation act by..	438
<b>SECRETARY STATE BOARD OF HEALTH—Appointment—qualifications—term</b>	<b>233</b>
Have charge of office—act as commissioner of public health.....	233
<b>SECURITIES—Of insurance companies to be filed in department of insurance..</b>	<b>153</b>
Deposited to secure postal savings deposits.....	174
<b>SEGREGATION—Of indigent persons afflicted with pulmonary tuberculosis....</b>	<b>35</b>
<b>SENATE—To confirm appointment of additional judge of supreme court.....</b>	<b>26</b>
To confirm appointment of superintendent of public instruction.....	88
To confirm appointment of insurance commissioner.....	152
To ratify appointment of industrial commissioner.....	166
<b>SENATORS—United States—joint resolution ratifying amendment to constitution of United States relative to selection of.....</b>	<b>426, 427</b>
<b>SERUM—(See Hog Cholera Serum.)</b>	
<b>SERVICE OF NOTICE—On secretary of state for foreign corporations.....</b>	<b>138</b>
<b>SERVICE OF ORIGINAL NOTICE—By publication, for annulment of illegal marriages .....</b>	<b>298</b>
By publication, to quiet title when personal service cannot be had.....	298
<b>SETTLEMENT OF DISPUTES—Between employers and employes—appointment of board of arbitration.....</b>	<b>303-305</b>
<b>SETTLEMENT OF ESTATES—Order of payment of claims for labor, preferred</b>	<b>294</b>
Owners of claims against estates, examined.....	294
<b>SEVENTH WARD SEWER—In city of Des Moines, legalized.....</b>	<b>393</b>
<b>SEWERS—How ordered—what vote of city council required.....</b>	<b>70</b>
Interest on installment from date of acceptance.....	71
Main—assessment for .....	73
<b>SEXUAL PERVERTS—To revert procreation of.....</b>	<b>209</b>
<b>SHARPSBURG, TOWN OF—To legalize incorporation, election, ordinances, acts, etc., of .....</b>	<b>412</b>
<b>SHEETS—In hotels must be ninety-six inches long.....</b>	<b>208</b>
<b>SHELBY COUNTY—In fifteenth judicial district.....</b>	<b>31</b>
<b>SHELDAHL, TOWN OF—To legalize certain ordinances of.....</b>	<b>413</b>
<b>SHERIFF—Compensation of, for boarding prisoners.....</b>	<b>42</b>
To designate newspaper for publication of notices pertaining to his office...	43
Authority to call out national guard—repealed.....	204
<b>SHERIFF'S DEEDS—Issued prior to January, 1890, legalized.....</b>	<b>276</b>
Executed prior to January 1, 1900, legalized.....	289
<b>SHERIFF'S JURY—Appointed by chief justice of supreme court.....</b>	<b>185</b>
<b>SHORT LINES—Under twenty miles in length, operated within state—not compelled to adopt certain headlights.....</b>	<b>195</b>
<b>SHRUBBERY—Planting and maintenance of, upon public streets.....</b>	<b>86</b>
<b>SINKING FUND—May be used for purchase of water works in certain cities....</b>	<b>62</b>
<b>SIOUX COUNTY—In twenty-first judicial district.....</b>	<b>30</b>
<b>SITES—For schools—acquisition of.....</b>	<b>271</b>

	Page
SIXTEENTH GENERAL ASSEMBLY—Chapter 168, amended, relative to educational institutions .....	245
SLAUGHTER HOUSES—Regulation and prevention of nuisances.....	50
Construction—compulsory sanitation .....	227, 228
SLOT MACHINES—Use of, prohibited, unless licensed—fee .....	283
SMOKE—Emission of dense, within corporate limits of certain cities, declared a nuisance—how abated .....	43
SOLDIERS—To participate in celebration of fiftieth anniversary of battle of Gettysburg .....	345
Home coming in Des Moines, appropriation for.....	347
SOLDIERS' HOME—Admission to members who pay own support.....	20
Pension money exempt .....	21
Levy of special tax for improvements, etc. ....	21
Commandant—inferior officers—vacancies—how filled .....	242
Rules for admission .....	243
Widows, army nurses, fathers and mothers of soldiers—admitted.....	243
Husbands and wives may occupy cottages.....	243
Appropriation for—minimum monthly allowance.....	244
Appropriation for additional support.....	332
Appropriation for improvements, repairs, etc. ....	333
SOLDIERS' ORPHANS' HOME—(See also Iowa Soldiers' Orphans' Home.)	
Levy of special tax for buildings, improvements, etc. ....	21
Appropriation for improvements, repairs, etc. ....	333
Joint resolution approving erection of hospital.....	429
SOLDIERS AND SAILORS—And widows—exemption of certain property from taxation .....	105
SOLDIERS' AND SAILORS' TAX—Fund may be expended for erection of monument .....	39
SOLICITING—Public aid by charitable organizations—without license—penalty	144
For purpose of prostitution—penalty.....	313
SOUNDNESS—Of stallions and jacks—certificate of.....	211
SPEAKER OF THE HOUSE OF REPRESENTATIVES—Appropriation for salary.	327
Appropriation for chair and gavel for.....	331
SPEAKING TUBES—To be installed in gypsum mines.....	219
SPEARING—Of certain fish—when .....	231
SPECIAL ACTS—Submitting creation of Larrabee county to voters of Kossuth county .....	353
To reimburse Clifford Thorne for expense of printing briefs and traveling expenses in final hearing before interstate commerce commission...	357
For paving East Washington street, Mt. Pleasant.....	358
Authorizing construction of business men's coliseum and convention hall over Cedar river in Waterloo .....	358-361
To pension survivors of Spirit Lake relief expedition.....	362
Compensating superintendent of schools at Tama.....	362
Transfer of Otter Island to the city of Burlington.....	363
Issuance of patent to Jacob Arnold .....	364
Issuance of patent to Anna L. Edgar .....	365
Issuance of patent to Charles Martin.....	366, 367
Issuance of patent to J. M. Laughlin.....	367, 368
Issuance of patent to T. F. McCaffery.....	368, 369
Issuance of patent to George Rockhold .....	369, 370
Issuance of patent to Albert Husa .....	370, 371
Relief of grantees of David E. Fry.....	371, 372
Relief of grantees of Elias Myrick .....	373
Relief of grantees of G. W. Perkins.....	373, 374
Conveyance of certain territory belonging to Iowa soldiers' orphans' home.....	374, 375
Issuance of quit claim deed to John Vesely .....	375, 376
SPECIAL CHARTER CITIES—(See also Cities, Special Charter.)	
Funds or bequests left to cemeteries—how used and invested.....	32
Regulation of slaughter houses.....	50
To license plumbers .....	51
SPECIAL ELECTION—(See also Election.)	
By electors of Larrabee county—how conducted.....	354
SPECIAL OBSERVANCE—Of certain days in public schools.....	89

	Page
SPECIAL TAX—For extension and improvement of state capitol grounds.....	16
For buildings and improvement of certain state institutions.....	21
For equipment of fire departments .....	55
For public libraries in certain cities .....	58
For department of public safety—how expended.....	81
For construction and maintenance of garbage disposal plant.....	83
Of certain cities for gas or electric light or power.....	78
SPIRIT LAKE RELIEF EXPEDITION—Appropriation to pension survivors of..	362
SPOUSE—Conveyance of real estate held by spouse of absentee, legal—when...	292
Claim of homestead or distributive share of spouse of absentee—barred—when	292
Surviving—election as between distributive share or occupancy of homestead	
by .....	295
If mentally incapable—hearing—order .....	295
Share of surviving, where intestate leaves no issue.....	295
Share of parents .....	296
Surviving—interest in real estate barred unless proceedings are commenced	
prior to March 1, 1914, in certain cases.....	296
SPRINKLER LEAKAGE—Insurance against loss resulting from.....	151
STALLIONS OR JACKS—Inspection of—certificate of soundness.....	210, 211
Blind—examination by three veterinarians—certificate .....	212
STANDARD WEIGHTS AND MEASURES—State same as national—bushel by	
weight .....	280-282
STATE—Liability fixed on contracts .....	25
Property leased to—not exempt .....	106
STATE AID—For high schools in which normal courses are established for	
training of teachers for rural schools.....	262
Consolidated schools having high school departments not entitled to aid	
in maintaining normal courses .....	269
To certain consolidated schools—number of rooms to govern amount.....	268
STATE AND SAVINGS BANKS—Additional powers conferred upon—same as	
trust companies .....	175-178
Compensation of officers and directors of.....	173
Loans to officers or directors—how made.....	173
Name—what words to contain .....	176
STATE ARCHITECT—To submit plans and specifications of buildings under con-	
trol of state board of education.....	338
STATE AUDITOR—(See Auditor of State.)	
STATE BANKS—Securities deposited to secure postal savings deposits.....	174
STATE BEE INSPECTOR—Compensation of .....	236
STATE BOARD OF AGRICULTURE—Directed to erect women's and children's	
building on state fair ground.....	337
STATE BOARD OF CONTROL—(See Board of Control.)	
STATE BOARD OF EDUCATION—Directed to establish laboratory for manu-	
facture of hog cholera serum—location .....	227
Powers and duties of finance committee relative to release of mortgages....	244
Directed to establish three additional chairs in the college of homeopathic	
medicine .....	245
Appropriation for certain expenses .....	329
Plans and specifications of buildings under control of, submitted to state	
architect .....	338
Plans and specifications and estimates of cost of buildings at state edu-	
cational institutions—submitted by .....	432
STATE BOARD OF EDUCATIONAL EXAMINERS—To issue state certificates	
to graduates of certain accredited colleges.....	248
STATE BOARD OF HEALTH—Members of executive council constitute board	
of appointment of .....	232
Secretary—term .....	233
Members—civil engineer—four physicians—not more than three of one po-	
litical party—only two of same school of medicine—term.....	233
Meetings .....	233
Organization .....	233
Secretary to be commissioner of public health—powers.....	233
Compensation of members .....	234
Appropriation .....	234
Under supervision of executive council—members ex-officio.....	234
Enforcement of sanitary conditions upon complaint of five or more citizens..	234



	Page
<b>STATE BOARD OF HEALTH—Continued.</b>	
Appropriation for extra clerical service.....	327
Appropriation for expense of improving sanitary conditions when complaint is made .....	342
Number and compensation of employes.....	436
<b>STATE BOARD OF MEDICAL EXAMINERS—Power to revoke physicians' cer- tificates .....</b>	237
Appeal from decision of .....	239
<b>STATE CERTIFICATES—To teachers—graduates of accredited colleges may re- ceive .....</b>	248
Amended to include state teachers' college—accredited colleges outside of Iowa .....	248
<b>STATE COLLEGE OF AGRICULTURE—(See Iowa State College of Agriculture and Mechanic Arts.)</b>	
<b>STATE COLONY FOR EPILEPTICS—Levy of special tax for.....</b>	21
Establishment of—under supervision of board of control—purchase of land and erection of buildings for—admission .....	257
<b>STATE CONVENTION—Power to nominate candidates for United States senator</b>	97
<b>STATE DAIRY AND FOOD COMMISSIONER—To grant license to food produc- ing establishments—fee .....</b>	228
May revoke license .....	229
Inspection of food producing establishments.....	229
Appropriation for expenses and clerical assistance.....	327
<b>STATE EDUCATIONAL INSTITUTIONS—Intoxicating liquors not sold within five miles of.....</b>	214
Three additional chairs established in homeopathic department.....	245
<b>STATE ENTOMOLOGIST—Appropriation for work of .....</b>	235
<b>STATE EXAMINER—Of municipal accounts—compensation.....</b>	82
<b>STATE EXAMINERS FOR COUNTIES—Creating office of—appointed by auditor of state—term—bond—compensation—duties .....</b>	10
<b>STATE FAIR GROUNDS—(See Iowa State Fair Grounds.)</b>	
<b>STATE FIRE MARSHAL—Investigate causes of fires.....</b>	245
Local authorities to report—failure—penalty .....	245
Examine buildings—may order removal or change.....	245
Salaries and expenses .....	246
To pay fees and mileage for reporting fires.....	246
Township clerks to receive fees and mileage for reporting fires—appropriation	246
<b>STATE FLAG—Desecration of—penalty .....</b>	315
<b>STATE HIGHWAY COMMISSION—Creation of—appointed by governor.....</b>	109
Compensation .....	109
Location .....	109
Organization—removal—vacancy—duties .....	109
General supervision of road construction .....	110
Appoint assistants .....	111
Approve selection of county roads .....	111
Furnish standard specifications—let bridge contracts.....	113
Eight per cent of motor vehicle registration fees to be apportioned to.....	131
To supervise prison labor on roads and highways.....	133
<b>STATE HISTORICAL SOCIETY—Appropriation for permanent support and con- tinuation of applied history research, etc.....</b>	338
<b>STATE HORTICULTURAL SOCIETY—Appropriation for improvement of horti- culture to be expended under direction of.....</b>	341
<b>STATE HOSPITAL FOR INEBRIATES—(See also Hospital for Inebriates.)</b>	
Parole of patients from—conditions—monthly reports—violation of parole— return .....	207, 208
<b>STATE HOSPITAL FOR INSANE—(See also Hospital for Insane.)</b>	
Certain female patients paroled from—conditions.....	208
Patients not to be discharged without consent of board of control.....	257
At Mt. Pleasant—appropriation for improvements, repairs, etc.....	334
At Independence—appropriation for improvements, repairs, etc.....	335
At Clarinda—appropriation for improvements, repairs, etc.....	335
At Cherokee—appropriation for improvements, repairs, etc.....	335
<b>STATE HOSPITALS—Levy of special tax for buildings, improvements, etc.....</b>	21
<b>STATE INDUSTRIAL SCHOOLS—(See Industrial Schools.)</b>	
<b>STATE INSTITUTIONS—Bringing certain articles to inmates of, forbidden....</b>	311
Appropriation for certain .....	332
Appropriations payable monthly .....	336
Special tax for .....	21

	Page
STATE LANDS—Roads over—how maintained .....	119
Executive council—power to sell, convey and lease.....	275
STATE LIBRARIAN—Appropriation for office of.....	326
Number and compensation of employes of.....	434
STATE MINE INSPECTOR—Of gypsum mines .....	220
Duties—copies of maps furnished to .....	220
Failure to comply with orders of.....	221
Appropriation for office of .....	326
Compensation of employes of.....	436
STATEMENTS—Filed by certain corporations under Blue Sky law—failure to report .....	138, 139
STATE OFFICERS—Compensation of .....	8
STATE PENITENTIARY—(See also Penitentiary.)	
Appropriation for additional support of.....	332
STATE PHARMACY COMMISSION—Number and compensation of employes of..	436
STATE REFORMATORY—(See also Reformatory.)	
Appropriation for additional support of.....	332
STATE REVENUE—Joint resolution proposing amendment to constitution rel- ative to taxation of certain classes of property for.....	422, 423
STATE SANATORIUM FOR TREATMENT OF TUBERCULOSIS—Per capita al- lowance for support of patients .....	258
Department established for advanced stages—care—admission.....	258
County liable—appropriation .....	259
Joint resolution approving erection of hospital for advanced cases.....	429
STATE SEALER—Of weights and measures—seal—general duties.....	279, 280
STATE TEACHERS COLLEGE—Graduates from, entitled to state certificates..	248
Appropriation for support and contingent fund.....	339
Appropriation for furniture and paving.....	340
Joint resolution approving erection of women's dormitory—manual training building .....	423
STATE TREASURY—(See Treasurer of State.)	
STATE UNIVERSITY—Establishment of three additional chairs in college of homeopathic medicine .....	245
Department of physics to assist commissioner in laboratory work in weights and measures .....	280
Appropriations payable in twelve equal monthly installments.....	336
Appropriation for support, repair and contingent fund.....	339
Appropriation for improvements, land, etc.....	339
Joint resolution approving erection of gymnasium—reconstruction of roof of medical laboratory, changes in chemical laboratory—warehouse— tunnel to Currier hall—kitchen for hospital.....	432
STATE VETERINARIAN—To adjust claims and leases of present hog cholera serum laboratory .....	251
To seize samples of serum or virus for examination.....	251
STATE VETERINARY DEPARTMENT—Appropriation for special fund to care for outbreak of disease in horses.....	330
STATISTICS, CRIMINAL—Relative to keeping of.....	34
Kept by county auditor.....	35
STATUTES—Compilation of—when and by whom.....	3
STATUTES AMENDED—REPEALED—(See Code, Code Supplement and Thir- ty-second, Thirty-third, Thirty-fourth and Thirty-fifth General As- semblies.)	
STOCK—Of building and loan associations—how assessed.....	107
Sale of capital stock of foreign corporations .....	136
STOCK BROKERS—Permit to handle standard securities—conditions.....	141
STONE—Breaking of by prisoners—amended .....	324
STOPPAGE OF PAY—Of officers and men of national guard—when.....	204
STORAGE PERIOD—For articles of food.....	223
STREET DISPLAY—Of food products—conditions.....	228
STREET IMPROVEMENT—Assessment for, to include property within three hundred feet .....	69
Sale of salvage in .....	69
Ordered on certain vote of council.....	70
Re-construction of—how paid .....	71
Sewers—assessment for—interest on installments from date of acceptance..	71
In incorporated towns—right to levy special tax for.....	72

503  
INDEX

	Page
STREETS AND PUBLIC GROUNDS—Improvement of—how paid.....	68
STREETS, PUBLIC—Planting and maintenance of trees and shrubbery on....	86
SUB-CONTRACTOR'S MECHANIC'S LIEN—Owner's liability—waiver—how vacated and discharged .....	285
SUFFRAGE—Joint resolution proposing amendment to constitution of Iowa relative to right of.....	426
Referring joint resolution relative to right of suffrage to the Thirty-sixth general assembly .....	431
SUITS—Commenced on or before September 1, 1913, not affected by act legalizing conveyances prior to January, 1890.....	276
SUMMER SCHOOL—For teachers—how and when conducted—expenses—how paid .....	248
SUPERINTENDENT OF COMMON SCHOOLS—To report each year, deaf and dumb pupils .....	255
SUPERINTENDENT OF PUBLIC INSTRUCTION—Appointed by governor—salary—qualifications—oath—duties .....	88
To designate training schools for teachers of rural schools.....	262
To prescribe courses of elementary agriculture, domestic science and manual training in public schools.....	266
Teaching of vocational training and industrial subjects in consolidated schools, approved by .....	268
To publish and distribute school laws .....	273
Appropriation for office of .....	326
SUPERINTENDENT OF SCHOOLS—(See also County Superintendent.)	
Employment and compensation of, at Tama .....	362
SUPERINTENDENT, TOWNSHIP ROAD SYSTEM—How chosen—duties—compensation—how paid .....	115
How appointed .....	118
SUPERIOR COURT—City recorder or clerk to be deputy clerk of.....	34
Election of judges of, on non-partisan ticket.....	91
SUPPORT—Members of soldiers' home pay own .....	20
Of indigent persons afflicted with pulmonary tuberculosis.....	38
Suitable buildings .....	38
Amount expended by board of supervisors .....	38
Promises by candidates for office, prohibited .....	312
SUPREME COURT—Organization of—additional judge—selection of chief justice .....	26,27
Election of judges of, on non-partisan ticket .....	91
Clerk and reporter of .....	93
Lien of judgments attach to real estate—when .....	301
Number and compensation of employes of .....	435
Reporter—compensation of .....	436
SUPREME COURT REPORTER—Appropriation for office of .....	327
Compensation of .....	436
SURVEY—Of roads to be made by county engineer .....	111
Of gypsum mines—when ordered .....	220
Of Otter Island to be made under direction of secretary of state.....	363
SURVIVING SPOUSE—(See Spouse.)	
SYPHILIS—Declared a contagious and infectious disease.....	236
Physicians' duty to report.....	236, 237
Failure to report—penalty .....	237
SYPHILITICS—To prevent procreation of .....	209
TAGGED—Incorrect scales or measures .....	284
TAMA—Superintendent of schools of—employment and compensation legalized..	362
TAX—Special levy for state institutions .....	21
For support of county hospitals .....	38
For monument for soldiers and sailors .....	39
For support of cemeteries—levy of .....	44
Of school corporations for use of free public library.....	60
Where collected in two or more places—limitation when filed.....	70
Levy for street improvements in incorporated towns .....	72
Annual levy for park purposes—rate .....	76
Levy for river front improvement fund.....	77
Special levy for gas or electric light or power.....	78
For department of public safety—levy and collection of.....	81
On collateral estates, annuities, legacies, collection of bequests, gifts, etc..	108
Delinquent collateral inheritance taxes to draw interest.....	108
For drag fund—amount .....	115

	Page
Levy of—for county corporation for improvement of agriculture, etc.....	146
To aid in construction of electric railroads or the electrification of steam railroads .....	191
Aid given only to owners unless approved by railroad commissioners.....	192
School districts for transportation, contingent and teachers' fund.....	269
To pay bonded indebtedness of school corporations .....	270
For establishment and maintenance of public play grounds.....	274
General levy for state purposes .....	325
TAXATION—Unplatted lands within city limits for public libraries.....	45
Refusal of banks to furnish the assessor lists of stockholders.....	105
Of property of soldiers and sailors and their widows.....	105
Property of cemetery association exempt from.....	106
Joint resolution relating to taxation of certain classes of property for state revenue purposes .....	422, 423
TAX DEEDS—Issued prior to January, 1890, legalized.....	276
Executed prior to January 1, 1895, showing irregularities, legalized.....	291
TAX LEVY—For equipment of fire departments .....	55
For libraries .....	58
For dock fund .....	66
For park improvement .....	75
For river front improvement fund .....	77
For construction and maintenance of garbage disposal plant.....	83
For flood protection bonds .....	73
For county agricultural societies—question submitted—how expended.....	150
In aid of railroads in certain cities.....	190
For equipment and support of extension work at Iowa State College of Agriculture and Mechanic Arts .....	252
TEACHERS—To make report of school funds to superintendent of public instruction on blanks furnished by him.....	89
Duty of—relating to display of United States flag.....	264
Convention and institutes—when and how conducted.....	246
Institute fund for—how obtained.....	247, 248
Training of—for rural schools.....	261
Normal courses in certain high schools.....	261, 262
Holding provisional certificates may be used to supply demand.....	263
Qualifications for teaching elementary agriculture, domestic science and manual training in public schools required.....	266
Minimum wage for—in public schools.....	267
Based on certain grade—credits allowed for normal training.....	267
Fund of school districts may be increased.....	269
TEACHERS' STATE CERTIFICATE—(See state certificate.)	
TELMAN, JOHN—Contract for the sale of certain school lands in Webster and Hamilton counties .....	6
TENTH JUDICIAL DISTRICT—Number of judges—appointment to fill vacancy—how made .....	28
THAYER, F. A.—Appropriation for expenses incurred on account of funeral of	329
THIRTY-THIRD GENERAL ASSEMBLY—To amend—	
Chapter 64, relative to adoption of commission form of government.....	86
Chapter 67, section 1, flood protection in cities under commission plan..	74
Chapter 72, section 33, expenditure of motor vehicle fees.....	131
Chapter 83, issuance of bonds by cities and towns.....	106
Chapter 93, roads over state lands .....	119
Chapter 96, sections 3 and 4—destruction of weeds.....	125
Chapter 104, section 1, index of articles of incorporation.....	134
Chapter 118, sections 9, 13, actions involving drainage districts.....	180
Chapter 120, assessment for benefit of roads in drainage districts.....	181
Chapter 125, posting bulletins in railway stations.....	189
Chapter 128, duty of railroads to furnish transportation.....	200
Chapter 131, sections 26, 24, 43, military code.....	204
Chapter 142, section 2, number of saloons in cities and towns.....	215
Chapter 153, section 9, fish and game warden .....	230
Chapter 153, protection of fish .....	231
Chapter 168, inspection of hotels and inns .....	208
Chapter 169, section 7, state bee inspector .....	236
Chapter 170, section 18, state board of education .....	244
Chapter 182, taxes of school districts .....	269

	Page
<b>THIRTY-THIRD GENERAL ASSEMBLY—To amend— Continued.</b>	
Chapter 184, indebtedness of school districts for sites.....	271
Chapter 190, section 2, library commission .....	275
Chapter 200, administration on estates of absentees .....	292
<b>THIRTY-THIRD GENERAL ASSEMBLY—To repeal—</b>	
Chapter 26, section 16, county hospitals .....	38
Chapter 61, section 5, pensions for disabled and retired firemen.....	11
Chapter 96, destruction of weeds .....	122
Chapter 114, hog cholera serum .....	251
Chapter 131, section 21, military code .....	204
Chapter 144, bureau of labor statistics .....	216
Chapter 166, payment of support by members of soldiers' home.....	20
Chapter 222, unfair discrimination in commerce and trade.....	317
<b>THIRTY-FOURTH GENERAL ASSEMBLY—To amend—</b>	
Chapter 2, payment of court costs by state in certain suits.....	13
Chapter 24, section 3, county road bed fund.....	109
Chapter 24, assessment for benefit of roads in drainage districts.....	181
Chapter 43, section 1, street improvements in incorporated towns.....	72
Chapter 52, 54, 55, adoption of commission form of government.....	86
Chapter 62, exemption soldiers and sailors from taxation.....	105
Chapter 63, section 4, assessment of stock of national, state and savings banks .....	105
Chapter 68, section 1, collateral inheritance tax .....	108
Chapter 68, section 24, collateral inheritance tax .....	108
Chapter 70, section 2, dragging of roads .....	324
Chapter 72, sections 19, 30, operation of motor vehicles on public high- way .....	130
Chapter 73, index of articles of incorporation .....	134
Chapter 87, levees, drains, ditches and water courses.....	182
Chapter 100, sections 2, 3, 5, 7, stallions, jacks, registered or pedigreed stock	210
Chapter 116, fish and game warden .....	230
Chapter 128, sections 5, 10, 12, 15, 16, state fire marshal.....	245
Chapter 145, section 1, indebtedness of independent school districts.....	13
Chapter 145, indebtedness of school district for sites.....	271
Chapter 157, conveyance of real estate under foreign wills.....	288
Chapter 161, section 1, foreclosure of real estate mortgages.....	297
Chapter 174, section 3, misbranding of food .....	314
Chapter 183, section 1, defining vagrancy .....	318
Chapter 184, suspension of execution of sentence of certain convicts.....	320
<b>THIRTY-FOURTH GENERAL ASSEMBLY—To repeal—</b>	
Chapter 37, emission of smoke .....	43
Chapter 49, section 1, improvement of water fronts.....	80
Chapter 50, pensions for disabled and retired firemen.....	11
Chapter 72, sections 2, 6, 7, 8, 11, 15, 16, 22, registration of motor vehicles	125
Chapter 94, section 5, commerce counsel .....	200
Chapter 106, relating to appointment of mine inspector.....	218
Chapter 114, hog cholera serum .....	251
Chapter 118, distraint of deer .....	232
Chapter 129, procreation of habitual criminals, etc. ....	209, 210
Chapter 131, sections 2, 4, 9, training of teachers .....	261
Chapter 137, support of industrial schools .....	254
Chapter 146, high school tuition .....	259
<b>THIRTY-FIFTH GENERAL ASSEMBLY—To amend—</b>	
Chapter 122, roads and highways .....	117
Chapter 147, employers' liability .....	172
Chapter 171, section 1, headlights for locomotives .....	195
<b>THIRTY-SIXTH GENERAL ASSEMBLY—Joint resolution relative to right of suffrage, referred to .....</b>	431
<b>THORNE, CLIFFORD—Appropriation to reimburse for printing briefs, etc.....</b>	357
<b>TICKET—Of non-partisan judicial election .....</b>	91
<b>TIPTON, CITY OF—To legalize proceedings of city council for construction of sewer system .....</b>	414
<b>TITLE—Certain conveyances prior to January, 1890, legalized.....</b>	276
Not affected by suit commenced on or before September 1, 1913.....	276
Releases and satisfactions filed prior to January 1, 1902, legalized.....	278
Instruments affecting real estate with defects in certificate of acknowledg- ment, filed prior to January 1, 1890, legalized.....	278

	Page
<b>TITLE—Continued.</b>	
Certain conveyances executed prior to January 1, 1900, legalized.....	289
Quieting of, by judgment or decree, legalized in certain cases.....	289
Action to quiet, must be commenced within ten years.....	289
Sheriff's deeds legalized .....	289
Certain affidavits explaining defects in chain of conclusive evidence.....	289
Where differences exist between christian names or initials.....	290
Certain irregularities in deeds executed prior to 1900, made legal.....	290
Certain assignments to carry same effect as deeds of conveyance.....	291
Certain judgments, decrees and contracts made legal.....	290
Tax deeds prior to January 1, 1895, showing irregularities, legalized.....	291
Conveyances executed prior to January, 1913, legalized.....	291
Termination of rights—limitation of action.....	291
Service of notice by publication to quiet title to real estate.....	298
To Otter Island, vested in city of Burlington.....	363
<b>TOBACCO—Use of—prohibited in public schools.....</b>	<b>261</b>
<b>TOLLS—Power of dock board to collect.....</b>	<b>64</b>
<b>TOWNS—(See Cities and Towns.)</b>	
<b>TOWNSHIP CLERKS—Fees and mileage for reporting fires.....</b>	<b>246</b>
<b>TOWNSHIP CONSOLIDATION—Of road districts .....</b>	<b>118</b>
<b>TOWNSHIP CULVERT FUND—For 1913—how expended.....</b>	<b>121</b>
<b>TOWNSHIPS—Authority to receive and administer gifts and bequests.....</b>	<b>32</b>
<b>TOWNSHIP TRUSTEES—Power to contract with free public library.....</b>	<b>59</b>
To designate roads to be dragged.....	115
To appoint road superintendent .....	115
Apply to board of supervisors for engineer.....	115
Right to use material condemned for road improvement.....	187
<b>TRAIN BULLETINS—To be posted at depots.....</b>	<b>189</b>
<b>TRAINING SCHOOLS—For teachers of rural schools.....</b>	<b>262</b>
Normal courses in certain high schools.....	262
State aid—reports—limitations .....	262
For township high school or consolidated school may be given preference over city high school .....	262
Certificate of grade—renewal .....	262
Appropriation .....	262
<b>TRAIN SERVICE—On roads more than twenty-five miles in length.....</b>	<b>200</b>
<b>TRANSCRIPT—Of instruments affecting real estate in recorder's office—when   filed—effect same as original .....</b>	<b>277</b>
Affecting real estate—entry of by county auditor.....	277
From dockets of justice of peace where vacancy exists—how obtained.....	306
<b>TRANSFER—Of judges—when business cannot be disposed of.....</b>	<b>31</b>
Of certain cases from mayor's court to justice of peace.....	49
Of unclaimed funds in the county treasury.....	78
Of Otter Island to city of Burlington.....	363
<b>TRANSIENT MERCHANT—Who regarded as—license .....</b>	<b>51</b>
<b>TRANSMISSION—Of venereal diseases punished .....</b>	<b>237</b>
<b>TRANSMISSION LINES—Cities and towns authorized to erect and maintain..</b>	<b>57</b>
Right to erect granted by railroad commission.....	196
Additional rights—how granted .....	197
Under supervision of railroad commission .....	197
Vested with right of eminent domain .....	197
Requirements—danger signals—form .....	197, 198
<b>TRANSPORTATION—Furnished within reasonable time by railroads.....</b>	<b>200</b>
Of live stock .....	203
<b>TRANSPORTATION FUND—In school districts may be increased.....</b>	<b>269</b>
<b>TREASURER—(See also City Treasurer.)</b>	
Of cities of second class elected annually .....	46
Of county corporation for improvement of agriculture, etc.—bond of.....	147
Of schools to deposit funds in bank—funds to draw interest—bond by bank to secure funds of.....	265
<b>TREASURER OF STATE—Salary of .....</b>	<b>8</b>
To receive fees collected under Blue Sky law.....	140
Warrants or certificates of capitol ground extension deposited with.....	19
Special tax for state institutions to be held by.....	21
Daily accounting of fees of all state departments except agricultural to be made to .....	22

507  
INDEX

	Page
<b>TREASURER OF STATE—Continued.</b>	
To issue duplicate receipt to clerk of district court upon payment of delinquent collateral inheritance taxes .....	108
Fees of insurance companies to be held by.....	154
Appropriation for office of .....	326
Number and compensation of employes of.....	435
<b>TREASURY—</b> Condition of, at close of biennial period ending June 30, 1912...	440-445
<b>TREES—</b> Planting and maintenance of—on public streets .....	86
<b>TRIAL—</b> Instructions by the district court submitted to council before read to jury .....	300
<b>TRUST—</b> Parties who are attempting to create a trust cannot refuse to answer questions as witness on ground of incrimination.....	306
<b>TRUST COMPANIES, STATE AND SAVINGS BANKS—Additional powers conferred .....</b>	
To act in fiduciary capacity .....	175
Depository of certain funds .....	176
Securities—kinds of .....	176
Exercise powers of safety deposit companies.....	176
Vote of stock .....	176
Funds kept separate .....	176, 177
Rights same as individuals.....	176
Dissolution .....	176
Words to be included in name .....	176
May contract certain liabilities .....	176
Dividends and surplus funds of.....	177
Renewal of corporate existence of—sections applicable.....	177
Acts in conflict repealed .....	177
<b>TRUST DEED—</b> Release and satisfaction of—filed prior to January 1, 1902—legalized .....	278
<b>TRUSTEE—</b> Trust companies, state and savings banks to act as, in certain cases.....	175, 176
<b>TRUSTEES—</b> To manage, control and invest cemetery funds—to maintain certain institutions of benevolence including hospitals.....	
For funds bequeathed or donated for maintenance of cemeteries.....	32
Funds of—in what and how invested .....	37
City hospital—election of .....	61
Library—appointment and powers in certain cities.....	85
Chosen as election boards by lot.....	104
To manage pumping station in drainage districts.....	183
Powers—duties—expenses—how paid .....	183
Report to county auditor.....	183
<b>TUBERCULOSIS—</b> (See also state sanatorium for treatment of tuberculosis.)	
Treatment for advanced stages of—admission to sanatorium.....	258
Pulmonary—indigent persons afflicted with, segregated.....	38
<b>TUITION—</b> Of high schools—amount—how paid.....	259
Of pupils to county high schools—amount—how paid.....	259
<b>TWENTY-FIRST JUDICIAL DISTRICT—</b> Time and place of holding court.....	29
Composed of Cherokee, O'Brien, Osceola, Lyon, Sloux and Plymouth counties—two judges—term .....	30
<b>TYPEWRITERS—</b> Use of in senate—appropriation for.....	331
Appropriation for rent of.....	329
<b>UNCLAIMED FUNDS—</b> In county treasury—transfer of.....	78
<b>UNFAIR DISCRIMINATION—</b> In selling or purchasing certain commodities...	317
<b>UNIFORM—</b> System of accounts for League of Iowa Municipalities.....	50
Wage scale for teachers in public schools.....	267
<b>UNIFORM GAUGE—</b> For railroads—inspection—time allowed to comply with provisions .....	193
<b>UNITED STATES—</b> Joint resolution ratifying amendment to constitution of United States relating to selection of United States senators.....	426, 427
<b>UNITED STATES FLAG—</b> (See also Flag.)	
Display of in schools and public buildings.....	263
<b>UNITED STATES SENATOR—</b> Election of by vote of people.....	92
Nomination and canvass of vote for.....	96
<b>UNKNOWN DEFENDANT—</b> Manner of commencement of action against—original notice, contents of .....	299

	Page
UNPLATTED LANDS—Taxed for public libraries .....	45
UNPROFESSIONAL CONDUCT—Of physicians defined .....	238
UNSEXING—Of habitual criminals, rapists, idiots, feeble-minded, imbeciles, insane, diseased and degenerate persons .....	208
Prohibited except in certain cases—penalty .....	210
VACANCIES—In general assembly—salary—amount .....	4
Judges in fourth and twenty-first judicial district—how filled.....	30
In fifteenth judicial district to be filled by governor.....	31
In city councils in special charter cities—how filled.....	79
Of superintendent of public instruction—how filled.....	88
In nominations for judge on non-partisan ticket—how filled.....	92
Of clerk and reporter of supreme court—how filled.....	93
County superintendent—how filled .....	95
In nomination for United States senators—how filled .....	98
Of mine inspectors—how filled .....	218
Armory officers of soldiers' home—how filled .....	242
In office of justice of peace—transcripts from dockets—how obtained.....	306
VAGRANTS—Who deemed .....	318, 319
VALLEY JUNCTION, CITY OF—To legalize a special election, bonds and acts of water works, electric light and power plant.....	415
To legalize issuance of sewer outlet bonds and special tax levy of.....	417
VEHICLES—(See also Motor Vehicles.)	
Regulation of meeting and passing on public highways.....	129
VENDORS OF DRUGS—Itinerant—unexpired license may be assigned—fee.....	240
VENEREAL DISEASE—Transmission of—punished .....	237
Physicians to report .....	237
VENTILATION OF GYPSUM MINES—How made .....	219
VENTILATORS—Adequate in certain buildings for escape of deleterious fumes	314
VENUE—Change of, from mayor's court to justice of peace.....	49
Change of, in appeal from commissioners in assessing damages where pri- vate property is taken for works of internal improvement.....	184
VERIFICATION—Of petition against unknown defendants .....	299
VESELY, JOHN—Issuance of quit claim deed to—authorized .....	375
VETERINARIAN—To issue certificate of soundness of stallions and jacks.....	211
VICE-PRESIDENT OF UNITED STATES—Preferential vote for.....	99
VIRUS—From cholera infected hogs—how and by whom sold.....	250
VISITORS—Of reformatories and penitentiaries—money collected from—how expended .....	323
VOCATIONAL TRAINING—Promotion of—by superintendent of public instruc- tion .....	88
State aid to certain consolidated districts, teaching.....	268
VOID—Assessments—power to reassess .....	71
Stock of foreign corporations—when .....	136
VOTE—On issuance of bonds by cities and towns—majority required.....	106
VOTERS—Registration of .....	95
VOTES—Canvass of, on governor and lieutenant governor by general assembly.	4
VOUCHERS—Of expenditures filed with auditor of state.....	441
WAIVER—Of sub-contractors' mechanics' lien .....	285
WAPELLO—County of—to legalize proceedings of board of supervisors in pur- chase of land, etc., for addition to county home farm.....	418, 419
WARDENS—Furnished house and house rent included in compensation.....	322
Support fund—appropriation for .....	329
House fund—appropriation for .....	329
WAREHOUSES—Grain—located on railroad lands—erection or removal of....	201, 202
Procuring or holding sites for .....	201
Cold storage and refrigerating—license granted by state dairy and food com- mission .....	222
WARRANTS—Statement showing amount issued and to what charged during biennial period ending June 30, 1912.....	441
WATER—Cities and towns to purchase and sell .....	56
Cities to sell product of municipal plant.....	57
WATER FRONTS—Improvement of in certain cities.....	62
Improvement of in special charter cities—levee improvement commission....	80



	Page
WATERLOO—Construction of business men's coliseum and convention hall.....	358
River front improvement commission .....	359
Duties—franchise—terms—failure to accept—forfeiture—acceptance—rights vested—plans—how approved or rejected .....	360
Construction of building—supervision—annual reports—how made—how ap- proved—false statement—penalty .....	361
WATER WORKS—Expenditure of sinking fund for.....	62
WEAPONS—Dangerous—concealed—carrying of concealed weapons—unlawful..	307
No person under fourteen shall be allowed to carry fire arms of any description	307
Selling or giving away of dangerous weapons prohibited without permit.....	307
Permits to carry concealed weapons—how obtained.....	308
Permit to sell dangerous weapons—how obtained.....	308
Weapons—how obtained .....	308
Application for permit—requirements .....	308
Revocation of permit .....	308
Prima facie evidence .....	308
Dealers' permits—reports—giving of fictitious name—penalty .....	308, 309
Punishment may be reduced for first offense .....	309
Wholesale dealers or jobbers not affected by this act.....	309
Bringing of—into certain state institutions forbidden .....	311
WEATHER AND CROP SERVICE—Number and compensation of employes of..	436
WEBSTER COUNTY—Sale of certain school lands situated in.....	6
WEEDS—(See Noxious Weeds.)	
WEIGHTS AND MEASURES—Under general supervision of dairy and food chief inspector—duties, compensation and expenses—how paid....	280
State sealer—duties—seal—testing of weights and measures—assistance by state university .....	280
Standards—length and surface, weight—commodities not liquids—liquids— bushel by weight .....	280
Berry boxes, capacity .....	282
Sale by weight—weight stamped on packages .....	282
Milk bottles plainly marked .....	282
Coal, charcoal, coke by weight .....	282
Scales—license—fee—slot machines prohibited—inspection of—fee.....	283
False or incorrect scales—complaint of—using of—punished.....	284
Incorrect weighing apparatus or measures tagged—confiscated—refusal to comply—penalty—bulletin and reports .....	284
WHARF PROPERTY—Exclusive control of by dock board.....	64
WHITE, J. R.—Temporary mail carrier—appropriation for salary.....	330
WIDOWS—Of disabled and retired firemen to receive pension.....	12
Of soldiers and sailors—certain amount of property exempt from taxa- tion .....	105
WIDOW'S PENSION—Of dependent children .....	33
WILLS—Foreign—conveyance of real estate by executors or trustees under....	288
Limitation of action for setting aside of.....	297
Service of original notice in setting aside.....	297
WINTERSSET, CITY OF—To legalize a certain city election and granting of franchise to Winterset Mutual Telephone Company.....	420, 421
WITHDRAWAL—Of candidates on non-partisan judicial ticket.....	92
Of candidates for United States senator—vacancy—how filled.....	98
WITNESSES—Required to testify in action growing out of contract with state or municipal corporation .....	25
Board of arbitration power to summon.....	304
Required to attend and give testimony in criminal actions in another state	320
Petition—hearing—costs and witness fees tendered in advance.....	321
Who are attempting to create a trust cannot refuse to answer on ground of incrimination .....	306
WOLVES—Domestic animals injured by.....	40
Bounty for killing .....	212
WOMAN'S SUFFRAGE—Joint resolution proposing an amendment to constitu- tion of United States relative to .....	426
Joint resolution relating to the right of suffrage referred to Thirty-sixth General Assembly .....	431
WOMEN'S BUILDING—At state fair grounds .....	337
WOODBURY COUNTY—Fourth judicial district .....	29

	Page
WORDS DEFINED—Widow .....	34
Permanent merchant—transient merchant .....	53
Adjacent property in construction of main sewers .....	73
Under Blue Sky law .....	143
Under workmen's compensation act .....	163-165
"Person" defined .....	242
WORKMEN'S COMPENSATION—Provisions obligatory on employer and employe .....	154
Exceptions—rejection of terms .....	154
Risks assumed—negligence .....	154
Intoxication .....	155
Burden of proof—employer's notice to reject—form .....	155
Rights of employe .....	156
Notice to reject—affidavit .....	156
Waiver .....	158
Liability—security .....	158
Beneficiary—compensation .....	158
Notice of injury—when .....	158
Form of notice .....	159
Failure to notify .....	159
Compensation schedule .....	159-161
Death from injury .....	161
Examination—by whom—refusal .....	161, 162
Measure of responsibility .....	162
Minor, payment to trustee .....	162
Satisfaction in full—how .....	162
Computation schedule .....	162, 163
Terms defined .....	163
Dependents—defined .....	163, 164
Insurance premiums withheld from wages forbidden—penalty .....	165
Fraudulent contracts .....	165
Safety appliances .....	165
Attorneys' liens .....	165
Provisions applicable to interstate and foreign commerce .....	165
Industrial commission—appointed by governor—term—salary—expenses—office—duties .....	166
Rules and regulations .....	167
District court to enforce provisions .....	167
Biennial reports—memorandum of settlement .....	167
Arbitration committee—vacancy—oath—duties—decisions .....	167, 168
Physicians' examination—fee—how paid .....	168
Review—second hearing—decision—decree—appeal .....	168
Attorneys' and physicians' fees .....	169
Records—reports—inspection—penalty .....	169
Political activity prohibited .....	169
Candidate for commissioner—requirements .....	169
Recommendations in writing to governor for appointment of commissioner .....	170
Removal of commissioner—how .....	170
Insurance of liability approved by state department of insurance .....	170
Mutual and benefit insurance .....	170
Plan of insurance approved by industrial commissioner .....	171
Termination of plan—how .....	171
Premium—policy form—lien .....	171
Proof of solvency filed with insurance department .....	171
Revocation of orders .....	171, 172
In effect—when .....	172
Liability of employes and employers prior to the time the general act takes effect .....	172
Joint resolution authorizing publication of .....	438
WRITS—Of habeas corpus—application for—to whom made .....	305