

ACTS AND JOINT RESOLUTIONS

PASSED AT THE

REGULAR SESSION

OF THE

Thirty-Eighth General Assembly

OF THE

STATE OF IOWA

Prepared for Publication by and Under the Direction of
U. G. WHITNEY,
Reporter of the Supreme Court and Ex-officio Editor of the Code

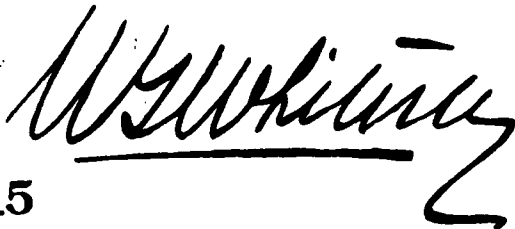
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1919

CERTIFICATE

STATE OF IOWA,

Office of Reporter of the Supreme Court
and Ex-officio Editor of the Code.

I, U. G. Whitney, Reporter of the Supreme Court and Ex-officio Editor of the Code, do hereby certify that the acts, laws, joint resolutions and memorials, and the certificates by the Secretary of State of the publication thereof, contained in this volume have been prepared and copied from the original enrolled acts on file in the office of the Secretary of State and are correct, and constitute the acts, laws, joint resolutions and memorials of the Thirty-eighth General Assembly of the state of Iowa.



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Reporter of the Supreme Court
and Ex-officio Editor of the Code.

STATE OF IOWA

STATE GOVERNMENT

List of State Officers, Judges of the Supreme, District, Superior and Municipal Courts,
and members of the General Assembly, at the time of this publication.

Name	Position	County from which orig- inally chosen
W. L. Harding.....	Governor	Woodbury
C. E. Witt.....	Secretary to the Governor.....	Butler
Ernest R. Moore.....	Lieutenant Governor.....	Linn
William S. Allen.....	Secretary of State.....	Jefferson
R. E. Morrison.....	Deputy Secretary of State.....	Van Buren
Frank S. Shaw.....	Auditor of State.....	Tama
E. S. Gose.....	Deputy Auditor of State.....	Greene
E. H. Hoyt.....	Treasurer of State.....	Delaware
Frank J. Murphy....	Deputy Treasurer of State.....	Adams
H. M. Havner.....	Attorney General.....	Iowa
F. C. Davidson.....	Assistant Attorney General.....	Palo Alto
Shelby Cullison.....	Assistant Attorney General.....	Shelby
W. R. C. Kendrick....	Assistant Attorney General.....	Lee
B. J. Powers.....	Assistant Attorney General.....	Polk
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
John V. Arney.....	Deputy Clerk of Supreme Court.....	Decatur
Ulysses G. Whitney....	Reporter of Supreme Court, and Ex-officio Ed- itor of the Code.....	Woodbury
J. H. Trewin.....	} Code Revision Commission.....	Linn
J. C. Mabry.....		Monroe
U. G. Whitney.....		Woodbury
Dwight N. Lewis, Chm.	} Railroad Commissioners.....	Polk
Charles Webster.....		Fayette
John A. Guher.....	Madison	
George L. McCaughan..	Secretary Board of Railroad Commissioners...	Polk
John H. Henderson....	Commerce Counsel.....	Warren
Walter Condran.....	Assistant Commerce Counsel.....	Dallas
A. B. Funk.....	Iowa Industrial Commissioner.....	Dickinson
A. C. Savage.....	Insurance Commissioner.....	Adair
George H. Messenger..	Bank Commissioner.....	Dallas
Anthony M. McColl, Chm	} Board of Control of State Institutions.....	Dallas
W. D. Sheean.....		Jones
J. H. Strief.....		Woodbury
Forrest S. Treat.....	Secretary, Board of Control.....	Polk
D. D. Murphy, Pres....	} State Board of Education.....	Clayton
Geo. T. Baker.....		Scott
Chas. R. Brenton.....		Dallas
P. K. Holbrook.....		Monona
Edw. P. Schoentgen....		Pottawattamie
H. M. Eicher.....		Washington
Frank F. Jones.....		Montgomery
Paul E. Stillman.....		Greene
W. C. Stuckslager....		Linn
William R. Boyd, Chm.		Linn
William H. Gemmill....	} Finance Committee.....	Carroll
Thomas Lambert.....		Jackson
David C. Mott.....	} Board of Parole.....	Iowa
George T. Reddick....		Johnson
Winfield S. Withrow...		Henry
Sam D. Woods.....	Secretary Board of Parole.....	Adair

STATE GOVERNMENT

STATE OFFICERS—CONTINUED.

Name	Position	County from which originally chosen
James W. Holden.....	State Highway Commission.....	Greene
A. Mareton.....		Story
William Collison.....		Lucas
David E. Haddon, Chm.	Commissioners of Pharmacy.....	Buena Vista
Charles Falkenhainer..		Dubuque
George D. Newcomb...		Ringgold
Harry E. Eaton.....	Secretary Commission of Pharmacy.....	Page
Dr. Walter L. Bierring.	President State Board of Health.....	Polk
Dr. Guilford H. Sumner	Secretary State Board of Health and State Registrar of Vital Statistics.....	Black Hawk
Edward Sweeney.....	State Mine Inspectors.....	Polk
Rhys T. Rhys.....		Wapello
W. E. Holland.....		Monroe
Wesley Greene.....	Secretary Horticultural Society.....	Scott
Ole O. Roe.....	State Fire Marshal.....	Polk
John P. Risley.....	Chief Oil Inspector.....	Scott
R. E. Bales.....	Secretary Executive Council.....	Polk
Louis G. Lasher.....	Adjutant General and Custodian.....	Scott
R. D. Wall.....	State Veterinary Surgeon and Secretary Animal Health Commission	Polk
William B. Barney.....	State Dairy and Food Commissioner.....	Franklin
W. E. Albert.....	State Fish and Game Warden.....	Allamakee
Ambrose L. Urlick....	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
Ora Williams.....	State Document Editor and Ex-officio Secretary Printing Board.....	Polk
Charles D. Reed.....	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	Post Office Address
Scott M. Ladd.....	Chief Justice.....	O'Brien	Sheldon
Truman S. Stevens.....	Judge	Fremont	Hamburg
William D. Evans.....	Judge	Franklin	Hampton
Frank R. Gaynor.....	Judge	Plymouth	LeMars
Byron W. Preston.....	Judge	Mahaska	Oskaloosa
Benjamin I. Sallinger.....	Judge	Carroll	Carroll
Silas M. Weaver.....	Judge	Hardin	Iowa Falls

DISTRICT COURTS.

Name	Postoffice Address	Dist.	Counties in District
J. E. Craig	Keokuk	1	Lee
W. S. Hamilton	Ft. Madison		
D. M. Anderson	Albia	2	Appanoose, Davis, Jefferson, Lucas, Monroe, Van Buren, Wapello
Seneca Cornell	Ottumwa		
C. W. Vermillion	Centerville		
F. M. Hunter	Ottumwa		
P. C. Winter	Creston	3	Adams, Clarke, Decatur, Ringgold, Taylor, Union, Wayne
Homer A. Fuller	Mt. Ayr		
H. K. Evans	Corydon		
John W. Anderson	Onawa	4	Mónona, Woodbury
Geo. J. Jepson	Sioux City		
W. G. Sears	Sioux City		
Harry S. Dugan	Perry	5	Adair, Dallas, Guthrie, Madison, Marion, Warren
Lorin N. Hayes	Knoxville		
J. H. Applegate	Guthrie Center		
Chas. A. Dewey	Washington	6	Jasper, Keokuk, Mahaska, Poweshiek, Washington
Henry F. Wagner	Sigourney		
D. W. Hamilton	Sigourney		
A. J. House	Maquoketa	7	Clinton, Jackson, Muscatine, Scott
F. D. Letts	Davenport		
Arthur P. Barker	Clinton		
M. F. Donegan	Davenport		
Wm. Theophilus	Bettendorf, P. O. Davenport		
Ralph Otto	Iowa City	8	Iowa, Johnson
R. G. Popham	Marengo		
Geo. A. Wilson	Des Moines	9	Polk
Thos. J. Guthrie	Des Moines		
Hubert Utterback	Des Moines		
Jos. E. Meyer	Des Moines		
Lawrence DeGraff	Des Moines		
C. W. Mullan	Waterloo	10	Black Hawk, Buchanan, Delaware, Grundy
Geo. W. Dunham	Manchester		
H. B. Boies	Waterloo		
E. M. McCall	Nevada	11	Boone, Franklin, Hamilton, Hardin, Story, Webster, Wright
G. D. Thompson	Webster City		
H. E. Fry	Boone		
R. M. Wright	Fort Dodge		
J. J. Clark	Mason City	12	Bremer, Butler, Cerro Gordo, Floyd, Hancock, Mitchell, Winnebago, Worth
C. H. Kelley	Charles City		
M. F. Edwards	Parkersburg		
H. E. Taylor	Waukon	13	Allamakee, Chickasaw, Clayton, Fay- ette, Howard, Winneshiek
W. J. Springer	New Hampton		
Jas. DeLand	Storm Lake	14	Buena Vista, Clay, Dickinson, Em- met, Humboldt, Kossuth, Palo Alto, Pocahontas
Daniel F. Coyle	Humboldt		
Nels J. Lee	Estherville		
O. D. Wheeler	Council Bluffs	15	Audubon, Cass, Fremont, Harrison, Mills, Montgomery, Page, Pottawat- tamie, Shelby
Earl Peters	Clarinda		
J. B. Rockafellow	Atlantic		
Thos. Arthur	Logan		
E. G. Albert	Jefferson	16	Calhoun, Carroll, Crawford, Greene, Ida, Sac
M. E. Hutchinson	Lake City		
B. F. Cummings	Marshalltown	17	Benton, Marshall, Tama
Jas. W. Willett	Tama		
Frederick O. Ellison	Anamosa	18	Cedar, Jones, Linn
Milo P. Smith	Cedar Rapids		
Frank F. Dawley	Cedar Rapids		
John T. Moffit	Tipton		
D. E. Maguire	Dubuque	19	Dubuque
J. W. Kintzinger	Dubuque		
Jas. D. Smyth	Burlington	20	Des Moines, Henry, Louisa
Oscar Hale	Wapello		
Wm. Hutchinson	Alton	21	Cherokee, Lyon, O'Brien, Osceola, Plymouth, Sioux
Chas. C. Bradley			

STATE GOVERNMENT

SUPERIOR COURTS.

Name	P. O. Address	Name	P. O. Address
J. H. P. Robison.....	Grinnell	Frank J. Capell.....	Council Bluffs
W. W. Cardell.....	Perry	W. D. McNamara.....	Keokuk
G. B. Jennings.....	Shenandoah	Antho'n B. Clark.....	Cedar Rapids
Jay Cook.....	Oelwein		

MUNICIPAL COURTS.

Name	P. O. Address	Name	P. O. Address
O. S. Franklin.....	Des Moines	J. E. Mershon.....	Des Moines
Thomas L. Sellers.....	Des Moines	W. G. Bonner.....	Des Moines

THIRTY-EIGHTH GENERAL ASSEMBLY

OFFICERS OF THE SENATE.

President of the Senate—Ernest R. Moore of Cedar Rapids, Linn county.
President Pro Tempore—Wallace H. Arney of Marshalltown, Marshall county.
Secretary—Thomas Watters, Jr., of Des Moines, Polk county.
Secretary Pro Tempore—A. C. Gustafson of Des Moines, Polk county.
First Assistant Secretary—Will J. Price of Des Moines, Polk county.
Second Assistant Secretary—Walter H. Beam of Martensdale, Warren county.
Engrossing Clerk—Harvey T. Ray of Des Moines, Polk county.
Enrolling Clerk—Florence E. Nelson of Des Moines, Polk county.
Journal Clerk—Ben S. Harriman of Kellerton, Ringgold county.
Journal Clerk—Ethel R. Hanna of Panora, Guthrie county.
Sergeant-at-Arms—E. G. Stanley of Cedar Rapids, Linn county.
Bill Clerk—O. F. Matteson of Davenport, Scott county.
Bill Clerk—S. I. Zearfoss of Ames, Story county.
File Clerk—G. W. Morris of Des Moines, Polk county.
Postmistress—Mrs. Lou McHenry of Des Moines, Polk county.
Chief Doorkeeper—J. H. Doty of Spencer, Clay county.

SENATORS.

Name	P. O. Address	Dist.	Counties in District
Adams, Henry C.....	Algona	47	Clay, Dickinson, Emmet, Kossuth, Palo Alto
Anderson, Walter W.....	Scranton	48	Carroll, Green, Sac
Arney, Wallace H.....	Marshalltown ...	28	Marshall
Balkema, Nicholas.....	Sioux Center ...	49	Lyon, O'Brien, Osceola, Sioux
Ball, Geo. W.....	Fairfield	2	Jefferson, Van Buren
Brookhart, J. L.....	Washington	10	Henry, Washington
Broxam, A. L.....	Maquoketa	23	Jackson
Buser, J. D.....	Conesville	20	Louisa, Muscatine
Byington, O. A.....	Iowa City	25	Iowa, Johnson
Cessna, T. C.....	Grinnell	12	Keokuk, Poweshiek
Coburn, Geo. F.....	Marcus	46	Cherokee, Ida, Plymouth
Edwards, Ben.....	Ames	31	Boone, Story
Evans, W. T.....	Parkersburg	39	Bremer, Butler

STATE GOVERNMENT

SENATORS—CONTINUED.

Name	P. O. Address	Dist.	Counties in District.
Fellows, Albert M.....	Lansing	40	Allamakee, Fayette
Foskett, Herbert I.....	Shenandoah	7	Fremont, Page
Foster, John W.....	Guthrie Center ..	17	Audubon, Dallas, Guthrie
Fradley, Joseph R.....	Ft. Madison	1	Lee
Greenell, W. J.....	Clinton	22	Clinton
Hale, J. K.....	Anamosa	24	Cedar, Jones
Haskell, W. G.....	Cedar Rapids	26	Linn
Holdoegel, Perry C.....	Rockwell City	27	Calhoun, Webster
Horchem, B. J.....	Dubuque.....	35	Dubuque
Kimball, Clem F.....	Council Bluffs	19	Pottawattamie
Kimberly, D. W.....	Davenport	21	Scott
Kingland, Thomas A.....	Lake Mills	41	Mitchell, Winnebago, Worth
LeCompte, Karl M.....	Corydon	4	Lucas, Wayne
Meredith, David.....	Lynnville	29	Jasper
Mitchell, Elmer E.....	New Sharon	14	Mahaska
Nelson, Julius A.....	Atlantic	18	Cass, Shelby
Newberry, Byron W.....	Strawberry Point	36	Clayton
Parker, Addison M.....	Des Moines	30	Polk
Pitt, Milton B.....	Logan	34	Crawford, Harrison, Monona
Price, John R.....	Albia	15	Marion, Monroe
Proudfoot, Aaron V.....	Indianola	11	Clarke, Warren
Rainbow, J. J.....	Waterloo	88	Black Hawk, Grundy
Ratcliff, W. C.....	Red Oak	8	Mills, Montgomery
Reed, Carl W.....	Cresco	42	Howard, Winneshiek
Rule, A. L.....	Mason City	43	Cerro Gordo, Franklin, Hancock
Schaffter, Eugene.....	Eagle Grove	37	Hamilton, Hardin, Wright
Scott, W. H.....	Nashua	44	Chickasaw, Floyd
Shane, F. E.....	Nodaway	6	Adams, Taylor
Smith, Ed M.....	Winterset	16	Adair, Madison
Stephenson, James A....	Mount Ayr	5	Decatur, Ringgold, Union
Stoddard, B. M.....	Sloan	32	Woodbury
Taylor, Thomas E.....	Independence	33	Buchanan, Delaware
Thompson, Frank E.....	Burlington	9	Des Moines
Van Alstine, H. S.....	Gilmore City	50	Buena Vista, Humboldt, Pocahontas
White, Harry C.....	Garrison	45	Benton, Tama
Whitmore, Chester W....	Ottumwa	13	Wapello
Wilson, James M.....	Centerville	3	Appanoose, Davis

OFFICERS OF THE HOUSE.

Speaker—Arch W. McFarlane of Waterloo, Black Hawk county.
Speaker Pro Tempore—H. J. Mantz of Audubon, Audubon county.
Chief Clerk—W. C. Ramsay of Belmond, Wright county.
Assistant Clerk—Frank S. Vetter of Grant, Montgomery county.
Reading Clerk—Scott H. McClure of Pomeroy, Calhoun county.
Engrossing Clerk—Ora Greer of Waucoma, Fayette county.
Enrolling Clerk—Mabel Elwood of Lime Springs, Howard county.
Journal Clerk—Lillian Leffert of Des Moines, Polk county.
Journal Clerk—Mary Dahlberg of Des Moines, Polk County.
Sergeant-at-Arms—H. Armstrong of Humboldt, Humboldt county.
File Clerk—C. Merrill Drury of Early, Sac county.
Assistant File Clerk—Earl H. Hanson of Des Moines, Polk county.
Bill Clerk—Paul E. Conway of Elma, Howard county.
Assistant Bill Clerk—Donald M. Winterrowd of Des Moines, Polk county.
Assistant Postmistress—Mrs. Emily Oertel of Keokuk, Lee county.
Chief Doorkeeper—Joe Deemer of Des Moines, Polk county.

REPRESENTATIVES.

Name	P. O. Address	Dist.	Counties in District.
Adkins, John V.	Paullina	82	O'Brien
Alderman, U. S.	Nevada	52	Story
Allyn, Geo. S.	Mount Ayr	7	Ringgold
Anderson, J. H.	Thompson	95	Winnebago
Becker, William	Elkader	70	Clayton
Beeman, I. E.	Waukon	90	Allamakee
Boles, Chas. E.	Independence	67	Buchanan
Bradley, John	Montezuma	39	Poweshiek
Brown, A. E.	Osage	93	Mitchell
Clark, C. F.	Cedar Rapids	48	Linn
Coakley, J. W.	Creston	14	Union
Davidson, H. E.	Clarinda	9	Page
Dean, H. E.	Ocheyedan	98	Osceola
Durbin, Fred.	Malvern	11	Mills
Edgington, Henry	Mapleton	57	Monona
Edson, W. C.	Storm Lake	78	Buena Vista
Eppe, W. W.	Ottumwa	18	Wapello
Finch, W. S.	Ida Grove	59	Ida
Findlay, C. V.	Fort Dodge	62	Webster
Finley, F. S.	Mt. Pleasant	20	Henry
Flenniken, H. W.	Olin	47	Jones
Francis, Jas. S.	Gravity	8	Taylor
Garber, F. A.	Leon	6	Decatur
Garber, J. S.	Marble Rock	88	Floyd
Gilmore, Chas.	Sioux Rapids	83	Clay
Giltner, W. E.	Albia	17	Monroe
Griffin, T. F.	Sioux City	58	Woodbury
Gunderson, Chas. L.	Pocahontas	77	Pocahontas
Hanna, John W.	Vinton	49	Benton
Hansen, John T.	Davenport	43	Scott
Harrington, T. P.	Algona	85	Kossuth
Hauge, A. O.	Des Moines	37	Polk
Holloway, C. E.	Thurman	10	Fremont
Hook, Ellis J.	Decorah	91	Winneshek
Ingersoll, F. W.	Tama	50	Tama
Justice, G. A.	Defiance	33	Shelby
Kellogg, C. E.	Corning	13	Adams
Kepple, P. L.	Ionia	89	Chickasaw
Kern, C. B.	Norwalk	27	Warren
King, Will L.	Hubbard	64	Hardin
Klaus, S. W.	Earlville	68	Delaware
Knickerbocker, E. H.	Fairfax	48	Linn
Krouse, John	Corydon	5	Wayne
Lake, Frank C.	Sioux City	58	Woodbury
Langftt, John N.	Greenfield	29	Adair
Larson, Emil A.	Red Oak	12	Montgomery
Larson, J. E.	West Branch	44	Cedar
LeValley, C. J.	Sheffield	74	Franklin
Lockin, J. C.	Aurelia	79	Cherokee
Long, Wm. L.	Fairfield	19	Jefferson
McFarlane, Arch W.	Waterloo	66	Black Hawk
McGhee, J. H.	Mason City	87	Cerro Gordo
Mantz, H. J.	Audubon	34	Audubon
Mayne, L. H.	Emmetsburg	84	Palo Alto
Mead, O. L.	Shell Rock	73	Butler
Messer, Frank F.	Iowa City	41	Johnson
Miles, H. J.	Miles	46	Jackson
Miller, R. O.	Lucas	16	Lucas
Miller, Simon	Dubuque	69	Dubuque
Miller, W. D.	Ogden	53	Boone
Mills, Bruce R.	Woodbine	32	Harrison
Moen, T. E.	Inwood	99	Lyon

REPRESENTATIVES—CONTINUED.

Name	P. O. Address	Dist.	Counties in District
Moore, W. F.	Guthrie Center	35	Guthrie
Moorhead, H. B.	Davenport	43	Scott
Mooty, W. A.	Grundy Center	65	Grundy
Morgan, H. B.	Baxter	38	Jasper
Morrow, J. M.	Douds	2	Van Buren
Nebiker, Frank G.	Burlington	21	Des Moines
Neff, Lewis J.	Walnut	31	Pottawattamie
Newton, Ed L.	Anita	30	Cass
O'Donnell, T. J.	Dubuque	69	Dubuque
Oertel, Frank	Keokuk	1	Lee
Parsons, Thomas	Farnhamville	61	Calhoun
Perkins, Geo. B.	Sac City	60	Sac
Peters, James	Perry	36	Dallas
Powers, L. W.	Denison	56	Crawford
Price, R. F.	Milford	97	Dickinson
Quick, C. A.	Clinton	45	Clinton
Rogers, Douglas	Manning	55	Carroll
Santee, C. B.	Cedar Falls	66	Black Hawk
Sayers, W. J.	Marengo	40	Iowa
Saylor, W. W.	Waverly	72	Bremer
Scott, C. H.	Clarkdale	4	Appanoose
Scott, Ray P.	Marshalltown	51	Marshall
Slaught, A. W.	Ottumwa	18	Wapello
Slosson, J. M.	Northwood	94	Worth
Smith, Geo. A.	Clinton	45	Clinton
Sorlien, O. C.	Bode	76	Humboldt
Springer, Arthur	Wapello	22	Louisa
Sterling, J. C.	Webster City	63	Hamilton
Stone, D. O.	Hawarden	81	Sioux
Stuart, William	Armstrong	96	Emmet
Sutherland, Wm.	Washington	23	Washington
Temple, M. L.	Osceola	15	Clarke
Ulstad, Oscar	Holmes	75	Wright
Van Camp, J. H.	Muscatine	42	Muscatine
Vance, W. H.	Winterset	28	Madison
Vander Ploeg, W. G.	Knoxville	26	Marion
Wallace, C. H.	Saratoga	92	Howard
Walrath, W. H.	Arlington	71	Fayette
Weaver, J. B.	Des Moines	37	Polk
Westervelt, A. K.	Churdan	54	Greene
Wichman, J. E.	Garner	86	Hancock
Williams, J. A.	Council Bluffs	31	Pottawattamie
Wilson, Thomas J.	Beacon	25	Mahaska
Windett, Wm. C.	What Cheer	24	Keokuk
Wormley, John M.	Kingsley	80	Plymouth
Young, Frank C.	Bloomfield	3	Davis

COMMISSIONERS FOR IOWA IN OTHER STATES

List of commissioners for Iowa in other states who are duly qualified and whose commissions do not expire on or before July 4th, 1919, showing postoffice address, date of qualification, and date of expiration of commission.

NEW YORK.

Name	Postoffice	Date on and After which Qualified	Date of Expiration of Commission
George H. Corey	New York City ...	January 9, 1918	January 9, 1921
Ella F. Braman	New York City ...	November 1, 1916 ...	November 1, 1919

• PENNSYLVANIA.

Joseph J. Hunt	Philadelphia, Pa. ...	July 5, 1917	July 5, 1920
John S. Wurts	Philadelphia, Pa. ...	September 26, 1917 ..	September 26, 1920

WASHINGTON.

R. S. Hayward	Bremerton	August 9, 1916	August 9, 1919
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WASHINGTON, D. C.

Isaac R. Hitt	Washington, D. C. .	December 6, 1918	December 6, 1921
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CONDITION OF THE TREASURY

DEPARTMENT OF THE AUDITOR OF STATE,
DES MOINES, IOWA, FEBRUARY 6, 1919.

HON. U. G. WHITNEY,
Reporter of Supreme Court,
Ex-officio Editor Code.

DEAR SIR: In pursuance of Section 18, Article III of the Constitution of Iowa, I have the honor to submit for publication with the laws of the Thirty-eighth General Assembly, the following statement of the receipts and disbursements of public moneys for the biennial fiscal period commencing July 1, 1916, and ending June 30, 1918.

Respectfully,

Frank S. Shaw

Auditor of State.

STATEMENT OF THE CONDITION OF THE TREASURY.

Receipts, Disbursements and Balances in the several Funds for the Biennial Period ended June 30, 1918.

	Balance June 30, 1916	Receipts	Total Amount Available	Disbursements	Balance June 30, 1918
General revenue	\$ 717,825.28	\$20,806,478.73	\$21,524,301.99	\$19,398,657.27	\$2,125,644.72
State college endowment bonds	649,484.00	286,200.00	935,684.00	257,984.00	677,700.00
State college endowment cash	37,333.97	260,645.60	297,979.57	286,200.00	11,779.57
State college endowment interest	1,926.52	69,425.77	71,352.29	71,248.12	104.17
State college Morrill endowment		100,000.00	100,000.00	100,000.00	
Temporary school fund		1,442.28	1,442.28	1,442.28	
Permanent school fund		438.30	438.30	438.30	
Sale of lake beds	3,014.63	2,758.10	5,772.73	5,772.73	
Capitol grounds extension cash	66,099.51	322,722.00	388,821.51	320,403.04	68,418.47
State institutions special	232,608.07		232,608.07	232,119.32	488.75
State college special tax	44,500.00		44,500.00	44,500.00	
Total	\$1,752,791.96	\$21,850,108.78	\$23,602,900.74	\$20,718,715.06	\$2,884,185.68

TABLE NO. 1—GENERAL REVENUE RECEIPTS.

Receipts in General State Revenue During Biennial Period Ending June 30, 1918.

General state tax from counties	\$10,170,331.08
Interest on delinquent state tax from counties	27,763.99
Sale of laws by county auditors	6,678.50
From counties for support of insane	1,546,979.78
From counties for support of inebriates	35,635.49

CONDITION OF THE TREASURY

TABLE NO. 1—GENERAL REVENUE RECEIPTS—CONTINUED.

From counties for support of epileptics.....	3,945.00
From counties for clothing for blind.....	581.49
From counties for clothing for deaf.....	952.90
From counties for clothing for feeble-minded.....	64,892.45
From counties for support of orphans' home.....	78,255.38
From counties for support of tuberculosis patients.....	201,760.21
Fees from auditor of state.....	48,000.43
Fees from superintendent of banking.....	20,419.49
Fees from clerk of supreme court.....	7,729.65
Fees from commissioner of insurance.....	207,169.85
Fees from dairy and food commission.....	118,942.13
Fees from governor, notary certificates.....	80,767.00
Fees from oil inspector.....	89,785.62
Fees from pharmacy commission.....	72,579.00
Fees from secretary of state.....	313,592.06
Fees from superintendent of public instruction.....	32,441.50
Fees from commission of animal health.....	4,167.00
Fees from hotel inspector.....	15,083.00
Fees from board of dental examiners.....	5,403.00
Fees from board of health and medical examiners.....	17,329.55
Fees from itinerant physicians.....	2,750.00
From automobile license.....	4,180,005.46
From banks for interest on deposits.....	20,618.09
From collateral inheritance tax.....	873,394.28
From hunters' licenses.....	193,310.16
From federal aid to soldiers' home.....	113,369.29
From insurance tax.....	1,226,816.85
From tax on freight line and transportation companies.....	29,282.92
From sales and refunds by state institutions.....	934,245.11
From contract labor and support of patients state institutions.....	50,370.06
From transfer from temporary school fund.....	1,442.28
From miscellaneous sources.....	62,186.24
Total receipts.....	\$20,806,476.73
Balance on hand July 1, 1916.....	717,825.26
Total to be accounted for.....	\$21,524,301.99
Disbursements—	
Auditor's warrants redeemed.....	\$19,398,657.27
Balance on hand June 30, 1918.....	2,125,644.72
Total.....	\$21,524,301.99

TABLE NO. 2—GENERAL REVENUE EXPENDITURES.

Warrants Issued During Biennial Period Ending June 30, 1918.

GENERAL ACCOUNTS.

Adjutant General, salary.....	\$ 8,731.67
Adjutant General, assistant salary.....	2,500.00
Adjutant General, record clerk salary.....	2,300.00
Adjutant General, temporary arsenal.....	165.00
Total.....	\$ 13,696.67
Attorney General, salary.....	\$ 10,000.00
Attorney General, assistant salary.....	2,500.00
Attorney General, additional assistants and clerks.....	23,300.01
Attorney General, contingent fund.....	14,548.59
Attorney General, traveling expense.....	3,486.01
Attorney General, special agents.....	30,003.73
Attorney General, cement trust investigation.....	217.02
Total.....	\$ 84,005.36
Auditor of State, salary.....	\$ 7,200.00
Auditor of State, deputy.....	2,600.00
Auditor of State, clerks.....	19,490.00
Auditor of State, contingent.....	487.84
Auditor of State, bank examination.....	22,766.87
Auditor of State, county examination.....	14,709.53
Auditor of State, municipal examination.....	9,324.31
Total.....	\$ 77,558.55
Automobile Tax, county fund.....	\$ 2,633,336.00
Automobile Tax, expense fund.....	82,877.45
Automobile Tax, Highway Commission fund.....	203,275.35
Automobile Tax, Federal aid road fund.....	18,100.82
Automobile Tax, Federal engineering fund.....	19,796.12
Total.....	\$ 2,957,385.54

CONDITION OF THE TREASURY

Board of Control, members' and secretary's salaries.....	\$ 22,788.90
Board of Control, architect's salary.....	6,000.00
Board of Control, clerks.....	27,564.04
Board of Control, extra clerks.....	1,941.21
Board of Control, expense.....	6,589.95
Board of Control, assistant architect and expense.....	1,538.69
Board of Control, consulting architect.....	2,500.00
Board of Control, state agents.....	16,123.67
Board of Control, transportation of patients.....	72.18
Board of Control, inspection of hospitals.....	3,932.74
Board of Control, quarterly conference.....	175.32
Board of Control, investigation of tuberculosis.....	9,190.64
Board of Control, state aid for girls' home.....	3,649.10
Board of Control, expense in cases against reformatory inmates.....	136.25
Board of Control, state roads.....	75,437.91
Total	\$ 177,640.60
Board of Health, members' salaries.....	\$ 7,200.00
Board of Health, sanitary engineer.....	5,000.00
Board of Health, clerks.....	7,800.00
Board of Health, extra help.....	1,761.09
Board of Health, antitoxin account.....	2,628.53
Board of Health, bacteriological laboratory account.....	13,208.89
Board of Health, embalmers' account.....	2,666.91
Board of Health, nurses' account.....	2,629.11
Board of Health, vital statistics account.....	5,009.03
Board of Health, expense account.....	8,912.23
Board of Optometry.....	880.28
Board of Medical Examiners.....	1,944.98
Total	\$ 59,641.05
Board of Parole, secretary's salary.....	\$ 4,000.00
Board of Parole, members' and clerks' salaries and expenses.....	38,885.42
Total	\$ 42,885.42
Clerk of Supreme Court, salary.....	\$ 5,400.00
Clerk of Supreme Court, deputy.....	3,600.00
Clerk of Supreme Court, clerks.....	5,830.00
Clerk of Supreme Court, extra help.....	79.75
Total	\$ 14,909.75
Collateral Inheritance Tax, enforcement fund.....	\$ 34,924.17
Collateral Inheritance Tax, refunds.....	3,671.60
Collateral Inheritance Tax, court costs.....	188.15
Total	\$ 38,783.92
Commission of Insurance, salaries.....	\$ 41,838.46
Commission of Insurance, contingent.....	1,178.60
Commission of Insurance, examinations.....	19,362.55
Total	\$ 62,379.61
Commission of Labor, salaries.....	\$ 18,127.63
Commission of Labor, clerk.....	2,116.68
Commission of Labor, expense.....	5,775.06
Total	\$ 26,019.37
Custodian, employes.....	\$ 66,709.56
Custodian, extra help and shoveling snow fund.....	809.85
Custodian, laundry fund.....	542.70
Total	\$ 68,062.11
Department of Agriculture, support.....	\$ 4,800.00
Department of Agriculture, insurance.....	2,000.00
Department of Agriculture, purchase of land.....	12,332.25
Department of Agriculture, paving and improvements.....	20,000.00
Total	\$ 39,132.25
Department of G. A. R., support.....	\$ 1,497.46
Department of G. A. R., Vicksburg celebration.....	24,138.69
Total	\$ 25,636.15
Document Editor, salary.....	\$ 4,000.00
Document Editor, assistants.....	4,482.04
Total	\$ 8,482.04
District Court, judges' salaries.....	\$ 432,019.69
District Court, judges' expenses.....	17,760.01
District Court, expenses outside of district.....	363.79
Total	\$ 450,143.49

CONDITION OF THE TREASURY

Dairy and Food Commission, salaries.....	\$ 84,941.51
Dairy and Food Commission, clerks.....	8,762.90
Dairy and Food Commission, extra clerks.....	12.00
Dairy and Food Commission, expense.....	63,585.68
Total	\$ 157,262.09
Executive Council, salaries.....	\$ 26,287.76
Executive Council, expert accountant.....	1,655.78
Executive Council, extra accountant.....	897.36
Executive Council, voucher clerk.....	1,692.00
Executive Council, contingent expense.....	2,259.39
Executive Council, expense of investigations.....	2,222.56
Executive Council, extraordinary expense.....	4,791.86
Executive Council, costs in state cases.....	12,454.14
Executive Council, survey of lake beds.....	19,175.20
Executive Council, survey of abandoned islands.....	218.87
Executive Council, lake bed refunds.....	37,945.04
Executive Council, census.....	692.00
Executive Council, expense securing special election returns.....	163.29
Executive Council, street improvements.....	49,851.47
Total	\$ 160,816.12
Fish and Game, public park fund.....	\$ 6,540.67
Fish and Game, boundary waters' license fund.....	4,920.80
Fish and Game, hunters' license fund.....	215,971.27
Total	\$ 227,432.24
General Assembly—Thirty-seventh, members' salaries.....	\$ 158,000.00
General Assembly—Thirty-seventh, members' mileage.....	2,087.60
General Assembly—Thirty-seventh, employees' salaries.....	58,768.54
General Assembly—Thirty-seventh, chaplains.....	730.00
General Assembly—Thirty-seventh, sundry appropriations.....	8,843.64
General Assembly—Thirty-seventh, inaugural expenses.....	426.46
General Assembly—Thirty-seventh, legislative index expense.....	165.90
General Assembly—Thirty-seventh, compiling laws 36 G. A.....	580.80
General Assembly—Thirty-seventh, compiling laws 37 G. A.....	710.16
Total	\$ 230,263.10
Geological Survey, clerk.....	\$ 1,900.00
Geological Survey, expense.....	13,341.98
Total	\$ 15,241.98
Governor, salary and house rent.....	\$ 13,704.08
Governor, secretary.....	3,600.00
Governor, clerks.....	8,795.49
Governor, contingent.....	1,383.34
Governor, counsel contingent.....	1,606.10
Governor, state agents' salaries and expenses.....	27,032.37
Governor, return of fugitives.....	9,641.23
Governor, defense of patents.....	8,178.96
Governor, publishing notices of pardons.....	165.00
Governor, rewards for arrest of murderers.....	300.00
Governor, railroad valuation expense.....	1,733.70
Governor, census of resources.....	9,383.18
Total	\$ 85,444.05
Historical Department, curator's salary.....	\$ 4,200.00
Historical Department, employes.....	43,335.21
Historical Department, marking sites.....	489.94
Historical Department, loss of collections loaned.....	190.41
Historical Department, donation expense.....	299.78
Historical Department, archives expense.....	167.50
Historical Department, motion picture expense.....	751.76
Historical Department, traveling expense.....	391.30
Total	\$ 49,825.90
Industrial Commission, salaries and expenses.....	\$ 23,668.56
Industrial Commission, reimbursements for injury state employes.....	8,114.39
Total	\$ 31,782.95
Inebriate, return of escaped.....	\$ 769.88
Insane, return of escaped.....	1,180.85
Insane, commission of inquiry.....	39.40
Insane, non-resident.....	2,172.87
Total	\$ 4,163.00

CONDITION OF THE TREASURY

Iowa Library Commission, salaries.....	\$ 16,763.69
Iowa Library Commission, expense.....	10,989.26
Total	\$ 27,702.95
Militia, National Guard expense.....	\$ 242,345.61
Militia, purchase of camp grounds.....	57,384.78
Militia, secret service expense.....	23,652.94
Militia, military organization.....	289,133.43
Total	\$ 612,516.76
Mine Inspection, inspectors' salaries.....	\$ 10,800.00
Mine Inspection, secretary's salary.....	2,700.00
Mine Inspection, expense District No. 1.....	1,488.65
Mine Inspection, expense District No. 2.....	1,541.88
Mine Inspection, expense District No. 3.....	845.69
Mine Inspection, board of examiners.....	4,285.47
Total	\$ 21,661.69
Miscellaneous Code 165, supplies, etc.....	\$ 180,076.71
Miscellaneous Code 165, fuel.....	32,413.00
Miscellaneous Code 164, water, telephone, etc.....	31,993.69
Total	\$ 194,483.40
Pharmacy Commission, members' and secretary's salaries.....	\$ 12,337.50
Pharmacy Commission, extra help.....	692.80
Pharmacy Commission, expense.....	4,214.95
Total	\$ 17,245.05
Publishing Constitutional Amendments	\$ 956.25
Publishing laws and census returns.....	490.00
Total	\$ 1,446.25
Railroad Commission, members' and secretary's salaries.....	\$ 21,804.03
Railroad Commission, clerks.....	
Railroad Commission, traveling expense.....	
Railroad Commission, other salaries and general expenses.....	64,127.46
Railroad Commission, commerce counsel's salary.....	10,000.00
Railroad Commission, maps.....	4,500.00
Total	\$ 100,431.49
Relief of Bruner.....	\$ 1,000.00
Relief of Jopling, Clyde.....	240.00
Relief of Jopling, Etta.....	120.00
Relief of Jopling, Faye.....	240.00
Relief of Hull.....	480.00
Relief of Mets.....	480.00
Relief of Northern Border Brigade.....	10,488.00
Relief of Spirit Lake Expedition.....	3,100.00
Total	\$ 16,148.00
Retrenchment and Reform, employes' fund.....	\$ 3,717.08
Retrenchment and Reform, secretary's salary.....	200.00
Retrenchment and Reform, committee's expense.....	325.97
Total	\$ 4,243.05
Secretary of State, salary.....	\$ 7,200.00
Secretary of State, deputy.....	3,600.00
Secretary of State, land clerk salary.....	3,000.00
Secretary of State, clerk.....	18,541.45
Secretary of State, motor vehicle department clerks.....	23,598.32
Secretary of State, motor vehicle department extra clerks.....	7,066.27
Secretary of State, bond and investment clerks.....	13,577.49
Total	\$ 76,583.53
State Board of Education, finance committee.....	\$ 21,000.00
State Board of Education, members' and clerks' salaries and expenses.....	22,783.68
State Board of Education, telephone, telegraph, etc.....	428.61
Total	\$ 44,212.29
State Binding.....	\$ 41,559.93
State Printing.....	92,487.78
State Engraving.....	1,986.40
Total	\$ 135,984.11

CONDITION OF THE TREASURY

State Library, librarian and assistants salaries.....	\$ 14,600.00
State Library, cataloguers and janitors.....	14,695.00
State Library, extra help and apprentices.....	1,660.78
State Library, Historical Department expense.....	12,118.68
State Library, Law Department expense.....	12,304.36
State Library, Miscellaneous expense.....	12,482.72
Total	\$ 67,861.54
Superintendent of Public Instruction, salary.....	\$ 8,000.00
Superintendent of Public Instruction, deputy and inspectors.....	20,000.00
Superintendent of Public Instruction, clerks.....	6,838.44
Superintendent of Public Instruction, contingent.....	1,195.42
Superintendent of Public Instruction, expense.....	4,414.11
Superintendent of Public Instruction, Board of Educational Examiners.....	32,866.72
Superintendent of Public Instruction, consolidated schools.....	191,893.07
Superintendent of Public Instruction, normal training.....	247,466.87
Superintendent of Public Instruction, teachers institutes.....	9,850.00
Superintendent of Public Instruction, vocational education board.....	854.97
Total	\$ 523,415.60
Supreme Court, judges' salaries.....	\$ 82,950.00
Supreme Court, stenographers.....	16,977.00
Supreme Court, bailiff.....	2,237.00
Supreme Court, contingent.....	1,216.31
Supreme Court, reporter and assistants.....	13,683.90
Total	\$ 117,064.21
Treasurer of State, salary.....	\$ 7,200.00
Treasurer of State, deputy.....	4,800.00
Treasurer of State, clerks.....	12,966.50
Treasurer of State, contingent.....	409.92
Treasurer of State, bond account.....	4,225.00
Total	\$ 29,601.42
Veterinary Surgeon, salary.....	\$ 3,600.00
Veterinary Surgeon, clerks.....	4,100.00
Veterinary Surgeon, assistants and expense.....	18,779.55
Veterinary Surgeon, expense, hoof-and-mouth disease.....	823.96
Veterinary Surgeon, Commission of Animal Health.....	3,348.56
Total	\$ 30,652.07

OTHER GENERAL ACCOUNTS.

Agricultural Industries, agricultural societies.....	\$ 111,688.56
Agricultural Industries, farmers' institutes.....	11,743.19
Agricultural Industries, beef growing industry.....	8,910.04
Agricultural Industries, dairy industry.....	8,809.36
Agricultural Industries, grain growing industry.....	1,648.87
Agricultural Industries, county poultry associations.....	3,275.83
Agricultural Industries, state poultry show.....	500.00
Total	\$ 145,675.85
Arbitration expense.....	\$ 249.36
Banking Department, salaries and expense.....	31,955.95
Board of Accountancy.....	323.37
Board of Dental Examiners.....	3,998.61
Express, freight and cartage.....	4,281.86
Historical Society, support.....	44,000.00
Horticultural Society, support.....	8,000.00
Hotel inspection.....	14,347.87
Iowa Weather and Crop Service.....	5,269.03
Indexing Code Supplement.....	1,402.50
Indemnities and reimbursements allowed by 37 G. A.....	8,596.00
Monuments, Allison.....	10,000.00
Oil Inspection, salaries and expenses.....	62,676.15
Permanent School Fund, interest on state bonds.....	1,442.28
Pioneer Law Makers.....	63.00
Presidential Election, expense.....	336.20
Presidential Contingent Fund.....	3,775.38
Refunds to counties.....	2,945.28
Rewards for return of escaped prisoners.....	1,475.00
Sale of camp grounds.....	1,934.63
State Bee Inspection, salaries and expenses.....	1,766.79
State Entomologist, salaries and expense.....	9,088.47
State Fire Marshal, salaries and expenses.....	27,181.64
State University, treatment of indigent children.....	176,227.01
National Guard, election expense.....	1,269.60
Removal from office, expense.....	100.43
Total	\$ 422,766.41

CONDITION OF THE TREASURY

STATE EDUCATIONAL INSTITUTIONS.

Agricultural College, support.....	\$ 1,108,000.00
Agricultural College, Home Economics.....	40,000.00
Agricultural College, Home and Agricultural Economics.....	111,000.00
Agricultural College, Contingent and Repair.....	96,000.00
Agricultural College, Library.....	20,000.00
Agricultural College, Public Grounds.....	25,000.00
Agricultural College, Extension of Experimental Work.....	231,000.00
Agricultural College, Agricultural and Home Economics Extension.....	180,000.00
Agricultural College, Trade Schools.....	50,000.00
Agricultural College, Engineering Experiment Station.....	30,000.00
Agricultural College, Good Roads.....	20,000.00
Agricultural College, Veterinary Investigations.....	28,125.02
Agricultural College, Veterinary Practitioners' Courses.....	5,625.01
Agricultural College, Apiarist.....	1,500.00
Agricultural College, Summer Term.....	45,000.00
Agricultural College, Winter Term.....	19,000.00
Agricultural College, Soil Survey.....	50,000.00
Agricultural College, Heating Plant.....	4,400.00
Agricultural College, Repair and Improvement of Buildings.....	19,000.00
Agricultural College, Home Economics Laboratory.....	500.00
Agricultural College, Enlargement and Erection of Buildings.....	1,100.00
Agricultural College, Equipping and Furnishing Buildings and Fuel.....	88,000.00
Agricultural College, Sewer.....	12,500.00
Agricultural College, Patten Property.....	10,000.00
Agricultural College, Building Fund.....	200,000.00
Total	\$ 2,395,750.03
College for the Blind, Support.....	\$ 85,708.78
College for the Blind, Contingent and Repair.....	3,500.00
College for the Blind, Oculist Fund.....	200.00
College for the Blind, Industrial Building.....	20,000.00
Total	\$ 109,408.73
School for the Deaf, Support.....	\$ 66,578.55
School for the Deaf, Contingent and Repairs.....	4,141.89
School for the Deaf, Physical Equipment.....	250.00
School for the Deaf, Reservoir.....	1,250.00
School for the Deaf, Bookbinding Fund.....	250.00
School for the Deaf, addition to coal bins.....	1,000.00
Total	\$ 73,470.44
State Teachers College, Support.....	\$ 319,000.00
State Teachers College, Contingent and Repairs.....	179,500.00
State Teachers College, Library and Salary.....	29,000.00
State Teachers College, Hospital Fund.....	5,500.00
State Teachers College, Extension Service.....	49,500.00
State Teachers College, Summer Session.....	82,000.00
State Teachers College, Summer School Extension.....	10,000.00
State Teachers College, Furniture Women's Dormitory.....	25,000.00
State Teachers College, Vocational Building Equipment.....	10,000.00
State Teachers College, Training School Equipment.....	2,000.00
State Teachers College, Building Fund.....	130,000.00
Total	\$ 841,500.00
State University, Support.....	\$ 909,400.00
State University, College of Art and Law.....	236,700.00
State University, College of Dentistry.....	57,450.00
State University, College of Education.....	50,000.00
State University, Graduate College.....	38,000.00
State University, College of Fine Arts.....	11,000.00
State University, Extension.....	39,000.00
State University, Equipment and Supplies.....	28,500.00
State University, Contingent and Repairs.....	78,500.00
State University, Building and Grounds.....	32,500.00
State University, Administration.....	20,450.00
State University, Library and Librarian's salary.....	47,500.00
State University, Epidemiology Laboratory.....	10,000.00
State University, School of Commerce.....	25,000.00
State University, Child Welfare Research Station.....	25,000.00
State University, Summer Session.....	36,000.00
State University, Equipment of Buildings.....	172,500.00
State University, Electrical Equipment.....	5,000.00
State University, Purchase of Land.....	50,000.00
State University, Paving.....	13,000.00
State University, Hospital for Crippled Children.....	65,000.00
State University, Building Fund.....	175,000.00
Total	\$ 2,125,500.00

CONDITION OF THE TREASURY

STATE INSTITUTION ACCOUNTS.

State Institution Special Appropriation.....	\$ 22,220.65
Anamosa Reformatory, Support.....	412,006.69
Anamosa Reformatory, Establishing Industries.....	205,298.29
Anamosa Reformatory, Buildings and Improvements.....	31,064.03
Cherokee Hospital for Insane, Support.....	450,643.66
Cherokee Hospital for Insane, Buildings and Improvements.....	29,442.26
Clarinda Hospital for Insane, Support.....	478,317.98
Clarinda Hospital for Insane, Buildings and Improvements.....	29,273.90
Council Bluffs School for Deaf, Support.....	61,770.49
Council Bluffs School for Deaf, Buildings and Improvements.....	2,833.91
Davenport Soldiers' Orphans' Home, Support.....	201,165.77
Davenport Soldiers' Orphans' Home, Buildings and Improvements.....	11,908.80
Des Moines Custodial Farm, Support and Sales.....	617.65
Eldora Industrial School for Boys, Support.....	214,090.91
Eldora Industrial School for Boys, Buildings and Improvements.....	29,347.79
Ft. Madison, Penitentiary, Support.....	394,545.60
Ft. Madison Penitentiary, Establishing and Maintaining Industries.....	411,559.65
Ft. Madison Penitentiary, Buildings and Improvements.....	22,929.70
Glenwood Institution for Feeble-minded, Support.....	550,304.98
Glenwood Institution for Feeble-minded, Buildings and Improvements.....	62,715.95
Independence Hospital for Insane, Support.....	461,773.91
Independence Hospital for Insane, Buildings and Improvements.....	27,775.22
Knoxville Hospital for Inebriates, Support.....	31,261.16
Knoxville Hospital for Inebriates, Establishing Industries.....	28,048.22
Knoxville Hospital for Inebriates, Building and Improvements.....	9,169.23
Marshalltown Soldiers' Home, Support.....	417,791.66
Marshalltown Soldiers' Home, Buildings and Improvements.....	79,711.51
Mitchellville Industrial School for Girls, Support.....	115,867.18
Mitchellville Industrial School for Girls, Buildings and Improvements.....	8,372.91
Mt. Pleasant Hospital for Insane, Support.....	489,099.12
Mt. Pleasant Hospital for Insane, Buildings and Improvements.....	85,406.29
Oakdale Tuberculosis Hospital, Support.....	221,616.23
Oakdale Tuberculosis Hospital, Buildings and Improvements.....	75,406.42
Rockwell City Women's Reformatory, Support.....	6,142.75
Rockwell City Women's Reformatory, Buildings and Improvements.....	214,019.09
Woodward Epileptic Colony, Support.....	134,298.03
Woodward Epileptic Colony, Buildings and Improvements.....	144,211.42
Total.....	\$ 6,412,985.08
Grand total warrants issued July 1, 1916, to July 1, 1918.....	\$19,656,299.26
Accrued interest on outstanding warrants during above period.....	25,592.61
Warrants outstanding July 1, 1916.....	280,475.80
Total.....	\$19,962,467.67
Warrants redeemed from July 1, 1916, to July 1, 1918.....	\$19,373,064.66
Interest paid on outstanding warrants during above period.....	25,592.61
Warrants outstanding July 1, 1916.....	563,810.40
Total.....	\$19,962,467.67

TABLE NO. 3—SPECIAL FUNDS.

Warrants issued and redeemed in the various Special Tax Funds during the biennial period ending June 30, 1918.

CAPITOL EXTENSION.

Warrants outstanding July 1, 1916.....	\$ 1,285.79
Warrants issued during biennium.....	322,154.47
Total.....	\$ 323,440.26
Warrants redeemed during biennium.....	\$ 320,402.04
Warrants outstanding June 30, 1918.....	3,037.22
Total.....	\$323,440.26

STATE INSTITUTIONS.

Warrants issued during biennium.....	\$ 232,117.40
Warrants redeemed during biennium.....	232,117.40

LAWS

OF THE

Thirty-Eighth 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. 1919, IN THE SEVENTY-THIRD YEAR
OF THE STATE.

CHAPTER 1.

LEGISLATIVE EMPLOYEES.

H. F. 1.

AN ACT repealing section thirteen (13) of the code relative to the compensation of officers, clerks and employees of the general assembly, and enacting a substitute therefor.

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

1 SECTION 1. Compensation. That section thirteen (13) of the code
2 be and the same is hereby repealed, and the following enacted in lieu
3 thereof:
4 "The compensation of the officers and employees of the general as-
5 sembly shall be fixed by joint action of the house and senate by reso-
6 lution at the opening of the session or as soon thereafter as con-
7 veniently can be done, and no other or greater compensation shall be
8 allowed such officers and employees, except that they shall be fur-
9 nished by the state such stationery and supplies as may be necessary
10 for the proper discharge of their duties."

1 **SEC. 2. Publication clause.** This act, being deemed of immediate
 2 importance, shall take effect and be in force from and after its passage
 3 and publication in the Des Moines Register and the Des Moines Capital,
 4 newspapers published at Des Moines, Iowa.

Approved January 18, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Des Moines Register January 21, 1919.

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

CHAPTER 2.

NATIONAL PROHIBITORY AMENDMENT.

S. J. R. 1.

JOINT RESOLUTION ratifying a proposed amendment to the constitution of the United States of America.

WHEREAS, both houses of the sixty-fifth congress of the United States of America, by a constitutional majority of two-thirds thereof, made the following proposition to amend the constitution of the United States of America, in the following words, to wit:

"JOINT RESOLUTION

Proposing an amendment to the constitution of the United States.

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 the following amendment to the constitution be, and hereby is, proposed to the states, to become valid as a part of the constitution when ratified by the legislatures of the several states as provided by the constitution:

"ARTICLE—

"Section 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

"Sec. 2. The congress and the several states shall have concurrent power to enforce this article by appropriate legislation.

"Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the constitution by the legislatures of the several states, as provided in the constitution, within seven years from the date of the submission hereof to the states by the congress."

THEREFORE,

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

1 SECTION 1. Ratification. That the said proposed amendment to
2 the constitution of the United States of America as set forth herein
3 be and the same is hereby ratified and consented to by the state of
4 Iowa and by the general assembly thereof.

1 SEC. 2. Certification. *Be it further resolved and enacted*, that
2 certified copies of this enactment and resolution be forwarded by the
3 governor of this state to the secretary of state of the United States
4 at Washington, D. C. and to the presiding officers of each house of
5 the congress of the United States.

Approved January 27, A. D. 1919.

CHAPTER 3.

INDEPENDENT SCHOOL DISTRICT OF DALLAS CENTER.

H. F. 5.

AN ACT to legalize the action of the electors and the board of directors of the Independent School District of Dallas Center, Dallas County, Iowa, in calling and holding an election authorizing the said independent district to issue bonds of said independent district to the amount of eight thousand dollars, for the purpose of providing additional heating facilities and for necessary repairs for the school buildings in said independent school district, and for legalizing said bonds.

WHEREAS, by the action of the electors and the board of directors of the Independent School District of Dallas Center, Dallas county, Iowa, a special election was held in said independent school district on the 17th day of June, 1918, at which election there was submitted to the vote of said electors, the proposition to issue bonds of the Independent School District of Dallas Center, Dallas county, Iowa, to the amount of eight thousand dollars (\$8,000.00) for the purpose of providing additional heating facilities and for necessary repairs for the school building in said independent school district, and

WHEREAS, at said election a majority of the votes cast was in favor of said proposition, and

WHEREAS, doubts have arisen as to the legality of the acts of said electors, said board of directors and officers in ordering and calling said election and in holding the same, and authorizing the issuance and sale of said bonds, therefore,

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

1 SECTION 1. Election legalized, etc. That the acts of said electors
2 and board of directors of the Independent School District of Dallas
3 Center, Dallas county, Iowa, in calling, ordering and holding said
4 election and in authorizing the issuance of the bonds of said inde-
5 pendent school district to the amount of eight thousand dollars
6 (\$8,000.00) for the purposes specified in said proposition submitted, be
7 and the same are hereby legalized and confirmed in all respects as if
8 all of the provisions of the laws of the state of Iowa with respect to
9 the calling and holding of such elections, had been fully and strictly

10 complied with and said board of directors and independent school dis-
 11 trict are hereby authorized and empowered to execute, issue and sell
 12 said bonds and receive and disburse the proceeds thereof for the pur-
 13 poses specified in said proposition.

1 SEC. 2. Pending litigation. Nothing in this act shall affect in any
 2 way any pending litigation in relation to the subject matter hereof.

1 SEC. 3. Publication clause. This act being deemed of immediate
 2 importance shall take effect and be in force from and after its publi-
 3 cation in the Daily News and Des Moines Daily Capital, newspapers
 4 published at Des Moines, Iowa, which publication shall be without
 5 expense to the state.

Approved February 1, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Daily Capital
 and the Daily News February 4, 1919.

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

CHAPTER 4.

LEGISLATIVE EMPLOYEES.

S. J. R. 5.

JOINT RESOLUTION fixing the compensation of officers and employees of the thirty-
 eighth general assembly.

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

1 SECTION 1. Compensation. That the following compensation be
 2 paid to the officers and employees of the thirty-eighth general as-
 3 sembly of the state of Iowa:

4 Ten dollars (\$10.00) per day to the secretary of the senate, or the
 5 acting secretary of the senate, and to the chief clerk of the house.

6 Seven dollars (\$7.00) per day to the assistant secretaries, the en-
 7 rolling clerk, the engrossing clerk, the journal clerks in the senate,
 8 and to the assistant clerk, the reading clerk, the journal clerk, the
 9 assistant journal clerk, the engrossing clerk and the enrolling clerk
 10 of the house.

11 Four dollars (\$4.00) per day to the bill clerk, the file clerk, the as-
 12 sistant bill clerk and assistant file clerk of the senate, and the file
 13 clerk, assistant file clerk, the bill clerk and the assistant bill clerk of
 14 the house; the postmistress and assistant postmistress and to the
 15 chief doorkeepers and assistant doorkeepers, chief janitor and as-
 16 sistant janitors of the senate and the house, and to the committee
 17 clerks of the senate and the house.

18 Five dollars (\$5.00) per day to the sergeant-at-arms of the senate
 19 and the sergeant-at-arms of the house, and to the speaker's clerk and
 20 the lieutenant governor's clerk.

21 Two and fifty-hundredths dollars (\$2.50) per day to the lieutenant
 22 governor's page in the senate and the speaker's page in the house.

23 Two dollars (\$2.00) per day to the other pages in the senate and in
 24 the house.

25 Two and fifty-hundredths dollars (\$2.50) per day to the telephone
 26 messengers in the senate and in the house.
 27 The committee clerks shall be allowed five dollars (\$5.00) per
 28 month for typewriter rental. The salaries of all employees listed
 29 above to be paid for seven days each week and to date from the date
 30 of their employment, such date to be the date upon which they re-
 31 ceived the oath of office and assumed their duties.

Approved February 4, A. D. 1919.

CHAPTER 5.

ADDITIONAL LEGISLATIVE EMPLOYEES.

S. J. R. 3.

JOINT RESOLUTION relating to the selection of additional employees of the thirty-eighth general assembly of the state of Iowa, fixing their compensation and defining their duties.

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

1 SECTION 1. Assistants. The custodian is hereby authorized and
 2 directed to appoint the following named persons who shall be desig-
 3 nated as assistants to the custodian. Their duties shall be designated
 4 by him, and they shall be paid a salary of \$77.00 per month: Peter
 5 Adams, T. P. Percefield, N. B. Bryant, J. S. Wilkinson, W. L. Wiley,
 6 Hugh King, William Abraham, C. F. White, A. I. Sarcone, H. E. Nor-
 7 ton, James Williams, W. I. Locke.

1 SEC. 2. Elevator tenders. The custodian is hereby authorized and
 2 directed to appoint three experienced elevator tenders at a salary of
 3 \$70.00 per month.

1 SEC. 3. Assistant matron. The custodian is hereby authorized
 2 and directed to appoint Miss Gertrude Hyde as assistant matron at a
 3 salary of \$60.00 per month.

1 SEC. 4. Clerks. The secretary of state is hereby authorized and
 2 directed to appoint Earl Walters, James Rice, and Alice Scott for
 3 service as clerks at a salary of \$70.00 per month.

1 SEC. 5. Document clerks. The document editor is hereby author-
 2 ized and directed to appoint Fern Allen and Rollin H. Sigg for service
 3 in the document room at a salary of \$77.00 per month.

1 SEC. 6. Stenographer for law librarian. The law librarian is hereby
 2 authorized and directed to appoint a stenographer in his office at a
 3 salary equal to the compensation of a committee clerk per month, and
 4 a messenger for the law librarian at a salary of \$45.00 per month.

1 SEC. 7. Post office assistant. The custodian is hereby authorized
 2 and directed to appoint Mrs. Fred H. Gresham as a helper in the main
 3 post office at the state house at a salary of \$75.00 per month.

1 SEC. 8. Assistant fireman. The custodian is hereby authorized
2 and directed to appoint B. F. Howe assistant fireman at a salary of
3 \$75.00 per month.

1 SEC. 9. Messenger, etc. The custodian is hereby authorized and
2 directed to appoint Stanger Geyer as messenger and assistant to the
3 chief engineer at a salary of \$60.00 per month.

1 SEC. 10. Removal, etc. All of the above appointments are hereby
2 made subject to competency and may be removed at any time by the
3 committee upon the recommendation of the head of the department,
4 or the person authorized to make the appointment.

1 SEC. 11. Tenure. All of the extra help herein furnished, shall be
2 paid from the time of their beginning service.

Approved February 5, A. D. 1919.

CHAPTER 6.

CONSOLIDATED INDEPENDENT SCHOOL DISTRICT OF HURON.

H. F. 13.

AN ACT to legalize a special election held at the Hawkeye school house in Huron township, Des Moines county, Iowa on the 19th day of June, 1918 to vote upon the proposition of organizing a consolidated independent school district, to be composed of parts of Huron and Yellow Springs townships in Des Moines county, Iowa, and to legalize the said consolidated independent school district and to ratify and confirm the election of officers and the organization of the board of directors of said consolidated independent school district and to ratify and confirm all the acts of the said board so elected and organized, and to legalize the special election held at said school house on the 19th day of June 1918 for the purpose of authorizing the issue of bonds of said district in the sum of \$55,000.00 for the purchase of a site for a school house and for the erection and equipping thereon of a school house and teacher's home.

WHEREAS, more than one-third of the electors residing in the territory hereinafter described signed and filed with the county superintendent of Des Moines county, Iowa a petition asking for the establishment of a consolidated independent school district composed of the following described territory, to wit: Beginning at the southwest corner of the northwest quarter of section 16 township 72 north, range 2 west, Des Moines county, Iowa; thence east to the southeast corner of the northeast quarter of section 15, same township and range; thence north to the southwest corner of the northwest quarter of section 2; thence east to the southeast corner of the northwest quarter of section 1; thence north to the Des Moines and Louisa county line; thence east along said line to the Mississippi river; thence southward down said river to the south line of township 72 north, range 1 west; thence west along the township line to the southeast corner of the southwest quarter of the southwest quarter of section 36 township 72 north, range 2 west; thence north 80 rods; thence west 80 rods; thence north 80 rods; thence west 160 rods to the center line of section 35; thence north to the center line of section 26; thence west to the southeast corner of the northeast quarter of section 29; thence north to the northeast corner of said section 29; thence west 80 rods; thence north 120 rods; thence west 30 rods; thence north 40 rods; thence east 20 rods; thence north 60 rods; thence east 50 rods; thence south 60 rods; thence

east 40 rods along the half section line to the middle of the east line of section 20; thence north 320 rods to beginning. The broken and irregular line extending from the northeast corner of section 29 to the middle of the east line of section 20 is intended to follow the established line which now separates the land belonging to the school township of Huron (but located in the civil township of Yellow Springs) from the land belonging to the independent district of Kossuth in Yellow Springs township; and

WHEREAS, the said county superintendent fixed a time for hearing said petition and gave due notice thereof and upon the hearing fixed and determined the boundaries of the proposed consolidated district as above set out; and

WHEREAS, the board of directors of said Huron school township called an election within the said district, to be held at the Hawkeye school house in said Huron township on the 19th day of June, 1918 (notice of which said election was duly published as provided by law in the official papers of said county); and

WHEREAS, pursuant to said notice said election was held at the said school house at the time and place designated in said notice, the voters voting by ballot at said election; and

WHEREAS, a majority of the votes cast at said election were, by the officers conducting said election, found and declared to be in favor of the organization of said consolidated independent school district; and

WHEREAS, the organization of the said consolidated independent school district was thereafter completed by the election of Noah Schrock, Charles Butler, Axel Peterson, August Peterson and Ben Waddle as a board of directors; and

WHEREAS, said board and the members thereof duly qualified and elected officers who also duly qualified and thereafter said board called an election of the voters of the said consolidated independent school district to vote upon the question of issuing \$55,000.00 in bonds of said district for the purpose of purchasing a site and erecting and equipping thereon a school house and a teacher's home as provided by law; and

WHEREAS, doubts have arisen as to the legality of said election forming the said consolidated district and as to the legality and sufficiency of some of the official acts of the county superintendent and the board of directors of said school township and the proceedings had in connection with said election and as to the legality and sufficiency of the acts of the board of directors of said district in calling, giving notice of, holding, conducting and announcing the result of the election for the purpose of issuing bonds for the purposes hereinbefore described; and as to the legality of the election for the issue of said bonds; and

WHEREAS, a large majority of the voters residing in said consolidated district voted in favor of the said consolidation and also in favor of the bond issue; now, therefore,

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

- 1 SECTION 1. Election, etc. That the proceedings of the county su-
- 2 perintendent of Des Moines county, Iowa and of the board of direc-
- 3 tors of the school township of Huron in Des Moines county, Iowa con-
- 4 cerning and providing for the submission to the qualified voters resid-
- 5 ing on the following described territory, to wit: Beginning at the
- 6 southwest corner of the northwest quarter of section 16 township 72
- 7 north, range 2 west, Des Moines county, Iowa; thence east to the

8 southeast corner of the northeast quarter of section 15, same town-
9 ship and range; thence north to the southwest corner of the north-
10 west quarter of section 2; thence east to the southeast corner of the
11 northwest quarter of section 1; thence north to the Des Moines and
12 Louisa county line; thence east along said line to the Mississippi
13 river; thence southward down said river to the south line of town-
14 ship 72 north, range 1 west; thence west along the township line to
15 the southeast corner of the southwest quarter of the southwest quar-
16 ter of section 36 township 72 north, range 2 west; thence north 80
17 rods; thence west 80 rods; thence north 80 rods; thence west 160
18 rods to the center line of section 35; thence north to the center line of
19 section 26; thence west to the southeast corner of the northeast quar-
20 ter of section 29; thence north to the northeast corner of said section
21 29; thence west 80 rods; thence north 120 rods; thence west 30 rods;
22 thence north 40 rods; thence east 20 rods; thence north 60 rods;
23 thence east 50 rods; thence south 60 rods; thence east 40 rods along
24 the half section line to the middle of the east line of section 20; thence
25 north 320 rods to beginning. The broken and irregular line extend-
26 ing from the northeast corner of section 29 to the middle of the east
27 line of section 20 is intended to follow the established line which now
28 separates the land belonging to the school township of Huron (but lo-
29 cated in the civil township of Yellow Springs) from the land belong-
30 ing to the independent district of Kossuth in Yellow Springs town-
31 ship, on the question of the establishment of a consolidated inde-
32 pendent school district embracing and comprising said territory, the
33 petition filed with the said county superintendent petitioning for said
34 consolidated independent school district, the notice of election sub-
35 mitting the question of consolidation, the time of such election, to wit:
36 June 19, 1918, the holding of said election on said date at the Hawkeye
37 school house in Huron township in said county, the manner of con-
38 ducting the said election by the judges and other officers, the finding
39 of the judges and clerks of election that the majority of voters vot-
40 ing at the said election had voted in favor of the formation of said
41 consolidated school district and all proceedings had and acts done by
42 the county superintendent of said Des Moines county, Iowa, by the
43 board of directors of said Huron school township and by the judges
44 and clerks of election acting at said special election, in the establish-
45 ing of the boundaries of said district, in the calling, holding, carrying
46 on, and conducting of said election and in all proceedings had in rela-
47 tion thereto, whether herein particularly specified or not, together
48 with the consolidated independent school district known as the Con-
49 solidated Independent School District of Huron, Des Moines county,
50 Iowa, be and they are hereby validated, as fully and effectually as
51 though the law had in all things been fully and technically complied
52 with in every respect, and said special election is hereby legalized and
53 validated.

1 SEC. 2. Election. That the proceedings of the board of directors
2 of the said Consolidated Independent School District of Huron, Des
3 Moines county, Iowa, in the calling of the special election for the pur-
4 pose of voting upon bonds in the sum of \$55,000.00 for the purpose
5 of purchasing a site for a school house and for the erection and equip-
6 ment thereon of a school house and a teacher's home, the notice given
7 and all proceedings had and acts done by said board of directors of
8 said consolidated district and by the judges and clerks of election act-

9 ing at said special election in the calling, holding, carrying on and
 10 conducting of said election and in all proceedings had in relation
 11 thereto, whether herein particularly specified or not, be and they are
 12 hereby legalized and validated, as fully and effectually as though the
 13 law had been in all things fully and technically complied with in every
 14 respect, and said special election and the bonds voted at such election
 15 are hereby legalized and validated.

1 SEC. 3. Proceedings of board. That all proceedings of the board of
 2 directors of the said consolidated independent school district of Des
 3 Moines county, Iowa organized as in this act hereinbefore set out,
 4 whether as specified above or not, be and they are hereby legalized and
 5 validated, as fully and effectually as though the said board had in all
 6 its proceedings fully and technically complied with the law in every re-
 7 spect.

1 SEC. 4. Pending litigation. Nothing in this act shall in any man-
 2 ner affect any pending litigation.

1 SEC. 5. Publication clause. This act, being deemed of immediate
 2 importance, shall take effect and be in force from and after its pub-
 3 lication in the Gazette, a newspaper published in Burlington, Des
 4 Moines county, Iowa and the Des Moines Register, a newspaper pub-
 5 lished in Des Moines, Iowa, without expense to the state.

Approved February 7, A. D. 1919.

I hereby certify that the above act was published in the Des Moines Register February
 8, 1919, and in the Gazette February 10, 1919.

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

CHAPTER 7.

CITY OF SAC CITY.

H. F. 50.

AN ACT to legalize certain warrants and the issuance and sale of negotiable bonds funding
 said warrants, of the city of Sac City, Sac county, Iowa.

WHEREAS, the city of Sac City, Sac county, Iowa, by its city council,
 did heretofore authorize and incur expenditures in the sum of ten thou-
 sand dollars (\$10,000), for corporate purposes, as permitted by law, and
 did issue warrants of said city in like amount to evidence such indebted-
 ness, in the manner and form required by law; and

WHEREAS, said expenditures were made for proper corporate purposes
 and the city of Sac City is enjoying the use and benefit thereof and the
 purposes for which said expenditures were made was and is well worth
 the sum which said city contracted should be paid therefor, and the in-
 debtedness of said city, at the time said warrants were issued did not, and
 does not at this time, exceed the statutory or constitutional limitation;
 and

WHEREAS, at a properly convened meeting of the city council of said
 city, held on November 8, 1918, a resolution entitled, "Resolution authoriz-

ing the issue of \$10,000 funding bonds of the city of Sac City, Iowa", was adopted for the purpose of funding the indebtedness represented by the aforesaid warrants; and

WHEREAS, doubts have arisen concerning the legality of the aforesaid warrants because the expenditures or a portion thereof, evidenced thereby, were contracted in excess of the appropriations theretofore made for the funds against which said warrants were drawn: Now, therefore;

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

1 SECTION 1. Warrants, bonds, etc. That the acts of the city coun-
2 cil of the city of Sac City in making expenditures for said city, issuing
3 warrants therefor in the sum of ten thousand dollars (\$10,000) as
4 aforesaid, and authorizing and directing the issuance and sale of ne-
5 gotiable bonds in the sum of ten thousand dollars (\$10,000) for the
6 purpose of funding the aforesaid warrants, be and the same are here-
7 by legalized and validated.

1 SEC. 2. Bonds. That the aforesaid warrants of the city of Sac
2 City, Iowa, in the aggregate sum of ten thousand dollars (\$10,000), be
3 and the same are hereby legalized and declared to be valid, legal and
4 subsisting obligations of said city.

1 SEC. 3. Funding bonds. That the funding bonds of the city of Sac
2 City, Iowa, in the aggregate sum of ten thousand dollars (\$10,000)
3 authorized and directed to be issued and sold by said resolution
4 for the purpose of funding the aforesaid warrants, be and the same
5 are hereby legalized and when sold as by law provided, shall be the
6 valid, legal and subsisting obligations of the city of Sac City, Iowa,
7 and thereafter said city shall levy taxes for the payment of the prin-
8 cipal of said interest upon said funding bonds in accordance with the
9 provisions of the code of Iowa as amended, relating to taxation.

1 SEC. 4. Pending litigation. Nothing in this act shall affect pend-
2 ing litigation.

1 SEC. 5. Publication clause. This act, being deemed of immediate
2 importance, shall take effect and be in force from and after its pub-
3 lication in Des Moines Capital, a newspaper published in the city
4 of Des Moines, Iowa, and Sac Sun, a newspaper published in the city
5 of Sac City, Iowa, without expense to the state.

Approved February 7, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital February 10, 1919, and in the Sac Sun February 13, 1919.

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

CHAPTER 8.

ERADICATION OF HARMFUL PLANTS.

H. F. 73.

AN ACT amending section two thousand five hundred and seventy-five-a forty-eight (2575-a48), of the supplement to the code, 1913, relating to the eradication of harmful barberry, or other plants that act as alternate hosts or carriers of dangerous insect pest, or plant disease, and prescribing the duties of the state entomologist in relation thereto.

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

1 SECTION 1. Harmful barberry, etc. That section two thousand
2 five hundred and seventy-five-a forty-eight (2575-a48), of the supple-
3 ment to the code, 1913, is hereby amended by striking out all that
4 part of said section after the period in line twelve (12), thereof and
5 inserting the following in lieu thereof:

6 "Whenever in the judgment of the state entomologist it is found
7 that any other dangerous crop pests or carriers exist, he shall take
8 such additional measures as seem fit to protect the crop or industry
9 concerned. After notification by the state entomologist it shall be
10 unlawful for any person, firm or corporation to receive, ship, or ac-
11 cept for shipment, transport, sell, or offer for sale, give away, deliver,
12 plant, or permit to exist on his or its premises any plant of the harm-
13 ful barberry or any other plant that acts as an alternate host or
14 carrier of a dangerous insect pest or plant disease. The term, harmful
15 barberry, shall be interpreted to consist of any species of *Berberis* or
16 *Mahonia* susceptible to infection by *Puccinia graminis*, commonly
17 called Black Stem Rust of grain, but not including Japanese barberry
18 (*B. thunbergii*). It shall be the duty of the state entomologist and
19 his assistants, to enforce the provisions of this section and he is hereby
20 empowered to eradicate any such insect pest, plant disease or car-
21 rier of insect or plant disease. If the owner shall refuse or neglect
22 to eradicate such pest or carrier, within ten days after receiving a
23 written notice, the state entomologist shall eradicate or cause the
24 same to be eradicated and ascertain the cost thereof. He shall cer-
25 tify the amount of such cost to the owner or person in charge of the
26 premises; and if the same is not paid to him within sixty days there-
27 after he shall certify the amount to the county auditor, who shall
28 spread the same upon the tax books, to be collected as other special
29 taxes, and turned over to the entomologist to become a part of the
30 fund for carrying this act into effect."

1 SEC. 2. Publication clause. This act being deemed of immediate
2 importance, shall take effect from and after publication in the Des
3 Moines Register, and Des Moines Capital, newspapers published at
4 Des Moines, Iowa.

Approved February 7, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register and the Des Moines Capital February 10, 1919.

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

CHAPTER 9.

INAUGURAL CEREMONIES.

S. F. 62.

AN ACT making an appropriation to defray the expenses of the inaugural ceremonies.

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

1 SECTION 1. Appropriation. There is hereby appropriated out of
2 any money in the state treasury, not otherwise appropriated, the sum
3 of five hundred sixty-seven dollars and twenty-five cents (\$567.25),
4 or so much thereof as may be necessary, to pay the expenses incurred
5 on account of the inaugural ceremonies and reception. Warrants
6 shall be drawn upon the treasury for the sum herein appropriated in
7 favor of the adjutant general, upon the filing of the vouchers there-
8 for with the auditor of state.

1 SEC. 2. Publication clause. This act being deemed of immediate
2 importance, shall take effect and be in force from and after the pub-
3 lication in the Des Moines Register and the Des Moines Capital, news-
4 papers published at Des Moines, Iowa.

Approved February 8, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register and the Des Moines Capital February 11, 1919.

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

CHAPTER 10.

MARCUS AND AMHERST CEMETERY ASSOCIATION.

S. F. 37.

AN ACT to legalize the organization, incorporation, acts, transactions, plats, deeds, conveyances, and other instruments and acts executed and done by the Marcus and Amherst Cemetery Association of Cherokee county, Iowa.

WHEREAS, on the first day of January, 1887, certain persons organized the Marcus and Amherst Cemetery Association of Cherokee county, state of Iowa, for the purpose of managing, controlling and selling cemetery lots in what was then and has ever since been known as the Marcus and Amherst Cemetery situated upon the east ten (10) acres of the south fifteen (15) acres of the southeast quarter (SE $\frac{1}{4}$) of the northeast quarter (NE $\frac{1}{4}$) of section four (4), township ninety-two (92) north of range forty-two (42) west of the fifth (5) principal meridian in Cherokee county, Iowa, and did undertake to form a corporation under the provisions of chapter two (2), title IX of the code of Iowa of 1873 and amendments thereto by adopting articles of association; and

WHEREAS, said articles of association were filed in the office of the county recorder of Cherokee county, Iowa, and duly recorded in book 1, page 201 of records of articles of incorporation in said office; and

WHEREAS, said Marcus and Amherst Cemetery Association did duly elect officers, and has continuously had a corps of officers, and has made and executed a plat and replat of said cemetery grounds, and a large number of deeds and conveyances of lots and tracts of real estate in said cemetery above described for burial purposes, and contracts relating to the purposes of said association, and many persons have entered into contracts with said association and have purchased lots and tracts of real estate accepting deeds and conveyances therefor in good faith, believing said association to have been duly incorporated under the laws of the state of Iowa; and

WHEREAS, doubts have arisen as to the sufficiency and validity of the incorporation of said Marcus and Amherst Cemetery Association and as to the validity and sufficiency of the platting and replatting of said cemetery and of the deed and conveyances executed by the officers of said Marcus and Amherst Cemetery Association and as to the legality of all acts, transactions and instruments done and executed by it; therefore,

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

1 SECTION 1. Articles. That the articles of the association of the
2 Marcus and Amherst Cemetery Association hereinbefore mentioned
3 are hereby legalized, confirmed and made effective and declared to be
4 sufficient to cause said Marcus and Amherst Cemetery Association
5 to be and become a corporation duly organized under the laws of the
6 state of Iowa relating to corporations not for pecuniary profit.

1 SEC. 2. Elections, etc. That all of the elections, acts, transactions,
2 by-laws, rules and regulations, resolutions, plats, replats, deeds, contracts,
3 conveyances and other instruments heretobefore executed and
4 done, by and in behalf of said Marcus and Amherst Cemetery Association
5 be, and the same are hereby legalized, confirmed and made
6 effective, and that each and every one of such acts, transactions, and
7 instruments are hereby declared legal, valid and binding, and of the
8 same force and effect as though no question had existed as to the sufficiency
9 of the incorporation of said Marcus and Amherst cemetery.

1 SEC. 3. Pending litigation. Nothing in this act shall affect any
2 pending litigation upon the subject.

1 SEC. 4. Publication clause. This act being deemed of immediate
2 importance it shall take effect on and after its publication in one issue
3 each of the Des Moines Register and the Marcus News, newspapers
4 published in the city of Des Moines and in the town of Marcus respectively,
5 said publications to be without expense to the state.

Approved February 8, A. D. 1919.

I hereby certify that the foregoing act was published in the Marcus News February 10, 1919, and in the Des Moines Register February 11, 1919.

W. S. ALLEN, Secretary of State.

CHAPTER 11.

EXCEPTIONS.

S. F. 109.

AN ACT to amend sections thirty-seven hundred nine (3709) and thirty-seven hundred fifty-six (3756) of the code, relating to the time within which exceptions to the charge or instructions may be given and the time within which a motion for a new trial may be made.

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

1 SECTION 1. Time limit. That section thirty-seven hundred nine
2 (3709) of the code be and the same is hereby amended by striking out
3 from line 3 thereof the word "three" and inserting in lieu thereof the
4 word "five".

1 SEC. 2. New trial. That section thirty-seven hundred fifty-six
2 (3756) of the code be and the same is hereby amended by striking out
3 from line 2 thereof the word "three" and inserting in lieu thereof the
4 word "five".

Approved February 15, A. D. 1919.

CHAPTER 12.

JUVENILE COURT.

S. F. 17.

AN ACT to amend section two hundred fifty-four-a20 (254-a20) supplement to the code, 1913, relating to commitments in juvenile courts.

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

1 SECTION 1. Age of child. That section two hundred fifty-four-a20,
2 supplement to the code, 1913, be and the same is hereby amended by
3 adding after the "period" following the word "charge" in the last line
4 of said section the words: "No child under the age of ten years shall
5 be committed to the Training School for Boys or the Training School
6 for Girls; but such children shall be eligible to admission to the Sol-
7 diers' Orphans' Home at Davenport, Iowa, under the laws and rules
8 applying to the admission of other children to this institution."

1 SEC. 2. Publication clause. This act being deemed of immediate
2 importance, shall take effect and be in force from and after its pub-
3 lication in the Des Moines Register and Des Moines Capital, news-
4 papers published in Des Moines, Iowa.

Approved February 15, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register February 18, 1919, and the Des Moines Capital February 19, 1919.

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

CHAPTER 13.

PAGE COUNTY BUILDING AND LOAN ASSOCIATION.

S. F. 52.

AN ACT to legalize the reincorporation of the Page County Building and Loan Association of Clarinda, Page county, Iowa, and to legalize the election of officers of said association, the acts of said officers, its board of directors, the issuing of stock, the making of loans, and the purchase of and taking securities of said association.

WHEREAS, the Page County Building and Loan Association of Clarinda, Page county, Iowa, was duly incorporated on the 20th day of June, 1897, and continued to do a building and loan business until its charter expired on the 20th day of June, 1917, and,

WHEREAS, at a special election held on the 4th day of June, 1917, which election was called to decide whether or not to renew the corporation, a quorum being present it was unanimously voted to renew the corporate existence of said building and loan association, and,

WHEREAS, the articles of incorporation were amended and substituted and filed for record in the office of the recorder of Page county, Iowa, on June 26, 1917, and duly recorded in a book kept for that purpose, and,

WHEREAS, a certificate of renewal was filed with the recorder of Page county, Iowa, on July 3rd, A. D. 1917, and duly recorded in a book kept for that purpose, and,

WHEREAS, the articles of incorporation as amended and substituted were sent to the executive council of the state of Iowa for approval, and,

WHEREAS, said articles of incorporation as amended and substituted were not satisfactory to said executive council of the state of Iowa, and were returned to the said Page County Building and Loan Association for changes, and,

WHEREAS, the changes suggested were made in said articles of incorporation as amended and substituted and were filed with the recorder of Page county, Iowa, on October 10, 1917, and recorded in a book kept for that purpose and were immediately returned to said executive council of the state of Iowa, for approval, and,

WHEREAS, the proper fee due the state of Iowa for taking the necessary steps to renew said corporation was forwarded to the secretary of state, and,

WHEREAS, said articles of incorporation as amended and substituted were not approved by said executive council within the time required by law, and,

WHEREAS, on account of the delays hereinbefore set out said articles of incorporation as amended and substituted were not filed by the secretary of state and recorded as required by the laws of the state of Iowa, and,

WHEREAS, the fee paid to the secretary of state of the state of Iowa for renewing the said corporation, the Page County Building and Loan Association, has been returned to said association, and,

WHEREAS, said Page County Building and Loan Association of Clarinda, Page county, Iowa, having made all changes that the executive council of the state of Iowa had required and having filed the articles of incorporation as amended and substituted, with the recorder of Page county, Iowa, and

caused the same to be recorded and having forwarded the same to the executive council to be approved and turned over to the secretary of state and having forwarded to said secretary of state the fees required by law, and believing that it had done all things required by it, it continued to transact the business ordinarily transacted by said building and loan association from the date of its expiration up to the present time, and,

WHEREAS, the secretary of state having held that said articles of incorporation as amended and substituted were not filed in his office within the time required by law, doubts have arisen as to the validity of the proceedings to renew said corporation and as to the validity of the election of officers since the expiration of the original charter and of the acts of said officers and the board of directors of said association and of the stock issued, loans made, securities purchased and taken, and all other proceedings had by the officers of said association or by its board of directors since the expiration of its original charter, now therefore,

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

1 SECTION 1. **Renewal, election of officers, etc.** That the original
 2 proceedings to renew the corporate existence of the Page County
 3 Building and Loan Association of Clarinda, Page county, Iowa, and all
 4 elections of officers of said association and all stock issued by said
 5 corporation, and all loans made or securities purchased by said asso-
 6 ciation, and all resolutions passed, adopted or other proceedings had
 7 by the officers and board of directors of said association be, and the
 8 same are hereby legalized and declared to be valid and binding and to
 9 have the same force and effect as though the proceedings to renew
 10 said corporation in the first instance, had been regular, legal and valid
 11 in every respect, and the articles of incorporation as amended and
 12 substituted had been recorded in the office of the secretary of state
 13 within the time limit prescribed by statute and as though said elec-
 14 tions were properly and legally held and the persons elected to said
 15 offices had been elected as prescribed in the articles of incorporation
 16 and the laws of the state of Iowa, of a duly incorporated, existing and
 17 legal building and loan association and the officers and board of
 18 directors elected for said building and loan association at the election
 19 held in 1918 and 1919 are hereby declared to be the legal officers and
 20 directors of said building and loan association for the term for which
 21 they were elected and their terms of office shall not expire until the
 22 regular annual meeting of said association in the year of 1920, and
 23 their acts shall have the same force and effect as though they had
 24 been elected by the stockholders of a legal, valid and existing
 25 corporation for the terms for which they have been elected, and the
 26 stock issued by said association since the expiration of its original
 27 charter and the loans made by it since that date are hereby legalized
 28 and declared to be valid and binding upon the parties thereto to the
 29 same extent as if they had been issued by and made to a legal, valid
 30 and existing building and loan association. And the secretary of state
 31 is hereby authorized, upon the payment of the required fees, to file
 32 and record said articles of incorporation as amended and substituted,
 33 and the said Page County Building and Loan Association is authorized
 34 to publish the notice of said renewal, and when said articles of incor-
 35 poration as amended and substituted have been filed and recorded by
 36 the secretary of the state of Iowa, and the notice of the renewal of

37 said corporation has been published as required by law, they shall be
 38 as legal, valid and binding as if they had originally been filed and
 39 recorded and the notice given within the time and as required by
 40 statute in every particular.

1 **SEC. 2. Pending litigation.** Nothing in this act shall in any manner
 2 affect pending litigation by or against said association.

1 **SEC. 3. Publication clause.** This act being deemed of immediate
 2 importance shall be in full force and effect from and after its pub-
 3 lication in the Des Moines Register, a newspaper published at Des
 4 Moines, Iowa, and the Clarinda Herald, a newspaper published at
 5 Clarinda, Iowa, said publication to be without expense to the state.

Approved February 15, A. D. 1919.

I hereby certify that the above act was published in the Des Moines Register Febru-
 ary 18, 1919, and in the Clarinda Herald February 27, 1919.

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

CHAPTER 14.

SESSION LAWS.

S. F. 13.

AN ACT to repeal section five (5) of chapter five (5) of the acts of the thirty-seventh
 general assembly and to enact a substitute therefor, relating to the publication of the
 session laws.

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

1 **SECTION 1. Repeal and substitute.** That section five (5) of chapter
 2 five (5) of the acts of the thirty-seventh general assembly is hereby
 3 repealed, and the following is hereby enacted in lieu thereof, to wit:

4 "SEC. 5. **Number authorized.** Six thousand (6,000) copies of said
 5 volume shall be printed, and shall be bound in board covers. All
 6 volumes shall be sold to residents of this state at fifty cents (\$.50)
 7 per volume, and to all others at one dollar (\$1.00) per volume."

Approved February 21, A. D. 1919.

CHAPTER 15.

DOMESTIC ANIMAL FUND.

H. F. 40.

AN ACT to amend section four hundred fifty-eight-d (458-d), supplement to code, 1913,
 relating to the drawing of warrants to pay claims for injuries to domestic animals, and
 providing when said warrants shall be drawn.

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

1 **SECTION 1. Warrants.** That section four hundred fifty-eight-d
 2 (458-d), supplement to code, 1913, be and the same is hereby amended

3 as follows: By striking from the third line of said section the words
 4 "and July", and by striking from the fifth line of said section the
 5 word "six" and inserting in lieu thereof the word "twelve", and by
 6 striking from the sixth line of said section the words "each of said
 7 months" and inserting in lieu thereof the words "said month".

Approved February 22, A. D. 1919.

CHAPTER 16.

MUNICIPAL COURTS.

H. F. 54.

AN ACT to amend sections six hundred ninety-four-c3 (694-c3), six hundred ninety-four-c5 (694-c5), and six hundred ninety-four-c16 (694-c16), supplemental supplement to the code, 1915, providing the method of submitting the proposition for the establishment of the municipal court, conducting the election, certifying results, appointment and election of judge or judges, clerk and balliff, and providing the method for filling vacancies in said offices, and defining what shall constitute a vacancy.

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

1 SECTION 1. When established. That section six hundred ninety-
 2 four-c3 (694-c3), supplemental supplement to the code, 1915, be and
 3 the same is hereby amended by inserting before the word "established"
 4 in the eighth (8th) line thereof the word "deemed".

1 SEC. 2. Inferior courts abolished. That section six hundred ninety-
 2 four-c5 (694-c5), supplemental supplement to the code, 1915, be and
 3 the same is hereby amended by inserting after the word "election"
 4 in the second (2nd) line thereof the words "or appointment".

1 SEC. 3. Vacancies. That section six hundred ninety-four-c16
 2 (694-c16), supplemental supplement to the code, 1915, be and the
 3 same is hereby amended by inserting after the period in the seventh
 4 (7th) line thereof the following:

5 "Whenever the proposition establishing a municipal court has been
 6 or may hereafter be adopted and no officers of such court have been
 7 appointed as herein provided, or have been elected at any regular city
 8 election, a vacancy in such offices shall be deemed to exist and may be
 9 filled as provided in this section."

1 SEC. 4. Publication clause. This act being deemed of immediate
 2 importance shall be in force and effect from and after its publication
 3 in the Des Moines Register, a daily newspaper published at Des
 4 Moines, Iowa, and the Waterloo Evening Courier and Reporter, a
 5 daily newspaper published at Waterloo, Iowa, and without expense to
 6 the state.

Approved February 22, A. D. 1919.

I hereby certify that the above act was published in the Des Moines Register February 25, 1919, and in the Waterloo Evening Courier and Reporter February 26, 1919.

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

CHAPTER 17.

STATE LANDS.

S. F. 32.

AN ACT authorizing the executive council to sell certain lands belonging to the state, and purchase other lands.

WHEREAS, the state of Iowa is the owner of the following described real estate, to wit: Lots one (1), two (2) and three (3), in section eleven (11), township one hundred (100), north range forty-nine (49), west of the fifth (5th) P. M., in Lyon county, Iowa, which land was used as a farm in connection with The Reformatory, at Anamosa, Iowa, and

WHEREAS, said land, except the quarry located thereon, is no longer desired for use in that connection, therefore,

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

1 SECTION 1. Sale of state lands. That the executive council be and
2 is hereby authorized and empowered to sell at public or private sale,
3 all of the following described real estate: Lots one (1), two (2) and
4 three (3) in section eleven (11), township one hundred (100) north,
5 range 49, west of the 5th P. M. in Lyon county, Iowa, except that
6 portion thereof whereon the quarry site and roadway or roadways
7 thereto are located, at such price and upon such terms as the said
8 executive council shall deem most advantageous to the state of Iowa,
9 and the conveyance made as hereinafter provided, shall describe by
10 metes and bounds, that portion of said real estate, excepted as a
11 quarry site and roadway or roadways thereto.

1 SEC. 2. Funds. That funds accruing from such sale shall be
2 expended for the purchase of land for the training school for boys.

1 SEC. 3. Deeds. The governor and secretary of state are hereby
2 authorized to execute all necessary deeds of conveyance required to
3 convey said premises to the purchaser.

1 SEC. 4. Publication clause. This act, being deemed of immediate
2 importance, shall take effect and be in force from and after its pub-
3 lication in The Des Moines Register, and The Des Moines Capital,
4 newspapers published in Des Moines, Iowa.

Approved February 25, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Des Moines Register February 28, 1919.

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

CHAPTER 18.

EMERGENCY APPROPRIATION.

S. F. 123.

AN ACT making an appropriation for the purchase of fuel; for the payment of telephone, telegraph, water, light and repairs and for the payment by the executive council of expenses for which no appropriation is made.

WHEREAS, the funds appropriated by the thirty-seventh general assembly, for the purchase of fuel under section sixty-seven (67) of chapter two hundred ninety-two (292), acts of the thirty-seventh general assembly, for the payment of telephone, telegraph, water, light and repairs under section sixty-eight (68) of chapter two hundred ninety-two (292), acts of the thirty-seventh general assembly, and to meet necessary expenses for which no appropriation is made as provided in section nine (9) of chapter two hundred ninety-two (292), acts of the thirty-seventh general assembly, by reason of the marked advance in the prices of the commodities and services to be paid for by the appropriations, have become exhausted;

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

1 SECTION 1. Fuel. There is hereby appropriated out of any money
2 in the state treasury, the sum of ten thousand (\$10,000.00) dollars
3 for the purchase of fuel, to be expended under the provisions of section
4 one hundred sixty-five (165) of the code.

1 SEC. 2. Water, light, etc. There is hereby appropriated out of
2 any money in the state treasury, the sum of seven thousand five
3 hundred (\$7,500.00) dollars for the payment of telephone, telegraph,
4 water, light and repairs to be paid as provided in section one hundred
5 sixty-four (164) of the code.

1 SEC. 3. Executive council. There is hereby appropriated to the
2 executive council, out of any money in the state treasury, the sum of
3 twenty-five hundred (\$2,500.00) dollars to meet necessary expenses
4 for which no appropriation is made.

1 SEC. 4. Availability. The money appropriated by this act shall
2 immediately become available for the purposes for which it is appro-
3 priated.

1 SEC. 5. Publication clause. This act, being deemed of immediate
2 importance, shall take effect and be in force from and after its pub-
3 lication in the Des Moines Register and the Des Moines Capital.
4 newspapers published in Des Moines, Iowa.

Approved February 25, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Des Moines Register February 28, 1919.

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

CHAPTER 19.

PENSIONS FOR DISABLED AND RETIRED FIREMEN.

H. F. 77.

AN ACT to amend section nine hundred and thirty-two-e (932-e) of the supplement to the code of 1913, relating to pensions for disabled and retired firemen.

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

1 SECTION 1. Who entitled to pensions. That section nine hundred
2 and thirty-two-e (932-e), supplement to the code, 1913, be and the
3 same is hereby amended by striking from line thirteen of said section
4 the words "became entitled to retirement" and insert "actually retires
5 from said fire department".

1 SEC. 2. Publication clause. This act being deemed of immediate
2 importance, shall take effect and be in force from and after its pub-
3 lication in the Des Moines Register and Des Moines Capital,
4 newspapers published in Des Moines, Iowa, said publications to be
5 without expense to the state.

Approved February 25, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Des Moines Register February 28, 1919.

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

CHAPTER 20.

CONSOLIDATED INDEPENDENT SCHOOL DISTRICT OF DOW CITY.

H. F. 180.

AN ACT to legalize the action of the Consolidated Independent School District of Dow City, Crawford county, Iowa, in voting bonds at an election held on the 30th day of April, 1917, and to legalize the bonds issued by said district under said election.

WHEREAS, there was on March 24, 1917, filed with the president of the board of directors of the Consolidated School District of Dow City, in the county of Crawford, and state of Iowa, a petition, signed by a number of the legal voters of said district in excess of twenty-five per cent of the number of those voting at the school election held in said district last prior to said date, asking that an election be called for the purpose of submitting to the voters of said district the proposition of bonding said district for the purpose of "paying for land already purchased, purchasing equipment and supplies for the school house, purchasing school wagons, building sidewalks, etc.", and

WHEREAS, said petition did so state the purpose for which the money to be raised by the issuing of such bonds was to be used and that the necessary school house could not be built or furnished within the limit of one and one-fourth per cent of the actual value of taxable property within said district; and

WHEREAS, said petition was thought in all respects proper and sufficient and in accordance with the provisions of chapter one hundred eighty-four of the laws of the thirty-third general assembly as amended; and

WHEREAS, the board of directors of the Consolidated Independent School District of Dow City, in the county of Crawford, and state of Iowa, did, by a resolution passed, at a meeting of said board held on the 24th day of March, 1917, pursuant to said petition, call a special election of electors of said consolidated independent school district to be held on the thirtieth day of April 1917, for the purpose of voting on the following proposition: "Shall the Consolidated Independent School District of Dow City, county of Crawford, state of Iowa, issue bonds in the sum of \$20,000.00 for the purpose of paying for the land already purchased, purchasing equipment and supplies for the school house, purchasing school wagons, building sidewalks, etc." and

WHEREAS, notice of such election was duly published as by law required, and

WHEREAS, said election was held on the 30th day of April, 1917, between the hours of 1 P. M. and 6 P. M. pursuant to said notices and there were cast at said election twenty-five votes, twenty-four of which were in favor of said proposition, and one against said proposition, and

WHEREAS, more than a majority of the voters voting at said election did vote in favor of the proposition aforesaid and the judges of said election did so declare and did issue their certificate so certifying, and

WHEREAS, it was necessary for the purpose aforesaid that the bonds so authorized be issued; and

WHEREAS, the school house by said petition and election proposed to be built and furnished, was intended to be, and is located on the site now, and at the date of the filing of said petition owned by said district, and the land, by said petition and election, intended and authorized to be purchased is adjacent and in addition to said site; and

WHEREAS, by resolution of the board of directors of the Consolidated Independent School District of Dow City, it was found and declared that at a special election of the electors of said district, duly and properly called on the 30th of April, 1917, more than a majority of the voters of said district voting at said election, did vote in favor of the proposition to authorize its board of directors to issue bonds of said district in the sum of \$20,000.00 for the purpose aforesaid and that it was thereby ordered that the negotiable coupon bonds of said district be issued in the aggregate sum of \$20,000.00 for the purpose aforesaid, and

WHEREAS, said bonds have been duly executed, issued and delivered in pursuance of the aforesaid resolution and the adoption of the aforesaid proposition at the aforesaid meeting, and

WHEREAS, doubts have arisen as to the legality of the proposition so submitted and of the bonds so issued and delivered because of its calling for "the issuing of bonds in the sum of \$20,000.00 for the purpose of paying for the land already purchased, purchasing equipment and supplies for the school house, purchasing school wagons, building sidewalks, etc.", and doubt has been expressed as to whether said proposition is within the purview of section 2820-d1 and following sections of title XIII, chapter fourteen, supplement to the code, 1913, and

WHEREAS, it is deemed advisable to put said doubts and any other doubts respecting the legality or validity of the aforesaid bonds forever at rest; now therefore

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

1 SECTION 1. Election. That the action of the board of dire-
2 said Consolidated Independent School District of Dow City, in submit-
3 ting said proposition to the electors at the school election on April 30,
4 1917, and the action of said electors in voting favorably thereon, be,
5 and the same are hereby legalized and validated, and the same are
6 hereby declared not to be in excess of the powers conferred by said
7 section 2820-d1 and following sections of title X, chapter fourteen,
8 supplement to the code, 1913, and all acts amendatory thereto.

1 SEC. 2. Bonds. That the school build-
2 Independent School District of Dow City, in the county of Crawford,
3 in the sum of \$20,000.00, issued May 1, 1917, consisting of twenty
4 bonds of \$1,000.00 each, numbered from one to twenty, both numbers
5 included, be and the same are hereby legalized and declared valid,
6 legal and subsisting obligations of the said consolidated independent
7 school district, the same as though the law had in all respects been
8 complied with precedent to and in the issuance of said bonds.

1 SEC. 3. Pending litigation. Nothing in this act shall affect pending
2 litigation.

1 SEC. 4. Publication clause. This act being deemed of immediate
2 importance shall be in force and effect from and after its publication
3 in the Des Moines Register, a newspaper published in Des Moines,
4 Iowa, and the Denison Review, a newspaper published in Denison,
5 Iowa; said publication to be without expense to the state.

Approved February 25, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register February 28, 1919, and in the Denison Review March 5, 1919.

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

CHAPTER 21.

ADOPTION OF ORDINANCES.

S. F. 91.

AN ACT to amend section six hundred eighty-one (681) of the code relative to the adoption of ordinances of cities and towns.

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

1 SECTION 1. Adoption of ordinances. That section six hundred
2 eighty-one (681), of the code, be and the same is hereby amended by
3 adding thereto the following: "When a city or town shall make a
4 complete revision of the ordinances of said city or town by rearrange-
5 ment and grouping of the same under appropriate titles, parts,

6 chapters and sections, the enactment of said revision of ordinances
7 as so rearranged and grouped shall be considered a sufficient com-
8 pliance with the provisions of this section.

Approved February 25, A. D. 1919.

CHAPTER 22.

ATTENDANCE OF WITNESSES.

S. F. 26.

AN ACT amending section four thousand six hundred and sixty (4660) of the code, relating to the distance witnesses may be compelled to travel upon subpoena from district and superior courts.

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

1 SECTION 1. Attendance of witnesses. That section four thousand
2 six hundred and sixty (4660) of the code be and the same is hereby
3 amended by striking out the word "seventy" in the third line thereof,
4 and inserting in lieu thereof the words "one hundred." And by
5 striking out the period following the word "county" in the fifth line
6 of said section 4660 and substituting in lieu thereof the following:
7 " , provided that the court or judge, for good cause shown, may, upon
8 deposit with the clerk of the court of sufficient money to pay the legal
9 fees and mileage of a witness, order a subpoena to issue requiring the
10 attendance of such witness from a greater distance within the state.
11 Such subpoena shall show that it is issued under the provisions
12 hereof."

Approved February 25, A. D. 1919.

CHAPTER 23.

COUNTY RECORDER.

H. F. 18.

AN ACT to amend section four hundred ninety-five (495), supplemental supplement to the code, 1915, relating to fees to be reported and paid to the county by the county recorder.

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

1 SECTION 1. Quarterly payments. That the law as it appears in
2 section four hundred ninety-five (495), supplemental supplement to
3 the code, 1915, be amended by striking from lines seven (7), eight (8)
4 and nine (9) of said section the following: "shall make annual settle-
5 ment with the board of supervisors on the first Monday in January
6 of each year, and pay into the county treasury all fees received by

7 him.", and substituting in lieu thereof the following: "shall pay quar-
 8 terly into the county treasury all fees received by him, and make
 9 annual settlement with the board of supervisors on the first Monday
 10 of January of each year."

Approved February 25, A. D. 1919.

CHAPTER 24.

SYSTEM OF COMMON SCHOOLS.

H. F. 27.

AN ACT amending section two thousand seven hundred seventy three (2773) supplement to the code, 1913, relative to length of time of holding school.

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

1 SECTION 1. Period of school. That section two thousand seven
 2 hundred seventy-three (2773) supplement to the code, 1913, be and
 3 the same is hereby amended by striking out from the ninth line
 4 thereof the words "twenty four" and by inserting in lieu thereof the
 5 words "thirty two."

Approved February 25, A. D. 1919.

CHAPTER 25.

STREET IMPROVEMENTS, ETC.

H. F. 26.

AN ACT to amend section seven hundred ninety-two (792) of the supplement to the code, 1913, referring to assessing cost of improvements, repavement and disposal of waste material.

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

1 SECTION 1. Salvage. That section seven hundred ninety-two (792)
 2 of the supplement to the code, 1913, be amended by inserting in the
 3 thirteenth (13th) line and after the words "they shall have power to"
 4 the following: "use the old material in whole or in part for such
 5 reconstruction and" and further amend said section by inserting in
 6 the fifteenth (15th) line before the word "proceeds" the following:
 7 "salvage so used in reconstruction or the".

Approved February 25, A. D. 1919.

CHAPTER 26.

BOARDS OF SUPERVISORS.

H. F. 38.

AN ACT to amend the law as it appears in section four hundred twelve (412) of the supplement to the code 1913, relative to the meetings of the board of supervisors.

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

1 SECTION 1. **Adjournments.** That section four hundred twelve
2 (412), supplement to the code, 1913, be amended by eliminating the
3 period at the end thereof and by adding a comma and the following
4 words, to wit: but in the event a quorum of said board fails to appear
5 on a day set for a regular or an adjourned meeting the county auditor
6 of said county shall adjourn said meeting from day to day until a
7 quorum is present.

Approved February 25, A. D. 1919.

CHAPTER 27.

THE MEN'S REFORMATORY.

H. F. 44.

AN ACT to repeal section fifty-seven hundred eighteen-a4 (5718-a4) of the supplement to the code, 1913, and to enact a substitute therefor, relating to the reformatory, at Anamosa, Iowa.

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

1 SECTION 1. **Official designation.** That section fifty-seven hundred
2 eighteen-a4 (5718-a4) of the supplement to the code, 1913, be and the
3 same is hereby repealed and the following enacted in lieu thereof, to
4 wit:
5 "The Reformatory, at Anamosa, shall be officially known and desig-
6 nated as The Men's Reformatory."

Approved February 25, A. D. 1919.

CHAPTER 28.

SOLDIERS, SAILORS, ETC.

H. F. 62.

AN ACT providing that certified copies of public records be furnished free of charge to any soldier, sailor or marine, in service or honorably discharged, or any dependent of such soldier, sailor or marine.

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

1 SECTION 1. Free copies of records. That whenever a certified copy
2 or copies of any public record in the state of Iowa are required to
3 perfect the claim of any soldier, sailor or marine, in service or honor-
4 ably discharged, or any dependent of such soldier, sailor or marine,
5 for a United States pension, or other claim upon the government of
6 the United States, they shall, upon request, be furnished by the cus-
7 todian of such records, without requiring any fee or compensation
8 therefor.

Approved February 25, A. D. 1919.

CHAPTER 29.

DRAINAGE OF HIGHWAYS.

H. F. 70.

AN ACT to amend the law as it appears in section nineteen hundred eighty-nine-b ten (1989-b10), supplemental supplement to the code, 1915, referring to costs in case of abandonment.

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

1 SECTION 1. Costs in case of abandonment. That the law as it
2 appears in section nineteen hundred eighty-nine-b ten (1989-b10),
3 supplemental supplement to the code, 1915, be, and the same is hereby
4 amended by striking out the word "road" in the fourth line thereof.

Approved February 25, A. D. 1919.

CHAPTER 30.

DRAINAGE OF HIGHWAYS.

H. F. 71.

AN ACT to amend the law as it appears in section nineteen hundred eighty-nine-b seven (1989-b7), supplemental supplement to the code, 1915, to provide for the issuance of ditch warrants in connection with the drainage of highways.

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

1 SECTION 1. Warrants. That the law as it appears in section nine-
 2 teen hundred eighty-nine-b seven (1989-b7), supplemental supplement
 3 to the code, 1915, be and the same is hereby amended by changing the
 4 period at the close of said section to a comma, and by adding the
 5 following:
 6 "or in lieu thereof they may issue warrants to be known as ditch
 7 warrants, said warrants to draw six per cent interest per annum,
 8 payable annually, from the date of issue and to be paid out of the
 9 special assessments levied therefor when the same are collected."

Approved February 25, A. D. 1919.

CHAPTER 31.

INDEPENDENT SCHOOL DISTRICT OF BODE.

H. F. 366.

AN ACT legalizing the formation and establishment and proceedings of the Independent School District of Bode, in Humboldt County, Iowa.

WHEREAS, the Independent School District of Bode, in Humboldt county, state of Iowa, as now formed and established is comprised of the following described territory, to wit:

All of the incorporated town of Bode, Iowa, and the territory contiguous thereto and described as follows: All that part of sections sixteen, seventeen, twenty and twenty-one, not included within the limits of the incorporated town of Bode, Iowa; the west half of section three; all of sections four, five, six, seven, eight and nine; the south half and the northwest quarter of section ten; the southwest quarter of section eleven; west half of section fourteen; all of sections fifteen and eighteen; east half and northwest quarter of section nineteen; the west half and the west half of the east half of section twenty-two; the north half of the northwest quarter of section twenty-seven; north half of section twenty-eight; north half of section twenty-nine and the northeast quarter of section thirty, all in township ninety-three north, range twenty-nine, west of the fifth P. M. Iowa; and the southeast quarter of section thirteen, in township ninety-three, north, range thirty, west of the fifth P. M. Iowa, all in Humboldt county, state of Iowa.

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

1 SECTION 1. Proceedings, election, etc., legalized. That all of the
 2 acts and proceedings of the Independent School District of Bode,
 3 Iowa, and of the board of directors of said school district, and the
 4 election held in said school district on the 25th day of June, 1918,
 5 which acts and proceedings resulted in the formation and establish-
 6 ment of the Independent School District of Bode, Iowa, and the
 7 election held in said school district on the 17th day of July, 1918, for
 8 the election of a board of directors and other officers in said school
 9 district, and the acts of the board of directors in said school district
 10 in changing the boundary lines between said school district and the
 11 Consolidated Independent School District of Ottosen, in Humboldt and
 12 Kossuth counties, in the state of Iowa, and the action of the board of
 13 directors of said district in changing the boundary lines between said
 14 school district and Maple Lawn Rural Independent School District, in
 15 Wacousta township, in Humboldt county, state of Iowa, be and the
 16 same are hereby declared legal and valid, and the formation and estab-
 17 lishment of the Independent School District of Bode, in Humboldt
 18 county, in the state of Iowa, as now formed and established, consisting
 19 of the above described territory, be and hereby is declared legal and
 20 valid in all respects the same as if all provisions of law relating to the
 21 formation and establishment of independent school districts and the
 22 changing of the boundary lines thereof had been in all respects strictly
 23 complied with.

1 SEC. 2. Pending litigation. Nothing in this act shall affect in any
 2 way any pending litigation in relation to the subject matter hereof.

1 SEC. 3. Publication clause. This act being deemed of immediate
 2 importance shall be in full force and effect from and after its publi-
 3 cation in the Des Moines Register, a newspaper published at Des
 4 Moines, Iowa, and in the Bode Bugle, a newspaper published at Bode,
 5 in Humboldt county, Iowa, all without expense to the state of Iowa.

Approved February 26, A. D. 1919.

I hereby certify that the foregoing act was published in the Bode Bugle and the Des Moines Register February 28, 1919.

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

CHAPTER 32.

ABANDONED RIVER CHANNELS.

S. F. 47.

AN ACT to amend section twenty-nine hundred-a-six (2900-a6) supplement to the code, 1913, and relating to compensation for surveyors surveying abandoned river channels, sand bars or islands.

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

1 SECTION 1. Surveyors. That section twenty-nine hundred-a-six
 2 (2900-a-6) supplement to the code, 1913, is hereby repealed and the

3 following enacted in lieu thereof: The secretary of state shall make
 4 a contract with some surveyor for making such survey; the surveyor
 5 to furnish all the chainmen and other attendants and pay all necessary
 6 expenses, which contract before it becomes binding shall be submitted
 7 to and approved by the executive council.

1 SEC. 2. Compensation. Commissioners, for their services in mak-
 2 ing such appraisalment shall each be entitled to receive five dollars
 3 (\$5.00) per day for the actual time employed.

Approved March 1, A. D. 1919.

CHAPTER 33.

FENCES.

H. F. 141.

AN ACT to amend the law as it appears in sections twenty-three hundred sixty (2360),
 twenty-three hundred sixty-two (2362), twenty-three hundred sixty-three (2363), twen-
 ty-three hundred sixty-nine (2369) and twenty-three hundred seventy (2370) of the
 code relating to partition fences.

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

1 SECTION 1. Record of orders. That the law as it appears in section
 2 twenty-three hundred sixty (2360) of the code, be, and the same is
 3 hereby amended by striking all that portion of said section, following
 4 the comma (,) after the word "clerk" in line seven thereof, and by
 5 inserting in lieu thereof the following:
 6 "and a copy thereof, certified by the township clerk to the county
 7 recorder, who shall record the same in his office in a book kept for that
 8 purpose, and index such record in the name of each adjoining owner
 9 as grantor to the other. The record in the recorder's office, unless
 10 modified, by appeal as hereinafter provided, shall be conclusive
 11 evidence of the matters therein stated, and such record or a certified
 12 copy thereof shall be competent evidence in all courts."

1 SEC. 2. Record of orders. That section twenty-three hundred sixty-
 2 two (2362) of the code, be, and the same is hereby amended by insert-
 3 ing after the word "recorded" in line two of said section the following:
 4 "in the office of the recorder of deeds."

1 SEC. 3. Record of orders. That section twenty-three hundred sixty-
 2 three (2363) of the code, be, and the same is hereby amended by
 3 striking the period (.) at the close of said section, and by adding
 4 thereto the following:
 5 "and in the office of the recorder of deeds of each county."

1 SEC. 4. Appeals. That section twenty-three hundred sixty-nine
 2 (2369) of the code, be, and the same is hereby amended by adding
 3 thereto the following:
 4 "Upon the final determination of said appeal the clerk of the district
 5 court shall certify to the recorder of deeds the fact that a judgment
 6 has been entered upon such appeal, with the book and page of such

7 judgment, and the recorder shall thereupon enter on his record a
 8 notation that a judgment on appeal has been entered and that the
 9 same may be found in the office of the clerk of the district court, in
 10 the book and page designated in said certificate."

1 SEC. 5. Fees—costs of recording. That section twenty-three
 2 hundred seventy (2370) be, and the same is hereby amended by strik-
 3 ing the period (.) at the close of said section, and by adding thereto
 4 the following:

5 "and shall also receive the costs of recording in the office of the
 6 recorder of deeds of any instrument required to be so recorded."

Approved March 1, A. D. 1919.

CHAPTER 34.

SOLDIERS, SAILORS AND MARINES.

H. F. 17.

AN ACT to provide for the recording of discharge papers of discharged soldiers, sailors and marines.

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

1 SECTION 1. Record of discharge papers. The county recorder of
 2 each county in this state shall maintain in his office a special book in
 3 which he shall, upon request, record the final discharge of any soldier,
 4 sailor, or marine of the United States. No recording fee shall be
 5 collected when the soldier, sailor or marine requesting such record
 6 shall be an actual resident of said county or shall have been such at
 7 the time of his entrance into the service of the United States. In all
 8 other cases the legal fee shall be charged.

1 SEC. 2. Index. There shall be kept in connection with such record
 2 an alphabetical index referring to the name of the soldier, sailor, or
 3 marine, whose name appears in each discharge paper so recorded.

Approved March 1, A. D. 1919.

CHAPTER 35.

CITY OF OELWEIN.

S. F. 98.

AN ACT to legalize certain warrants of the city of Oelwein, Iowa.

WHEREAS, the city of Oelwein, in the county of Fayette, and state of Iowa, did make certain expenditure in installing ornamental lighting installation on its streets in the amount two thousand six hundred seventy dollars (\$2,670.00) and did issue warrants in the amount of two thousand six hundred seventy dollars (\$2,670.00) to evidence the indebtedness

incurred in making said expenditures, said warrants being issued in conformity with a resolution of the city council of said city adopted on the 24th day of July, 1916. Each of said warrants were drawn on the street lighting fund and bear the date of July 25th, 1916, scheduled as follows:

Numbers 406, 407, 408, 409, 410, 411, each warrant in the amount of \$445.00, and all of which bear interest from date at six per cent and are now outstanding.

WHEREAS, the city of Oelwein, in the county of Fayette, and state of Iowa, has, by resolution passed and adopted, issued warrants on the street lighting fund of said city in the aggregate amount of \$4,385.01, as follows:

August	8th, 1916	Warrant	Number	1490	\$414.60
October	3rd, 1916	"	"	1516	\$407.77
March	6th, 1917	"	"	1563	\$437.18
April	3rd, 1917	"	"	1577	\$433.51
April	3rd, 1917	"	"	1580	\$500.00
September	5th, 1917	"	"	1746	\$448.27
March	5th, 1918	"	"	1813	\$415.71
March	5th, 1918	"	"	1814	\$444.27
December	3rd, 1918	"	"	1956	\$445.60
February	4th, 1919	"	"	1990	\$438.10

Each bearing interest from their respective dates and all of said warrants are now outstanding.

WHEREAS, the total indebtedness of said city does not now, including said warrants, and did not at the time of the issuance of said warrants, including said warrants, or at the time of the incurring of the indebtedness evidenced by said warrants, including said indebtedness, exceed the constitutional limitation on indebtedness; and

WHEREAS, said expenditures were all made for the purpose of general and lasting utility authorized by law; and said city has enjoyed the use and benefit of said expenditures; and the results of said expenditures were well worth the price which said 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; said expenditures were not provided for in the city's annual appropriation; said expenditures were incurred and contracted for in excess of the statutory limitations on indebtedness; the indebtedness incurred, for which the warrants were issued should have been advertised for bids and was not in fact so advertised; said indebtedness should have been authorized by the voters of said city, and was not in fact so authorized.

WHEREAS, it is deemed advisable to put said doubts and all other doubts which may arise concerning the legality or validity of the aforesaid warrants forever at rest; now therefore

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

- 1 SECTION 1. Proceedings legalized. That the acts of the corporate
- 2 authorities of the city of Oelwein, in the county of Fayette and state
- 3 of Iowa, in making expenditures for said city, as set forth in the
- 4 preamble hereto, and incurring indebtedness thereby and therefor,
- 5 and issuing warrants in the sum of seven thousand fifty-five and

6 01-100 (\$7,055.01) dollars, plus the interest accrued and accruing on
7 the said several warrants of indebtedness, be and the same are hereby
8 legalized and held valid, as though the law had in all respects been
9 complied with.

1 SEC. 2. Warrants legalized. The aforesaid warrants, aggregating
2 in the sum of seven thousand fifty-five and 01-100 (\$7,055.01)
3 dollars, issued as set forth in the preamble of this act, together with
4 interest accrued thereon at the taking effect of this act, be, and the
5 same are hereby legalized and declared to be valid, legal, and subsist-
6 ing obligations of said city, the same as though the law had in all
7 respects been complied with.

1 SEC. 3. Pending litigation. Nothing in this act shall affect any
2 pending litigation.

1 SEC. 4. Publication clause. This act being deemed of immediate
2 importance, shall take effect and be in force from and after its publi-
3 cation in the Des Moines Capital, a newspaper published at Des
4 Moines, Iowa, and The Iowan, a newspaper published at Oelwein, Iowa,
5 without expense to the state.

Approved March 1, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital March
5, 1919, and in The Iowan March 7, 1919.

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

CHAPTER 36.

FARM IMPROVEMENT ASSOCIATIONS.

H. F. 260.

AN ACT to amend chapter ninety (90) of the acts of the thirty-seventh general assembly,
in reference to the organization of farm improvement associations.

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

1 SECTION 1. Appropriations. That section two (2) of chapter
2 ninety (90) of the acts of the thirty-seventh general assembly be
3 amended by striking out all that part of section two (2) after the
4 word "than" in the tenth line thereof, and inserting in lieu thereof the
5 following: "one thousand dollars (\$1,000), the board of supervisors
6 shall appropriate to such organization to be paid from the general
7 fund of said county a sum double the amount of such subscription not
8 to exceed, however, a total of five thousand dollars (\$5,000) in counties
9 with a population of 25,000 or over and in counties with a smaller
10 population three thousand dollars (\$3,000) in any one year."

1 SEC. 2. Publication clause. This act being deemed of immediate
2 importance shall be in effect from and after its passage and publication
3 in the Des Moines Register and the Des Moines Capital, newspapers
4 published at Des Moines, Iowa, and of general circulation in the state
5 of Iowa.

Approved March 1, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and
the Des Moines Register March 5, 1919.

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

CHAPTER 37.

STATE INSTITUTIONS.

§. F. 88.

AN ACT to repeal the law as it appear in sections one (1), two (2), three (3), five (5), six (6), and seven (7), chapter two hundred sixty-six (266), acts of the thirty-seventh general assembly; and to repeal sections twenty-two hundred ninety-one-b (2291-b), twenty-six hundred eight (2608), twenty-seven hundred (2700), and fifty-seven hundred eighteen (5718), supplement to the code, 1913; and sections twenty-six hundred ninety-one (2691), and twenty-seven hundred thirteen (2713), supplemental supplement to the code, 1915; and to enact substitutes therefor and to amend section twenty-seven hundred twenty-seven-a85 (2727-a85), supplement to the code, 1913; and to amend chapter three hundred sixty-two (362), acts of the thirty-seventh general assembly; and to amend paragraph seven (7), section twenty-seven hundred twenty-seven-a96 (2727-a96), supplemental supplement to the code, 1915; relating to the support funds for the various state institutions under the supervision of the board of control of state institutions.

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

1 SECTION 1. **Repeal.** That sections one (1), two (2), three (3),
2 five (5), six (6), and seven (7), of the law as it appears in chapter
3 two hundred sixty-six (266), acts of the thirty-seventh general
4 assembly be and the same is hereby repealed.

1 SEC. 2. **Repeal and substitute.** That the law as it appears in
2 section twenty-two hundred ninety-one-b (2291-b), supplement to the
3 code, 1913, be and the same is hereby repealed and the following
4 enacted in lieu thereof:

5 The board of control of state institutions of Iowa may from time to
6 time fix the monthly sum for the board and care of each patient in
7 the state hospitals for the insane at Mount Pleasant, Independence,
8 Clarinda, and Cherokee, which sum shall not exceed twenty-four
9 dollars for each of said patients therein. Said sum shall be placed to
10 the credit of the hospital entitled thereto upon the certificate of the
11 board of control of state institutions, based upon reports of the super-
12 intendent, and paid from the state treasury as provided by the law as
13 it appears in chapter eleven-b, title thirteen, supplement to the code,
14 1913; and the certificate of the board shall be competent evidence of
15 the amount due for the time therein stated.

1 SEC. 3. **Repeal and substitute.** That the law as it appears in
2 section twenty-six hundred eight (2608), supplement to the code,
3 1913, be and the same is hereby repealed and the following enacted in
4 lieu thereof:

5 For the general support of said home, there is hereby appropriated
6 the sum of twenty-two dollars per month for each member, and ten
7 dollars per month for each officer and employe not a member of the
8 home, or so much thereof as may be necessary, to be estimated by the
9 average number present for the preceding month, these appropri-
10 ations to be drawn monthly from the state treasury and expended in
11 the manner provided by chapter eleven-b, title thirteen, supplement to
12 the code, 1913. If the average number of members shall be less than
13 eight hundred fifty in any month, the auditor of state and treasurer
14 of state shall credit the home with the sum of eighteen thousand
15 seven hundred dollars for that month in addition to the monthly allow-

16 ance for each officer and employe, and the sum so credited shall be
17 drawn from the state treasury in the same manner and for the same
18 purposes as the regular monthly per capita allowance is drawn.

1 **SEC. 4. Repeal and substitute.** That the law as it appears in
2 section twenty-seven hundred (2700), supplement to the code, 1913,
3 be and the same is hereby repealed and the following enacted in lieu
4 thereof:

5 For the support of the institution, there is appropriated out of any
6 money in the state treasury not otherwise appropriated, the sum of
7 seventeen dollars monthly for each inmate therein supported by the
8 state, counting the actual time such person is an inmate and so
9 supported. Upon the presentation to the state auditor of a sworn
10 statement of the average number of inmates supported in the institu-
11 tion by the state for the preceding month, he shall draw his warrant
12 upon the state treasurer for such sum.

1 **SEC. 5. Repeal and substitute.** That the law as it appears in
2 section fifty-seven hundred eighteen (5718), supplement to the code,
3 1913, be and the same is hereby repealed and the following enacted in
4 lieu thereof:

5 For the general support of the prisoners confined in the reformatory
6 at Anamosa and the penitentiary at Fort Madison there shall be paid
7 from any money in the state treasury not otherwise appropriated the
8 sum of seventeen dollars monthly or so much thereof as may be needed
9 for each prisoner in each of said institutions, to be estimated by the
10 average number present during the preceding month. If the average
11 number of prisoners at Anamosa shall be less than six hundred fifty in
12 any month, the auditor of state and treasurer of state shall credit
13 said institution with the sum of eleven thousand fifty dollars; and if
14 the average number of prisoners at Fort Madison shall be less than six
15 hundred twenty-five in any month, the auditor of state and treasurer
16 of state shall credit said institution with the sum of ten thousand six
17 hundred twenty-five dollars; said sums to be in addition to the monthly
18 salary allowances for each officer and employe, and shall be drawn
19 from the state treasury in the same manner and for the same purposes
20 as the regular per capita allowance is drawn. All money appropriated
21 by this section shall be drawn from the state treasury and expended
22 in the manner provided by chapter eleven-b, title thirteen, supplement
23 to the code, 1913.

1 **SEC. 6. Repeal and substitute.** That the law as it appears in
2 section twenty-six hundred ninety-one (2691), supplemental supple-
3 ment to the code, 1915, be and the same is hereby repealed and the
4 following enacted in lieu thereof:

5 For the support of the home there is hereby appropriated out of any
6 money in the state treasury not otherwise appropriated the sum of
7 twenty-five dollars per month, or so much thereof as may be needed,
8 for each child actually supported, and in addition the expense of his
9 transmission to the home, which sums shall be drawn from the state
10 treasury and expended in the manner provided by chapter eleven-b,
11 title thirteen, supplement to the code, 1913. The number of children
12 shall be ascertained by taking the average attendance for the preced-
13 ing month. Provided, however, that if the average number of children
14 shall be less than three hundred sixty in any month, the auditor of
15 state and treasurer of state shall credit the home with the sum of

16 nine thousand dollars for that month and the sum so credited shall
17 be drawn from the state treasury in the same manner and for the
18 same purposes as the regular monthly per capita allowance is drawn.

1 **SEC. 7. Repeal and substitute.** That the law as it appears in
2 section seven (7), chapter two hundred sixty-six, (266), acts of the
3 thirty-seventh general assembly, be and the same is hereby repealed
4 and the following enacted in lieu thereof:

5 For the support of the training school for boys located at Eldora,
6 there is hereby appropriated out of any money in the state treasury,
7 not otherwise appropriated, or so much thereof as may be necessary,
8 twenty-four dollars monthly for each inmate actually supported in
9 said school, counting the average number therein for the preceding
10 month; provided, however, that when the average number of inmates
11 in said school shall be less than four hundred eighty for any month,
12 said school shall be credited by the auditor of state and treasurer of
13 state with the sum of eleven thousand five hundred twenty dollars.
14 For the support of the training school for girls located at Mitchell-
15 ville, there is hereby appropriated out of any money in the state
16 treasury not otherwise appropriated, the sum of twenty-four dollars
17 monthly, or so much thereof as may be needed, for each inmate actu-
18 ally supported in said school counting the average number therein for
19 the preceding month; provided, however, that when the average
20 number of inmates in said school shall be less than two hundred thirty
21 for any month, said school shall be credited by the auditor of state
22 and treasurer of state with the sum of fifty-five hundred twenty
23 dollars. All money appropriated by this act shall be drawn from the
24 state treasury and expended in the manner provided by chapter
25 eleven-b, title thirteen, supplement to the code, 1913.

1 **SEC. 8. Amendment.** That the law as it appears in section twenty-
2 seven hundred twenty-seven-a85 (2727-a85), supplement to the code,
3 1913, be and the same is hereby amended by striking out the word,
4 "forty-five," in line eight (8) of said section, and inserting in lieu
5 thereof, the word, "fifty."

1 **SEC. 9. Amendment.** That the law as it appears in chapter three
2 hundred sixty-two, (362), acts of the thirty-seventh general assembly,
3 be and the same is hereby amended by striking out the word, "fifteen,"
4 in line eleven (11), of said chapter; and inserting in lieu thereof the
5 word, "twenty-four," and by striknig out the figures, "\$15.00" in said
6 line eleven (11): and by striking out the phrase, "two hundred twenty-
7 five (225)," in line fifteen (15), and by inserting in lieu thereof the
8 words, "one hundred sixty-five"; and by striking out the phrase,
9 "three thousand three hundred seventy-five dollars (\$3,375.00)," in
10 lines sixteen (16) and seventeen (17) of said section, and by inserting
11 in lieu thereof the words, "three thousand nine hundred sixty
12 dollars."

1 **SEC. 10. Amendment.** That the law as it appears in paragraph
2 seven (7) of section twenty-seven hundred twenty-seven-a96 (2727-
3 a96), supplemental supplement to the code, 1915, be and the same is
4 hereby amended by striking out the word "fifteen" in line five (5) of
5 said paragraph and by inserting in lieu thereof the word "twenty-
6 four"; and by striking out the word "four" in line eleven (11) of said
7 paragraph and by inserting in lieu thereof the word "seven".

1 **SEC. 11. Publication clause.** This act being deemed of immediate
 2 importance, shall be in full force and effect from and after its publi-
 3 cation in the Des Moines Register and the Des Moines Capital, both
 4 newspapers published in Des Moines, Iowa.

Approved March 7, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Des Moines Register March 8, 1919.

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

CHAPTER 38.

HILLCREST DEACONESS HOME, ETC.

H. F. 204.

AN ACT to legalize articles of adoption executed by the Hillcrest Deaconess Home and Baby Fold, located at Dubuque, Iowa, and to legalize the proceedings of said institution relative to the adoption of minors.

WHEREAS the Hillcrest Deaconess Home and Baby Fold, located at Dubuque, Iowa, attempted to organize as a corporation not for pecuniary profit under the laws of this state, and

WHEREAS it has been discovered that the proceedings taken for the incorporation of said Hillcrest Deaconess Home and Baby Fold did not effect the incorporation of said institution, and

WHEREAS the officers of said institution, acting under the belief that it was duly incorporated, have executed articles of adoption for minor children committed to its care, now therefore:

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

1 **SECTION 1. In re adoption.** That all articles of adoption hereto-
 2 fore executed by the Hillcrest Deaconess Home and Baby Fold are
 3 hereby legalized and made effective the same as though said Hillcrest
 4 Deaconess Home and Baby Fold had been duly and legally incorporated
 5 under the laws of this state and all proceedings of said institution
 6 relative to the adoption of minors are hereby declared legal and valid
 7 the same as though said institution had been legally incorporated at
 8 the time such proceedings were had and done.

1 **SEC. 2. Pending litigation.** Nothing in this act shall affect pend-
 2 ing litigation.

1 **SEC. 3. Publication clause.** This act being deemed of immediate
 2 importance shall be in full force and effect from and after its publi-
 3 cation in the Dubuque Telegraph-Herald, a newspaper published in the
 4 city of Dubuque, and the Des Moines Register, a newspaper published
 5 in the city of Des Moines, without expense to the state.

Approved March 8, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register March 11, 1919, and in the Dubuque Telegraph-Herald March 11, 1919.

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

CHAPTER 39.

STATE-FEDERAL EMPLOYMENT BUREAU.

S. J. R. 6.

JOINT RESOLUTION making available part of funds appropriated under chapter two hundred seven (207), acts of the thirty-seventh general assembly to meet deficiency in fund set apart in senate joint resolution number thirteen (No. 13), of the thirty-seventh general assembly and to maintain state-federal employment bureau.

WHEREAS, that part of the fund appropriated under chapter two hundred seven (207), acts of the thirty-seventh general assembly, and made available for the purposes authorized under senate joint resolution number thirteen now known as chapter two hundred ninety-five (295), acts of the thirty-seventh general assembly, by reason of the extraordinary demands upon such fund occasioned by the war has become exhausted; now therefore,

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

1 SECTION 1. Emergency appropriation. That there is hereby set
2 aside from the money appropriated under chapter two hundred seven
3 (207), acts of the thirty-seventh general assembly, the sum of six
4 thousand dollars, (\$6,000.00), or so much thereof as may be necessary,
5 to be expended under the provisions of chapter two hundred ninety-
6 five (295), acts of the thirty-seventh general assembly, in paying the
7 deficiency that exists in the department created thereunder, and to
8 maintain the state-federal employment bureau until July 1st, 1919.

1 SEC. 2. Publication clause. This act being deemed of immediate
2 importance shall take effect and be in force from and after its passage
3 and publication in the Des Moines Register and the Des Moines
4 Capital, newspapers published at Des Moines, Iowa.

Approved March 8, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and Des Moines Register March 11, 1919.

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

CHAPTER 40.

JURIES IN CRIMINAL CAUSES.

S. F. 116.

AN ACT to amend sections five thousand three hundred and sixty-three (5363), five thousand three hundred and sixty-five (5365), and five thousand three hundred and sixty-six (5366) of the code, regulating the method and number of challenges and the method of exercising peremptory challenges and of selecting the petit jury from the panel in the case of criminal procedure.

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

1 SECTION 1. Order of challenges. That section five thousand three
2 hundred and sixty-three (5363) of the code be and is hereby amended
3 by striking from line two (2) thereof the word "twelve" and by insert-
4 ing in lieu thereof the word "sixteen".

1 SEC. 2. **Peremptory challenges.** That section five thousand three
2 hundred and sixty-five (5365) of the code be and the same is hereby
3 repealed and the following enacted in lieu thereof:

4 If the offense charged in the indictment or information is or may be
5 punishable with death or imprisonment for life, the state and
6 defendant shall each have the right to peremptorily challenge eight
7 jurors and shall strike two jurors; if the offense charged be any other
8 felony, the state and the defendant shall each have the right to
9 peremptorily challenge four jurors and shall strike two jurors; and if
10 the offense charged be a misdemeanor, the state and the defendant
11 shall each have the right to peremptorily challenge one juror and shall
12 strike two jurors. The clerk shall prepare a list of jurors called and
13 after all challenges for cause are exhausted or waived, the parties, com-
14 mencing with the state, shall alternately challenge peremptorily or
15 waive by indicating any such challenge upon the list opposite the name
16 of the juror challenged or by indicating the number of waiver else-
17 where on the list.

1 SEC. 3. **Vacancy filled.** That section five thousand three hundred
2 and sixty-six (5366) of the code be and the same is hereby repealed
3 and the following enacted in lieu thereof:

4 After each challenge, sustained for cause, or made peremptorily as
5 indicated on the list, another juror shall be called and examined for
6 challenge for cause before a further challenge is made and any new
7 juror thus called may be challenged for cause and shall be subject to
8 peremptory challenge or to being struck from the list as other jurors.
9 After all challenges have thus been exercised or waived and four
10 jurors have been struck from the list the clerk shall read the names
11 of the twelve jurors remaining who shall constitute the jury selected.

Approved March 11, A. D. 1919.

CHAPTER 41.

JUVENILE COURTS.

S. F. 36.

AN ACT to amend section two hundred fifty-four-a-eighteen (254-a-18) supplement to the code 1913 as to the salaries of probation officers in counties of thirty-five thousand (35,000) or more in population.

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

1 SECTION 1. **Compensation.** That section two hundred fifty-four-a-
2 eighteen (254-a-18), supplement to the code, 1913, be and the same
3 is hereby amended by striking the word "fifty" from the fifth line and
4 substituting in lieu thereof the words "thirty-five", and by striking
5 from the eleventh line thereof the words "seventy-five" and substitut-
6 ing in lieu thereof the words "one hundred and twenty-five".

Approved March 11, A. D. 1919.

CHAPTER 42.

MUNICIPAL COURTS.

S. F. 96.

AN ACT to amend section one (1) of chapter two hundred twenty six (226) of the acts of the thirty-seventh general assembly relating to municipal courts.

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

1 SECTION 1. Bailiffs. That the law as it appears in section one (1)
2 of chapter two hundred twenty six (226) of the acts of the thirty-
3 seventh general assembly be and the same is hereby amended by
4 striking the period in line eleven (11) of said section and by inserting
5 in lieu thereof a semicolon and by adding to said section, after said
6 semicolon, the following:

7 Provided that the amounts allowed the bailiff by law for mileage
8 and for necessary and actual expenses paid by him may be retained
9 by him in addition to his salary.

1 SEC. 2. Publication clause. This act being deemed of immediate
2 importance shall take effect and be in force from and after its publi-
3 cation in the Des Moines Capital and Des Moines Register, newspapers
4 published in Des Moines, Iowa.

Approved March 11, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and Des Moines Register March 13, 1919.

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

CHAPTER 43.

CITY OF MAQUOKETA.

S. F. 217.

AN ACT to legalize a special election held in the city of Maquoketa, Jackson county, Iowa, on the 29th day of December, 1916, wherein there was submitted to the voters of said city a proposition to establish, erect, construct and furnish a municipal electric light and power plant within said city, and to legalize an election in said city held on the 24th day of September, 1918, wherein there was submitted to the voters thereof a proposition to issue bonds of said city in the sum of \$65,000.00 to be used for the establishment, creating, construction and furnishing of said municipal electric light and power plant within said city.

WHEREAS, in the month of November, 1916, a majority of the qualified voters of the city of Maquoketa, Jackson county, Iowa, filed with the city clerk of said city a petition signed by a majority of the qualified voters of said city asking the city council of said city to call an election and submit to the voters at such election the following propositions:

1. Shall the city of Maquoketa, Iowa, establish a municipal electric light and power plant?

2. Shall the city of Maquoketa, Iowa, issue bonds in the sum of \$65,000.00 for the purpose of establishing, erecting, constructing and furnishing a municipal electric light and power plant? and

WHEREAS, said propositions were duly submitted to the voters at a special election held in the city of Maquoketa, Iowa, on the 29th day of December, 1916, and the majority of the voters voting at said election did vote in favor of said proposition in favor of establishing a municipal electric light and power plant, but the vote in favor of the proposition of issuing bonds for the establishing of said electric light plant was held by the supreme court of Iowa to be insufficient for the reason that the affirmative vote was not equal to a majority of all votes cast at the last preceding municipal election, and

WHEREAS, thereafter, to wit, on the 19th day of August, 1918, at a regular meeting of said city council, pursuant to a petition signed by a majority of the voters of said city, said meeting being the first regular meeting of said city council after the filing of said petition, said city council by resolution ordered a special election of the voters of said city to be held upon the proposition of issuing bonds of said city in the sum of \$65,000.00 for the purpose of establishing, erecting, constructing and furnishing an electric light and power plant within said city, and

WHEREAS, said proposition was duly submitted to the voters at a special election held in said city on the 24th day of September, 1918, and the majority of the voters voting at said election did vote in favor of said proposition and in favor of issuing the bonds as aforesaid, and said affirmative vote did equal a majority of all the votes cast at the last preceding municipal election, and

WHEREAS, the city council and citizens of said city desire to proceed in pursuance of said two elections to establish said plant and issue said bonds, and to establish, erect, construct and furnish said municipal light and power plant, and

WHEREAS, doubts have arisen as to the validity of the proceedings in calling the said elections, and in submitting the aforesaid propositions for the erection of said plant and the issuance of bonds therefor to the voters, therefore,

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

1 SECTION 1. Election and bonds legalized—pending litigation. That
 2 the said two elections to wit, that of December 29, 1916, on the estab-
 3 lishment of said plant and that of September 24, 1918, on the issuance
 4 of \$65,000.00 of bonds therefor, and all the matters and things done in
 5 the calling and holding of said elections, and in the submission to the
 6 voters of the aforesaid propositions for the establishment of a muni-
 7 cipal electric light and power plant in the city of Maquoketa, Iowa,
 8 and the issuance of bonds therefor, or in any way connected therewith,
 9 be, and the same are hereby declared to be legal and valid the same
 10 as though the law had been fully complied with and the said city of
 11 Maquoketa is hereby authorized and empowered to issue bonds in the
 12 sum of \$65,000.00 for the purpose of establishing, erecting, construct-
 13 ing and furnishing an electric light and power plant within said city,
 14 without again submitting the question of the issuing of the said bonds
 15 to a vote of the people, provided, however, that nothing herein shall be
 16 held to affect pending litigation.

1 **SEC. 2. Publication clause.** This act, being deemed of immediate
 2 importance shall take effect from the date of its publication in the
 3 Des Moines Register, a newspaper published in Des Moines, Iowa, and
 4 the Excelsior-Record, a newspaper published in Maquoketa, Iowa,
 5 without expense to the state.

Approved March 11, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register
 March 13, 1919, and in the Excelsior-Record March 14, 1919.

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

CHAPTER 44.

DRAINAGE OF GOOSE LAKE.

S. F. 162.

AN ACT to amend the law as it appears in section twenty-nine hundred-b (2900-b) sup-
 plemental supplement to the code, 1915, permitting the carrying out of the recommenda-
 tions embodied in the report of the state highway commission as to certain lakes.

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

1 **SECTION 1. Drainage authorized.** Permission is hereby granted
 2 for the drainage of the meandered lake known as Goose Lake in
 3 Greene county, Iowa, which has been specifically recommended for
 4 drainage by the state highway commission in its report of December
 5 30th, 1916.

1 **SEC. 2. Drainage assessments.** The executive council is empow-
 2 ered and directed to pay assessments duly levied against the bed of
 3 this lake during the establishment and construction of drainage
 4 districts embracing it.

1 **SEC. 3. Reimbursement.** That the state shall be reimbursed out
 2 of the proceeds of the sale of lands drained for any and all funds
 3 expended in the drainage of such lake by the state or for assessments
 4 levied therefor and paid by the state.

Approved March 11, A. D. 1919.

CHAPTER 45.

PENSIONS FOR DISABLED AND RETIRED POLICEMEN.

H. F. 116.

AN ACT to amend chapter 23 of the acts of the thirty-seventh general assembly, relating
 to pensions for police officers.

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

1 **SECTION 1. Who entitled to pension.** That chapter twenty-three
 2 of the acts of the thirty-seventh general assembly be and the same is

3 hereby amended by striking from line twelve (12) of section 1 of said
 4 chapter twenty-three, the words "became entitled to retirement", and
 5 inserting in lieu thereof the words "actually retires from said police
 6 department".

Approved March 12, A. D. 1919.

CHAPTER 46.

PARK COMMISSIONERS, ETC.

H. F. 131.

AN ACT to repeal chapter three hundred eighty-four of the laws of the thirty-seventh general assembly, relating to a tax levy for park improvement purposes, and to enact a substitute therefor.

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

1 SECTION 1. Repeal and substitute—tax for park purposes. That
 2 chapter three hundred eighty-four of the laws of the thirty-seventh
 3 general assembly be repealed and that the following be enacted in
 4 lieu thereof:

5 In all cities including cities acting under special charters where the
 6 board of park commissioners shall have, prior to January first, nine-
 7 teen hundred fourteen, made purchase of property for park purposes
 8 by means of the additional tax of one mill authorized by the provisions
 9 of chapter fifty-seven of the acts of the thirty-third general assembly
 10 and chapter forty-four of the acts of the thirty-fourth general
 11 assembly, the said board is authorized in its discretion to certify to
 12 the county auditor for the years nineteen hundred nineteen, nineteen
 13 hundred twenty, nineteen hundred twenty-one, nineteen hundred
 14 twenty-two, nineteen hundred twenty-three and nineteen hundred
 15 twenty-four, and cause to be collected an additional tax of one mill
 16 each year to be used for the sole and only purpose of grading, beauti-
 17 fying and otherwise improving any lands acquired for park purposes
 18 by means of the tax so authorized or other lands then owned and used
 19 for park purposes or for acquiring and improving any driveways or
 20 boulevards connecting one park with another.

Approved March 12, A. D. 1919.

CHAPTER 47.

AUCTIONEERS.

H. F. 94.

AN ACT to forbid the crying of sales of property by certain nonresidents, making the violation thereof unlawful, and providing a penalty therefor.

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

1 SECTION 1. Non-residents. That it shall be unlawful for any non-
 2 resident of the state of Iowa, to cry any sale of property as an

3 auctioneer within the state of Iowa, unless by the law of the state of
 4 which such person is a resident, residents of this state would be
 5 permitted to cry any and all sales of property within such state as an
 6 auctioneer without a license.

1 SEC. 2. Scope of act. That the provisions of this act shall not be
 2 applicable to sales of property under direction or authority of any
 3 chattel mortgage, court or process thereof.

1 SEC. 3. Penalty. That if any person shall sell or attempt to sell
 2 any property as an auctioneer in violation of the provisions of this
 3 act, he or she shall be guilty of a misdemeanor, and punished by a
 4 fine not exceeding one hundred dollars, or imprisonment in the county
 5 jail not exceeding thirty days.

Approved March 12, A. D. 1919.

CHAPTER 48.

CONSTABLES.

H. F. 37.

AN ACT to amend article four of section four thousand five hundred ninety-eight (4598) of the code, relative to the fees of constables.

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

1 SECTION 1. Mileage. That section four thousand five hundred
 2 ninety-eight (4598) of the code be amended by striking from line nine
 3 (9) of said section the word "five" and inserting in lieu thereof the
 4 word "ten".

Approved March 12, A. D. 1919.

CHAPTER 49.

INDEPENDENT SCHOOL DISTRICT OF MISSOURI VALLEY.

S. F. 258.

AN ACT to legalize a certain election held in the Independent School District of Missouri Valley in the county of Harrison and state of Iowa, on the twelfth day of March, 1917, and to authorize and legalize bonds to be issued pursuant to such election and to authorize the expenditure of the funds for the purposes as proposed at said election.

WHEREAS, at a regular meeting of the board of directors of the Independent School District of Missouri Valley in the county of Harrison and state of Iowa held on January twenty-sixth, 1917, said board of directors by unanimous vote ordered that an election be held on March twelfth, 1917, for the purpose of submitting to the voters of said district the question of issuing additional bonds of said district in the sum of twenty

thousand dollars (\$20,000.00) for the purposes of procuring funds to complete the payment for grounds acquired for school purposes, and to complete payment for buildings constructed thereon and to further improve said grounds and to complete and further furnish and equip said school buildings with appurtenances as may properly pertain thereto; and,

WHEREAS, said proposition was duly submitted to the voters of said independent school district at the time of regular annual meeting held in said district on March twelfth, 1917, said proposition being submitted under a special notice specifying the amount of bonds to be issued, the purposes of such issue and the purposes to which the proceeds of the sale of said bonds would be applied, and specifically stating that such indebtedness should be in addition to all the then outstanding indebtedness of said district, and further stating that the grounds already acquired for school purposes and the buildings constructed thereon, and the required improvements to be made and the necessary equipment for said buildings could not be paid for out of the ordinary and current revenues of said district, nor within the limit of one and one-quarter per centum of the actual value of the property of said district; and a majority of the voters voting on said proposition at said election did vote in favor of said proposition and in favor of issuing bonds in the amount and for the purposes so specified; and,

WHEREAS, the board of directors of said independent school district and the citizens of said district desire to proceed in pursuance of said election to issue bonds so voted and to complete payment of the grounds already purchased and buildings thereon constructed and to pay for the improvement of said grounds, and the equipment of said buildings as aforesaid; and,

WHEREAS, doubts have arisen concerning the regularity of the proceedings relating to said election and to the validity and legality of the proposed issue of bonds under said election in that said indebtedness or a part thereof to be paid out of the proceeds of said bonds had been created or contracted for and a part of the work done and the buildings in whole or in part constructed prior to said election; also because there is a variance between the petition filed with the board requesting such election and the form in which the proposition was submitted to the voters, and other possible defects, variances or irregularities in said proceedings; and,

WHEREAS, it is desired to legalize all the aforesaid proceedings and to cure any defects pertaining to said proceedings and to remove all doubts respecting the legality and validity of said proceedings and the bonds to be issued thereunder, now therefore,

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

1 SECTION 1. Election, etc., legalized. That the said election and all
 2 matters and things done in relation to calling and holding said election
 3 and the submission to the voters of said independent school district
 4 of the proposition aforesaid for the issuance of bonds for the purposes
 5 set out in the notice of said election and any and all bonds to the
 6 amount of twenty thousand dollars (\$20,000.00) issued by said inde-
 7 pendent school district in addition to the bonds of said district already
 8 outstanding, be and the same are hereby legalized and declared valid
 9 to the same extent and with the same effect as though said proposition
 10 had been submitted on a valid petition and said election held before
 11 such additional indebtedness was in any manner incurred and the

12 bonds to the extent of twenty thousand dollars (\$20,000.00) issued by
 13 said independent school district pursuant to the intent of the board of
 14 directors in submitting said proposition as shown by said notice of
 15 election and the intent of the voters as shown by the ballots cast
 16 thereat be and the same are hereby declared when issued to be valid,
 17 legal and subsisting obligations of said independent school district the
 18 same as though there had been no defects or discrepancy in said
 19 proceedings and as though the law had been in all respects fully
 20 complied with precedent to and in the issuance of said bonds.

1 SEC. 2. Pending litigation. Nothing in this act shall affect pend-
 2 ing litigation.

1 SEC. 3. Publication clause. This act being deemed of immediate
 2 importance shall take effect and be in force from and after its publi-
 3 cation in the Des Moines Capital, a newspaper published in Des
 4 Moines, Iowa, and in the Missouri Valley Times, a newspaper published
 5 in Missouri Valley, Iowa, without expense to the state.

Approved March 14, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital March 18, 1919, and in the Missouri Valley Times March 19, 1919.

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

CHAPTER 50.

CODE COMMISSION, ETC.

S. F. 210.

AN ACT creating a commission of three persons to edit and codify the laws of the state; defining its powers and duties; providing for the editing of a book of annotations of the code by the code editor; providing for clerical assistance and for the publication and distribution of the code, report of commission, and book of annotations and making an appropriation for the expenses of said commission and such work.

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

1 SECTION 1. Commission. A commission consisting of three
 2 members is hereby constituted for the purpose of editing and codify-
 3 ing the laws of Iowa and reporting necessary and desirable changes
 4 to the general assembly; said commission shall be constituted as
 5 follows: One member thereof shall be the supreme court reporter,
 6 and the two remaining members shall be named by the governor
 7 from a list of five persons especially fitted for such work, proposed to
 8 him by the chief justice of the supreme court.

1 SEC. 2. Oath. Before entering upon the discharge of their duties,
 2 the members of said commission shall severally take and subscribe to
 3 an oath to be filed with the secretary of state to support the consti-
 4 tution of the United States and of the state of Iowa, and to faithfully
 5 and impartially perform the duties required of them by this act,
 6 according to the best of their knowledge and ability.

1 **SEC. 3. Supplies, etc.** Said commission shall be furnished with
2 suitable rooms, and supplies for use in the discharge of their duties
3 and may call upon the supreme court and other state officials and
4 departments for information and assistance. The commission shall
5 have power on the approval of the executive council to employ neces-
6 sary additional assistance in order to complete the work in the time
7 specified herein.

1 **SEC. 4. Duties.** Said commission shall carefully edit and codify
2 the laws of Iowa, omitting all laws or parts repealed, omitting all laws
3 of local or temporary character, and all annotations and decisions, and
4 collect such general laws of Iowa, including such laws of the thirty-
5 eighth general assembly, printed and bound in one complete volume
6 in such shape as to be amended and adopted as the permanent code of
7 the state. The said commission shall renumber the sections and
8 provide and print in the same volume a table of corresponding sections
9 and an index indexing alphabetically the principal words in each sec-
10 tion by section, omitting the pages and shall not index such words by
11 referring to other words in the section index, but shall give the
12 number of section, chapter or title as best adapted to find a section
13 sought without again referring to the index.

14 In printing said code said commission shall print at the left of the
15 sections a numbering of the lines of each section in the same style as
16 in the printing of the session laws of the thirty-seventh general
17 assembly.

1 **SEC. 5. Report to legislature—recommendations.** Accompanying
2 said proposed code, the commission, and after its discharge the code
3 editor, shall submit a report to the legislature calling attention by
4 reference to section of the code, to all repealed laws by section and
5 reference to the session repealing same and calling attention to such
6 portions of the laws as may be found to be conflicting, or redundant
7 or ambiguous or such as otherwise require legislative action to make
8 clear; and shall include in such reports the comments and recommen-
9 dations of the commission or editor upon the subject of any part of
10 said code. Said report shall be considered by the general assembly,
11 and owing to the great necessity for the adoption thereof the governor
12 is hereby requested to convene the legislature in extra session during
13 the month of January, 1920, or as soon thereafter as practicable, for
14 the consideration of said report and code.

1 **SEC. 6. Annotations.** That the supreme court reporter as code
2 editor shall thereafter edit and prepare for publication a book of anno-
3 tations of the said code to be printed in a separate volume arranged
4 in the same way as to divisions, titles, chapters, and sections, as the
5 edited code containing the annotations of all statutes construed by
6 the supreme court of Iowa, and the federal courts, which book of anno-
7 tations shall continue to be edited by the code editor up to date from
8 time to time and printed, sold and distributed in the same manner as
9 the code. Said first book of annotations shall be completed on or
10 before January 1, 1920, unless the supreme court shall further extend
11 the time for good cause.

1 **SEC. 7. Code and annotations—editing and printing—plates, etc.**
1 The slugs, monotype or linotype matter shall be of the same style as

2 the supplemental supplement, 1915, and they shall be preserved as
 3 the property of the state so that by correction of same from time to
 4 time the code and book of annotations may be successively printed as
 5 edited to date. That the code editor shall continue the editing of the
 6 code and book of annotations after each general assembly so that the
 7 code and annotations may be printed from time to time as ordered by
 8 the general assembly to meet all demands for the same.

9 The linotype slugs set for the supplemental supplement 1915, and
 10 now owned by the state, shall be used for the code and book of anno-
 11 tations.

12 The printing of the code and book of annotations shall be from elec-
 13 trotype plates and not from the linotype slugs direct, and the
 14 electrotype plates need not be preserved. The type face used for the
 15 body of the code shall be ten (10) point Century Expanded and the
 16 type face used for the body of the book of annotations shall be eight
 17 (8) point number two (2), fourteen and forty-one one-hundredths
 18 (14.41) ems, or one hundred fifteen and twenty-eight one-hundredths
 19 (115.28) points, to the lower case alphabet.

SEC. 8. Printing—code, report and annotations—distribution.

1 There shall be printed two thousand five hundred (2500) copies of
 2 such code and one copy of such code and of such report and of such
 3 book of annotations shall be furnished each member of the general
 4 assembly, each judge of the supreme, district, superior and municipal
 5 courts, each member of the commission, each state official, twelve
 6 copies each to the state library at Des Moines and at Iowa City and
 7 such additional copies of said report shall be printed as may be reason-
 8 ably necessary in the judgment of the executive council to supply the
 9 demand for said report. Said code and report shall be sold to the
 10 public at such price as the executive council may determine.

1 **SEC. 9. Commission—duties.** Said commission shall enter upon the
 2 discharge of its duties on or before the first day of April, A. D. 1919,
 3 and the code as edited by it shall be completed and printed on or before
 4 the first day of December, 1919, and said report on or before January
 5 1, 1920. Upon finishing its work the commission shall dissolve and the
 6 members stand discharged.

1 **SEC. 10. Commission—compensation—assistant court reporter.**
 2 Each member of said commission shall be allowed twenty-five dollars
 3 (\$25.00) per day of eight hours actually employed in the discharge of
 4 the duties of said commission, together with all necessary traveling
 5 expenses, to be evidenced by vouchers duly verified and filed with the
 6 secretary of state. The per diem paid under this section to the supreme
 7 court reporter as a member of said commission shall be in lieu of his
 8 regular compensation as court reporter, for the time for which he is
 9 paid as a member of said commission; provided however that the
 10 supreme court reporter is hereby authorized during the time he is
 11 employed on said commission to employ an assistant in his office as
 12 supreme court reporter, at the expense of the state, the compensation
 13 of such assistant to be at the rate of not exceeding two thousand dollars
 per annum.

1 **SEC. 11. Commission—assistants—compensation.** Said commission
 2 shall have power to employ a chief clerk or stenographer at an expense
 3 of not more than eight dollars per day when necessary in the discharge

4 of the duties of the commission, and such other stenographers as they
5 may deem necessary at an expense of not more than five dollars per
6 day each.

1 **SEC. 12. Expense—how paid.** The executive council shall audit all
2 expense connected with the work of said commission, and when
3 approved, the secretary of state shall draw orders on the auditor of
4 state for the amounts so shown. The auditor in turn shall issue orders
5 on the state treasurer, who shall pay the same out of any funds not
6 otherwise appropriated.

1 **SEC. 13. Commission—vacancies.** Vacancies in said commission on
2 account of death, removal from the state, refusal or inability of any
3 member to act, or for any other cause, shall be filled by the governor
4 from a list of five persons especially fitted for such work, proposed to
5 him by the chief justice of the supreme court.

1 **SEC. 14. Appropriation.** There is hereby appropriated out of any
2 money in the state treasury not otherwise appropriated such sum or
3 sums as may be necessary to carry out the provisions of this act.

1 **SEC. 15. Publication clause.** This act being deemed of immediate
2 importance shall take effect and be in force from and after its passage
3 and publication in the Des Moines Register and the Des Moines Capital,
4 newspapers published in Des Moines, Iowa.

Approved March 14, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and
the Des Moines Register March 18, 1919.

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

CHAPTER 51.

MOTOR VEHICLE DEPARTMENT.

S. F. 407.

AN ACT amending chapter 2-b, title VIII, supplement to the code, 1913, as amended, relating to the registration of motor vehicles and transferring the duties pertaining thereto from the office of the secretary of state to the treasurer of state.

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

1 **SECTION 1. Transfer of department.** That the law as it appears
2 in chapter 2-B, title VIII, supplement to the code, 1913, as amended,
3 be and the same is hereby amended as follows:
4 That all of the duties pertaining to the administration of registra-
5 tion of motor vehicles, receipts and deposits of moneys connected there-
6 with, the issuance of licenses, the custody of all records and reports,
7 now part of said office or hereafter becoming part thereof, the em-
8 ployment of necessary help and each and every incident of the duties
9 connected with said department handling the registration of motor
10 vehicles, be and the same are transferred from the office of the secre-
11 tary of state to the treasurer of state, and the executive council is

12 hereby directed to effect the transfer of said motor vehicle department
13 to the office of the treasurer of state in accordance with the provisions
14 of this act.

1 SEC. 2. **Repeal clause.** That all acts and parts of acts in conflict
2 herewith are hereby repealed insofar as they conflict with the pro-
3 visions herein.

1 SEC. 3. **Publication clause.** This act being deemed of immediate
2 importance shall take effect and be in force immediately after its pub-
3 lication in the Des Moines Capital and the Des Moines Register, news-
4 papers published in Des Moines, Iowa.

1 SEC. 4. **Duty in re publication.** It is hereby made the duty of the
2 secretary of the senate and the clerk of the house of representatives
3 of this general assembly to see that this notice of publication is prop-
4 erly and promptly made.

Approved March 14, A. D. 1919.

I hereby certify that the above act was published in the Des Moines Capital and the Des Moines Register March 15, 1919.

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

CHAPTER 52.

PARTITION FENCES.

H. F. 26.

AN ACT to amend section twenty-three hundred and fifty-five (2355) of the code of Iowa in relation to partition fences.

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

1 SECTION 1. **Partition fences.** That the law as it appears in section
2 twenty-three hundred and fifty-five (2355) of the code be amended
3 by striking from said section all of line two (2) following the word
4 "land" where it first appears in said line and by striking from said
5 section all of line three (3) preceding the word "shall"; and by insert-
6 ing after the said word "shall" the following: "upon written request
7 of either owner".

1 SEC. 2. **Publication clause.** This act being deemed of immediate
2 importance, shall take effect and be in force from and after its publi-
3 cation in the Des Moines Capital and Evening Tribune, newspapers
4 published in Des Moines, Iowa.

Approved March 14, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Evening Tribune March 13, 1919.

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

CHAPTER 53.

CLAIMS IN RE PUBLIC BUILDINGS.

H. F. 119.

AN ACT amending section thirty-one hundred four (3104) of the code, relative to the release of claims for labor and material used in the construction of public buildings and fixing the time within which action may be brought to enforce the same.

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

1 SECTION 1. Release of claim. That section thirty-one hundred four
2 (3104) of the code be and the same is hereby amended by striking out
3 of the eighth line thereof the words "one year" and by inserting in
4 lieu thereof the words "two years" and by adding at the end of said
5 section following the period the following: "No provisions of any
6 bond or contract to the contrary shall affect any of the provisions of
7 this and the two preceding sections."

1 SEC. 2. Publication clause. This act, being deemed of immediate
2 importance, shall take effect and be in force from and after its passage
3 and publication in the Des Moines Register and the Des Moines Capital,
4 newspapers published at Des Moines, Iowa.

Approved March 14, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Des Moines Register March 18, 1919.

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

CHAPTER 54.

LEVEES, DITCHES, DRAINS, ETC.

H. F. 132.

AN ACT to amend section nineteen hundred eighty-nine-a thirty-seven (1989-a37) of the supplement to the code, 1913, as amended by chapter three hundred forty-four (344) of the acts of the thirty-seventh (37) general assembly and relating to the powers of joint drainage boards.

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

1 SECTION 1. Jurisdiction of boards. That section nineteen hundred
2 eighty-nine-a thirty-seven (1989-a37) of the supplement to the code,
3 1913, as amended by chapter three hundred forty-four (344) of the
4 laws of the thirty-seventh general assembly, be and is hereby amended
5 by striking out the period at the end of said section and inserting in
6 lieu thereof a comma and the following words: "and to make im-
7 provements therein, repair and maintain the same, fix and levy assess-
8 ments for the payment thereof, and to do the like for all drainage sub-
9 districts heretofore established the lands of which lie wholly within
10 one county."

1 **SEC. 2. Publication clause.** This act, being deemed of immediate
2 importance, shall take effect and be in force from and after its publi-
3 cation in the Des Moines Register and Des Moines Capital, newspapers
4 published in Des Moines, Iowa.

Approved March 14, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Des Moines Register March 18, 1919.

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

CHAPTER 55.

TRUST FUNDS OF CEMETERIES.

H. F. 189.

AN ACT to amend section two hundred fifty-four-a six (254-a6), supplement to the code, 1913, relating to trust funds of cemeteries in perpetual care.

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

1 **SECTION 1. Loans—security.** That section two hundred fifty-four-
2 a six (254-a6), supplement to the code, 1913, be and the same is hereby
3 amended by adding after the period at the end of line eight (8) thereof
4 the following: "Provided that said trustee may invest said fund in
5 government bonds of the United States at their marketable value."

1 **SEC. 2. Publication clause.** This act being deemed of immediate
2 importance shall take effect upon the publication thereof in the Des
3 Moines Register and Des Moines Capital, daily newspapers published
4 in Des Moines, Iowa.

Approved March 14, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Des Moines Register March 18, 1919.

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

CHAPTER 56.

COUNTY BOARD OF EDUCATION.

H. F. 302.

AN ACT to amend the law as it appears in section two thousand eight hundred thirty-one (2831) supplement to the code 1913; and section two thousand eight hundred thirty-three (2833) of the code; and section one thousand seventy-two (1072) supplement to the code 1913, pertaining to the election of a county board of education and defining their duties.

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

1 **SECTION 1. Uniformity of text books.** The law as it appears in
2 section two thousand eight hundred thirty-one (2831), supplement to

3 the code, 1913, is hereby amended by striking out lines one and two
4 in said section. And the law as it appears in section two thousand
5 eight hundred thirty-three (2833) of the code is hereby amended by
6 striking out after the word "education" in line two in said section the
7 comma (,) and the words "the county auditor shall be the secretary."

1 **SEC. 2. County board of education.** The law as it appears in sec-
2 tion one thousand seventy-two (1072), supplement to the code, 1913,
3 is hereby amended by inserting after the period following the word
4 "office" in line forty-three of said section the following to wit:

5 "There shall also be held one of such conventions on the first Mon-
6 day of April, 1919, at which there shall be elected six persons
7 outside the membership of such convention, who with the county su-
8 perintendent, ex officio, shall constitute the county board of educa-
9 tion. Such persons shall be reputable citizens of the county, of good
10 educational qualifications and whose term of office shall begin the first
11 day of May, 1919, and continue until their successors are selected and
12 qualified. Three of whom shall be elected for the term of two years
13 and three for the term of five years, and thereafter beginning with
14 the regular convention in 1921, three members shall be elected every
15 three years for the term of six years, and until their successors are
16 selected and qualified. All persons elected or appointed on said board
17 shall qualify on or before ten days following their election or appoint-
18 ment, and at the time of their election or appointment must be citizens
19 of the United States, over twenty-one years of age, and residents of
20 the state for a period of six months, and the county sixty days, prior
21 to their election or appointment, and the members of said board may
22 be of either sex, and not more than one member, other than the county
23 superintendent, shall be from the same school corporation. Vacancies
24 in said board to be filled by the board until the next regular conven-
25 tion, when such convention shall fill all vacancies, provided, however,
26 if the members of said board be reduced below a quorum a convention
27 shall be called as provided by law, to fill vacancies. A majority of
28 said board shall constitute a quorum for the transaction of business.
29 The members of said board shall take an oath of office as provided by
30 law for all county officers. The members of said board, except the
31 county superintendent, shall serve without pay, but shall be allowed
32 their actual necessary expenses in performing their duties not to ex-
33 ceed forty dollars each, annually, to be audited by the board of super-
34 visors and paid out of the general fund. Meetings of said board shall
35 be held on the second Monday of August and February in each year
36 at the office of the county superintendent, and other meetings on call
37 of the county superintendent, or on written request of any three mem-
38 bers filed with the county superintendent. Said board shall perform
39 all duties prescribed by law for the county board of education, and
40 upon all matters referred to them by him shall act as an advisory
41 board to the county superintendent, and shall co-operate with him in
42 formulating plans and regulations for the advancement and welfare
43 of the schools under his supervision.

1 **SEC. 3. Publication clause.** This act being deemed of immediate
2 importance shall take effect and be in force on and after publication

3 in the Des Moines Register and the Des Moines Capital, newspapers
4 published at Des Moines, Iowa.

Approved March 14, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Des Moines Register March 18, 1919.

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

CHAPTER 57.

TAXATION.

H. F. 84.

AN ACT to amend chapter three hundred forty-three (343), laws of the thirty-seventh general assembly, relating to levying of taxes.

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

1 SECTION 1. Computation of rate. That section three (3) of chap-
2 ter three hundred forty-three (343), laws of the thirty-seventh gen-
3 eral assembly, be and the same is hereby amended by striking out
4 the words "provided, however," in the eleventh line of said section, and
5 inserting in lieu thereof the following:
6 "provided, however, that in fixing such rate the auditor, with the
7 approval of the board of supervisors, may provide for an excess in
8 the amount to be raised not exceeding five per cent on the amount of
9 the tax, for the purpose of meeting possible shrinkage due to exemp-
10 tions or other cause, and provided further"

Approved March 14, A. D. 1919.

CHAPTER 58.

PARK COMMISSIONERS, ETC.

H. F. 130.

AN ACT to amend section eight hundred fifty-p (850-p), supplemental supplement to the code, nineteen hundred fifteen, extending the time for making tax levy for park purposes for improvement of lakes by dredging or otherwise deepening the same, constructing dikes and levees and changing the form and size thereof, improving such lakes and park lands surrounding the same and for other purposes.

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

1 SECTION 1. Tax. That section eight hundred fifty-p (850-p), sup-
2 plemental supplement to the code, nineteen hundred fifteen, be and
3 the same is hereby amended by inserting after the comma following
4 the words "nineteen hundred twenty" in the eleventh line of said sec-

5 tion, the following words, "nineteen hundred twenty-one, nineteen
6 hundred twenty-two, nineteen hundred twenty-three, nineteen hundred
7 twenty-four and nineteen hundred twenty-five".

Approved March 14, A. D. 1919.

CHAPTER 59.

SEWERS.

H. F. 139.

AN ACT to amend section eight hundred and forty-a (840-a) of the supplement to the code, 1913, pertaining to sewers and certain statutes applicable to towns.

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

1 SECTION 1. Sewers. That section eight hundred forty-a (840-a),
2 supplement to the code, 1913, be and the same is hereby amended
3 by striking therefrom the word "sanitary" in the eighth (8) line
4 thereof.

Approved March 14, A. D. 1919.

CHAPTER 60.

SAVINGS BANKS.

H. F. 295.

AN ACT to amend section one thousand eight hundred forty-five (1845), chapter ten (10), title IX, of the code, as amended by chapter two hundred thirty-eight (238), of the acts of the thirty-seventh (37th) general assembly, relating to number of directors of savings banks.

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

1 SECTION 1. Number of directors. That section one thousand eight
2 hundred forty-five (1845), chapter ten (10), title IX, of the code,
3 as it was amended by chapter two hundred thirty-eight (238) of the
4 acts of the thirty-seventh (37th) general assembly, be and the same
5 is hereby amended by inserting after the word "state" in the fourth
6 (4) line of said section, the following: "The articles of incorpora-
7 tion shall designate the maximum number of directors, and the stock-
8 holders by a majority of all of the votes of the stockholders of such
9 bank may change at any annual meeting by resolution, the number
10 of its directors, as said stockholders may decide, to any number not
11 less than five (5) nor more than the maximum designated in the arti-
12 cles of incorporation or certificate of authorization, provided that said
13 resolution of the stockholders shall after being duly adopted as afore-
14 said be filed in the office of the superintendent of banking within thirty

15 (30) days after such adoption. The maximum number of directors
 16 as fixed by the articles of incorporation may be changed in the manner
 17 prescribed by law for changing the said articles of incorporation."

1 SEC. 2. Repeal clause. All acts and parts of acts in conflict here-
 2 with are hereby repealed.

Approved March 14, A. D. 1919.

CHAPTER 61.

WITNESS FEES.

H. F. 209.

AN ACT to amend section four thousand six hundred sixty-one (4661), of the code relating to witness fees.

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

1 SECTION 1. Amount of fees. That section four thousand six hun-
 2 dred sixty-one (4661), of the code be and the same is hereby amended
 3 by striking from the second and third lines thereof the words, "one
 4 dollar and twenty-five cents," and inserting in lieu thereof the words,
 5 "two dollars".

Approved March 14, A. D. 1919.

CHAPTER 62.

SOLDIERS, SAILORS AND MARINES.

H. F. 537.

AN ACT to repeal House File No. 17 of the acts of the thirty-eighth general assembly and to enact a substitute therefor to provide for the recording of discharge papers of discharged soldiers, sailors and marines.

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

1 SECTION 1. Repeal and substitute—record of discharge—fee. That
 2 house file number seventeen (17) of the acts of the thirty-eighth gen-
 3 eral assembly, which act was duly passed by the house of representa-
 4 tives and the senate, and was signed by the speaker of the house and
 5 the president of the senate and approved by the governor, and was,
 6 on March 3rd, 1919, filed with the secretary of state, be and the same
 7 is hereby repealed and the following enacted in lieu thereof:
 8 The county recorder of each county in this state shall maintain in
 9 his office a special book in which he shall, upon request, record the
 10 final discharge of any soldier, sailor, or marine of the United States.
 11 No recording fee shall be collected when the soldier, sailor, or marine
 12 requesting such record shall be an actual resident of said county or

13 shall have been such at the time of his entrance into the service of the
14 United States. In all other cases the legal fee shall be charged.

1 SEC. 2. **Record book—alphabetical index.** There shall be kept in
2 connection with such record an alphabetical index referring to the
3 name of the soldier, sailor, or marine, whose name appears in each
4 discharge paper so recorded.

1 SEC. 3. **Publication clause.** This act being deemed of immediate
2 importance shall be in force from and after its passage and publica-
3 tion in the Des Moines Register and the Des Moines Capital, news-
4 papers published in Des Moines, Iowa.

Approved March 17, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register
March 18, 1919, and in the Des Moines Capital March 19, 1919.

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

CHAPTER 63.

NOMINATION AND ELECTION OF JUDGES.

H. F. 19.

AN ACT to repeal sections one thousand eighty-seven-b (1087-b) one thousand eighty-
seven-b-one (1087-b1), one thousand eighty-seven-b-two (1087-b2), one thousand eighty-
seven-b-three (1087-b3), one thousand eighty-seven-b-four (1087-b4), one thousand
eighty-seven-b five (1087-b5), supplement to the code, 1913, and to enact a substitute
therefor, relating to the nomination and election of judges of the supreme, district and
superior courts.

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

1 SECTION 1. **Repeal and substitute.** That the law as it appears in
2 sections one thousand eighty-seven-b (1087-b), one thousand eighty-
3 seven-b-one (1087-b1), one thousand eighty-seven-b-two (1087-b2),
4 one thousand eighty-seven-b-three (1087-b3), one thousand eighty-
5 seven-b-four (1087-b4), one thousand eighty-seven-b-five (1087-b5),
6 supplement to the code, 1913, be and the same is hereby repealed, and
7 the following enacted in lieu thereof.

1 SEC. 2. **State judicial convention—delegates—organization—**
2 **supreme court judges.** A state judicial convention of each political
3 party shall be held not less than one, nor more than two weeks, after
4 the regular state convention of such party. Such state judicial conven-
5 tion shall convene at a time and place to be fixed by the state party
6 committee, which shall issue a call therefor in the same manner that
7 the call for the regular state convention is issued. Delegates to the
8 state judicial convention shall be elected at, and certified by, the
9 county conventions at the same time and in the same manner as dele-
10 gates to the regular state convention, provided however, that no
11 person shall be elected to act as delegate to both conventions; and each
12 county shall be entitled to the same number of delegates at the state
judicial convention as it is entitled to have at the regular state conven-

13 tion. The state judicial convention shall proceed to organize for the
14 transaction of business in the same manner as is provided by law for
15 the organization of the regular state convention and upon organiza-
16 tion shall nominate candidates for the office of judge of the supreme
17 court and may transact such other business as is proper. The method
18 of procedure, organization and voting of delegates shall be the same
19 in the state judicial convention as is provided for the regular state
20 party convention. Judges of the supreme court shall be elected at the
21 general election in November in the same manner as the governor of
22 the state is elected.

SEC. 3. District central committee—how constituted—judicial con-
1 vention—district court judges, etc. In each judicial district there
2 shall be a district central committee composed of one member from
3 each county of such district, provided, however, that in districts com-
4 posed wholly of one county there shall be three members of such
5 committee, and in districts composed of two counties there shall be
6 two members of such committee from the county having the larger
7 population. Such committeemen shall be selected by the county con-
8 vention in each county held in accordance with the provisions of
9 section ten hundred eighty-seven-a-twenty-five (1087-a25), supple-
10 ment to the code 1913. Until such conventions are held, the chairmen
11 of the county central committee of each political party shall act as
12 committeeman from his county for such judicial district, and in coun-
13 ties having more than one such committeeman such additional commit-
14 teemen shall be selected by the county central committee in said
15 county. Vacancies in any such district committee shall be filled by
16 the county central committee of the county where such vacancy
17 occurs. In each judicial district in which a judge, or judges, of the
18 district court therein is to be elected, a judicial convention shall be
19 held by each political party participating in the primary election of
20 that year. Not less than ten days nor more than forty days before
21 the day fixed for holding the county convention, a call for such judicial
22 convention to be held shall be issued by the party central committee
23 for such district, and published in at least one newspaper of general
24 circulation in each county in the district which shall state, among
25 other things, the number of delegates each county in the district shall
26 be entitled to, and the time and place of holding the convention. Such
27 call shall be filed with the county auditor in each county in the district
28 not less than five days before the date of holding the county conven-
29 tion as now fixed by law, and the county auditor shall attach a copy
30 thereof to the certified list of delegates required to be delivered by
31 him to the chairman of the county central committee of the respective
32 political parties. Each county convention held in such judicial district
33 shall select such a number of delegates to the judicial convention as is
34 specified in the call for such judicial convention. Such district con-
35 vention shall not be held earlier than the first Thursday, not later
36 than the fifth Thursday following the date of holding the county
37 convention. The convention may nominate as many candidates for
38 the office of judge of the district court in said district as there are
39 judges in said district to be elected at the general election to be held
40 in the year in which such convention is held. The organization and
41 the procedure in such judicial district convention shall be the same as
42 in the state convention. Such convention may transact such other
43 business as may properly be brought before it. Judges of the district

44 court shall be elected at the general election in the same manner as
45 state senators are elected.

SEC. 4. Supreme and district judges—certification of nomination—
1 ballot form, etc. All nominations for the office of supreme and district
2 judge shall be certified to the secretary of state, as near as may be,
3 in the same manner that nominations for other state offices are now
4 certified under existing law. The names of candidates for the office
5 of supreme and district judge nominated and certified to the secre-
6 tary of state, as provided in this act, shall be certified by the secretary
7 of state, to the officer having charge of the printing of the ballots, and
8 the names of such candidates shall be printed on the ballot under the
9 proper party designation in the same manner as required by law for
10 the printing of the names of candidates for state and district officers
11 therein.

1 SEC. 5. Judge of superior court—how nominated and elected. In
2 any city in which a superior court has been or may hereafter be estab-
3 lished, the judge of said court shall be nominated and elected in the
4 same manner now provided by law for the nomination and election of
5 other elective officers in such city.

1 SEC. 6. Nomination of judges by petition. Nothing contained in
2 this act shall be construed so as to prohibit the nominations of candi-
3 dates for the office of supreme, district or superior judge, by petition
4 as provided by section one thousand one hundred (1100) of the code,
5 and amendments thereto, but no person so nominated shall be per-
6 mitted to use the name of any political party authorized or entitled
7 under this act to nominate candidates for such office.

1 SEC. 7. General election laws for state, etc., officers, applicable. All
2 the laws relating to the certificates of nomination, filing the same,
3 certifying nominations to the officers having charge of the printing
4 of the ballots, printing of the names of candidates on the official ballot,
5 the method of withdrawal, filling vacancies, conducting general elec-
6 tions, of canvassing the ballot, of announcing the result, of recounting
7 the ballot, of publishing notice of nomination and election, contesting
8 the election, and the penalty for illegal voting, misconduct of the elec-
9 tion officials, and the making of the sworn return, shall, so far as
10 applicable, be the same for the election of supreme, district and
11 superior judges as is now provided by the general election laws of
12 Iowa for the election of state, district, county and city officers.

Approved March 17, A. D. 1919.

CHAPTER 64.

LEVEES, DITCHES, DRAINS, ETC.

H. F. 47.

AN ACT to amend sections five (5) and six (6) of chapter three hundred forty-four (344), acts of the thirty-seventh general assembly providing a minimum of assessments upon a single lot or tract of land which cannot be paid in installments, or which shall not be included in a bond issue of such drainage district.

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

1 SECTION 1. Assessments. That section five (5) of chapter three
2 hundred forty-four (344), acts of the thirty-seventh general assembly
3 be and the same is hereby amended by striking from said section the
4 word "ten" where the same appears in the sixth line thereof and
5 substituting in lieu thereof the word "twenty".

1 SEC. 2. Assessments. That section six (6) of chapter three hun-
2 dred forty-four (344) of the acts of the thirty-seventh general
3 assembly be and the same is hereby amended by striking from said
4 section the word "ten" where the same appears in line five (5) thereof
5 and substituting in lieu thereof the word "twenty".

Approved March 17, A. D. 1919.

CHAPTER 65.

EXEMPTIONS.

H. F. 121.

AN ACT to amend the law as it appears in section four thousand eleven (4011) of the code, relating to the exemption of personal earnings.

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

1 SECTION 1. Exemptions. That section four thousand eleven
2 (4011) of the code be and the same is hereby amended by striking out
3 the period (.) at the end of said section and inserting in lieu thereof a
4 comma (,) and adding thereto the following:
5 "provided, that where the party in whose favor the order, decree or
6 judgment was rendered has not remarried, the personal earnings of
7 the debtor shall not be exempt from any order, judgment or decree
8 for temporary or permanent alimony hereafter rendered in this state,
9 nor from any installment of any such order, judgment or decree here-
10 tofore rendered within this state which, by the provisions thereof,
11 may hereafter become due, or from any order, judgment or decree
12 for the support of his minor child or children hereafter rendered in this
13 state nor any installment of any such order, judgment or decree hereto-
14 fore rendered in this state which, by the provisions thereof, may here-
15 after become due."

Approved March 17, A. D. 1919.

CHAPTER 66.

BANKS, TRUST COMPANIES, ETC.

H. F. 294.

AN ACT to authorize state banks, savings banks or trust companies, incorporated under the laws of Iowa, to make and execute bankers' acceptances of drafts and bills of exchange, and to accept such drafts or bills of exchange drawn upon said state bank, savings bank or trust company, having not more than six months time to run exclusive of the days of grace.

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

1 SECTION 1. Acceptance of drafts, etc. That any state bank, savings
2 bank or trust company may accept drafts or bills of exchange drawn
3 upon it having not more than six months' sight to run, exclusive of
4 days of grace, which grow out of transactions involving the importa-
5 tion or exportation of goods; or which grow out of transactions involv-
6 ing the domestic shipment of goods provided shipping documents
7 conveying or securing title are attached at the time of acceptance; or
8 which are secured at the time of acceptance by a warehouse receipt or
9 other such document conveying or securing title covering readily
10 marketable staples. No state bank, savings bank or trust company
11 shall accept, whether in a foreign or domestic transaction, for any one
12 person, company, firm or corporation to an amount equal at any time
13 in the aggregate to more than ten per centum of its paid-up and unim-
14 paired capital stock and surplus, unless the bank is secured either by
15 attached documents or by some other actual security growing out of
16 the same transaction as the acceptance; nor shall the total of bills
17 accepted for and money borrowed by any one person, company, firm
18 or corporation exceed in the aggregate more than twenty per centum
19 of its paid-up capital and surplus; and no bank shall accept such bills
20 to an amount equal at any time in the aggregate to more than one half
21 of its paid-up and unimpaired capital stock and surplus. Provided,
22 however, that the superintendent of banking under such general
23 regulations as he may prescribe, which shall apply to all banks alike
24 regardless of the amount of capital stock and surplus, may authorize
25 any state bank, savings bank or trust company to accept such bills to
26 an amount not exceeding at any time in the aggregate one hundred
27 per centum of its paid-up and unimpaired capital stock and surplus.
28 Provided, further, that the aggregate of acceptances growing out of
29 domestic transactions shall in no event exceed fifty per centum of such
30 capital stock and surplus.

Approved March 17, A. D. 1919.

CHAPTER 67.

STATE BANKS.

H. F. 296.

AN ACT to repeal section eighteen hundred sixty-seven (1867) chapter eleven (11), title IX, of the code, and as amended by section two (2), of chapter one hundred eighty-nine (189), of the acts of the thirty-seventh (37) general assembly, relating to reserves of state banks and to enact a substitute therefor.

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

1 SECTION 1. Repeal and substitute—reserve. That section eighteen
2 hundred sixty-seven (1867), chapter eleven (11), title IX, of the code,
3 as amended by section two (2), chapter one hundred eighty-nine
4 (189), of the acts of the thirty-seventh (37) general assembly, be and
5 the same is hereby repealed, and the following enacted in lieu thereof:
6 “All of the provisions of section eighteen hundred sixty (1860) of
7 supplemental supplement to the code, 1915, as amended by section one
8 (1) of chapter one hundred eighty-nine (189) of the acts of the thirty-
9 seventh (37) general assembly shall apply with equal force and effect
10 to all state banks heretofore or hereafter incorporated under the
11 provisions of chapter eleven (11), title IX, of the code.”

Approved March 17, A. D. 1919.

CHAPTER 68.

GRAND JURY.

H. F. 541.

AN ACT to repeal section fifty-two hundred sixty-eight (5268) of the code relating to the grand jury and its clerk, and enacting a substitute therefor.

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

SECTION 1. Repeal and substitute—disclosure of testimony—author-
1 ization. That section fifty-two hundred sixty-eight (5268) of the
2 code be and the same is hereby repealed, and the following enacted in
3 lieu thereof:
4 “Any member of the grand jury and the clerk thereof, and any
5 officer of the court, may be required by the court or any legislative
6 committee duly authorized to inquire into the conduct or acts of any
7 state officer which might be the basis for impeachment proceedings to
8 disclose the testimony of a witness examined before the grand jury
9 for the purpose of ascertaining whether it is consistent with that
10 given by him before the court or legislative committee, or to disclose
11 the same upon a charge of perjury against the witness or when in the
12 opinion of the court or legislative committee such disclosure is neces-
13 sary in the administration of justice.”

1 **SEC. 2. Publication clause.** This act being deemed of immediate
 2 importance shall take effect and be in force from and after its passage
 3 and publication in the Des Moines Register and Des Moines Capital,
 4 newspapers published in the city of Des Moines, Iowa.

Approved March 20, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital March 20, 1919, and in the Des Moines Register March 21, 1919.

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

CHAPTER 69.

ELECTION BOARDS.

S. F. 228.

AN ACT to amend section ten hundred ninety-three (1093) supplemental supplement to the code, 1915, relating to election boards when voting machines are used.

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

SECTION 1. Election boards using voting machines—judges and
 1 clerks. That section ten hundred ninety-three (1093) supplemental
 2 supplement to the code, 1915, be amended by striking out the period
 3 (.) at the end of said section and inserting in lieu thereof a semicolon
 4 (;) and adding thereto the following:
 5 “providing, however, that the election board in precincts using only
 6 one voting machine shall consist of three judges, only two of whom
 7 shall be of the same political party, and two of whom shall also act
 8 as clerks.”

Approved March 20, A. D. 1919.

CHAPTER 70.

JUDGES OF THE DISTRICT COURT.

S. F. 253.

AN ACT to amend section two hundred fifty-three (253) supplemental supplement to the code, 1915, relating to the salary of judges of the district court and expenses.

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

SECTION 1. Judges of district court—transportation expenses. That
 2 the law as it appears in section two hundred fifty-three (253), supple-
 3 mental supplement to the code, 1915, as amended by chapter two hun-
 4 dred thirty-five (235), acts of the thirty-seventh general assembly, be
 5 and the same is hereby amended by striking out of lines seven (7)

6 and eight (8) of said section two hundred fifty-three (253) the words
7 "not exceeding in all two hundred dollars (\$200.00) per year."

1 SEC. 2. **Publication clause.** This act being deemed of immediate
2 importance shall take effect and be in force from and after its publica-
3 tion in the Des Moines Register and the Des Moines Capital, news-
4 papers published in the city of Des Moines, Iowa.

Approved March 20, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Des Moines Register March 21, 1919.

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

CHAPTER 71.

BOARDS OF SUPERVISORS.

H. F. 53.

AN ACT amending section four hundred twenty-three (423), of the supplemental supplement to the code, 1915, relative to the expenditures for improvements by the county boards of supervisors.

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

SECTION 1. **Boards of supervisors—expenditures for improvements.**
1 That section four hundred twenty-three (423) of the supplemental
2 supplement to the code, 1915, be and the same is hereby amended as
3 follows:

4 By inserting a comma after the word "house" in line one (1), and
5 striking out the word "or" in said line one (1); and by inserting after
6 the word "jail" in line two (2) the words "or county home"; and by
7 striking out the words "a county" in line two (2) and the words "home
8 or" in line three (3) and by inserting in lieu thereof the word "any".

1 SEC. 2. **Publication clause.** This act being deemed of immediate
2 importance shall take effect and be in force from and after its publica-
3 tion in the Des Moines Register and the Des Moines Capital, news-
4 papers published in Des Moines, Iowa.

Approved March 20, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Des Moines Register March 21, 1919.

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

CHAPTER 72.

NON-RESIDENT HIGH SCHOOL PUPILS.

H. F. 111.

AN ACT to amend the law as it appears in section one (1), chapter one hundred fifty-six (156), of the acts of the thirty-seventh general assembly relating to high school tuition of non-resident pupils in approved schools.

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

1 SECTION 1. Nonresident high school pupils—tuition. That the
2 law as it appears in section one (1), chapter one hundred fifty-six
3 (156), of the acts of the thirty-seventh general assembly be and the
4 same is hereby amended by striking out the word "five" in the nine-
5 teenth line of said section and inserting in lieu thereof the words "not
6 to exceed eight" and by striking out the figures "\$5.00" in the
7 twentieth line thereof and inserting in lieu thereof the figures
8 "\$8.00" and by striking out the word "seven" and the figures
9 "\$7.00" in the twenty-first line thereof and inserting in lieu thereof
10 the word "eight" and the figures "\$8.00".

1 SEC. 2. Publication clause. This act being deemed of immediate
2 importance shall take effect and be in force from and after its publica-
3 tion in the Des Moines Register and the Des Moines Capital, news-
4 papers published in Des Moines, Iowa.

Approved March 20, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Des Moines Register March 21, 1919.

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

CHAPTER 73.

REAL ESTATE FOR COUNTY PURPOSES.

H. F. 65.

AN ACT to amend chapter three hundred thirty-two (332) of the acts of the thirty-seventh general assembly relating to the purchase of real estate for county purposes.

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

1 SECTION 1. Real estate—power to purchase enlarged. That chapter
2 three hundred thirty-two (332) of the acts of the thirty-seventh
3 general assembly be and the same is hereby amended by striking out
4 the word "five" (5) in the fourth line of said act and inserting in lieu
5 thereof the word "ten" (10).

1 SEC. 2. Publication clause. This act being deemed of immediate
2 importance shall take effect and be in force from and after its publica-

3 tion in the Des Moines Capital and the Des Moines Register, news-
4 papers published at Des Moines, Iowa.

Approved March 20, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Des Moines Register March 21, 1919.

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

CHAPTER 74.

STATE BOARD OF EDUCATION.

H. F. 265.

AN ACT to amend the law as it appears in section twenty-six hundred eighty-two-m (2682-m), supplement to the code, 1913, relating to the mileage paid to members of the Iowa state board of education.

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

1 SECTION 1. State board of education—mileage. That the law as it
2 appears in section twenty-six hundred eighty-two-m (2682-m), supple-
3 ment to the code 1913, be and the same is hereby amended by striking
4 out the word "two" in line four of said section, and by inserting in lieu
5 thereof the word "three."

Approved March 20, A. D. 1919.

CHAPTER 75.

INSTITUTION FOR FEEBLE-MINDED CHILDREN.

H. F. 187.

AN ACT to amend section two thousand seven hundred twenty-seven-3a (2727-3a) supplement to the code, 1913, relative to the salary of the chief executive officer of the institution for the feeble-minded children at Glenwood.

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

1 SECTION 1. Salary of chief executive officer. That section two
2 thousand seven hundred twenty-seven-3a (2727-3a) supplement to the
3 code, 1913, be and the same is hereby amended by striking out the
4 words twenty-four hundred dollars (\$2400.00) in the fourth line
5 thereof and inserting in lieu thereof the following, three thousand
6 dollars (\$3000.00).

Approved March 20, A. D. 1919.

CHAPTER 76.

LEVEES, DITCHES, DRAINS, ETC.

H. F. 269.

AN ACT to amend the law as it appears in section nineteen hundred eighty-nine-a forty-one (1989-a41) supplement to the code, 1913, relating to fees paid appraisers of damages and commissioners to assess benefits.

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

SECTION 1. Appraisers of damages and commissioners to assess
 1 benefits—compensation. That section nineteen hundred eighty-nine-a
 2 forty-one (1989-a41) supplement to the code, 1913, relating to fees
 3 paid appraisers of damages and commissioners to assess benefits, be
 4 and the same is hereby amended by striking out the word “four” pre-
 5 ceding the word “dollars” in the sixth line of said section, and
 6 inserting in lieu thereof the word “five”.

Approved March 20, A. D. 1919.

CHAPTER 77.

SCHOOL FUNDS.

H. F. 66.

AN ACT to amend section nine (9) of chapter three hundred eighty-six (386) of the acts of the thirty-seventh general assembly relative to estimate for general fund of school corporations.

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

SECTION 1. School corporations—estimate for general fund. That
 1 section nine (9) of chapter three hundred eighty-six (386) of the acts
 2 of the thirty-seventh general assembly, be and is hereby amended by
 3 striking from the seventeenth line the word “forty” and substituting
 4 in lieu thereof the word “sixty”, and by striking from the nineteenth
 5 line the words “five hundred twenty-five” and substituting in lieu
 6 thereof the words “six hundred fifty”.

Approved March 20, A. D. 1919.

CHAPTER 78.

HOSPITAL SERVICE AND TREATMENT FOR INDIGENT ADULT PERSONS.

H. F. 232.

AN ACT to provide free hospital service and medical and surgical treatment for persons who are afflicted with a malady or deformity which can probably be remedied by such service and treatment, and who are unable to pay for the same; providing for the expense thereof; and prescribing the jurisdiction of the district and superior courts in said cases.

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

SECTION 1. Afflicted indigent adult persons—procedure to secure
 1 benefits. Whenever it shall appear to any physician, county super-
 2 visor, township trustee, public health nurse, overseer of the poor,
 3 policeman, priest or minister that there is any legal resident of his or
 4 her county over sixteen years of age, afflicted with any malady or
 5 deformity which can probably be remedied by proper care and medical
 6 or surgical treatment, if said person, or the parent, parents or guar-
 7 dian, or other person having legal custody of said person, as the case
 8 may be, is unable financially to provide proper care and medical or
 9 surgical treatment, it shall be the duty of such physician, county super-
 10 visor, township trustee, public health nurse, overseer of the poor,
 11 policeman, priest or minister to report the same to the judge of the
 12 district or superior court having jurisdiction in the county in which
 13 said person resides.

14 Upon the filing of such report with the judge of the district or
 15 superior court as aforesaid, he shall appoint some physician who shall
 16 personally examine said person with respect to the malady or
 17 deformity. Such physician shall make a written report to said judge,
 18 giving such history of the case as will be likely to aid the medical or
 19 surgical treatment of such deformity or malady, and describing the
 20 same, all in detail, and state whether or not, in his opinion, the same
 21 can probably be remedied. Such report shall be made within such
 22 time as may be fixed by the court and upon blanks to be furnished as
 23 hereinafter provided. It shall also be the duty of said judge to have a
 24 thorough investigation made by the county attorney of his county
 25 regarding the financial condition of the said person, or of the parent
 26 or parents, guardian or other person having legal custody of said
 27 person, as the case may be.

1 SEC. 2. Procedure. Upon the filing of such report or reports, said
 2 judge of the district or superior court, as aforesaid, shall fix a date for
 3 the hearing upon the complaint and shall cause the person, or the
 4 parent or parents, guardian or other person having legal custody of
 5 said person, as the case may be, to be served with a notice of the
 6 hearing and he shall also notify the county attorney who shall appear
 7 and conduct the proceedings and, upon such complaint, evidence may
 8 be introduced. If the judge finds that the said person is suffering
 9 from a deformity or malady which can probably be remedied by
 10 medical or surgical treatment or hospital care, and that the person,
 11 or the parent or parents, guardian or other person having legal custody
 12 of said person, as the case may be, is unable to pay the expenses
 13 thereof, said judge may, with the consent of the said person, or parent

14 or parents, guardian or other person having legal custody of said
15 person, as the case may be, enter an order directing that the said
16 person shall be taken to the hospital of the college of medicine of the
17 state university of Iowa at Iowa City for proper hospital care and
18 medical or surgical treatment; the expense of such hospital care and
19 treatment to be met in the manner hereinafter provided.

20 Provided, that no such person shall be received into said hospital of
21 the college of medicine of the state university of Iowa for care and
22 treatment, unless, in the judgment of the admitting physician, there
23 shall be a reasonable probability of such person's being benefited by
24 such hospital care and medical or surgical treatment.

1 SEC. 3. Duty of admitting officer of hospital. It shall be the duty
2 of the admitting officer of the said hospital of the college of medicine
3 of the state university of Iowa, upon receiving any such person, to
4 provide a proper bed in said hospital and to assign or designate the
5 clinic of the said hospital to which such person shall be assigned for
6 treatment; and the physician or surgeon in charge of said person
7 shall proceed with proper care to perform such operation and bestow
8 such treatment upon said person as, in his judgment, shall be proper
9 and necessary.

10 A proper and competent nurse shall also be assigned to look after
11 and care for said person during such hospital care and medical or
12 surgical treatment, as aforesaid.

1 SEC. 4. Compensation of physician, etc. No compensation shall be
2 charged or received by the admitting officer of the medical faculty, or
3 by the physician or surgeon or nurse who shall treat and care for such
4 persons, other than the salaries received by them provided by the
5 Iowa state board of education.

1 SEC. 5 Individual expense statement. The superintendent of the
2 hospital of the college of medicine of the state university of Iowa
3 shall keep a correct account of all medicine, nursing, food and neces-
4 saries furnished to said persons and shall make and file with the
5 state board of audit of the state of Iowa an itemized, sworn state-
6 ment of all expenses incurred at said hospital in the treatment, nursing
7 and care of said persons.

1 SEC. 6. Expense statement—approval, etc. The state board of
2 audit, upon being satisfied that the same is correct and reasonable,
3 shall approve the same and shall direct that warrants be drawn by the
4 auditor of state upon the treasurer of state for the amount of said
5 bills as they are allowed from time to time; and the said warrants, as
6 drawn by the auditor of state on the treasurer of state, shall be for-
7 warded to the treasurer of the state university of Iowa, and the same
8 shall be by him placed to the credit of the university funds which are
9 set aside for the support of the state university hospital; and the
10 treasurer of state shall pay the said warrants from the general funds
11 of the state not otherwise appropriated.

1 SEC. 7. Transfer of patient—attendant—expense and compensa-
2 tion. The court or judge may, in his discretion, appoint some person
3 to accompany said patient from the place where he may be to the
4 hospital of the college of medicine of the state university at Iowa City,
5 Iowa, or to accompany said patient from the said hospital to such
6 place as may be designated by the court; the said patient or the parent

6 or parents, guardian or other person having legal custody of said
7 patient, as the case may be, consenting.

8 The physician appointed by the judge of the district or superior
9 court as aforesaid to make such examination and report shall receive
10 therefor the sum of \$5.00 (five dollars), together with the expenses
11 incurred by him in making such examination; and the said charges
12 for services and expenses, and all expenses incurred in conveying such
13 person to and from the said hospital of the college of medicine of the
14 state university of Iowa, shall, when approved by the judge ordering
15 such services, be filed with the superintendent of the state university
16 hospital and charged on the regular bill for maintenance, provided
17 that if the party conveying said patient to or from said hospital is a
18 salaried officer of a township, a county, a city, or a state institution,
19 or a member of the patient's immediate family, said officer or relative
20 shall receive no per diem but only his actual traveling expenses. If
21 another person is appointed to conduct said patient to and from said
22 hospital, he shall receive compensation, in addition to his traveling
23 expenses, in the sum of \$3.00 (three dollars) a day.

1 **SEC. 8. Transfer of patient to his home—attendant—expenses.** The
2 superintendent of the hospital of the college of medicine of the state
3 university of Iowa or other person designated by the authorities in
4 control thereof may pay the actual, reasonable and necessary expenses
5 of returning the said patient to his home, and pay the attendant not
6 to exceed \$3.00 (three dollars) a day for the time thus necessarily
7 employed, provided that if such attendant is a salaried officer of a
8 township, a county, a city or a state institution, or a member of the
9 patient's immediate family, he shall receive the actual, reasonable
10 and necessary expenses incurred in accompanying said patient to his
11 home. Such per diem and expenses shall be itemized and verified and
12 presented to and allowed by the state board of audit in connection with
13 the bills for hospital maintenance as hereinbefore provided.

1 **SEC. 9. Blanks for information—report of examining physician,**
2 **etc.** The medical faculty of the hospital of the college of medicine of
3 the state university of Iowa shall, immediately upon the taking effect
4 of this act, prepare blanks containing such questions and requiring
5 such information as may be necessary and proper to be obtained by
6 the physician who examines the patient under order of court; and
7 such blanks shall be printed by the state and a supply thereof shall
8 be sent to the clerk of each district and superior court of the state of
9 Iowa; and the physician making such examination shall make his
10 report to the court in duplicate on said blanks, answering the questions
11 contained therein and setting forth the information required thereby,
12 and one of said duplicate reports shall be sent to the hospital of the
13 college of medicine of the state university of Iowa with the patient,
14 together with a certified copy of the order of the court. The state
15 board of audit shall audit, allow and pay the cost of the bills as other
bills are allowed and paid for public printing.

Approved March 20, A. D. 1919.

CHAPTER 79.

WITNESSES CALLED BY GENERAL ASSEMBLY.

H. F. 540.

AN ACT amending section twenty-one (21) of the code relating to witnesses.

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

1 SECTION 1. Witnesses—attendance compulsory—testimony. That
 2 section twenty-one (21) of the code be and the same is hereby
 3 amended by adding at the end thereof the following:
 4 “No witness called before such committee shall be excused from
 5 giving testimony upon the ground that his testimony would tend to
 6 render him criminally liable or expose him to public ignominy; but any
 7 matter so elicited shall not be used against him.”
 8 so that the section when amended will read as follows:
 9 “Whenever a committee of either house, or a joint committee of
 10 both, is charged with an investigation requiring the personal attend-
 11 ance of witnesses, any person may be compelled to appear before such
 12 committee as a witness, by serving an order upon him, which service
 13 shall be made in the manner required in case of a subpoena in a civil
 14 action in the district court, such order stating the time and place he is
 15 required to appear, signed by the presiding officer of the house
 16 appointing the committee, and attested by its acting secretary or
 17 clerk; or, in case of a joint committee, signed and attested by such
 18 officers of either house. No witness called before such committee shall
 19 be excused from giving testimony upon the ground that his testimony
 20 would tend to render him criminally liable or expose him to public
 21 ignominy; but any matter so elicited shall not be used against him.”

1 SEC. 2. Publication clause. This act being deemed of immediate
 2 importance shall be in force and take effect from and after its passage
 3 and publication in the Des Moines Register and Des Moines Capital,
 4 newspapers published in the city of Des Moines, Iowa.

Approved March 20, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Des Moines Register March 21, 1919.

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

CHAPTER 80.

INFECTIOUS AND CONTAGIOUS DISEASES.

H. F. 346.

AN ACT to amend section twenty-five hundred seventy-one-a (2571-a), supplement to the code, 1913, relating to quarantine of infectious and contagious diseases.

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

SECTION 1. Infectious and contagious diseases—Spanish influenza
 1 —quarantine, etc. Amend section twenty-five hundred seventy-one-a

2 (2571-a), supplement to the code, 1913, by inserting after the “,”
 3 following the word “poliomyelitis” in line fourteen (14), the words:
 4 “Spanish influenza” and a “,”. Also by striking from the same line the
 5 word “and” and the “.” following the word “plague” and inserting in
 6 lieu thereof a “,” and the words “or any other infectious or contagious
 7 disease in the discretion of the state board of health” and a “.”.

1 **SEC. 2. Publication clause.** This act being deemed of immediate
 2 importance shall take effect and be in force from and after its passage
 3 and publication in the Des Moines Register and the Des Moines Capital,
 4 newspapers published in Des Moines, Iowa.

Approved March 20, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and
 the Des Moines Register March 22, 1919.

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

CHAPTER 81.

STATE BOARD FOR VOCATIONAL EDUCATION.

H. F. 110.

AN ACT to amend section ten (10) of chapter two hundred ninety (290) of the acts of the
 thirty-seventh (37th) general assembly, and appropriating money for the expenditures
 of the state board for vocational education.

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

1 **SECTION 1. Expenses—additional appropriation.** That section ten
 2 (10) of chapter two hundred ninety (290), of the acts of the thirty-
 3 seventh (37th) general assembly be amended by adding thereto the
 4 following:

5 “There is hereby appropriated out of any funds in the state treasury
 6 not otherwise appropriated, the sum of two thousand fifty dollars
 7 (\$2,050) in addition to any appropriation heretofore made, for the
 8 actual expenses of said board for vocational education for the period
 9 from March 1, 1919, to June 30, 1919.”

1 **SEC. 2. Publication clause.** This act being of immediate import-
 2 ance shall take effect from and after its publication in the Des Moines
 3 Register and the Des Moines Capital, newspapers published in Des
 4 Moines, Iowa.

Approved March 20, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and
 the Des Moines Register March 22, 1919.

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

CHAPTER 82.

OFFICIAL COUNTY NEWSPAPERS.

H. F. 4.

AN ACT amending section four hundred forty-one (441), supplemental supplement to the code, 1915, as amended by chapter four hundred eight (408), acts of the thirty-seventh general assembly, relating to the publication of the proceedings of boards of supervisors in foreign language newspapers, and in other newspapers; recognition of publishers' agreements and requests by boards of supervisors; and repealing section five hundred forty-nine (549), supplement to the code, 1913, relating to the designation of newspapers for the publication of legal notices, and enacting a substitute therefor, and providing for the publication of legal notices and proceedings exclusively in the English language and in newspapers published in the English language.

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

SECTION 1. Official county newspapers—designation—compensation, etc. That section four hundred forty-one (441), supplemental supplement to the code, 1915, as amended by chapter four hundred eight (408), acts of the thirty-seventh general assembly, be and the same is hereby amended by striking therefrom all of said section after the period in line forty-one thereof and inserting in lieu thereof the following: "If in any county the publishers of two or more newspapers, at least one of which by reason of its location and circulation, is entitled to be selected as a county official newspaper, have entered into an agreement to publish the official proceedings or have united in a request to have their publications selected for such purposes, and such agreement or request has been filed with the board of supervisors prior to the naming of the official newspaper, the board of supervisors shall designate each of them a county official paper for the publication of the proceedings of the board, but the combined compensation of the papers so requesting or agreeing, added to that of the other official paper or papers, if any, shall not exceed the combined compensation allowed by law to two official papers in counties having a population below fifteen thousand, or to three official papers in counties having a population of fifteen thousand or more."

SEC. 2. Repeal and substitute—designation—English language—exceptions for year 1919. That section five hundred forty-nine (549), supplement to the code, 1913, is hereby repealed and the following is hereby enacted in lieu thereof: "The clerk of the district court, sheriff, auditor, treasurer and recorder shall each designate the newspapers 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. All notices above designated, all legal notices and notices required by law or by ordinance of any city or town or special charter city, and cities operating under commission plan and all proceedings of the board of supervisors or of any city or town council or special charter city, and all other proceedings required by law to be published, shall be published only in the English language, and in newspapers published wholly in the English language, but nothing herein shall be construed to affect any action of any board of supervisors or any city or town council or special charter city or cities operating under commission plan having named papers of a foreign language as official papers for publishing proceedings of the board

18 or of the city or town council or special charter city or cities operating
19 under commission plan proceedings for the year 1919.”

1 SEC. 3. Pending litigation. Nothing herein contained shall be con-
2 strued to affect any pending litigation.

1 SEC. 4. Publication clause. This act being of immediate import-
2 ance shall be in full force from and after its publication in the Des
3 Moines Register and the Des Moines Capital, newspapers published in
4 Des Moines, Iowa.

Approved March 20, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Des Moines Register March 22, 1919.

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

CHAPTER 83.

ESCAPE OF PRISONERS FROM PENITENTIARY OR REFORMATORY.

H. F. 218.

AN ACT to amend section four thousand eight hundred and ninety-seven-a (4897-a) of the supplement to the code, 1913, relating to the escape of persons committed to the penitentiary or reformatory and providing the jurisdiction of an indictment for the crime of escaping from such prison.

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

1 SECTION 1. Crime of escape—jurisdiction of indictment. That sec-
2 tion four thousand eight hundred and ninety-seven-a (4897-a) of the
3 supplement to the code, 1913, be, and the same is hereby amended by
4 adding to said section the following:

5 The jurisdiction of an indictment for the crime of escape as defined
6 in section four thousand eight hundred and ninety-seven-a (4897-a)
7 supplement to the code, 1913, is in the county in which is located the
8 penitentiary or reformatory to which the person charged with such
9 escape has been committed, or in the county in which is located the
10 building, camp, farm, garden, city, town, road, street, or any place in
11 which he is placed or to which he is directed to go or in which he is
12 allowed to be by the warden or any officer or employe of the prison,
13 wherefrom he is charged with escaping.

Approved March 20, A. D. 1919.

CHAPTER 84.

RESOURCES OF STATE IN MEN AND MATERIALS AVAILABLE FOR WAR.

S. F. 138.

AN ACT making an appropriation to meet deficiency in fund appropriated under chapter two hundred sixty-five (265), acts of the thirty-seventh general assembly, relating to the census of the resources of the state in men and materials.

WHEREAS, because of extraordinary expenditures made necessary by reason of the war from the fund appropriated under chapter two hundred sixty-five (265), acts of the thirty-seventh general assembly, such fund has become exhausted;

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

1 SECTION 1. **Appropriation—expenditure.** There is hereby appro-
2 priated out of any moneys in the state treasury not otherwise
3 appropriated the sum of four hundred eighty and 5-100 dollars,
4 (\$480.05), to be expended under the provisions of chapter two hundred
5 sixty-five (265), acts of the thirty-seventh general assembly.

1 SEC. 2. **Publication clause.** This act being deemed of immediate
2 importance, shall be in force and effect from and after its publication
3 in the Des Moines Capital and Des Moines Register, newspapers pub-
4 lished in Des Moines, Iowa.

Approved March 25, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Des Moines Register March 26, 1919.

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

CHAPTER 85.

PUBLIC UTILITIES IN CITIES AND TOWNS.

S. F. 142.

AN ACT to amend chapter five (5), title five (5) of the code, relating to the powers of cities and towns; and providing for the appointment of trustees in cities and towns owning their own waterworks, heating plant, gas works, or electric light or electric power plants; and providing for the duties of such trustees, and fixing their compensation.

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

SECTION 1. **Cities and towns—powers—trustees for public utilities.**
1 That chapter five (5) of title five (5) of the code be, and the same is
2 hereby amended by adding thereto the following:
3 The council of any city or town, other than cities of the first class
4 and special charter cities but including cities of the first-class under
5 the commission form of government having a population of less than

6 thirty-five thousand (35,000) which owns or may hereafter acquire
 7 waterworks, heating plant, gas works, or electric light or electric
 8 power plant, may, and upon petition of ten per cent of the qualified
 9 electors of such city or town shall, at any general election, or at a
 10 special election called for that purpose, submit the question as to
 11 whether the management and control of such waterworks, heating
 12 plant, gas works, or electric light or electric power plant shall be placed
 13 in the hands of a board of trustees.

1 **SEC. 2. Election—notice by publication or posting—form.** Notice
 2 of such election shall be given by publication in one newspaper pub-
 3 lished in said city or town once each week, for not less than three
 4 consecutive weeks, and the election shall be held not less than seven,
 5 nor more than ten days after the completion of such publication. If
 6 no newspaper is published in such city or town, notice may be given
 7 by posting notices for three weeks in five public places in such city or
 8 town. The question to be submitted shall be in the following form:

9 Shall the city (or town) of place the management
 10 and control of its waterworks (or heating plant, or gas works, or elec-
 11 tric light or electric power plant) in the hands of a board of trustees?

1 **SEC. 3. Trustees—appointment—terms—vacancies—compensation**
 2 **—bond—removal.** If a majority of the votes cast at such election
 3 are in favor of placing the management and control of any or all of
 4 the said utilities in the hands of trustees, the mayor of such city or
 5 town shall, within ten days after the election hereinbefore provided,
 6 appoint a board of three (3) trustees which appointments shall be
 7 approved and confirmed by the city council. The first appointees
 8 thereto shall hold office for the following designated terms, namely,
 9 one for two years, one for four years, and one for six years, and their
 10 successors shall be appointed for a term of six years. All vacancies
 11 occurring on said board, occasioned by expiration of terms, by death,
 12 resignation or removal, shall be filled by appointment of the mayor of
 13 such city, which appointment shall be approved and confirmed by the
 14 city council. The compensation of said trustees shall be not more
 15 than one hundred dollars (\$100.00) per year to each member of said
 16 board. Each of the said trustees shall execute and furnish to the
 17 city an official bond in the sum of twenty-five hundred dollars
 18 (\$2500.00), to be approved by the mayor and filed with the city clerk.
 19 Such trustees may be removed from office for proper cause under the
 provisions of chapter eight (8) of title six (6) of the code.

1 **SEC. 4. Board of trustees—powers.** The said board of trustees
 2 shall have all the power and authority in the management and control
 3 of the utilities mentioned in the question submitted to the voters at
 4 such election as is conferred upon waterworks trustees appointed as
 5 provided in section seven hundred forty-seven-a (747-a) supplement
 6 to the code, 1913.

1 **SEC. 5. Cities under commission plan—compensation of trustees.**
 2 In cities operating under the commission plan and having a population
 3 of less than thirty-five thousand (35,000) the compensation of said
 4 trustees shall be not to exceed three hundred dollars (\$300.00) per
 year to each member of said board.

1 **SEC. 6. Publication clause.** This act being deemed of immediate
 2 importance shall take effect and be in force from and after its publica-
 3 tion in the Des Moines Register and the Des Moines Capital, both
 4 newspapers published in Des Moines, Iowa.

Approved March 25, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Des Moines Register March 26, 1919.

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

CHAPTER 86.

PRESIDENTIAL ELECTORS AND UNITED STATES SENATORS, ETC.

S. F. 21.

AN ACT to amend section ten hundred ninety-nine (1099), of the code, and sections eleven hundred and six (1106), eleven hundred and nineteen (1119), eleven hundred and twenty (1120), eleven hundred and fifty (1150), eleven hundred and fifty-one (1151), eleven hundred and fifty-seven (1157), ten hundred and eighty-seven-c (1087-c), and eleven hundred and seventy-three (1173), supplement to the code, 1913, and relating to the election of presidential electors and United States senators and of vote therefor and removal of presidential electors from official ballot, and to the form of ballot, the method of voting and counting the vote of candidates.

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

1 **SECTION 1. Presidential electors—requirement.** That section 1099
 2 of the code is hereby amended by substituting for the word “may”
 3 the word “shall” in line nine thereof making the sentence read, “In
 4 case of electors for president and vice president of the United States,
 5 the names of the candidates for president and vice president shall be
 6 added to the party or political name.”

1 **SEC. 2. Official ballot—form of—ticket, etc.** That section 1106 of
 2 the supplement to the code, 1913, is hereby amended by striking out
 3 all of said section down to the words “When a constitutional amend-
 4 ment, etc.” occurring after the form of the ballot and by substituting
 5 therefor the following:

6 The names of all candidates to be voted for in such election precinct
 7 except electors of president and vice president of the United States
 8 shall be printed on one ballot, all nominations of any political party or
 9 group of petitioners being placed under the party name or title of such
 10 party or group, as designated by them in their certificates of nomina-
 11 tion or petitions, or if none be designated, then under some suitable
 12 title, and the ballot shall contain no other names; provided, however,
 13 that the candidates for electors of president and vice president of any
 14 political party or group of petitioners shall not be placed on the ballot
 15 but in the years in which they are elected the names of candidates for
 16 president and vice president respectively of such parties or group of
 17 petitioners shall be placed on the ballot similarly, as the names of
 18 candidates for United States senators are placed thereon under their
 19 respective party, petition or adopted titles for each political party or
 20 group of petitioners nominating a set of candidates for electors, and

21 upon the left-hand margin of each separate column of the ballot,
 22 immediately opposite the names of said candidates for president and
 23 vice-president, a single square shall be printed in front of a bracket
 24 inclosing the names of the said candidates for president and vice-
 25 president, and the votes for which candidates shall be counted and
 26 certified to by the election judges in the same manner as the votes for
 27 other candidates.

28 That at all general elections next preceding the expiration of the
 29 term of office of United States senator in the congress of the United
 30 States there shall be placed upon the official ballot in the proper place
 31 the names of candidates for all parties or group of petitioners for the
 32 office of United States senator that have been nominated by law and
 33 the votes for which candidates shall be counted and certified to by the
 34 election judges in the same manner as votes for other candidates.

35 Each list of candidates for the several parties and groups of peti-
 36 tioners shall be placed in a separate column on the ballot, in such order
 37 as the authorities charged with the printing of the ballots shall decide,
 38 except as otherwise provided, and be called a ticket. But the name of
 39 no candidate shall appear upon the ballot in more than one place for
 40 the same office, whether nominated by convention, primary, caucus or
 41 petition, except as hereinafter provided. Where two or more conven-
 42 tions, primaries or caucuses, or any two of them, may nominate the
 43 same candidate for any office, the name of such candidate shall be
 44 printed under the name of the party first filing nomination papers
 45 bearing such name, unless the candidate himself shall, in writing duly
 46 verified, request the officer with whom the nomination papers are filed
 47 to cause the name to be printed upon some other ticket, provided, that
 48 in any judicial district of the state in which the bar association, or a
 49 convention of attorneys of the district nominates or recommends candi-
 50 date or candidates for the office of district judge, and such candidates
 51 are also nominated or indorsed by any political party, in preparing the
 52 ballots for the general election, the names of such candidate or candi-
 53 dates shall be printed as candidate or candidates for each party by
 54 whom they are nominated, whether by primary, convention or peti-
 55 tion. Each of the columns containing the list of candidates, including
 56 the party name, shall be separated by a distance line. Said ballot
 57 shall be substantially in the following form:

58	<input type="radio"/> REPUBLICAN	<input type="radio"/> DEMOCRATIC	<input type="radio"/> PROHIBITION	<input type="radio"/> UNION LABOR
59	{ For President, A..... B..... of Ohio. For Vice President, C..... D..... of New York. For United States Senator, E..... F..... of County. For Governor, G..... H..... of County.	{ For President, N..... O..... of Virginia. For Vice President, P..... Q..... of Indiana. For United States Senator, R..... S..... of County. For Governor, T..... U..... of County.	{ For President, A..... B..... of Maine. For Vice President, C..... D..... of Illinois. For United States Senator, E..... F..... of County. For Governor, G..... H..... of County.	{ For President, N..... O..... of Idaho. For Vice President, P..... Q..... of Ohio. For United States Senator, R..... S..... of County. For Governor, T..... U..... of County.
60				
64	65	66	67	68
69	70	71	72	73

74 For Lieutenant For Lieutenant For Lieutenant For Lieutenant
 75 Governor, Governor, Governor, Governor,
 76 L..... J..... V..... W..... I..... J..... V..... W.....
 77 of County. of County. of County. of County.
 78 For Judge of For Judge of For Judge of For Judge of
 79 Supreme Court, Supreme Court, Supreme Court, Supreme Court,
 80 L..... M..... X..... Y..... L..... M..... X..... Y.....
 81 of County. of County. of County. of County.

1 SEC. 3. Abstract of votes—substitution. That section 1150 of the
 2 supplement to the code, 1913, is hereby amended by striking out “1.
 3 Presidential electors” in the third line and substituting therefor the
 4 following “1. president and vice president of the United States.”

1 SEC. 4. Same. That section 1151 of the supplement to the code,
 2 1913, is hereby amended by striking out the words “presidential elec-
 3 tors” in the third line thereof and substituting therefor “president and
 4 vice president of the United States.”

1 SEC. 5. Abstract of votes—substitution—disposition. That section
 2 1157 of the supplement to the code, 1913, is hereby amended by strik-
 3 ing out the words “presidential electors” in line six, and substituting
 4 therefor “president and vice president of the United States.”

1 SEC. 6. Repeal and substitute—presidential electors—votes and
 2 returns—certificate of election. That section 1173 of the supplement
 3 to the code, 1913, is hereby repealed and the following enacted as a
 4 substitute therefor: At the general election in the years of the presi-
 5 dential election, or at such other times as the congress of the United
 6 States may direct, there shall be elected by the electors of the state,
 7 one person from each congressional district into which the state is
 8 divided, as elector of president and vice president, and two from the
 9 state at large, no one of whom shall be a person holding the office of
 10 senator or representative in congress, or any office of trust or profit
 11 under the United States. Each elector of each congressional district
 12 and each elector at large nominated by any party or group of peti-
 13 tioners shall receive the combined vote of the electors of the state for
 14 the candidates for president and vice president of such party or group
 15 or petitioners, and a vote cast for the candidates for president and
 16 vice president of the United States shall be the votes of the voter for
 17 the electors of the respective party or group of petitioners. The
 18 canvass of the votes for candidates for president and vice president of
 19 the United States and the returns thereof shall be a canvass and return
 20 of the votes cast for the electors of the same party or group of peti-
 21 tioners respectively, and the certificate of such election made by the
 governor shall be in accord with such return.

1 SEC. 7. Ballot—marking—requirements. That section 1119 of the
 2 supplement to the code, 1913, be amended by substituting therefor
 3 the following: Upon retiring to the voting booth the voter shall mark
 4 his ballot. He may place a cross, if he desires, in the circle at the head
 5 of one ticket on the ballot and the voter may place a cross in the square
 6 opposite the name of any candidate for whom he desires to vote,
 7 whether he has put a cross in the circle or not.

8 If the voter does not wish to vote for all the candidates of his party
 9 to an office where more than one candidate is to be elected, the cross

10 in the circle at the top of his ticket shall not apply to said office, but
11 the voter must mark crosses in the squares opposite the names of the
12 candidates for whom he intends to vote. The voter may also insert
13 in writing in the proper place the name of any person for whom he
14 desires to vote, making a cross opposite thereto. The writing of such
15 name without making a cross opposite thereto, or the making of a
16 cross in a square opposite a blank without writing a name therein shall
17 not affect the validity of the vote.

1 **SEC. 8. Ballot—marking for candidate—rejection.** That section
2 1120 of the supplement to the code, 1913, be amended by substituting
3 therefor the following:

4 When a circle is marked the ballot shall be counted for all the candi-
5 dates upon the ticket beneath said circle, except those offices for which
6 some candidate has been voted for by marking a square. A cross
7 placed in a square shall be counted for the candidate before whose
8 name the square is so marked.

9 When a square in front of any candidate has been marked, a mark
10 in the circle shall not count for any candidate for that particular office.
11 When more candidates than the number to be elected to the same office
12 are voted for by marking the squares opposite their names the vote
13 shall not be counted for any candidate for that office. If less than the
14 whole number of candidates to be elected are voted for by marking
15 the squares opposite their names the vote shall be counted only for
16 those marked in the square and the mark in the circle shall not apply.
17 If for any reason it is impossible to determine the voter's choice for
18 any office, his ballot shall not be counted for such office, but a mark in
19 the circle of any ticket on the ballot shall not be held to make it
20 impossible to determine the voter's choice. Any ballot marked by the
21 voter in any other manner than as authorized in this chapter, and so
22 that such mark may be used for the purpose of identifying such ballot
23 shall be rejected.

1 **SEC. 9. Repeal and substitute—United States senators—nomina-**
2 **tion and election.** That section 1087-c of the supplement to the code,
3 1913, is hereby repealed and the following enacted as a substitute
4 therefor:

5 In the year preceding the expiration of the term of office of United
6 States senator, or in case of a vacancy in said office, candidates for the
7 different parties for United States senator shall be nominated as pro-
8 vided by law and the United States senator or senators as the case
9 may be shall be elected at the general election in the same manner as
state officers are elected.

Approved March 27, A. D. 1919.

CHAPTER 87.

LOCAL BOARDS OF HEALTH IN CITIES AND TOWNS.

S. F. 25.

AN ACT amending section two thousand five hundred sixty eight (2568) of the code, relating to the local board of health in towns and cities, and making the health physician a member thereof.

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

- 1 SECTION 1. Health physician member of local board. That section
- 2 two thousand five hundred sixty-eight (2568) of the code be and the
- 3 same is hereby amended by inserting after the word "mayor" in the
- 4 first line thereof a comma and the words "health physician."

Approved March 27, A. D. 1919.

CHAPTER 88.

PROBATING OF WILLS.

S. F. 90.

AN ACT to amend section three thousand two hundred eighty four (3284) supplement to the code, 1913, relating to notice of hearing provided for the probating of wills.

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

- 1 SECTION 1. Wills—notice of hearing. That section three thousand
- 2 two hundred eighty-four, supplement to the code, 1913, be and the
- 3 same is hereby amended by inserting in line six (6) of said section
- 4 following the word "court" the following words "or the judge in vaca-
- 5 tion", and also by striking out the word "its" in the same line, and
- 6 inserting in lieu thereof the word "his".

Approved March 27, A. D. 1919.

CHAPTER 89.

DECREES OF COURT AND AFFIDAVITS OF PUBLICATION.

S. F. 99.

AN ACT to repeal section three thousand five hundred thirty-six-a (3536-a) supplement to the code, 1913, relative to the legalizing of decrees of court and affidavits of publication and enacting a substitute therefor.

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

- 1 SECTION 1. Repeal and substitute—decrees legalized—affidavits of
- 2 publication. That section three thousand five hundred thirty six-a
- 3 (3536-a) supplement to the code, 1913, be and the same is hereby
- 3 repealed, and the following enacted in lieu thereof:

4 That in all cases where decrees of court have been obtained prior
5 to January 1, 1917, in which the proof of publication of the original
6 notice has been made by the affidavit of the editor of the newspaper
7 or the publisher, manager, cashier or foreman thereof in which such
8 original notice was published, the same are hereby legalized, and such
9 decrees shall have the same force and effect as though the affidavit
10 of the publisher, or his foreman, of the newspaper in which original
11 notice was published had been filed as provided by section three thou-
12 sand five hundred thirty six (3536) of the code, that all decrees
13 obtained as aforesaid are hereby legalized and held to have the same
14 force and effect as though the proof of the publication of the original
15 notice had been made by the affidavit of the publisher, or his foreman,
16 of the newspaper in which such original notice was published.

Approved March 27, A. D. 1919.

CHAPTER 90.

APPROPRIATION IN FAVOR OF P. K. HOLBROOK.

S. F. 102.

AN ACT appropriating \$561.52 in favor of P. K. Holbrook for per diem and railroad fare at 2c a mile incurred by him in discharge of his official duties as a member of the Iowa state board of education from July 14, 1915, to October 12, 1916, inclusive.

WHEREAS, P. K. Holbrook of Onawa, Monona county, Iowa, who was a member of the Iowa state board of education between July 14, 1915, and October 12, 1916, inclusive, and according to section 2682-m, supplement to the code, 1913, is entitled to pay for 54 days at \$7.00 a day, and railroad fare for 9,176 miles at 2c a mile, by the nearest traveled and practicable route, in going from his home to the different institutions, or to other places, and in returning to his home when on official business, which per diem and mileage amounts to \$561.52, according to the itemized statement, which is by reference made a part of this bill as exhibit "A", and,

WHEREAS, this claim, which was presented for payment on October 25, 1918, was not audited by the state board of audit because of the following prohibition which is a part of section 92 of the code: "Every claim against the state shall be presented to the auditor for settlement within two years after it accrues, and if thereafter presented the same shall not be audited." Therefore,

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

SECTION 1. P. K. Holbrook—appropriation for per diem and
1 expenses—authorization. That there is hereby appropriated out of
2 any moneys in the state treasury, not otherwise appropriated, the
3 sum of \$561.52, in favor of P. K. Holbrook. The state auditor is
4 hereby authorized and instructed to draw a warrant upon the state
5 treasury in favor of P. K. Holbrook, of Onawa, Iowa, in said sum.

Approved March 27, A. D. 1919.

CHAPTER 91.

DENTAL CLINICS FOR SCHOOL CHILDREN, ETC.

S. F. 168.

AN ACT providing for the establishment of dental clinics for school children and the offering of certain courses of instruction in certain schools and the employment of dentists and dental hygienists by public school corporations.

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

SECTION 1. Dental clinics for school children—courses of instruction—school boards—authorization and powers. Boards of school directors in all school districts containing one thousand or more inhabitants are hereby authorized to establish and maintain in connection with the schools of such districts, a dental clinic for children attending such schools, and to offer courses of instruction on mouth hygiene. Said boards are hereby empowered to employ such legally qualified dentists and dental hygienists as may be necessary to accomplish the purpose of this act, and pay the expense of the same out of the general fund.

Approved March 27, A. D. 1919.

CHAPTER 92.

WATERWORKS CONNECTIONS PRECEDING PERMANENT STREET IMPROVEMENT, ETC.

S. F. 174.

AN ACT to amend section eight hundred nine (809) of the code, relating to the putting in of water works connections before permanent improvement of the street, alley or public place where the same is located and the taxing of the cost of same to the property benefited if the property owner fails and neglects to put in the same and pay the cost thereof.

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

SECTION 1. Water works connections preceding permanent street improvement, etc.—requirement of owners—failure—assessment of costs. That section eight hundred nine (809) of the code be and is hereby amended by adding thereto the following:
 In addition to the above powers, any city which has a board of water works trustees which has ordered any street, highway, avenue, alley or public place permanently improved by paving, graveling or macadamizing the city council shall notify the board of water works trustees of such contemplated improvement at the time of the passage of the proposed resolution of necessity, and thereupon the board of water works trustees shall report to the city council the lots and names of the owners and the requirements in respect to connections

11. from any water mains or pipes to the curb line of the abutting and
 12. adjacent property and thereupon the city council shall pass a resolu-
 13. tion requiring the respective owner of the said abutting or adjacent
 14. property to make said connections in the manner required by the
 15. rules of the board of water works trustees and a notice shall be given
 16. by two publications in some newspaper of general circulation in said
 17. city, the first of which shall be at least twenty (20) days prior to the
 18. time fixed in said notice at which the said putting in of said connec-
 19. tions must be completed.

20. If the owner of the property fail to put in the said water connec-
 21. tions before the time stated in said notice or within such additional
 22. time as may be granted by the city council, not exceeding thirty (30)
 23. days, the board of water works trustees shall have the power to put
 24. in the said connections and certify the actual cost thereof to the city
 25. council and the city council shall assess the same to the respective
 26. lots and tracts of land in the same manner in which other special
 27. assessments are made as provided by law.

Approved March 27, A. D. 1919.

CHAPTER 93.

LEGALIZING INCORPORATION OF S. T. SINNETT COMPANY.

S. F. 171.

AN ACT to legalize the notice of incorporation of the S. T. Sinnett Company.

WHEREAS, the incorporator of the S. T. Sinnett Company, a corporation having its principal place of business at Muscatine, Iowa, omitted to publish notice of its incorporation within three months from the date of the certificate of incorporation issued by the secretary of state, but has published said notice thereafter, Now, therefore,

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

SECTION 1. S. T. Sinnett Company—notice of incorporation legal-
 1 ized. That the notice of incorporation of the S. T. Sinnett Company
 2 heretofore published, after the expiration of three months from the
 3 date of the certificate of incorporation issued by the secretary of state,
 4 is hereby legalized and shall have the same force and effect as though
 5 published within said period of three months.

1 SEC. 2. Pending litigation. Nothing herein contained shall be con-
 2 strued as to affect pending litigation, if any.

Approved March 27, A. D. 1919.

CHAPTER 94.

PART-TIME SCHOOLS FOR VOCATIONAL AND OTHER EDUCATION.

S. F. 175.

AN ACT to provide for the establishment of part-time schools and classes in aid of vocational and other education for children holding work permits under the provisions of the law relating to child labor and for certain other minors between the ages of fourteen (14) and sixteen (16) and to provide for compulsory attendance thereon.

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

SECTION 1. Part-time schools, etc., for vocational and other education—establishment and maintenance—age limit, etc. That the board of directors of any organized school district may establish and maintain part-time schools, departments, or classes in aid of vocational and other education for minors between the ages of fourteen (14) and sixteen (16) years (1) holding work certificates, or (2) who have not completed the eighth grade and are employed in a “store or mercantile establishment”, where eight (8) or a less number of persons are employed, or in “establishments or occupations which are owned or operated by their own parents”, or (3) who have completed the eighth grade and are not engaged in some useful occupation; and such board of directors shall organize such a part-time school, department, or class whenever there are fifteen (15) minors as defined above resident in the district. The courses of study of such part-time schools, departments, or classes may include, “any subject given to enlarge the civic or vocational intelligence”, of the pupils attending.

SEC. 2. Support fund. The board of directors may raise and expend money for the support of such part-time schools, departments, or classes, in the same manner in which it is authorized to raise and expend funds for other school purposes.

SEC. 3. Standards for organization—term and other provisions. Such part-time schools, departments, or classes, for the attendance of children over fourteen (14) and under sixteen (16) years of age, shall be organized in accordance with standards established by the state board for vocational education, and shall provide for not less than eight (8) hours of instruction per week during the length of term for which public schools are established in the district. Such part-time schools, departments, or classes shall be held between the hours of eight (8) o'clock A. M. and six (6) o'clock P. M.

SEC. 4. Expenditure for salaries of teachers. Whenever any such part-time school or class shall have been approved by the state board for vocational education, the board of directors shall be entitled to reimbursement on account of expenditure made for the salaries of teachers in such part-time schools, departments, or classes, from any federal and state funds appropriated in aid of vocational education, as provided in the statutes governing such appropriations.

SEC. 5. State board for vocational education—authorization. The state board for vocational education is hereby authorized to fix standards for the establishment of part-time schools, departments, or

4 classes; to fix the requirements of teachers, and to approve courses
5 of study for such part-time schools, departments, or classes.

1 **SEC. 6. Violation of provisions—punishment.** When such part-
2 time school shall have been established, any parent or person in charge
3 of such minor as defined in section 1 hereof who shall violate the pro-
4 visions of this act shall be punished by a fine of not less than ten (10)
5 dollars nor more than fifty (50) dollars, or any person unlawfully
6 employing any such minor shall be punished by a fine of not less than
7 twenty (20) dollars nor more than one hundred (100) dollars, or be
8 imprisoned in the county jail not to exceed thirty (30) days.

1 **SEC. 7. Enforcement of act.** The enforcement of this act shall
2 rest with the school board in the district in which such part-time
3 school, department, or class shall have been established and the state
4 department of public instruction through its inspectors and the state
5 board for vocational education through its supervisors of vocational
6 education, in conjunction with the county superintendent of schools,
7 are empowered to require enforcement of the same on the part of
8 school boards.

Approved March 27, A. D. 1919.

CHAPTER 95.

PRACTICE OF PHARMACY.

S. F. 67.

AN ACT to amend section two thousand five hundred eighty-nine-d, supplement to the code, 1913, relative to the examination of pharmacists.

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

SECTION 1. Pharmacists—registration fee—when and where paid.
1 That section two thousand five hundred eighty-nine-d, supplement to
2 the code, 1913, be and the same is hereby amended by striking out all
3 thereof following the period in line nine and substituting in lieu thereof
4 the following:
5 “After registration, an annual fee of two dollars for renewal certifi-
6 cate shall be paid on or before the twenty-second day of March by all
7 pharmacists and assistants who continue in business, one dollar of
8 which shall be paid into the state treasury, as provided in section two
9 thousand five hundred eighty-six of the code, and one dollar of which
10 shall be paid into the treasury of the Iowa pharmaceutical association,
11 quarterly, on the first day of January, April, July and October of each
12 year, to be used by said association for the advancement of the art and
13 science of pharmacy and the conduct of such business without such
14 renewal shall be a misdemeanor”.

Approved March 27, A. D. 1919.

CHAPTER 96.

ACTIONS ON JUDGMENTS.

S. F. 80.

AN ACT to amend section three thousand four hundred and thirty nine (3439), of the supplement to the code, 1913, relating to the limitation of actions on judgments.

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

1 SECTION 1. Actions on judgments—limitation. Section three thou-
2 sand four hundred and thirty-nine (3439) of the supplement to the
3 code, 1913, is hereby amended by striking out the word "fifteen" in
4 the third line of said section, and inserting the word "nine" in lieu
5 thereof, and by striking out the word "eight" in the seventh line of
6 said section, and inserting the word "nine" in lieu thereof, and by
7 striking out all of said section after the period following the word
8 "thereon" in the eleventh line.

Approved March 27, A. D. 1919.

CHAPTER 97.

RIVER FRONT IMPROVEMENT COMMISSION.

S. F. 14.

AN ACT to amend section 879-e, supplement to the code, 1913, relating to powers of river front improvement commission.

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

1 SECTION 1. River front improvement commission—powers as to
2 city parks, etc. That section 879-e, supplement to the code, 1913, be,
3 and the same is hereby amended by changing the final period thereof
4 to a colon and adding the following: "Provided, that the acts of said
5 commission, so far as same may affect city parks, heretofore under
6 the jurisdiction of the park commissioners or additions acquired
7 thereto, shall be subject to the approval of the board of park com-
missioners."

Approved March 27, A. D. 1919.

CHAPTER 98.

MUSSELS FOR COMMERCIAL PURPOSES.

S. F. 74.

AN ACT providing for the issuance of licenses by the state game and fish commission to those desiring to catch or kill mussels for commercial purposes, regulating and providing the manner in which mussels shall be caught or killed, and providing for the opening or closing of certain streams in Iowa for the purpose of catching mussels.

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

1 SECTION 1. **Mussels for commercial purposes—license.** It shall be
2 unlawful to take, catch or kill mussels for commercial purposes without
3 a license issued by the state game and fish commission.

SEC. 2. **State fish and game commission—license—regulations—
1 misdemeanor—punishment.** The state game and fish commission
2 shall upon application issue a license to take, catch or kill mussels.
3 On making application for such license, residents of this state shall
4 pay to the state game and fish commission a fee of two (\$2.00) dollars
5 and non-residents shall pay to such game and fish commission a fee
6 of twenty-five (\$25.00) dollars and for authority to use a dredge, a
7 fee of twenty (\$20.00) dollars in addition to the fee fixed for a resi-
8 dent or a non-resident license. All such licenses shall expire on the
9 thirty-first day of December following their issue, licenses shall be
10 consecutively numbered as issued and a record shall be kept thereof
11 in the office of the state game and fish commission. Such license shall
12 state it is a resident or non-resident license, whether the license is
13 authorized to use a dredge, the resident address of the license and the
14 amount paid for the license. Said license shall also state what waters
15 have been closed to the capture of mussels by authority of this act.

16 Every person, while taking, catching or killing mussels for com-
17 mercial purposes, shall have this license with him, ready for exhibition
18 and shall exhibit the same when requested to do so by an authorized
19 officer.

20 Any person, firm or corporation violating the provisions of this
21 section shall be deemed guilty of a misdemeanor and upon conviction
22 thereof shall be punished by a fine of twenty-five (\$25.00) dollars or
23 by imprisonment in the county jail not less than twenty days.

SEC. 3. **Limitation as to boats, apparatus, etc.—misdemeanor—
1 punishment.** Any person, firm or corporation to whom a license under
2 the provisions of this act has been issued, under such license so issued:

3 (1) May operate not more than one boat for each license, or one
4 rig in taking, catching or killing mussels for commercial purposes.
5 Any such person, firm or corporation may use one additional boat for
6 purposes of towing only when no apparatus for taking, catching or
7 killing is used or kept thereon.

8 (2) It shall be unlawful to have in possession in the waters while
9 engaged in taking, catching or killing mussels for commercial purposes
10 more than four crowfoot bars, not more than two of said bars to be
11 in the water at one time, or more than one dredging mechanism, or
12 to use or have in possession a crowfoot bar of greater length than
13 twenty feet, or a dredge the length of the openings of which is more

14 than three feet, and which has prongs or forks more than four inches
15 in length, or to have in possession on the waters while engaged in
16 taking, catching or killing clams, a dredge without licensed authority
17 therefor, provided it shall not be unlawful to use a pitchfork in
18 gathering clam shells.

19 Any person, firm or corporation violating any of the provisions of
20 this section shall be guilty of a misdemeanor and upon conviction
21 thereof shall be punished by a fine of twenty-five (\$25.00) dollars, or
22 by imprisonment in the county jail not less than twenty days.

SEC. 4. Undersized mussels—"pigtoes"—misdemeanor—penalty.

1 It shall be unlawful to take, catch or kill, offer for sale or have in
2 possession for commercial purposes, any mussel of a size less than
3 one and three-fourths inches in greatest dimensions, except mussels
4 taken in the ordinary course of clamming for larger mussels, and such
5 undersized mussels shall be immediately culled and returned to the
6 water whence taken without avoidable injury, excepting that the
7 so-called pigtoes may be retained.

8 Any person, firm or corporation violating any of the provisions of
9 this section shall be deemed guilty of a misdemeanor and upon conviction
10 thereof shall be punished by a fine of fifty (\$50.00) dollars, or
11 by imprisonment in the county jail not less than thirty days.

SEC. 5. Conservation of mussel resources—closed areas—period specified — notice by publication — misdemeanor — punishment.

1 The state game and fish commission may from time to time, and as may
2 be required for the conservation of the mussel resources of the state,
3 prescribe areas in any part of the state from which mussels shall not
4 be taken for such a period as may be specified by the commission, but
5 no such period shall exceed five years, nor shall more than one-half
6 of the mussel producing waters of the state be closed at the same time.
7 It shall be unlawful to take, catch or kill mussels for commercial
8 purposes in waters so closed.

9 All orders of the game and fish commission affecting mussels shall
10 be published once in the newspapers of general circulation, published
11 within each county containing or having on its boundary waters
12 affected by such order. All such orders shall take effect at the fixed
13 time therein, but not less than thirty days after the publication
14 thereof. The game and fish commission may extend the time within
15 which such order shall take effect.

16 Any person, firm or corporation who shall violate the provisions of
17 this section in taking, catching or killing mussels for commercial
18 purposes, in any waters of this state which have been declared closed
19 by the game and fish commission shall be deemed guilty of a misde-
20 meanor and upon conviction thereof shall be punished by a fine of
21 one hundred (\$100.00) dollars, or by imprisonment in the county jail
22 not less than sixty days.

1 **SEC. 6. Report to commission—failure bars license.** On or before
2 the thirty-first day of December of the year in which any license was
3 issued, the holder thereof shall make a written report to the state
4 game and fish commission on blanks furnished by them stating the
5 total weight of mussels taken, caught or killed under such license, the
6 names and locations of waters from which the mussels were taken and
7 the amount received for shell sold. Upon failure to make such a

8 report, the state game and fish commission shall not issue another
9 license until such report shall be made.

1 SEC. 7. Revenue. All moneys received under the provision of this
2 act shall at the end of each month be paid into the general revenue
3 fund of the state.

SEC. 8. Commission, executive agent and game wardens—powers
1 and duties. The state game and fish commission shall enforce the
2 law relating to mussels and for the purposes of carrying into effect
3 said law, the commission, its executive agent and game wardens are
4 authorized and empowered without warrant, to arrest anyone violating
5 any of the provisions of this act, and to seize mussels and devices
6 adapted to taking, catching or killing mussels, and to inspect and
7 examine mussels in any warehouse, boat, store, car, conveyance,
8 vehicle, basket or other receptacle, when they have good cause to
9 believe that any of the provisions of the law relating to mussels has
10 been violated, except when it is necessary forcibly to enter a dwelling
11 house. Any court having jurisdiction of the offense, upon receiving
12 proof of the probable cause for believing that mussels illegally taken,
13 caught, killed or had in possession are concealed, shall issue a search
14 warrant and cause a search of the place of concealment to be made.
15 The confiscation and sale of mussels by the state game and fish com-
16 mission or by any game warden shall proceed in the manner provided
17 by law for the sale of confiscated fish.

1 SEC. 9. Terms defined. As used in this act the words:

2 (1) "Mussels" shall mean and embrace the pearly, fresh water
3 mussels, or clams, or naiad, and the shell thereof.

4 (2) "Crowfoot Bar" shall mean a bar of any material bearing a
5 series of hooks designed to catch or adapted for catching mussels by
6 the insertion of such hooks between the shells of the mussels.

7 (3) "Dredge" shall mean any mechanism of capture which is
8 adapted for dragging the bottom of waters and is operated with or
9 without the aid of mechanical power, except the crowfoot bar.

10 (4) "Commercial purposes" shall mean and be presumed the
11 taking, catching or killing of any mussel and having in possession of
12 mussels unless the contrary is proven.

13 (5) "Rig" shall mean one boat equipped with not more than four
14 crowfoot bars, one boat equipped with power and one barge.

SEC. 10. Authorization—territorial jurisdiction as between Wis-
1 consin, Illinois and Iowa. Any person duly licensed by the authorities
2 of the state of Iowa to take and catch mussels from or in the waters
3 forming the boundary line between the states of Wisconsin and Illinois
4 and Iowa, are hereby authorized to take and catch mussels from and
5 in that portion of said waters lying, being within the territorial juris-
6 diction of the state of Iowa without first having procured a license
7 therefor from the authorities of the state of Iowa; provided that such
8 persons so licensed by the authorities of Wisconsin and Illinois shall
9 not take or catch any mussels within the territorial jurisdiction of
10 the state of Iowa at the time and in a place or in a manner otherwise
11 prohibited by this act. Provided further that the laws of the states
12 of Wisconsin and Illinois provide and extend a similar privilege to
13 persons licensed hereunder by the authorities of the state of Iowa to
14 take and catch mussels from and in the waters lying within the terri-

15 torial jurisdiction of the states of Wisconsin and Illinois without a
 16 license from the authorities of the states of Wisconsin and Illinois.

1 SEC. 11. **Conflicting acts repealed.** This act shall take effect and
 2 be in force from and after its passage, and all acts or parts of acts
 3 inconsistent with this act are hereby repealed.

Approved March 27, A. D. 1919.

CHAPTER 99.

WEIGHTS, MEASURES AND INSPECTION.

S. F. 276.

AN ACT to amend the law as it appears in section three thousand nine-n (3009-n), supplemental supplement to the code, 1915, and repealing section three thousand nine-j (3009-j), supplemental supplement to the code, 1915, and enacting a substitute therefor relating to weights and measures.

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

1 SECTION 1. **Repeal and substitute.** That the law as it appears in
 2 section three thousand nine-j (3009-j), supplemental supplement to
 3 the code, 1915, be and the same is hereby repealed and the following
 4 enacted in lieu thereof:

5 Section 3009-j1. *Dry commodities—weights and measures—exceptions.* All dry commodities, weighing ten ounces or more, except
 6 drugs, section comb honey and those specified in section nine, shall
 7 be bought or sold only by standard weight or numerical count, lineal
 8 measure or surface measure, except where parties otherwise agree
 9 in writing.

10 Section 3009-j2. *Selling price of product—seller's statement—hay*
 11 *or straw.* Whenever any product is sold and the selling price is
 12 determined other than by numerical count, lineal or surface measure,
 13 and the product does not have the net weight plainly written, stamped
 14 or printed thereon, the seller shall at the time of delivery, upon the
 15 request of the purchaser, furnish a plainly written or printed state-
 16 ment showing the name of the article sold, the quantity in net weight
 17 thereof, and the price paid for each item. No person, firm or corpora-
 18 tion shall sell, offer or expose for sale any bales of hay or straw
 19 without first attaching thereto a plain and conspicuous statement of
 20 the minimum net weight contained in such bales. Provided that
 21 nothing in this act shall be construed to require a statement of weight
 22 on each bale where hay or straw is sold by the ton and a ticket showing
 23 the gross, tare and net weight accompanies the delivery.

24 Section 3009-j3. *Misdemeanor—punishment for specific violations*
 25 *of act.* That for the purpose of this act, any person, firm or corpora-
 26 tion shall be deemed guilty of a misdemeanor and shall be punished
 27 by a fine of not less than five dollars (\$5.00) nor more than one
 28 hundred dollars (\$100.00), or by imprisonment in the county jail not
 29 exceeding thirty (30) days.

31 First. If any person, firm or corporation sell, barter, trade, deliver,
32 charge for or claim to have delivered to a purchaser an amount of any
33 commodity which is less weight or measure than that which is asked
34 for, agreed upon, claimed to have been delivered, or noted on the
35 delivery ticket.

36 Second. If any such person, firm or corporation make settlement for
37 or enter credit, based upon any false weight or measurement for any
38 commodity purchased.

39 Third. If any such person, firm or corporation make settlement for
40 or enter credit, based upon any false weight or measurement, for any
41 labor where the price for producing or mining is determined by weight
42 or measure.

43 Fourth. If any such person, firm or corporation record a false
44 weight or measurement upon the weigh ticket or book.

45 Provided, however, that reasonable variations shall be permitted,
46 and tolerances and exemptions as to small packages shall be estab-
47 lished by rules and regulations made by the state dairy and food com-
48 missioner.

49 Section 3009-j4. *Bottomless measures.* The use of bottomless
50 measures is hereby declared a violation of this act, unless they conform
51 in shape to the U. S. standard measure.

1 - SEC. 2. Amendment—inspection. That the law as it appears in
2 section three thousand nine-n (3009-n), supplemental supplement to
3 the code, 1915, be and the same is hereby amended by striking out all
4 that part of the sentence after the word "premises" in line ten (10) of
5 said section, and inserting the following in lieu thereof "or may stop
6 any wagon, auto truck, or vehicle loaded with ice, coal, hay, grain,
7 cattle, hogs, vegetables, junk or any other commodity being bought or
8 offered for sale or sold, and order the same reweighed for the purpose
9 of obtaining the correct weight thereof."

Approved March 27, A. D. 1919.

CHAPTER 100.

WITHDRAWAL OF CANDIDATES NOMINATED FOR OFFICE.

S. F. 76.

AN ACT to amend the law as it appears in section eleven hundred one (1101) supplemen-
tal supplement to the code, 1915, relating to the withdrawal of candidates regularly
nominated for office.

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

1 SECTION 1. Withdrawal of candidates—procedure. That the law
2 as it appears in section eleven hundred one (1101) supplemental sup-
3 plement to the code, 1915, be and the same is hereby amended by
4 inserting after the word "auditor" and before the word "Or" in line
5 five, the word "fifteen" and by striking out the word "fifteen" after the
6 word "clerk" and before the word "days" in the same line and insert-
7 ing the word "twelve."

Approved March 27, A. D. 1919.

CHAPTER 101.

SEWERING AND PAVING HIGHWAYS LEADING INTO CITIES.

S. F. 340.

AN ACT to amend chapter forty-eight (48) of the acts of the thirty-sixth general assembly, relating to sewers under and pavement upon principal streets or highways leading into and out of cities.

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

SECTION 1. Cities under commission plan—highways—cemetery
 1 contiguous — car tracks upon — tax levy — provisions — plan. That
 2 chapter forty-eight (48) of the acts of the thirty-sixth general
 3 assembly of the state of Iowa be and the same is hereby amended by
 4 adding thereto the following: "Section 11a: Cities under the commis-
 5 sion plan having a population of more than twenty thousand (20,000),
 6 and in which is situated no city cemetery but contain within their
 7 confines a cemetery established for more than twenty years and is
 8 conducted by a cemetery association or corporation operated not for
 9 pecuniary profit, and which cemetery contains more than forty acres
 10 and is so situated as to for a distance of more than fifteen hundred
 11 (1500) feet bar access to the city, which cemetery has a frontage of
 12 more than fifteen hundred (1500) feet upon one of the main traveled
 13 streets or highways leading into said city, and upon which street or
 14 highway a street car track is laid, and which street or highway is so
 15 situated as to make it impracticable to levy special assessments against
 16 a large portion of the abutting property so situated, are hereby author-
 17 ized to avail themselves of the provisions of this chapter for the
 18 purpose of building, repairing and paying for sewer under and curbing
 19 and pavement along and upon said street or highway in front of such
 20 cemetery; and for the proportion of the cost thereof not properly
 21 assessable against such street car line and not justly assessable against
 22 abutting property other than that owned by the cemetery association,
 23 in addition to all other levies now authorized by law, may, in lieu of the
 24 provisions of section eight (8) chapter forty-eight (48) of the acts of
 25 the thirty-sixth general assembly, levy an annual tax not exceeding
 26 one mill upon all taxable property excepting moneys and credits con-
 27 tained in said city, or any principal division or district thereof as may
 28 be determined or established by the city council. The tax herein
 29 provided for may be accumulated from year to year until such special
 30 fund is sufficient for the purposes herein authorized. And such city
 31 may anticipate the collection of such tax under the provisions of sec-
 32 tion nine (9) of chapter forty-eight (48) of the acts of the thirty-
 33 sixth general assembly."

Approved March 27, A. D. 1919.

CHAPTER 102.

EXTINCT RELIGIOUS SOCIETIES.

S. F. 42.

AN ACT to amend section sixteen hundred fifty-two-d (1652-d) supplement to the code, 1913, relating to extinct churches.

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

1 SECTION 1. Extinct religious societies—trust fund. That the law
2 as it appears in section one thousand six hundred and fifty-two-d
3 (1652-d) supplement to the code, 1913, be and the same is hereby
4 amended as follows:

5 By inserting after the word "fund" and before the word "except"
6 in line nine, the words "for not less than five (5) years" and also by
7 adding at the end of said section the following: "If the principal or
8 income in the hands of such trustees is not used in the locality where
9 the extinct local society was situated within the term of five (5)
10 years from the time of the sale or disposition of its property, then the
11 said principal and income, if any, may be used for building or improv-
12 ing other property of the denomination within the territorial limits in
13 which such extinct society was located."

Approved March 27, A. D. 1919.

CHAPTER 103.

CITY AND TOWN ASSESSORS AND DEPUTIES.

S. F. 65.

AN ACT to repeal section six hundred seventy-four (674), supplement to the code, 1913, and enacting a substitute therefor, relating to the compensation of city and town assessors.

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

1 SECTION 1. Repeal and substitute—assessors and deputies—com-
2 pensation. That section six hundred seventy-four (674), supplement
3 to the code, 1913, be and the same is hereby repealed and the follow-
4 ing enacted as a substitute therefor:

5 Town assessors and assessors in cities of the second class, and their
6 deputies shall receive the same compensation as township assessors,
7 which shall be determined in the same manner and payable from the
8 county treasury. In cities of the first class, including those under the
9 commission form of government, the compensation of the assessor
10 shall be not more than eighteen hundred dollars (\$1800.00) per
11 annum, or not less than five dollars (\$5.00) per day for the time
12 actually employed, to be fixed by the board of supervisors; and that of
13 the deputies not more than five dollars (\$5.00) or less than three
dollars and fifty cents (\$3.50) per calendar day, Sunday excepted, for

14 the time actually employed, to be fixed by the board of supervisors:
 15 Provided, that in cities under the commission form of government
 16 having a population of more than one hundred thousand the board of
 17 supervisors shall fix the compensation of the assessor not exceeding
 18 twenty-five hundred dollars (\$2500.00) per annum and the compensa-
 19 tion of not more than two head deputy assessors at not exceeding
 20 fifteen hundred dollars (\$1500.00) per annum: Provided, however,
 21 that in cities where extra or special services are to be performed by
 22 the assessor the board of supervisors may by special contract with
 23 the assessor determine the compensation to be paid.

1 SEC. 2. **Publication clause.** This act being deemed of immediate
 2 importance, shall take effect and be in force from and after the publi-
 3 cation in the Des Moines Register and the Des Moines Capital, news-
 4 papers published at Des Moines, Iowa.

Approved March 28, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register and
 the Des Moines Capital March 31, 1919.

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

CHAPTER 104.

BOARDS OF SUPERVISORS.

S. F. 297.

AN ACT to amend section four hundred sixty-nine (469), supplement to the code, 1913,
 relating to the compensation and mileage allowed to boards of supervisors.

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

1 SECTION 1. **Boards of supervisors—compensation—mileage.** That
 2 section four hundred sixty-nine (469) supplement to the code, 1913,
 3 be amended by striking out the word "four" in line four (4) thereof
 4 and inserting in lieu thereof the word "five"; by striking out the word
 5 "four" in line five (5) of said section and inserting in lieu thereof the
 6 word "five"; by striking out the word "five" from line seven (7) of
 7 said section, and inserting in lieu thereof the word "ten".

1 SEC. 2. **Publication clause.** This act being deemed of immediate
 2 importance shall take effect and be in force from and after its publi-
 3 cation in the Des Moines Register and the Des Moines Capital, news-
 4 papers published at Des Moines, Iowa.

Approved March 28, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register and
 the Des Moines Capital March 31, 1919.

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

CHAPTER 105.

STATE AGENTS FOR INSTITUTIONS UNDER BOARD OF CONTROL.

S. F. 60.

AN ACT to amend chapter three hundred seventy (370) and to repeal section two (2) of chapter three hundred forty-nine (349), acts of the thirty-seventh (37) general assembly, relating to the appointment and compensation of state agents by the board of control.

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

1 SECTION 1. **State agents—number authorized.** That the law as it
2 appears in section one (1) of chapter three hundred seventy (370) of
3 the acts of the thirty-seventh general assembly be, and the same is
4 hereby amended by striking out the word "five" in line five (5) of said
5 section and by inserting in lieu thereof the word "six".

1 SEC. 2. **Appropriation.** That the law as it appears in section two
2 (2) of chapter three hundred seventy (370) of the acts of the thirty-
3 seventh general assembly be, and the same is hereby amended by
4 striking from line five (5) of said section the word "nine" and by
5 inserting in lieu thereof the word "fourteen".

1 SEC. 3. **Repeal.** That section two (2) of chapter three hundred
2 forty-nine (349) of the acts of the thirty-seventh general assembly
3 be and the same is hereby repealed.

1 SEC. 4. **Publication clause.** This act being deemed of immediate
2 importance shall take effect and be in force from and after its publica-
3 tion in the Des Moines Register and the Des Moines Capital, both
4 newspapers published in Des Moines, Iowa.

Approved March 28, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register and the Des Moines Capital March 31, 1919.

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

CHAPTER 106.

VIADUCTS OVER OR UNDER RAILROADS.

S. F. 87.

AN ACT to amend section seven hundred seventy (770) of the code, relating to construction of viaducts over or under railroads.

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

SECTION 1. **Viaducts over or under railroads—powers of cities.**
1 That section seven hundred seventy (770) of the code be and the same

2 is hereby amended by striking out of line two thereof the word
 3 "seven" where it appears between the words "of" and "thousand", and
 4 inserting in lieu thereof the word "five".

Approved March 28, A. D. 1919.

CHAPTER 107.

FINANCIAL AID FOR WIDOWED MOTHERS.

S. F. 122.

AN ACT to amend the law as it appears in section two hundred fifty-four-a20 (254-a20) supplement to the code, 1913, relating to financial aid for widowed mothers.

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

SECTION 1. Widowed mothers—allowance—objections—hearing—
 1 revocation, etc. That the law as it appears in section two hundred
 2 fifty-four-a20 (254-a20) supplement to the code, 1913, be, and the
 3 same is hereby amended by striking the period, following the word
 4 "years" in line twenty-one of said section, and by inserting in lieu
 5 thereof a semi-colon (;), and by adding after such semi-colon, the
 6 following:

7 "And provided further that at any time after such allowance is
 8 made the overseer of the poor, or the board of supervisors, may make
 9 objections to the continuance of such allowance. When such objec-
 10 tion is made the court or judge thereof shall fix a time for hearing and
 11 order that notice be given to the person receiving the allowance and
 12 at the time fixed the court or judge shall summarily hear and deter-
 13 mine the objections made, and may revoke or modify the order for
 14 allowance theretofore made and make such further order as shall be
 15 just and proper in the premises."

Approved March 28, A. D. 1919.

CHAPTER 108.

TRANSPORTATION OF LIVE STOCK.

S. F. 97.

AN ACT to amend the law as it appears in section forty-nine hundred and seventy (4970) of the code, relating to the transportation of live stock by common carriers.

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

SECTION 1. Live stock—transportation—time of confinement.
 1 That the law as it appears in section forty-nine hundred and seventy
 2 (4970) of the code be, and the same is hereby amended by striking
 3 the period (.) following the word "hours" in line six of said section

4 and by inserting in lieu thereof a colon (:) and by adding after said
 5 colon the phrase "Provided, that upon the written request of the
 6 owner or person in custody of that particular shipment, which written
 7 request shall be separate and apart from any printed bill of lading,
 8 or other railroad form, the time of confinement may be extended to
 9 thirty-six hours".

Approved March 28, A. D. 1919.

CHAPTER 109.

DEPARTMENT OF HOMEOPATHIC MATERIA MEDICA AND THERAPEUTICS.

S. F. 339.

AN ACT to repeal section 2, chapter 168, acts of the sixteenth general assembly, and section 2640-a, supplement to the code, 1913; and to authorize and direct the state board of education to establish and maintain a department of homeopathic materia medica and therapeutics in the college of medicine of the state university of Iowa.

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

1 SECTION 1. **Repeal.** That the law as it appears in section 2, chapter
 2 168, acts of the sixteenth general assembly; and section 2640-a of the
 3 supplement to the code 1913, be and the same is hereby repealed.

1 SEC. 2. **Department of homeopathic materia medica and therapeu-**
 2 **tics—establishment, etc.** The state board of education is hereby
 3 authorized and directed to establish and maintain a department of
 4 homeopathic materia medica and therapeutics in the college of medi-
 5 cine of the state university of Iowa, with suitable and sufficient hours
 and rooms for said department.

1 SEC. 3. **Hospital.** That the use of the University Homeopathic
 2 Hospital shall be left to the discretion of the board.

1 SEC. 4. **Conflicting acts repealed.** All acts and parts of acts incon-
 2 sistent with this act are hereby repealed.

Approved March 28, A. D. 1919.

CHAPTER 110.

RIGHT OF SUFFRAGE.

S. J. R. 7.

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:

1 SECTION 1. **Constitution of the state of Iowa—repeal—substitute.**
 2 That the following amendment to the constitution of the state of Iowa
 be, and the same is hereby proposed, to wit:

3 That Section One (1) of Article Two (2) of the constitution of the
4 state of Iowa be repealed, and the following enacted in lieu thereof
5 and adopted, to wit:

6 SECTION 1. **Right of suffrage—resolution to refer amendment.**
7 Every citizen of the United States, of the age of twenty-one (21)
8 years, who shall have been a resident of this state six (6) months next
9 preceding the election, and of the county in which he or she claims his
10 or her vote, sixty (60) days, shall be entitled to vote at all elections
11 which are now or hereafter may be authorized by law.

12 RESOLVED FURTHER, that the foregoing proposed amendment be,
13 and the same is hereby referred to the legislature to be chosen at
14 the next general election for members of the next general assembly,
15 and that the secretary of state cause the same to be published for
16 three (3) months previous to the day of said election, as provided by
17 law.

Approved March 28, A. D. 1919.

CHAPTER 111.

LANDS FOR COUNTY SEAT PURPOSES.

H. F. 516.

AN ACT granting additional powers to certain cities organized under the provisions of chapter fourteen-c (14-c), title V, sections ten hundred fifty-six-a seventeen (1056-a17) to ten hundred fifty-six-a sixty-five (1056-a65), inclusive, supplement to the code, 1913, and amendments thereto, in relation to selling or donating for county seat purposes, lands belonging to said cities.

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

SECTION 1. **Certain cities divided by river—county seat site—**
1 **power of council.** That the council of any city organized and acting
2 under the provisions of chapter fourteen-C (14-C), title V, sections
3 ten hundred fifty-six-a seventeen (1056-a17) to ten hundred fifty-
4 six-a sixty-five (1056-a65), inclusive, supplement to the code, 1913,
5 and amendments thereto, and having a population of over thirty-five
6 thousand (35,000) and under fifty thousand (50,000), according to the
7 last preceding state census, and the corporate limits of which city are
8 divided by a river, shall have power by ordinance adopted as by law
9 provided, to sell or donate to the county in which such city is located
10 such part of any island in such river belonging to such city as may
11 be desirable or necessary for a court house and county seat site.

1 SEC. 2. **Publication clause.** This act being deemed of immediate
2 importance shall take effect and be in force from and after its publi-
3 cation in the Des Moines Register and the Des Moines Capital, news-
4 papers published in Des Moines, Iowa, without expense to the state.

Approved March 29, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Des Moines Register March 31, 1919.

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

CHAPTER 112.

BUDGET SYSTEM FOR CITIES AND TOWNS.

H. F. 88.

AN ACT conferring upon cities and towns the authority to adopt a budget system.

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

SECTION 1. **Cities and towns—consolidated tax levy—appropriation of revenue.** That in lieu of any or all of the separate annual levies provided in sections eight hundred eighty-seven (887) of the code, and subdivisions one (1), two (2), three (3), seven (7) and eight (8) of section eight hundred ninety-four (894) of the 1915 supplemental supplement to the code, as amended by chapter three hundred seventy-five (375) of the acts of the thirty-seventh general assembly, cities and towns may levy one tax which shall not in the aggregate exceed the total amount of taxes which such city or town might have levied under the sections and chapters which are consolidated into such single tax levy; provided, however, that the city or town making such consolidated levy shall prior to the first day of April thereafter appropriate the estimated revenue to be received from such consolidated levy in such ratio as the council may determine, said appropriation to be for no purpose not provided for in the sections and chapters so consolidated.

SEC. 2. **Annual budget—duty of council—estimates for expenditures—notice—hearing—protests, etc.** Whenever the power granted in the preceding section is exercised by any city or town, it shall be the duty of the council prior to the first day of April each year to make up and prepare an annual budget on the basis of estimates of the expenses of the several departments of such city or town. Such estimates shall show not only the purpose for which the consolidated levy authorized in the preceding section is to be used, but in addition thereto the purpose for which all other levies authorized to be made by said city or town are to be used, so that said budget when so made up will show all of the proposed expenditures for the ensuing year. Such budget of proposed expenditures shall be published in one or more newspapers of general circulation published in such city or town, but where no newspaper is published in such town then by posting in three public places, the publication to be at least two weeks before said budget is finally adopted by the council, and the time when such budget will be considered by the council for final adoption shall be stated in said publication. On the day thus fixed for considering said budget, full opportunity shall be given for hearing any objections or protests which any taxpayer of the city or town may desire to make to any item or items in such budget or to any omissions therefrom.

SEC. 3. **Existing statutes.** Nothing herein shall be construed to affect or repeal any of the existing statutes authorizing tax levies in cities and towns.

SEC. 4. **Publication clause.** This act being deemed of immediate importance shall take effect and be in force from and after its passage

3 and publication in the Des Moines Capital and the Des Moines Register,
4 newspapers published in Des Moines, Iowa.

Approved March 29, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register and the Des Moines Capital April 1, 1919.

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

CHAPTER 113.

BOUNDARY LINES OF CONTIGUOUS SCHOOL CORPORATIONS.

H. F. 196.

AN ACT to amend section two thousand seven hundred ninety-three (2793) of the supplement to the code, 1913, relating to the changing of boundary lines of contiguous school corporations.

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

SECTION 1. Contiguous school corporations—change of boundary
1 lines—consolidation—officers and boards. That section two thousand
2 seven hundred ninety-three (2793) of the supplement to the code,
3 1913, be and the same is hereby amended by adding at the end of said
4 section the following: When boundary lines are changed by concur-
5 rent action, school districts affected thereby shall not be required to
6 elect new boards of directors, and the boards then in office may make
7 final settlement of all assets and liabilities as provided in section two
8 thousand eight hundred two (2802) supplement to the code, 1913, and
9 in case of a consolidation of districts under this section the officers
10 and members of the board of directors of the independent district
11 having the larger number of inhabitants, shall continue to be the offi-
12 cers and directors of the independent district, as consolidated for the
13 period for which such officers and directors were elected.

1 SEC. 2. Publication clause. This act being deemed of immediate
2 importance shall take effect and be in full force from and after its
3 passage and publication in the Des Moines Register and the Plain Talk,
4 newspapers published in Des Moines, Iowa.

Approved March 29, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register April 1, 1919, and in the Plain Talk April 3, 1919.

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

CHAPTER 114.

CITY OF DUBUQUE.

H. F. 409.

AN ACT to legalize the transfer of funds by the city council by the city of Dubuque.

WHEREAS, the city of Dubuque, in the county of Dubuque and state of Iowa, did some years ago purchase the waterworks and issued therefor bonds to pay for the same and the interest thereon; and

WHEREAS, taxes have been levied to take up and pay the bonds thus issued by the city of Dubuque; and

WHEREAS, all outstanding bonds have been fully paid and redeemed by the city of Dubuque; and

WHEREAS, after having paid such bonds and interest upon the same there still remained in the fund thus created the sum of seventeen thousand seven hundred ninety dollars and fifty-nine cents (\$17,790.59), over and above the amount required to pay the bonds and interest, the sum had accumulated from the taxes levy above stated; and

WHEREAS, the purposes for which the bonds and tax levy had been made have been fully fulfilled and discharged, and the amount of money remaining over and above the sum necessary to take up the bonds, namely: seventeen thousand seven hundred ninety dollars and fifty-nine cents (\$17,790.59), remained in the waterworks fund and wholly inactive; and

WHEREAS, the city council of the city of Dubuque, in making up its appropriations for the fiscal year beginning March 1, 1919, ordered the money in said fund transferred to the general fund of the city of Dubuque to be appropriated, therefore, for the general expense and contingent fund of said city, it being deemed necessary and advisable that said transfer be made, and there being no other manner in which such fund could be legally used; and

WHEREAS, doubts have arisen concerning the legality of the transfer of the money in the waterworks fund to the general fund, although such transfer will operate to the best interests of the city and its citizens; now therefore

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

SECTION 1. City of Dubuque—waterworks fund—transfer legalized. That the acts of the city council of the city of Dubuque, Iowa, in transferring the sum of seventeen thousand seven hundred ninety dollars and fifty-nine cents (\$17,790.59), said sum constituting a balance remaining over in the waterworks fund after all bonds and interest had been paid, to the general fund of the city of Dubuque, and said sum was appropriated therefrom to the expense and contingent fund of the city of Dubuque for the fiscal year beginning March 1, 1919, be and the same are hereby legalized, and such transfer and the expenditure of such money for valid purposes in the city of Dubuque, is hereby declared to be legal and proper in all respects.

SEC. 2. Pending litigation. Nothing in this act shall affect pending litigation.

1 SEC. 3. Publication clause. This act being deemed of immediate
2 importance shall take effect and be in force from and after its publi-
3 cation in the Des Moines Capital, a newspaper published in the city of
4 Des Moines, Iowa, and the Telegraph Herald, a newspaper published
5 in the city of Dubuque, Iowa, without expense to the state.

Approved March 29, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Telegraph Herald April 1, 1919.

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

CHAPTER 115.

ASSESSMENT OF TAXES.

H. F. 165.

AN ACT to amend the law as it appears in paragraph three (3), section thirteen hundred and four (1304) of the code, relating to the assessment of taxes.

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

1 SECTION 1. Assessment of taxes—exemptions. That the law as it
2 appears in paragraph three (3), section thirteen hundred and four
3 (1304), of the code, be and the same is hereby amended by inserting
4 after the word “by” and before the word “him” in the first line thereof
5 the words “or for”.

Approved March 29, A. D. 1919.

CHAPTER 116.

SCHOOL TAX LEVY FOR GENERAL FUND.

H. F. 103.

AN ACT to amend section twenty-seven hundred ninety-four-a (2794-a), supplemental supplement to the code, 1915, relating to the school taxes levied for general fund.

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

1 SECTION 1. School taxes—levy for general fund. That section
2 twenty-seven hundred ninety-four-a (2794-a), supplemental supple-
3 ment to the code, 1915, be and the same is hereby amended by striking
4 from subdivision “b” thereof the following word “fifty” in line nine
5 (9) of said subdivision, and inserting in lieu thereof the word “sixty-
6 five” and striking from line eleven (11) of said subdivision the word
7 “sixty” and inserting in lieu thereof the word “eighty”.

Approved March 29, A. D. 1919.

CHAPTER 117.

SUPREME COURT IN CRIMINAL CASES.

H. F. 234.

AN ACT to amend the law as it appears in section five thousand four hundred and sixty-four (5464) of the code relating to judgments of the supreme court in criminal cases.

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

- SECTION 1. Supreme court—judgments in criminal cases—reversal.**
- 1 That the law as it appears in section five thousand four hundred and
 - 2 sixty-four (5464) of the code be and the same is hereby amended by
 - 3 striking out all of said section following the word "reversed" in the
 - 4 second line thereof and by inserting in lieu thereof the following:
 - 5 "Such reversal shall be deemed an order for a new trial unless the
 - 6 supreme court shall direct that the defendant be discharged and his
 - 7 bail exonerated, or if money be deposited instead, that it be refunded
 - 8 to him."

Approved March 29, A. D. 1919.

CHAPTER 118.

HIGHWAY TAX FOR WIDE-TIRED WAGONS.

H. F. 14.

AN ACT to repeal the law as it appears in sections fifteen hundred seventy-d (1570-d) and fifteen hundred seventy-e (1570-e), supplement to the code, 1913, relating to the rebate of the highway tax for the use of wide tired wagons.

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

- 1 **SECTION 1. Repeal.** That the law as it appears in sections 1570-d
- 2 and 1570-e, supplement to the code, 1913, be and the same is hereby
- 3 repealed.

Approved March 29, A. D. 1919.

CHAPTER 119.

WATERWORKS AT STATE HOSPITAL AT CHEROKEE.

H. F. 216.

AN ACT making appropriations for the completion of waterworks at the state hospital for the insane at Cherokee.

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

- 1 **SECTION 1. Insane hospital at Cherokee—completion of water-**
- 2 **works—appropriation for.** There is hereby appropriated out of any

2 money in the state treasury, not otherwise appropriated, to be avail-
 3 able July 1, 1919, the sum of twenty-three thousand dollars
 4 (\$23,000.00) for the purpose of providing for the completion of the
 5 increase and improvement of the water supply at the state hospital
 6 for the insane at Cherokee, authorized by chapter two hundred and
 7 seventy-one (271) of the acts of the thirty-seventh general assembly.
 8 All money appropriated by this act shall be drawn from the state
 9 treasury and expended in the manner provided by chapter eleven-b
 10 (11-b), title thirteen (13), supplement to the code, 1913.

Approved March 29, A. D. 1919.

CHAPTER 120.

COMPULSORY EDUCATION OF DEAF AND BLIND CHILDREN.

H. F. 257.

AN ACT to repeal sections twenty-seven hundred eighteen-c (2718-c), twenty-seven hundred eighteen-d (2718-d), twenty-seven hundred eighteen-e (2718-e), and twenty-seven hundred eighteen-f (2718-f), supplement to the code, 1913, and to enact substitutes therefor and relating to the required attendance of deaf children and blind children at the respective state schools, and for excuse therefrom, and providing a penalty for failing to comply with the provisions of this act, and appropriating funds for carrying out provisions of this act, including the compensation of agent to enforce provisions of this act.

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

SECTION 1. Deaf children—compulsory education—exemption.

1 Children, residents of the state, between the ages of seven and nine-
 2 teen years, who are so deaf as to be unable to obtain an education in
 3 the common schools must be sent each by his parents or guardian to
 4 attend the Iowa school for the deaf, unless exempted as hereinafter
 5 provided.

1 SEC. 2. **Inducing or encouraging absence—penalty for.** Any person
 2 having such a child under his control and who fails to comply with
 3 any of the provisions of this act and any person who induces or
 4 attempts to induce any deaf child to absent himself or herself from
 5 school or employs or harbors any such child while such school is in
 6 session shall be deemed guilty of a misdemeanor, and shall be impris-
 7 oned in the county jail not more than thirty days or be fined not to
 8 exceed one hundred dollars.

1 SEC. 3. **Attendance excused—conditions.** The superintendent of
 2 the Iowa school for the deaf, with the approval of the state board of
 3 education in the individual case, may excuse attendance when satis-
 4 fied:

5 a. That the child is in such bodily or mental condition as to prevent
 6 or render futile his or her attendance at school.

7 b. That the child is so diseased or possesses such habits as to
 8 render his or her presence a menace to the health or morals of other
 9 pupils.

10 c. That the child is a regular attendant at a day school for the deaf
11 maintained under the provisions of chapter three hundred eight (308)
12 of the acts of the thirty-seventh general assembly, or is efficiently
13 taught for the scholastic year in a private or other school devoted to
14 instruction of the deaf, or by a private tutor, the branches taught in
15 the public schools.

1 SEC. 4. Agent—duties—compensation, etc. That the state board
2 of education be and is hereby authorized to employ an agent to aid in
3 the enforcement of the provisions of this act. It shall be the duty of
4 such agent under the direction of the state board of education to seek
5 out children who should be in attendance at the school for the deaf and
6 who are not in such attendance, and see to it that they are properly
7 enrolled and installed as students in such school unless exempted as
8 heretofore provided, and to file information against and to appear in
9 proceedings against any person or persons who may interfere or
10 attempt to interfere with the carrying out of the provisions of this act.
11 Such agent shall be allowed compensation at a rate fixed by the state
12 board of education and also necessary actual traveling and hotel
13 expenses while away from home in the performance of such duty.

1 SEC. 5. Appropriation—when available—how drawn. For the pur-
2 pose of carrying out the provisions of this act there is hereby appro-
3 priated out of any moneys in the state treasury, not otherwise
4 appropriated, such sum as may be necessary, and such appropriation
5 shall be available for the school year 1919-1920 and annually there-
6 after, and warrants against the same shall be drawn by the auditor of
7 state upon certification by the state board of education, when passed
8 by the state board of audit.

1 SEC. 6. Repeal. That sections twenty-seven hundred eighteen-c
2 (2718-c), twenty-seven hundred eighteen-d (2718-d), twenty-seven
3 hundred eighteen-e (2718-e), and twenty-seven hundred eighteen-f
4 (2718-f), supplement to the code, 1913, be and the same is hereby
5 repealed.

1 SEC. 7. Blind children—provisions applicable—agent—duties. The
2 provisions of this act shall apply likewise to blind children of the state
3 of like ages with regard to attendance at the college for the blind, and
4 the agent appointed by the state board of education under section four
5 (4) of this act shall perform the same duties with regard to blind
6 children as those imposed herein with regard to deaf children.

Approved March 29, A. D. 1919.

CHAPTER 121.

LEVEES, DITCHES AND DRAINS, ETC.

H. F. 118.

AN ACT to amend the law as it appears in section nineteen hundred eighty-nine-a twenty-one (1989-a21) of the supplement to the code, 1913, relating to obstructions to levees, ditches and drains; the relaying of tile drains; removal of obstructions therein; the condemnation of right of way to remove cause of obstructions; the right of appeal for award as to damages for condemnation; and the payment of damages for the cost of said proceedings and for repairs so made.

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

SECTION 1. Ditches, drains, etc.—obstructions—removal—damage to owner—appeal from award, costs, etc. That the law as it appears in section nineteen hundred eighty-nine-a twenty-one (1989-a21) of the supplement to the code, 1913, be and the same is hereby amended by adding to said section the following:

“Whenever any ditch, drain or watercourse which has been heretofore, or may be hereafter constructed by any drainage district shall become obstructed by the roots of trees or by the roots of Osage orange, willow or any other hedge, it shall be the duty of the board of supervisors to repair the same and remove the cause of the obstruction, they may cause any tile drain so obstructed to be relaid in concrete or other protection, and they may if deemed best cause the trees or hedge causing such obstruction to be removed and if said trees or hedge are not within the area of the right of way originally acquired for the construction of said improvement and if said board cannot agree with the owner thereof as to his damage for the destruction of said trees they may proceed to acquire jurisdiction of said trees and the right to destroy and remove the same by the same proceedings as are provided for acquiring right of way for said drainage improvement in the first instance, and the owner shall have the same right of appeal from the award of damages made in said proceedings as is provided in section 1989-a6 of the supplement to the code, 1913, and the damages, if any, allowed the owner, together with all other costs of said proceedings and repairs shall be paid out of the drainage fund of such district.”

Approved March 31, A. D. 1919.

CHAPTER 122.

CORONERS, WITNESSES AND JURORS IN INQUESTS.

H. F. 170.

AN ACT to amend section five hundred twenty (520), supplement to the code, 1913, and section five hundred twenty-nine (529) of the code, and to repeal section five hundred thirty (530) and section five hundred thirty-one (531) of the code and to enact substitutes therefor, relating to the duties and compensation of coroners, witnesses and jurors in inquests.

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

1 **SECTION 1. Scientific examination by coroner.** That section five
2 hundred twenty-nine (529) of the code, be amended by adding thereto
3 the following:

4 If the coroner is also a physician he may make such scientific exam-
5 ination.

6 **SEC. 2. Repeal and substitute—witness fees—compensation and**
1 **mileage for jurors.** That section five hundred thirty (530) of the
2 code, be and the same hereby is repealed and the following enacted in
3 lieu thereof: "Witnesses shall receive the same fee as witnesses are
4 paid in actions before justices of the peace. Jurors shall receive for
5 each day's service or attendance two dollars; and for each mile trav-
6 eled from his residence to the place of holding the inquest the sum of
7 ten cents."

1 **SEC. 3. Repeal and substitute—coroner—fees.** That section five
2 hundred thirty-one (531) of the code, be and the same hereby is
3 repealed and the following enacted in lieu thereof: "The coroner is
4 entitled to charge and receive the following fees:

5 1. For a view of each body upon which an inquest is held, ten
6 dollars;

7 2. For a view of each body upon which no inquest is held, five
8 dollars;

9 3. For issuing each subpoena, warrant, or order for a jury, twenty-
10 five cents;

11 4. For docketing each case, one dollar;

12 5. For each mile traveled to and returning from an examination or
13 inquest ten cents;

14 6. For taking down in writing the evidence of witnesses, when no
15 stenographer is employed as provided in section five hundred twenty,
16 supplement to the code, 1913, ten cents per hundred words.

17 7. For returning a copy of the verdict with minutes of the testi-
18 mony to the state inspector of mines, as provided by section five hun-
19 dred and sixteen of the code, three dollars.

20 8. Which fees shall be paid out of the county treasury when they
21 cannot be obtained from the estate of deceased.

22 9. For all other services, the same fees as are allowed sheriffs in
23 similar cases, to be paid in like manner."

1 **SEC. 4. Subpoenas or other process—serving of.** That section five
2 hundred twenty (520) of the supplement to the code, 1913, be amended
3 by adding thereto the following:

4 In the absence of any officer authorized to serve subpoenas or other
5 process, the coroner may depute some suitable person to serve the
6 same or may himself perform such duties.

Approved March 31, A. D. 1919.

CHAPTER 123.

THE HOUSING LAW OF IOWA.

S. F. 475.

AN ACT in relation to the housing of the people in cities of the first class and special charter cities and cities under commission form of government, to promote the health, safety and welfare of the people by regulating the light and ventilation, sanitation, fire protection, maintenance, alteration and improvement of dwellings; to define the classes of dwellings affected by the act, to establish administrative requirements and to establish remedies and fix penalties for the violation thereof; also providing that all other cities and incorporated towns may adopt ordinances for the regulation and control of any or all of such matters and fix penalties for the violation thereof; also providing that the state board of health may apply and enforce the provisions of this act in mining camps.

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

GENERAL PROVISIONS.

1 SECTION 1. Scope of the act. This act shall be known as the Hous-
2 ing Law of Iowa and shall apply to every city of the first class and
3 special charter cities and cities under commission form of govern-
4 ment which, by the last state or federal census, had a population of
5 15,000 or more, and to every city as its population shall reach 15,000
6 thereafter by any state or federal census; provided, however, that in
7 all other cities, including special charter cities having a population of
8 less than 15,000, and in incorporated towns, the council may adopt
9 ordinances for the regulation and control of any or all matters covered
10 by the provisions of this act, in so far as same may be reasonably
11 applicable, and fix penalties for the violation thereof; and fix rules and
12 regulations not inconsistent with those provided in this act for the
13 enforcement of said ordinances.

1 SEC. 2. Definitions. Certain words in this act are defined for the
2 purposes thereof as follows: Words used in the present tense include
3 the future; words in the masculine gender include the feminine and
4 neuter; the singular number includes the plural and the plural the
5 singular; the word "person" includes a corporation as well as a nat-
6 ural person.

7 (1) *Dwelling.* A "dwelling" is any house or building or portion
8 thereof which is occupied in whole or in part as the home or resi-
9 dence of one or more human beings, either permanently or
10 transiently.

11 (2) *Classes of dwellings.* For the purposes of this act dwellings
12 are divided into the following classes: (a) "Private dwellings," (b)
13 "two family dwellings," and (c) "multiple dwellings."

14 (a) A private dwelling is a dwelling occupied by but one
15 family alone.

16 (b) A two family dwelling is a dwelling occupied by but two
17 families alone.

18 (c) A multiple dwelling is a dwelling occupied by more than
19 two families.

20 (3) *Classes of multiple dwellings.* All multiple dwellings are for
21 the purposes of this act divided into two classes, viz: Class A and
22 Class B.

23 Class A. Multiple dwellings of Class A are dwellings which
24 are occupied more or less permanently for residence purposes by
25 several families and in which the rooms are occupied in apart-
26 ments, suites or groups. This class includes tenement houses, flats,
27 apartment houses, apartment hotels, bachelor apartments, studio
28 apartments, kitchenette apartments, and all other dwellings simi-
29 larly occupied whether specifically enumerated or not.

30 Class B. Multiple dwellings of Class B are dwellings which are
31 occupied, as a rule transiently, as the more or less temporary abid-
32 ing place of individuals who are lodged, with or without meals, and
33 in which as a rule the rooms are occupied singly. This class includes
34 hotels, lodging houses, boarding houses, furnished room houses,
35 club houses, asylums, boarding schools, convents, hospitals, jails
36 and all other dwellings similarly occupied whether specifically
37 enumerated herein or not.

38 (4) *Hotel.* A "hotel" is a multiple-dwelling of Class B in which
39 persons are lodged for hire and in which there are more than twenty-
40 five sleeping rooms.

41 (5) *Family.* For the purposes of this act, a "family" is a group
42 of persons living together, whether related to each other by birth or
43 not, and may consist of one or more persons.

44 (6) *Mixed occupancy.* In cases of mixed occupancy where a
45 building is occupied only in part as a dwelling, the part so occupied
46 shall be deemed a dwelling for the purposes of this act.

47 (7) *Yards.* A "rear yard" is an open unoccupied space on the
48 same lot with a dwelling, between the extreme rear line of the lot and
49 the extreme rear line of the house. A yard between the front line of
50 the house and the front line of the lot is a "front yard." A yard
51 between the side line of the house and the side line of the lot which
52 extends from the front line or front yard to the rear yard is a "side
53 yard".

54 (8) *Courts.* A "court" is an open unoccupied space, other than
55 a yard, on the same lot with a dwelling. A court not extending to the
56 street or front or rear yard is an inner court. A court extending to
57 the street or front yard or rear yard is an outer court.

58 (9) *Corner and interior lots.* A "corner lot" is a lot of which at
59 least two adjacent sides abut upon a street. A lot other than a corner
60 lot is an "interior lot." The word "lot" is any deeded parcel of land
61 whether a full platted lot or not.

62 (10) *Front, rear; and depth of lot.* The front of a lot is that
63 boundary line which borders on the street. In case of a corner lot
64 the owner may elect by statement on his plans either street boundary
65 line as the front. The rear of a lot is the side opposite to the front.
66 The depth of a lot is the dimension measured from the front of the
67 lot to the extreme rear line of the lot. In case of irregular shaped
68 lots the mean depth shall be taken.

69 (11) *Public hall.* A "public hall" is a hall, corridor or passage-
70 way not within the exclusive control of one family.

71 (12) *Stair hall.* A "stair hall" is a public hall and includes the
72 stairs, stair landings and those portions of the building through
73 which it is necessary to pass in going between the entrance floor and
74 the roof.

75 (13) *Basement, cellar, attic.* (a) A "basement" is a story partly
76 underground but having at least one-half of its height above the curb
77 level, and also one-half of its height above the highest level of the
78 adjoining ground. A basement shall be counted as a story.

79 (b) A "cellar" is a story having more than one-half of its height
80 below the curb level, or below the highest level of the adjoining
81 ground. A cellar shall not be counted as a story for purposes of
82 height measurement. If any part of a story is in that part the equiv-
83 alent of a basement or cellar, the provisions of this act relative to
84 basements and cellars shall apply to such part of said story.

85 (c) In the case of private dwellings and two family dwellings an
86 attic, or space in a sloping roof, if not occupied for living purposes,
87 shall not be counted as a story; in the case of multiple dwellings an
88 attic room shall be counted as a story if used for living purposes.

89 (14) *Height.* The "height" of a dwelling is the perpendicular
90 distance measured in a straight line from the curb level to the highest
91 point of the roof beams in the case of flat roofs, and to the average
92 of the height of the gable in the case of pitched roofs; the measure-
93 ments in all cases to be taken through the center of the front of the
94 house. Where a dwelling is situated on a terrace above the curb
95 level such height shall be measured from the level of the adjoining
96 ground. Where a dwelling is on a corner lot and there is more than
97 one grade or level, the measurements shall be taken from the mean
98 elevation.

99 (15) *Curb level.* The "curb level" is the level of the established
100 curb in front of the building measured at the center of such front.
101 Where no curb has been established the city engineer shall establish
102 such curb level or its equivalent for the purposes of this act.

103 (16) *Occupied spaces.* Outside stairways, fire towers, porches,
104 platforms, balconies, boiler flues and other projections shall be con-
105 sidered as part of the building and not as a part of the yards or
106 courts or unoccupied spaces. This provision shall not apply to un-in-
107 closed outside porches not exceeding two story in height which do
108 not extend into the front or rear yard a greater distance than ten
109 feet from the front or rear walls of the building, nor to any such
110 porch which does not extend into the side yard a greater distance
111 than twelve feet from the side wall of the building nor exceed twelve
112 feet in its other horizontal dimension, nor to an enclosed rear porch
113 or attached garage with or without sleeping porch above and not
114 exceeding 12x20 feet nor to cornices or eaves not exceeding 18 inches
115 in width.

116 (17) *Fire-resistive constructed dwelling.* A dwelling of fire-
117 resistive construction is one with brick, stone, or concrete walls and
118 with brick, tile, concrete or terra cotta floors and roof. Floor and
119 roof supports to be of brick, concrete or metal with all metal pro-
120 tected by tile, concrete or similar fire-resistant material. But this
121 definition shall not be construed as prohibiting the use of wooden
122 flooring on top of the fireproof floors or the use of wooden sleepers,

123 nor as prohibiting wooden hand rails or treads of hardwood not less
124 than one inch thick.

125 (18) *Wooden buildings.* "A wooden building" is a building of
126 which the exterior walls or a portion thereof are of wood. Court
127 walls are exterior walls.

128 (19) *Nuisance.* The word "nuisance" shall be held to embrace
129 nuisance as known at common law or in equity jurisprudence; and
130 whatever is dangerous to human life or detrimental to health; what-
131 ever dwelling is overcrowded with occupants or is not provided with
132 adequate ingress or egress to or from the same, or is not sufficiently
133 supported, ventilated, sewerred, drained, cleaned or lighted, in refer-
134 ence to its intended or actual use; and whatever renders the air or
135 human food or drink unwholesome, are also severally, in contempla-
136 tion of this act, nuisances; and all such nuisances are hereby declared
137 illegal.

138 (20) *Construction of certain words.* The word "shall" is always
139 mandatory and not directory, and denotes that the dwelling shall be
140 maintained in all respects according to the mandate as long as it con-
141 tinues to be a dwelling. Wherever the words "charter" "ordi-
142 nances," "regulations," "superintendent of buildings," "health
143 department," "the board of health," "health officer," "commissioner
144 of public safety," "commissioner of public health," "department
145 charged with the enforcement of this act," "corporation counsel,"
146 "mayor," "city treasury," or "fire limits" occur in this act they shall
147 be construed as if followed by the words "of the city in which the
148 dwelling is situated."

149 Wherever the words "health department," "health officer," or "duly
150 authorized assistant" or "board of health," "commissioner of public
151 safety," or "commissioner of public health" are employed in this act,
152 such words shall be deemed and construed to mean the official or
153 officials in any city to whom is committed the charge of safeguarding
154 the public health. The terms "superintendent of buildings," "build-
155 ing department" and "inspector of buildings" shall embrace the
156 department and the executive head thereof specially charged with
157 the execution of laws and ordinances relating to the construction of
158 buildings. Wherever the words "occupied" or "used" are employed
159 in this act such words shall be construed as if followed by the words
160 "or is intended, arranged, designed, built, altered, converted to,
161 rented, leased, let or hired out, to be occupied or used."

162 Wherever the words "dwelling," "two family dwelling," "multiple
163 dwelling," "building," "house," "premises" or "lot" are used in this
164 act, they shall be construed as if followed by the words "or any part
165 thereof." Wherever the words "city water" are used in this act,
166 they shall be construed as meaning any public supply of water
167 through street mains; and wherever the words "public sewer" are
168 used in this act they shall be construed as meaning any part of a
169 system of sewers that is used by the public or by concerted action of
170 several users, whether or not such part was constructed at the public
171 expense. Wherever the word "street" is used in this act it shall be
172 construed as including for the purpose hereinafter stated any public
173 alley sixteen feet or more in width, namely, for the sole purpose of
174 determining the required open space around and the allowable
175 height of any building abutting thereon. "Approved fire-resistive
176 material" means as set forth by ordinances, or if not so determined,
177 as approved by the superintendent of buildings.

1 **SEC. 3. Buildings converted or altered.** A building not a dwelling,
2 if hereafter converted or altered to such use shall thereupon become
3 subject to such provisions of this act relative to dwellings hereafter
4 erected as the board of health may require. A dwelling of one class if
5 hereafter altered or converted to another class shall thereupon become
6 subject to such provisions of this act relative to such latter class as
7 the board of health may require.

1 **SEC. 4. Alterations and change in occupancy.** No dwelling here-
2 after erected shall at any time be altered so as to be in violation of any
3 provision of this act. And no dwelling erected prior to the passage
4 of this act shall at any time be altered so as to be in violation of those
5 provisions of this act applicable to such dwelling. If any dwelling or
6 any part thereof is occupied by more families than provided in this
7 act, or is erected, altered or occupied contrary to law, such dwelling
8 shall be deemed an unlawful structure and the health officer may
9 cause such dwelling to be vacated. Any such dwelling shall not again
10 be occupied until it, or its occupation as the case may be, has been
11 made to conform to the law.

1 **SEC. 5. Dwellings damaged.** If a dwelling be damaged by fire or
2 other cause to the extent of sixty-five per cent or more of its original
3 value, exclusive of the value of the foundations, such dwelling shall
4 not be repaired or rebuilt except in conformity with the provisions of
5 this act relative to dwellings hereafter erected. Provided, however,
6 the owner shall be permitted to rebuild a building of the same size as
7 before subject to such reasonable provisions regarding light, ventila-
8 tion and sanitation, as the board of health may prescribe.

1 **SEC. 6. Dwellings moved.** If any dwellings be hereafter moved
2 from one lot to another it shall thereupon be made to conform to all
3 the provisions of this act relative to dwellings hereafter erected,
4 unless the board of health shall in a written permit for such removal
5 certify that such dwelling is reasonably safe and sanitary.

1 **SEC. 7. Sewer connections and water supply.** The provisions of
2 this act with reference to sewer connections and water supply shall be
3 deemed to apply only where connection with a public sewer and with
4 public water mains is or becomes reasonably accessible. All ques-
5 tions of the practicability of such sewer and water connections shall
6 be decided by the health officer or such other official as the board of
7 health may direct.

1 **SEC. 8. Minimum requirements; law not to be modified.** The pro-
2 visions of the act shall be held to be the minimum requirements
3 adopted for the protection of health, welfare and safety of the com-
4 munity. Nothing herein contained shall be deemed to invalidate
5 existing ordinances or regulations of any city imposing requirements
6 higher than the minimum requirements laid down in this act relative
7 to light, ventilation, sanitation, fire prevention, egress, occupancy,
8 maintenance and uses for dwellings; nor be deemed to prevent any
9 city subject to this act from enacting and putting in force from time
10 to time ordinances and regulations imposing requirements higher than
11 the minimum requirements laid down in this act; nor shall anything
12 herein contained be deemed to prevent such cities from prescribing
13 for the enforcement of such ordinances and regulations, remedies and
14 penalties similar or additional to those prescribed herein. And every

15 city subject to this act is empowered to enact such ordinances and
 16 regulations and to prescribe for their enforcement; and to enact such
 17 other ordinances pertaining to the housing of the people, not in conflict
 18 with the provisions of this act, as shall be deemed advisable by the
 19 city council. No ordinance, regulation, ruling or decision of any muni-
 20 cipal body, officer or authority shall repeal, amend, modify or dispense
 21 with any of the said minimum requirements laid down in this act,
 22 except as specifically provided herein.

1 SEC. 9. **State board of health.** The state board of health shall have
 2 the power to examine into the enforcement of this act in each city.

1 SEC. 10. **Time for compliance.** All improvements specifically
 2 required by this act upon dwellings erected prior to the date of its
 3 passage shall be made within one year from said date, unless time is
 4 extended by the health department.

1 SEC. 11. **Dwellings affected.** All the provisions of this act shall
 2 apply to all classes of dwellings, except that in sections where specific
 3 reference is made to one or more specific classes of dwellings such
 4 provisions shall apply only to those specific classes to which reference
 5 is made.

LIGHT AND VENTILATION.

1 SEC. 12. **Height.** No dwelling hereafter erected shall exceed in
 2 height one and one-half times the width of the widest street upon
 3 which it abuts, nor in any case shall it exceed one hundred feet in
 4 height. Such width of street shall be determined by measuring from
 5 front line of the building as constructed to the street line of the oppo-
 6 site side of the street. The provisions of this section shall not apply
 7 to hotels.

1 SEC. 13. **Yards.** Immediately behind every single and two-family
 2 dwelling hereafter erected there shall be, except as hereinafter pro-
 3 vided, a rear yard extending across the lot, for a distance equal to at
 4 least the width of the dwelling. Such yard shall be open and unob-
 5 structed from the ground to the sky. Every part of such yard shall
 6 be directly accessible from every other part thereof. The depth of
 7 said yard shall be measured at right angles from the rear lot line to
 8 the extreme rear part of the dwelling. Such rear yard space shall in
 9 no case be less than 10 feet deep, and 2 feet additional for each story
 10 of the dwelling on said lot above the first.

11 An irregular shaped lot, or lot subject to building line restrictions,
 12 may be occupied by a dwelling without complying with the provisions
 13 of this section, if the total yard space equals that required by this
 14 section.

15 The foregoing provisions of this section shall not apply to hotels.

1 SEC. 14. **Side yards.** Dwellings hereafter erected may be built up
 2 to the side lot line, if the side wall is without windows, or if with
 3 windows the air and light required by this act are provided other-
 4 wise than by windows on the lot line, or if the side lot line abuts on a
 5 street or alley. If, however, any side yard is left, it shall be open and
 6 unobstructed from the ground to the sky, and its width shall be pro-
 7 portionate to the height of the dwelling, and no side yard shall be
 8 less in width in any part than as follows:

9 (a) *Multiple dwellings.* In the case of all multiple dwellings
10 hereafter erected, one story in height and having a side yard the width
11 of the side yard measured to the side lot line shall be at least four
12 feet, and such side yard shall be increased in width by one foot for
13 each additional story above the first.

14 (b) *Private dwellings and two-family dwellings.* In the case of
15 private dwellings and two-family dwellings hereafter erected, one
16 story or two stories in height, the width of the side yard measured
17 to the side lot line shall be at least four feet; such side yard shall be
18 increased in width one foot for each additional story above the second.

19 (c) *Distance between buildings on same lot.* Where more than
20 one dwelling is erected upon the same lot, the distance between them
21 shall not be less than eight (8) feet in the case of dwellings of one or
22 two stories in height, this distance to be increased two feet for each
23 additional story above the second.

1 SEC. 15. *Courts.* The size of all courts in dwellings hereafter
2 erected shall be proportionate to the height of the dwelling. No court
3 shall be less in any part than the minimum sizes prescribed in this
4 section. The minimum width of an outer court for a one-story
5 dwelling shall be five feet, for a two-story dwelling six feet, for a three-
6 story dwelling seven feet, and shall increase one foot for each addi-
7 tional story above three stories. The least dimension of an inner
8 court shall never be less than twice the minimum width prescribed
9 by this section for an outer court. The width of all courts adjoining
10 the lot line shall be measured to the lot line and not to an opposite
11 building.

1 SEC. 16. *Courts open at the top.* No court of a dwelling hereafter
2 erected shall be covered by a roof or skylight. Every such court shall
3 be at every point open from the ground to the sky unobstructed.
4 Except that in the case of hotels, courts may start on the floor level
5 of the lowest bedroom story and in the case of other multiple dwellings
6 where there are stores or shops on the lower story or stories, courts
7 may start on the top of such lower story or stories.

1 SEC. 17. *Air intakes.* In all dwellings hereafter erected every
2 inner court extending through more than one story shall be provided
3 with a horizontal air intake at the bottom.

1 SEC. 18. *Angles in courts.* Nothing contained in the foregoing
2 sections concerning courts shall be construed as preventing the cutting
3 off of the corners of said courts.

1 SEC. 19. *Buildings on same lot with a dwelling.* If any building is
2 hereafter placed on the same lot with a dwelling, there shall always
3 be maintained between the said buildings an open and unoccupied
4 space extending upwards from the ground. If such buildings are
5 placed at the side of each other the space between them shall conform
6 to the provisions of section fourteen of this act relating to side yards,
7 but shall be twice the minimum therein required. If such buildings
8 are placed one at the rear of the other the space between them shall
9 be the same as that prescribed in section twelve for rear yards. In
10 all cases the height of the highest building on the lot shall regulate
11 the dimensions.

12 No building of any kind shall be hereafter placed upon the same
13 lot with a dwelling so as to decrease the minimum sizes of courts or

14 yards hereinbefore prescribed, except that, in case of a lot less than
15 75 feet deep, a one-story garage, not more than 25 feet deep, measured
16 lengthwise of the lot, nor more than 25 feet in the other dimension,
17 or other one-story building, of like dimensions, used exclusively for
18 domestic purposes and not as a dwelling or for the shelter or habi-
19 tation of animals or fowls of any kind, may occupy one-third of the
20 depth of the open space in this section prescribed.

21 If any dwelling is hereafter erected upon any lot upon which there
22 is already another building, it shall comply with all the provisions of
23 this act, and, in addition, the space between the said building and the
24 said dwelling shall be of such size and arranged in such manner as
25 is herein prescribed, the height of the highest building on the lot to
26 regulate the dimensions.

1 **SEC. 20. Rooms—lighting and ventilation of.** In every dwelling
2 hereafter erected every room shall have at least one window opening
3 directly upon the street or a public alley or other public space at least
4 16 feet in width, or upon a yard or court of the dimensions specified
5 in this act, and located on the same lot, and such window shall be so
6 located as to properly light all portions of such rooms. This provision
7 shall not, however, apply to rooms used as art galleries, swimming
8 pools, gymnasiums, squash courts, or for similar purposes, provided
9 such rooms are adequately lighted and ventilated.

1 **SEC. 21. Windows in rooms.** In every dwelling hereafter erected
2 the total window area in each room shall be at least one-eighth of the
3 superficial floor area of the room, and the total minimum window area
4 shall be made so as to open in all its parts.

1 **SEC. 22. Rooms—size of.** In every dwelling hereafter erected all
2 living rooms and bedrooms shall be of the following minimum sizes:
3 Every such room shall contain at least eighty square feet of floor
4 area, except that kitchenettes may be forty square feet in area; no
5 such room, except kitchenette, shall be in any part less than seven
6 feet wide. In multiple dwellings of Class A in each apartment, group
7 or suite of rooms there shall be at least one room containing not less
8 than one hundred and twenty square feet of floor area.

1 **SEC. 23. Rooms—height of.** No room in a private dwelling here-
2 after erected shall be in any part less than eight feet three inches
3 high from the finished floor to the finished ceiling downstairs and
4 seven feet six inches upstairs; except that an attic room used for
5 living purposes in such private dwelling need be seven feet six inches
6 in but one-half of its area.

7 No room in a two-family dwelling or multiple dwelling hereafter
8 erected shall be in any part less than eight feet three inches high from
9 the finished floor to the finished ceiling, except that in a two family
10 dwelling constructed so as to be occupied on two floors by one family,
11 the height of the rooms on the second floor shall be the same as herein
12 provided for a private dwelling.

1 **SEC. 24. Alcoves and alcove rooms.** In every dwelling hereafter
2 erected an alcove in any room intended or used for separate occupancy
3 shall be separately lighted and ventilated as provided for rooms in
4 the foregoing sections. No part of any room in a dwelling hereafter
5 erected shall be enclosed or subdivided at any time, wholly or in part,

6 by a fixed partition for permanent separate occupancy, unless such
7 part of the room so enclosed or subdivided shall be separately lighted
8 and ventilated as provided for rooms in the foregoing sections.

1 **SEC. 25. Water closet compartments and bathrooms—lighting and**
2 **ventilation of.** In every dwelling hereafter erected every water closet
3 compartment and every bathroom shall have an aggregate window
4 area of at least four square feet between stop beads opening directly
5 upon the street, or upon a yard or court of the dimensions specified
6 in this act. Every such window shall be made so as to open in all
7 its parts. Nothing in this section contained shall be construed so as
8 to prohibit a general toilet room containing several water closet com-
9 partments separated from each other by dwarf partitions, provided
10 such toilet room is adequately lighted and ventilated to the outer air
11 as above provided, and that such water closets are supplemental to
12 the water closet accommodations required by the provisions of section
13 thirty-two.

14 The above provision shall not apply to hotels or dwellings that have
15 a system of forced ventilation so constructed as entirely to change the
16 air in every bathroom, toilet room or water closet compartment every
seven minutes.

1 **SEC. 26. Public halls and stair halls—lighting and ventilation of.**
2 Every multiple dwelling, every public hall and stair hall shall have
adequate lighting and ventilation as the board of health may require.

SANITATION.

1 **SEC. 27. Cellar rooms.** In dwellings hereafter erected no room in
2 the cellar shall be occupied for living purposes.

1 **SEC. 28. Basement rooms.** In dwellings hereafter erected no room
2 in the basement shall be occupied for living purposes, unless in addition
3 to the other requirements of this act such room shall have sufficient
4 light and ventilation, shall be well drained and dry and shall, in the
5 opinion of the board of health, be fit for human habitation.

1 **SEC. 29. Cellars and basements—lighting and ventilation of.** Every
2 dwelling hereafter erected shall have a basement, cellar or excavated
3 space under the entire entrance floor, at least three feet in depth, or
4 shall be elevated above the ground so that there will be a clear air
5 space of at least eighteen inches between the top of the ground and
6 the floor joists so as to insure ventilation and protection from damp-
7 ness, provided, however, that cement floors may be laid on the ground
8 level if desired.

1 **SEC. 30. Courts, areas and yards.** In every dwelling hereafter
2 erected all courts, areas and yards shall be properly graded and
3 drained and when required by the health officer the courts shall be
4 properly concreted in whole or in part as may be necessary.

1 **SEC. 31. Water supply.** In every dwelling hereafter erected and
2 not exempted in section seven of this act, there shall be a proper sink
3 or washbowl with running water, exclusive of any sink in the cellar.
4 In two-family dwellings and in multiple dwellings of Class A there
5 shall be such a sink or washbowl in each apartment, suite or group
6 of rooms.

1 **SEC. 32. Water closet accommodations.** In every dwelling here-
2 after erected there shall be a separate water closet. Each such water
3 closet shall be placed in a compartment completely separated from
4 every other water closet; such compartment shall be not less than
5 thirty inches wide, and shall be enclosed with partitions which shall
6 extend to the ceiling. Every such compartment shall have a window
7 opening directly upon the street or upon a yard or court of the mini-
8 mum sizes prescribed by this act and located upon the same lot.
9 Nothing in this section contained shall be construed so as to prohibit
10 a general toilet room containing several water closet compartments
11 separated from each other by dwarf partitions, provided such toilet
12 room is adequately lighted and ventilated to the outer air as above
13 provided and that such water closets are supplemental to the water
14 closet accommodations required by other provisions of this section
15 for the occupants of said house. No water closet fixture shall be
16 encased with any woodwork. No water closet shall be placed in a
17 cellar of a multiple dwelling except with written permit from the
18 health officer. In two-family dwellings and in multiple dwellings of
19 Class A hereafter erected there shall be for each family a separate
20 water closet constructed and arranged as above provided and located
21 within each apartment, suite or group of rooms. In multiple dwellings
22 of Class B hereafter erected there shall be provided at least one water
23 closet for every twenty occupants or fraction thereof. Every water
24 closet compartment hereafter placed in any dwelling shall be provided
25 with proper means of lighting the same at night. The provisions of
26 this section regarding windows in water closet compartments shall
27 not apply to dwellings that have a system of forced ventilation as
28 provided in Section 25 of this act.

1 **SEC. 33. Sewer connections.** No multiple dwelling shall hereafter
2 be erected unless there is accessible city water and a public sewer, or
3 a private sewer connected directly with a public sewer. No cesspool
4 or similar means of sewage disposal shall be used in connection with
5 any dwelling where connection with a public sewer is practicable.

1 **SEC. 34. Plumbing.** In every dwelling hereafter erected no
2 plumbing fixture shall be encased, but the space underneath shall be
3 left entirely open. Plumbing pipes shall be exposed, when so required
4 by the health officer. All plumbing work shall be sanitary in every
5 particular and, except as otherwise specified in this act, shall be in
6 accordance with the plumbing regulations of said city. All fixtures
7 shall be trapped. Pan, plunger and long hopper closets will not be
8 permitted. Wooden sinks will not be permitted.

FIRE PROTECTION.

1 **SEC. 35. Fireproof dwelling—when required.** No dwelling shall
2 hereafter be erected exceeding four stories in height, unless it shall
3 be of fire resistive material; the building, however, may step up to
4 follow the street grade, provided no part of it is over four stories in
5 height.

1 **SEC. 36. Means of egress.** Every multiple dwelling hereafter
2 erected exceeding two stories in height shall have at least two inde-
3 pendent ways of egress each of which shall extend from the ground

4 floor to the roof, and shall be located remote from each other, and
5 each shall be arranged as provided elsewhere in this act. One of such
6 ways of egress shall be a flight of stairs constructed and arranged as
7 provided in sections thirty-nine, forty, forty-one and forty-two of this
8 act. In multiple dwellings of Class A the second way of egress shall
9 be directly accessible to each apartment, group or suite of rooms
10 without having to pass through the first way of egress. In multiple
11 dwellings of Class B the second way of egress shall be directly access-
12 ible from a public hall. The second way of egress may be any one
13 of the following as the owner may select:

14 1. A system of outside balcony fire escapes constructed and
15 arranged so as to comply with the state fire laws.

16 2. An additional flight of stairs, either inside or outside, con-
17 structed and arranged as provided in sections thirty-eight, thirty-nine,
18 forty and forty-one of this act.

19 3. A fire tower located, constructed and arranged as may be
20 required by the superintendent of buildings.

1 SEC. 37. Roof egress—scuttles and bulkheads. Every flat-roofed
2 multiple dwelling hereafter erected exceeding one story in height shall
3 have in the roof a bulkhead or a scuttle not less than two feet by three
4 feet in size. Such scuttle or bulkhead shall be fireproof or covered
5 with metal on the outside and shall be provided with stairs leading
6 thereto and easily accessible to all occupants of the building. No
7 scuttle or bulkhead shall be located in a closet or room, but shall be
8 located in the ceiling of the public hall on the top floor, and access
9 through the same shall be direct and uninterrupted.

1 SEC. 38. Stairs and public halls. Every multiple dwelling two
2 stories or more in height hereafter erected shall have at least one
3 flight of stairs extending from the entrance floor to the roof; and the
4 stairs and public halls therein shall each be at least four feet wide in
5 the clear. All stairs shall be constructed with a rise of not more than
6 eight inches and with treads not less than ten inches wide and not
7 less than four feet long in the clear. Winding stairs will not be
8 permitted.

1 SEC. 39. Stair halls. In multiple dwellings hereafter erected which
2 exceed two stories in height, the stair halls shall be constructed of
3 fire-resistive material throughout. The risers, strings and balusters
4 shall be of metal concrete or stone. The treads shall be of metal,
5 slate, concrete or stone or of hardwood not less than two inches thick.
6 Wooden hand rails will be permitted if constructed of hardwood. The
7 floors of all such stair halls shall be constructed of iron, steel or con-
8 crete beams and fireproof filling, and no wooden flooring or sleepers
9 shall be permitted. In multiple dwellings hereafter erected which
10 exceed two stories in height, at least one flight of stairs shall be
11 enclosed in fireproof walls from the cellar to the roof.

1 SEC. 40. Stair enclosures. In all multiple dwellings hereafter
2 erected which exceed two stories in height, all stair halls shall be
3 enclosed on all sides with walls of brick or other fire-resistive material
4 not less than eight inches thick. The doors opening from such stair
5 halls shall be fire-resistive and self-closing fire-doors of the swinging
6 type. There shall be no transom or sash or similar opening from
7 such stair hall to any other part of the building occupied for living
8 purposes.

1 **SEC. 41. Entrance halls.** In multiple dwellings hereafter erected
2 less than five stories high, where there is but one stairway, the
3 entrance hall shall be not less than five feet wide in the clear; and
4 in multiple dwellings five or more stories high, the width shall be
5 not less than six feet and the entrance hall shall have an additional
6 width of two feet for each additional stairway served. In every
7 multiple dwelling hereafter erected, access shall be had from the street
8 or alley to the yard, either in a direct line or through a court.

1 **SEC. 42. Chutes, dumb waiters, ventilating and miscellaneous**
2 **shafts and elevators.** In multiple dwellings hereafter erected all dumb
3 waiters, chutes, ventilating and miscellaneous shafts shall be enclosed
4 in an enclosure of fire-resistive material with self closing fire doors
5 at all entrances into same including cellar entrances.

6 In multiple dwellings hereafter erected which shall exceed two
7 stories in height or which are occupied by more than two families
8 above the grade floor, elevators, if provided, shall not be permitted
9 in well holes or in the same shaft as the stairs but shall be in a separate
10 shaft or enclosure of fire-resistive material such as brick not less than
11 eight inches in thickness, re-inforced concrete not less than four inches
12 in thickness, well burned tile or terra cotta not less than six inches
13 in thickness.

14 All entrances into elevator shaft shall be protected by fire doors
either self closing or closed inside by elevator operator.

1 **SEC. 43. Cellar stairs.** In multiple dwellings hereafter erected
2 inside cellar stairs shall be in an enclosure constructed of fire-resistive
3 walls and shall have a fire-resistive self-closing door of the swinging
4 type at the bottom.

1 **SEC. 44. Closet under first story stairs.** In multiple dwellings here-
2 after erected no closet of any kind shall be constructed under any
3 staircase leading from the entrance story to the upper stories, but
4 such space shall be left entirely open and kept clear and free from
5 incumbrance.

1 **SEC. 45. Cellar entrance.** In every multiple dwelling hereafter
2 erected there shall be an entrance to the cellar or other lowest story
3 from the outside of the said building.

1 **SEC. 46. Wooden multiple dwelling.** No wooden multiple dwelling
2 shall hereafter be erected exceeding two stories in height and no
3 wooden building not now used as a multiple dwelling shall hereafter
4 be altered into a multiple dwelling exceeding two stories in height.

ALTERATIONS.

1 **SEC. 47. Enlargement of dwellings.** No dwelling shall hereafter
2 be enlarged or its lot diminished, or other building placed on the lot,
3 so that the rear yard or side yard shall be less in size than the mini-
4 mum sizes prescribed in sections thirteen and fourteen of this act for
5 dwellings hereafter erected.

1 **SEC. 48. New courts in existing dwellings.** An inner court here-
2 after constructed in a dwelling erected prior to the passage of this
3 act, if extending only through one or two stories, shall be not less than
4 six feet by eight feet in size; and if it extends through more than two

5 stories, it shall be not less than eight feet by ten feet in size. All
6 inner courts shall be opened to the sky, without skylight, or roof of
7 any kind.

1 **SEC. 49. Additional rooms or halls.** Any additional room or hall
2 that is hereafter constructed or created in a dwelling shall comply in
3 all respects with the provisions of this act with reference to dwellings
4 hereafter erected, except that it may be of the same height as the
5 other rooms of the same story of the dwelling.

1 **SEC. 50. Rooms and halls—lighting and ventilation of.** No dwell-
2 ing shall be so altered or its lot diminished that any room or public
3 hall or stairs shall have its light or ventilation diminished in any way
4 not approved by the health officer.

1 **SEC. 51. Roof stairs.** No stairs leading to the roof in any multiple
2 dwelling shall be removed or be replaced with a ladder.

1 **SEC. 52. Bulkheads.** Every bulkhead hereafter constructed in a
2 multiple dwelling shall be constructed of fire-resistive material or
3 covered with metal.

1 **SEC. 53. Stairways.** No public hall or stairs in a multiple dwelling
2 shall be reduced in width so as to be less than the minimum width
3 prescribed in sections thirty-seven and forty of this act.

1 **SEC. 54. Dumb waiters and elevators.** All dumb waiters and
2 elevators hereafter constructed in multiple dwellings shall be in
3 enclosures constructed of fire-resistive material with fire-resistive
4 doors at all openings at each story, including the cellar. In the case
5 of dumb waiter shafts such doors shall be self-closing: and such shafts
6 shall be completely separated from the stairs by walls of approved
7 fire-resistive material enclosing the same.

8 This section does not apply to dumb waiter shafts or elevator shafts
9 which are already in existence, but only to those which may be installed
10 after the act takes effect.

1 **SEC. 55. Water closet accommodations.** Any water closet here-
2 after placed in a dwelling, except one provided to replace a defective
3 or unsanitary fixture in the same location, shall comply with the pro-
4 visions of sections of twenty-five, thirty-two and thirty-four of this
5 act relative to water closets in dwellings hereafter erected.

1 **SEC. 56. Height.** No dwelling shall be increased in height so that
2 it exceeds one and one-half times the width of the widest street on
3 which it abuts nor in any case exceeds one hundred feet.

1 **SEC. 57. Other alterations.** Except as specified above, no dwelling
2 shall be so altered nor shall its lot be so diminished, nor shall any
3 building be so placed on the same lot, as to cause the dwelling to be
4 in violation of the requirements of this act for dwellings hereafter
5 erected; nor shall any room, public hall or stairs have its light or
6 ventilation diminished in any way not approved by the health officer.

1 **SEC. 58. Skylights.** All new skylights hereafter placed in a
2 multiple dwelling shall be provided with ventilators having a minimum
3 opening of forty square inches and also with either fixed or movable
4 louveres or with movable sashes, and shall be of such size as may be
5 determined to be practicable by the health officer.

1 **SEC. 59. Alcoves and alcove rooms.** No part of any room in a
 2 dwelling shall hereafter be enclosed or subdivided for separate occu-
 3 pancy, wholly or in part by a fixed partition, unless such part of a
 4 room so enclosed or subdivided shall contain a window as required
 5 by sections nineteen, twenty and twenty-four of this act, and have a
 6 floor area of not less than eighty square feet.

MAINTENANCE.

1 **SEC. 60. Public halls—lighting at night.** In every multiple dwell-
 2 ing a proper light shall be kept burning by the owner in the public
 3 hallways near the stairs upon each floor every night from sunset to
 4 sunrise throughout the year if so required by the health officer.

1 **SEC. 61. Water closets in cellars.** No water closet shall be main-
 2 tained in the cellar of any dwelling without a permit in writing from
 3 the health officer, who shall have power to make rules and regulations
 4 governing the maintenance of such closets. Under no circumstances
 5 shall the general water closet accommodations of any multiple dwelling
 6 be permitted in the cellar or basement thereof; this provision, how-
 7 ever, shall not be construed so as to prohibit a general toilet room
 8 containing several water closets, provided such water closets are
 9 supplementary to those required by law.

1 **SEC. 62. Water closet accommodations.** In every dwelling existing
 2 prior to the passage of this act there shall be provided at least one
 3 water closet for every two apartments, groups or suites of rooms, or
 4 fraction thereof, except that in multiple dwellings of Class B there
 5 shall be provided at least one water closet for every twenty occupants
 6 or fraction thereof.

1 **SEC. 63. Basement and cellar rooms.** No room in the cellar of any
 2 dwelling erected prior to the passage of this act shall be occupied for
 3 living purposes. And no room in the basement of any such dwelling
 4 shall be so occupied without a written permit from the health officer.
 5 No such room shall hereafter be occupied unless all the following
 6 conditions are complied with:

7 (1). Such room shall be at least seven feet high in every part
 8 from the floor to the ceiling.

9 (2). The ceiling of such room shall be in every part at least three
 10 feet six inches above the surface of the street or ground outside of or
 11 adjoining the same.

12 (3). There shall be appurtenant to such room the use of a water
 13 closet.

14 (4). At least one of the rooms of the apartment of which such
 15 room is an integral part shall have a window or windows opening
 16 directly to the street or yard, with an aggregate of at least twelve
 17 square feet in size clear of the sash frame, and which shall open readily
 18 for purposes of ventilation.

19 (5). The lowest floor shall be waterproof and damp proof.

20 (6). Such room shall have sufficient light and ventilation, shall be
 21 well drained and dry and shall be fit for human habitation.

1 **SEC. 64. Cellar walls and ceilings.** The cellar walls and cellar
 2 ceilings of every multiple dwelling shall by the owner be thoroughly

3 whitewashed or painted a light color and shall be so maintained by
4 him when required by the health officer.

1 SEC. 65. **Water closets and sinks.** In all two-family dwellings and
2 multiple dwellings the floor or other surface beneath and around water
3 closets and sinks shall be maintained in good order and repair and if
4 of wood shall be kept well painted.

1 SEC. 66. **Repairs.** Every dwelling and all the parts thereof shall
2 be kept in good repair by the owner, and the roof shall be kept so as
3 not to leak, and all rain water shall be so drained and conveyed there-
4 from as not to cause dampness in the walls or ceilings.

1 SEC. 67. **Water supply.** Every dwelling not exempted in section
2 seven of this act shall have within the dwelling at least one proper
3 sink with running water furnished in sufficient quantity at one or
4 more places exclusive of the cellar. In two-family dwellings and
5 multiple dwellings of Class A there shall be at least one sink on every
6 floor, accessible to each family on the floor occupied by said family
7 without passing through any other apartment. Where city water is
8 not available the owner shall provide proper and suitable tanks, pumps
9 or other appliances to receive and to distribute an adequate and suffi-
10 cient supply of water at each floor in the said dwelling at all times of
11 the year, during all hours of the day and night. But a failure in the
12 general supply of city water shall not be construed to be a failure on
13 the part of such owner, provided proper and suitable appliances to
14 receive and distribute such water have been provided in said dwelling.

1 SEC. 68. **Catch basins.** In the case of dwellings where, because
2 of lack of city water supply or sewers, sinks with running water not
3 provided inside the dwellings one or more catch basins or some other
4 approved convenience for the disposal of waste water, if necessary in
5 the opinion of the health officer, shall be provided in the yard or court,
6 level with the surface thereof and at a point easy of access to the
7 occupants of such dwelling.

1 SEC. 69. **Cleanliness of dwellings.** Every dwelling and every part
2 thereof shall be kept clean and shall also be kept free from any accumu-
3 lation of dirt, filth, rubbish, garbage or other matter in or on the
4 same, or in the yards, courts, passages, areas or alleys connected with
5 or belonging to the same. The owner of every dwelling and in the
6 case of a private dwelling the occupant thereof, shall thoroughly
7 cleanse or cause to be cleansed all the rooms, passages, stairs, floors,
8 windows, doors, walls, ceilings, privies, water closets, cesspools, drains,
9 halls, cellars, roofs and all other parts of the said dwelling, or part
10 of the dwelling of which he is the owner or in case of a private dwelling
11 the occupant, to the satisfaction of the health officer, shall keep the
12 said parts of the said dwelling in a cleanly condition at all times.

1 SEC. 70. **Walls of courts.** In multiple dwellings the walls of all
2 courts, unless built of a light color brick or stone, shall be thoroughly
3 whitewashed by the owner or shall be painted to a light color by him,
4 and shall be so maintained. Such whitewash or paint shall be renewed
5 whenever necessary, as may be required by the health officer.

1 SEC. 71. **Walls and ceilings of rooms.** In all multiple dwellings
2 erected prior to this act the health officer may require the walls and

3 ceilings of every room that does not open directly on the street to be
4 kalsomined or painted so as to furnish adequate lighting of such room
5 and may require this to be renewed as often as may be necessary.

1 **SEC. 72. Receptacles for garbage and rubbish.** The owner of
2 every dwelling and in the case of a private dwelling the occupant shall
3 provide for said dwelling, keep clean and in place, proper covered
4 receptacles of non-absorbent material for holding garbage, refuse,
5 rubbish and other waste matter. Garbage chutes are prohibited.

1 **SEC. 73. Prohibited uses.** No horse, cow, calf, swine, sheep, goat,
2 chickens, geese or ducks shall be kept in any dwelling or part thereof.
3 Nor shall any such animal be kept on the same lot or premises with
4 a dwelling except under such conditions as may be prescribed by the
5 health officer. No such animal, except a horse, shall under any cir-
6 cumstances be kept on the same lot or premises with a multiple dwell-
7 ing. No dwelling or the lot or premises thereof shall be used for the
8 storage or handling of rags or junk.

1 **SEC. 74. Combustible materials.** No dwelling nor any part thereof,
2 nor of the lot upon which it is situated, shall be used as a place of
3 storage, keeping or handling of any article dangerous or detrimental
4 to life or health; nor of any combustible article except under such
5 conditions as may be prescribed by the fire commissioner, or the
6 proper official, under authority of a written permit issued by him.

1 **SEC. 75. Certain dangerous businesses.** There shall be no tran-
2 som, window or door opening into a public hall from any part of a
3 multiple dwelling where paint, oil, gasoline or drugs are stored or
4 kept for the purpose of sale or otherwise. This provision shall not
5 apply to hotels.

1 **SEC. 76. Janitor or housekeeper.** In any multiple dwelling in
2 which the owner thereof does not reside, there shall be a janitor,
3 housekeeper or other responsible person who shall have charge of the
4 same, if the health officer shall so require.

1 **SEC. 77. Overcrowding.** If any room in a dwelling is overcrowded
2 the health officer may order the number of persons sleeping or living
3 in said room to be so reduced that there shall be not less than four
4 hundred cubic feet of air to each adult and two hundred cubic feet of
5 air to each child under twelve years of age occupying such room.

1 **SEC. 78. Lodgers prohibited.** The health officer may prohibit in
2 any multiple dwelling the letting of lodgings therein by any of the
3 tenants occupying such multiple dwelling, and may prescribe condi-
4 tions under which lodgers or boarders may be taken in multiple dwell-
5 ings. It shall be the duty of the owner in the case of multiple
6 dwellings to see that the requirements of the health officer in this
7 regard are at all times complied with, and a failure to so comply on
8 the part of any tenant, after due and proper notice from said owner
9 or from the health officer, shall be deemed sufficient cause for the
10 summary eviction of such tenant and the cancellation of his lease.
11 The provisions of this section may be extended to private dwellings
12 and two-family dwellings, as may be found necessary by the health
13 officer.

SEC. 79. Infected and uninhabitable dwellings to be vacated.

1 Whenever it shall be certified by an inspector or officer of the health
 2 department that a dwelling is infected with contagious disease or
 3 that it is unfit for human habitation, or dangerous to life or health
 4 by reason of want of repair, or of defects in the drainage, plumbing,
 5 lighting, ventilation, or the construction of the same, or by reason of
 6 the existence on the premises of a nuisance likely to cause sickness
 7 among the occupants of said dwelling, the health officer may issue
 8 an order requiring all persons therein to show cause why they should
 9 not be required to vacate such house within a time to be set by him,
 10 for the reasons to be mentioned in said order. In case such order is
 11 not complied with within the time specified, the health officer may
 12 cause said dwelling to be vacated. The health officer whenever he is
 13 satisfied that the danger from said dwelling has ceased to exist, or
 14 that it is fit for human habitation, may revoke said order or may
 15 extend the time within which to comply with the same.

1 **SEC. 80. Repairs to buildings, etc.** Whenever any dwelling or
 2 any building, structure, excavation, business pursuit, matter or thing,
 3 in or about a dwelling, or the lot on which it is situated, or the plumb-
 4 ing sewerage, drainage, light or ventilation thereof, is in the opinion
 5 of the health officer in a condition or in effect dangerous or detri-
 6 mental to life or health, the health officer may after notice and failure
 7 to correct, declare that the same to the extent he may specify is a
 8 public nuisance, and may order the same to be removed, abated, sus-
 9 pended, altered or otherwise improved or purified as the order shall
 10 specify.

1 **SEC. 81. Fire escapes.** The owner of every multiple dwelling
 2 on which there are fire escapes shall keep them in good order and
 3 repair, and whenever rusty shall have them properly painted with
 4 two coats of paint. No person shall at any time place an obstruction
 5 of any kind before or upon such fire escape.

1 **SEC. 82. Scuttles, bulkheads, ladders and stairs.** In all multiple
 2 dwellings where there are scuttles or bulkheads, they and all stairs
 3 or ladders leading thereto shall be easily accessible to all occupants
 4 of the building and shall be kept free from obstruction and ready
 5 for use at all times. No scuttle and no bulkhead door shall at any
 6 time be locked with a key, but either may be fastened on the inside
 7 by movable bolts or hooks.

IMPROVEMENTS.

1 **SEC. 83. Rooms—lighting and ventilation of.** No room in a
 2 dwelling erected prior to the passage of this act shall hereafter be
 3 occupied for living purposes unless it shall have a window of an area
 4 of not less than eight square feet opening directly upon the street,
 5 or upon a rear yard not less than four feet deep, or above the roof of
 6 an adjoining building, or upon a court or side yard of not less than
 7 twenty-five square feet in area open to the sky without roof or sky-
 8 light, unless such room is located on the top floor and is adequately
 9 lighted and ventilated by a skylight, opening directly to the outer
 10 air; except that a room which cannot be made to comply with the
 11 above provisions may be occupied if provided with a sash window of

12 not less than 15 square feet in area, opening into an adjoining room
13 in the same apartment group or suite of rooms, which latter room
14 opens directly on the street or on a rear yard of the above dimensions.
15 Said sash window shall be a vertically sliding pulley-hung sash not
16 less than three feet by five feet between stop beads, both halves shall
17 be made so as to readily open, and the lower half shall be glazed with
18 translucent glass, and so far as possible it shall be in line with windows
19 in the said outer room opening on the street or rear yard so as to afford
20 a maximum of light and ventilation.

SEC. 84. Public halls and stairs—lighting and ventilation of.

1 In all multiple dwellings erected prior to the passage of this act the
2 public halls and stairs shall be provided with as much light and
3 ventilation to the outer air as may be deemed practicable by the board
4 of health who may order the cutting in of windows and skylights and
5 such other improvements and alterations in said dwellings as in his
6 judgment may be necessary and appropriate to accomplish this result.
7 All new skylights hereafter placed in such dwellings shall be of such
8 size as may be determined to be practicable by said board of health.

1 **SEC. 85. Sinks and water closets.** In all multiple dwellings
2 erected prior to the passage of this act the woodwork encasing sinks
3 except sinks in butler's pantries, and water closets shall be removed
4 and the space underneath said fixtures shall be left open. The floor
5 and wall surfaces beneath and around the said fixtures shall be put
6 in good order and repair, and if of wood shall be kept well painted.
7 Defective and unsanitary water closet fixtures shall be replaced by
8 proper fixtures, as defined by this act.

1 **SEC. 86. Privy vaults—range closets and water closets.** When-
2 ever a connection with a sewer is possible, all privy vaults, range
3 closets, cesspools or other similar receptacles used to receive fecal
4 matter, urine or sewage, shall before July first, nineteen hundred and
5 twenty, with their contents, be completely removed and the place
6 where they were located properly disinfected under the direction of
7 the health officer. Such appliances shall be replaced by individual
8 water closets of durable non-absorbent material, properly sewer con-
9 nected, and with individual traps and properly connected flush tanks
10 providing an ample flush of water to thoroughly cleanse the bowl.
11 Each such water closet shall be located inside the dwelling or other
12 building in connection with which it is to be used in a compartment
13 completely separated from every other water closet, and such com-
14 partment shall contain a window of not less than four square feet in
15 area opening directly to the street or rear yard or on a side yard or
16 court of the minimum size prescribed in sections fourteen and fifteen
17 of this act. Such water closets shall be provided in such numbers
18 as required by section sixty-two of this act. Such water closets and
19 all plumbing in connection therewith shall be sanitary in every respect
20 and, except as in this act otherwise provided, shall be in accordance
21 with the local ordinances and regulations in relation to plumbing and
22 drainage. Pan, plunger and long hopper closets will not be permitted
23 except upon written permit of the health officer. No water closet shall
24 be placed out of doors.

1 **SEC. 87. Basements and cellars.** The floor of the cellar or lowest
2 floor of every dwelling shall be free from dampness, and, when

3 necessary in the judgment of the health officer, shall be concreted
4 with not less than two inches of concrete of good quality and with a
5 finished surface.

1 SEC. 88. Shafts and courts. In every dwelling where there is a
2 court or shaft of any kind, there shall be at the bottom of every such
3 shaft and court a door giving sufficient access to such shaft or court
4 to enable it to be properly cleaned out; provided, that where there
5 is already a window giving proper access it shall be deemed sufficient.

1 SEC. 89. Egress. Every multiple dwelling exceeding two stories
2 in height shall have at least two independent ways of egress con-
3 structed and arranged as provided in section thirty-six of this act.
4 In the case of multiple dwellings erected prior to the passage of this
5 act where it is not practicable in the judgment of the building inspector
6 to comply in all respects with the provisions of that section, said
7 building inspector shall make such requirements as may be appro-
8 priate to secure proper means of egress from such multiple dwellings
9 for all the occupants thereof. No existing fire escape shall be deemed
10 a sufficient means of egress unless the following conditions are com-
11 plied with:

12 (1) All parts of it shall be of iron, cement or stone.

13 (2) The fire escape shall consist of outside balconies which shall
14 be properly connected with each other by adequate stairs or stationary
15 ladders, with openings not less than twenty-four by twenty-eight
16 inches.

17 (3) All fire escapes shall have proper drop ladders or stairways
18 from the lowest balcony of sufficient length to reach a safe landing
19 place beneath.

20 (4) All fire escapes not on the street shall have a safe and ade-
21 quate means of egress from the yard or court to the street or alley
22 or to the adjoining premises.

23 (5) Prompt and ready access shall be had to all fire escapes, which
24 shall not be obstructed by bathtubs, water closets, sinks or other
25 fixtures, or in any other way.

1 SEC. 90. Additional means of egress. Whenever any multiple
2 dwelling is not provided with sufficient means of egress in case of
3 fire the building inspector shall order such additional means of egress
4 as may be necessary.

1 SEC. 91. Roof egress, scuttles and bulkheads. Unless there
2 is a bulkhead in the roof there shall be over every inside stairway
3 used by more than one family, a skylight or scuttle not less than two
4 feet by three feet in size. Every flat roof multiple dwelling, exceeding
5 one story in height, shall have at least one convenient and permanent
6 means of access to the roof located in a public part of the building and
7 not in a room or closet.

REQUIREMENTS AND REMEDIES.

1 SEC. 92. Permit to commerce building. Before the construc-
2 tion or alteration of a dwelling, or the alteration or conversion of
3 a building for use as a dwelling is commenced and before the con-
4 struction or alteration of any building or structure on the same lot

5 with a dwelling, the owner, or his agent or architect shall submit to
6 the board of health a detailed statement in writing, certified by the
7 affidavit of the person making the same, of the specifications for such
8 dwelling or building, upon blanks or forms to be furnished by such
9 board of health, and also full and complete copies of the plans of such
10 work. With such statement there shall be submitted a plat of the lot
11 showing the dimensions of the same, the location of the proposed
12 building and all other buildings on the lot. Such statement shall give
13 in full the name and residence, by street and number, of the owner
14 or owners of such dwelling or building and the purposes for which
15 such dwelling or building will be used. If such construction, alter-
16 ation or conversion is proposed to be made by any other person than
17 the owner of the land in fee, such statement shall contain the full
18 name and residence, by street and number, not only of the owner of
19 the land, but of every person interested in such dwelling, either as
20 owner, lessee or in any representative capacity. Said affidavit shall
21 allege that said specifications and plans are true and contain a correct
22 description of such dwelling, building, structure, lot and proposed
23 work. The statements and affidavits herein provided for may be
24 made by the owner, his agent or architect, or by the person who pro-
25 poses to make the construction, alteration or conversion or by the
26 agent or architect of such person. No one, however, shall be recog-
27 nized as the agent of the owner or of such person unless he shall file
28 with said health officer a written instrument signed by such owner or
29 person, as the case may be, designating him as such agent. Any
30 intentional false oath in a material point in any such affidavit shall
31 be deemed perjury. Such specifications, plans and statements shall
32 be filed in said health department and shall be deemed public records,
33 but no such specifications, plans or statements shall be removed from
34 said health department. The health officer shall cause all such plans
35 and specifications to be examined. If such plans and specifications
36 conform to the provisions of this act they shall within five days be
37 approved by the health officer or his duly authorized assistant, and
38 a written certificate to that effect shall be issued by him to the person
39 submitting the same. The health officer shall from time to time,
40 approve changes in any plans and specifications previously approved
41 by him, provided the plans and specifications when so changed shall
42 be in conformity with law. The construction, alteration or conver-
43 sion of such dwelling, building or structure, or any part thereof, shall
44 not be commenced until the filing of such specifications, plans and
45 statements, and the approval thereof, as above provided. No permit
46 shall be granted and no plan approved by the department of buildings,
47 where such exists, for the construction or alteration of a dwelling or
48 for the alteration or conversion of any building for use as a dwelling
49 until there has been filed in the office of the department of buildings
50 a certificate of the health officer issued as above provided to the effect
51 that such dwelling conforms to the provisions of this act. The con-
52 struction, alteration or conversion of such dwelling, building or struc-
53 ture shall be in accordance with such approved specifications and
54 plans. Any permit or approval which may be issued by the health
55 officer, but under which no work has been done above the foundation
56 walls within one year from the time of the issuance of such permit
57 or approval, shall expire by limitation. The health officer or his duly
58 authorized assistant shall have power to revoke or cancel any permit
59 or approval in case of any failure or neglect to comply with any of

60 the provisions of this act, or in case any false statement or repre-
61 sentation is made in any specifications, plans or statements submitted
62 or filed for such permit or approval.

1 **SEC. 93. Certificate of compliance.** No part of a building here-
2 after constructed as or altered into a dwelling shall be occupied in
3 whole or in part for human habitation until the issuance of a cer-
4 tificate by the health officer that such part of said dwelling conforms
5 to the requirements of this act relative to dwellings hereafter erected.
6 Such certificate shall be issued within three days after written appli-
7 cation therefor if said dwelling at the date of such application shall
8 be entitled thereto.

1 **SEC. 94. Unlawful occupation.** If any building hereafter con-
2 structed as, or altered into, a dwelling be occupied in whole or in
3 part for human habitation in violation of the last section, during such
4 unlawful occupation no rent shall be recoverable by the owner or lessee
5 of such premises for said period, and no action or special proceeding
6 shall be maintained therefor or for possession of said premises for
7 non-payment of said rent, and said premises shall be deemed unfit for
8 human habitation and the health officer may cause them to be vacated
9 accordingly.

1 **SEC. 95. Penalties for violations.** Every person who shall vio-
2 late or assist in the violation of any provision of this act shall be
3 guilty of a misdemeanor punishable by a fine of not less than ten
4 dollars or more than one hundred dollars, and in default in payment
5 thereof, by imprisonment in the county jail for not more than thirty
6 (30) days. The owner of any dwelling, or of any building or structure
7 upon the same lot with a dwelling, or of the said lot, where any viola-
8 tion of this act, or a nuisance as herein defined, exists who has been
9 guilty of such violation or of creating or knowingly permitting the
10 existence of such nuisance, and any person who shall violate or assist
11 in violation any provision of this act, shall also jointly and severally
12 for each such violation and each such nuisance be subject to a civil
13 penalty of fifty dollars to be recovered for the use of the health
14 department in civil action brought in the name of the municipality
15 by the health officer. Such persons and also said premises shall also
16 be liable in such case for all costs, expenses and disbursements paid
17 or incurred by the health department, by any of the officer, agents
18 or employees thereof in the removal of any such nuisance or violation.
19 Any person who having been served with a notice or order to remove
20 any such nuisance or violation shall fail to proceed in good faith to
21 comply with said notice or order within five days after such service,
22 or shall continue to violate any provisions or requirements of this act
23 in the respect named in said notice or order, shall also be subject to
24 a civil penalty of fifty dollars. For the recovery of any such penalties,
25 costs, expenses or disbursements, an action may be brought in any
26 court of competent civil jurisdiction. The existence of a nuisance in
27 or upon such dwelling, structure on the same lot with a dwelling or
28 on such lot, which the owner thereof has created or permitted to exist
29 and any violation of this act as to such dwelling, structure and lot of
30 which the owner has been guilty shall in such proceeding subject such
31 dwelling, structure and lot respectively to a penalty of fifty dollars,
32 which shall be a lien thereon until paid; and any violation of an order
33 made or a notice given by the health officer permitted or committed

34 by the owner of a dwelling, structure on the same lot with a dwelling
35 or such lot, shall be in such proceeding subject the dwelling, structure
36 and lot respectively to a penalty of fifty dollars, which penalty shall
37 be a lien thereon until paid.

1 **SEC. 96. Procedure.** Except as herein otherwise specified, the pro-
2 cedure for the prevention of violations of this act or for the vacation
3 of premises unlawfully occupied, or for other abatement of nuisances,
4 or for the bringing of action therefor, shall be in accordance with the
5 existing practice and procedure. In case any dwelling, building or
6 structure is constructed, altered, converted or maintained in violation
7 of any provision of this act or of any order or notice of the health
8 officer, or in case a nuisance exists in any such dwelling, building or
9 structure or upon the lot on which it is situated, said health officer
10 may institute any appropriate action or proceeding to prevent such
11 unlawful construction, alteration, conversion or maintenance, to
12 restrain, correct or abate such violation or nuisance, to prevent the
13 occupation of said dwelling, building or structure, or to prevent any
14 illegal act, conduct or business in or about such dwelling or lot. In
15 any such action or proceeding said health officer may by petition duly
16 verified, setting forth the facts, apply to the district superior or muni-
17 cipal court, or to any judge thereof in term time or vacation, for an
18 order granting the relief for which said action or proceeding is
19 brought, or for an order enjoining all persons from doing or permitting
20 to be done any work in or about such dwelling, building, structure or
21 lot, or from occupying or using the same for any purpose until the
22 entry of final judgment or order. In case any notice or order issued
23 by said health officer is not complied with, said health officer may apply
24 to the district superior or municipal court or to any judge thereof in
25 term time or vacation for an order authorizing him to execute and
26 carry out the provisions of said notice or order, to correct any viola-
27 tion specified in said notice or order, or to abate any nuisance in or
28 about such dwelling, building or structure or the lot upon which it is
29 situated. The court or any judge thereof is hereby authorized to make
30 any order specified in this section.

1 **SEC. 97. Tenant's responsibility.** If the occupant of a dwelling
2 shall fail to comply with the provisions of this act after due and proper
3 notice from the health officer, such failure to comply shall be deemed
4 sufficient cause for the eviction of such tenant by the owner and the
5 cancellation of his lease.

1 **SEC. 98. Registry of agent's name.** Every owner, agent or lessee
2 of a dwelling may file in the health department a notice containing the
3 name and address of an agent of such dwelling, for the purpose of
4 receiving service of all notices required by this act, and also a descrip-
5 tion of the property by street number or otherwise as the case may be,
6 in such manner as will enable the health department easily to find the
7 same. The name of the owner or lessee may be filed as agent for this
8 purpose.

1 **SEC. 99. Service of notices and orders.** Every notice or order
2 required by this act shall be served at least ten days before the time
3 for doing the thing in relation to which it shall have been issued,
4 unless otherwise herein provided. The posting of a copy of such notice
5 or order in a conspicuous place in the dwelling, together with the mail-

6 ing of a copy thereof on the same day that it is posted, to the owner
7 and lessee of the dwelling effected thereby, and each person, if any,
8 whose name has been filed with the health department in accordance
9 with the provisions of Section 98 of this act at his address as filed,
10 shall be sufficient service thereof.

1 **SEC. 100. Service of summons and subpoena.** In any action brought
2 by the health officer in relation to a dwelling for injunction, vacation
3 of the premises or abatement of nuisance, or to establish a lien thereon
4 or to recover a civil penalty, service of notices shall be served in the
5 manner provided by law for the service of original notices; provided,
6 that if the address of any agent whose name and address have been
7 filed in accordance with the provisions of Section 99 of this act is in
8 the county in which the dwelling is situated, then such notice may be
9 served upon such agent.

1 **SEC. 101. Enforcement.** The provisions of this act shall be
2 enforced in each city by the health officer, except that the department
3 of buildings, where such department exists in a city, shall enforce the
4 provisions herein contained under the title "Fire Protection" and the
5 provisions contained in Sections 89, 90, and 91 hereof.

1 **SEC. 102. Powers conferred.** The powers conferred by this act
2 upon the public officials heretofore in this act mentioned shall be in
3 addition to the powers already conferred upon said officers, and shall
4 not be construed as in any way limiting their powers except as pro-
5 vided in Section 8.

1 **SEC. 103. Inspection of dwellings.** The health officer or such other
2 appropriate public official as the mayor may designate, shall cause an
3 inspection to be made of every multiple dwelling at least once a year.
4 Such inspection shall include thorough examination of all parts of
5 such multiple dwelling and the premises connected therewith. The
6 health officer or such other official so designated is also hereby empow-
7 ered to make similar inspections of all dwellings as frequently as may
8 be necessary; and shall make inspection at any time on complaint of
9 the owner, tenant or other person concerned.

1 **SEC. 104. Right of entry.** The health officer and all inspectors,
2 officers and employes of the board of health, and such other persons
3 as may be authorized by the health officer, may without fee or
4 hindrance enter, examine, make necessary records, and survey all
5 premises, grounds, erections, structures, apartments, dwellings, build-
6 ings and every part thereof in the city. The owner or his agent or
7 representative and the lessee and occupant of every dwelling and
8 every person having the care and management thereof shall at all
9 reasonable times when required by any such officers or persons
10 give them free access to such dwellings and premises. The
11 owner of a dwelling and his agents and employes shall have right of
12 access to such dwelling at reasonable times for the purpose of bring-
13 ing about compliance with the provisions of this act or any order
14 issued thereunder.

1 **SEC. 105. State board of health.** The state board of health shall
2 have power to aid as far as may be necessary to secure the enforce-
3 ment of this act; and to that end said board may apply to any court
4 or judge of competent jurisdiction for an injunction mandatory or

5 prohibitive and the county attorney or attorney general shall prose-
 6 cute such action in the name of the state of Iowa. The county attorney
 7 may also prosecute an action in equity for injunction in the name of
 8 the state of Iowa upon the request of any local board of health where
 9 said act is being violated.

1 SEC. 106. **Mining camps.** Before any person or persons shall be
 2 permitted to lay out or attempt to construct a mining camp wherein
 3 is contemplated the erection of more than five houses, the said person
 4 or persons shall first file with the state board of health a plat of the
 5 camp, showing in detail the geographical location of same, the char-
 6 acter of houses to be erected, the provisions made for drainage,
 7 sewerage, outside toilets, and the provision made to secure water. If
 8 after investigation, the said board of health is convinced that the
 9 camp, if built, will comply with the general provisions of this act so
 10 far as the same may be reasonably applicable, and practicable under
 11 the circumstances, he shall within three weeks from the date of appli-
 12 cation, issue a written permit for the erection of same. Whenever the
 13 health conditions in any mining camp in the state are or become a
 14 menace to the health of the inhabitants thereof, such state board of
 15 health is hereby authorized to apply and enforce the provisions of this
 16 act in so far as the same may be reasonably applicable and practicable
 17 of enforcement in such camp.

1 SEC. 107. **Laws repealed.** All statutes or parts thereof in conflict
 2 with the provisions of this act are hereby repealed. All charter pro-
 3 visions, regulations and ordinances of cities are hereby superseded in
 4 so far as they do not impose requirements other than the minimum
 5 requirements of this act, and except in case of such higher local
 6 requirements, this act shall in all cases govern.

1 SEC. 108. **Right of appeal.** From any order of the local board of
 2 health there lies the right of appeal to the state board of health, which
 3 latter board shall have the power to hear and determine such appeal,
 4 and enforce their orders in the manner hereinbefore provided.

Approved March 31, A. D. 1919.

CHAPTER 124.

CITY OF BURLINGTON.

S. F. 330.

AN ACT to legalize certain warrants of the city of Burlington, Iowa and the issuance and sale of negotiable bonds funding said warrants.

WHEREAS, the city of Burlington issued warrants upon its general fund in the sum of forty thousand dollars and thirty-two cents (\$40,000.32) to evidence the indebtedness incurred in making said expenditures, said warrants being numbered as follows, viz:

3203, 3217, 3025, 3028, 3247 to 3256, 3260, 3265 to 3284, 3286 to 3306, 3318 to 3320, 3408, 3528, 3591 to 3600, 3608, 3610 to 3642, 3644 to 3656, 3706 to 3714, 3741, 3754, 3766, 3767, 3780, 3782, 3785, 3786, 3789, 3792,

3795 to 3798, 3830 to 3835, 4302 to 4311, 4319 to 4338, 4369 to 4376, 4382 to 4384, 4386 to 4408, 4440, 4451, 4478, 4925 to 4934, 4941 to 4964, 4980 to 4998, 5000, 5010, 5016, 5936 to 5945, 5975 to 5990, 6218, 6253 to 6262, 6269, 6270 to 6289, 6314 to 6324, 6573 to 6582, 6588, 6615 to 6633, 6721, 6738, 6770, 6911, 6915 to 6924, 6930 to 6949, 7029, 7049, 7089, 7189 to 7211, 7213, 7215, 7241 to 7250, 7258, 7260, 7262 to 7278, 7399, 7410, 7440, 7503, 7505, 7506, 7522, 7569, 7507, 8212 to 8221, 8227, 8248 to 8265, 8272, 8273, 8305, 8352 to 8369, 8392, 8430, 8456 to 8465, 8596 to 8603, 8610, 8679 to 8688, 8694 to 8711, 8806, 8829 to 8839, 8843, 8845, 8846,

(In each of the series of numbers above indicated the first and last number given are both included therein) which warrants are now outstanding.

WHEREAS, the indebtedness of said city, including the indebtedness evidenced by said warrants, did not when said warrants were issued and does not now exceed the constitutional limitation of indebtedness of said city; and,

WHEREAS, said expenditures were all made for the purposes authorized by law, and the city of Burlington has been and is now enjoying the use the benefit of said expenditures, and the purpose for which said expenditures were made and the result thereof were and are well worth the sum which the said city of Burlington contracted should be paid therefor; and,

WHEREAS, doubts have arisen concerning the legality of the aforesaid warrants, or a portion thereof, on the grounds 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 grounds that the 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 the aforesaid warrants, or a portion thereof, on the ground that the indebtedness which said warrants evidenced was contracted in excess of the statutory limitation on indebtedness; and,

WHEREAS, on the 6th day of March 1919, at a regular meeting of the city council of said city of Burlington, duly and legally called, a resolution was duly and legally adopted authorizing and directing the issuance of negotiable bonds of said city in the aggregate sum of forty thousand dollars (\$40,000.00) for the purpose of funding an equal amount of the aforesaid outstanding warrant indebtedness, and said bonds have been duly executed; and,

WHEREAS, it is deemed advisable to put said doubts and all other doubts which may arise concerning the legality or validity of the aforesaid warrants and bonds forever at rest; now therefore,

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

SECTION 1. City of Burlington—expenditures—warrants—bonds—
1 acts of council legalized. That the acts of the city council of the city
2 of Burlington, Iowa, in making the aforesaid expenditures for the said
3 city of Burlington, issuing warrants therefor in the sum of forty
4 thousand dollars and thirty-two cents (\$40,000.32) and authorizing
5 and directing the issuance and sale of negotiable bonds in the sum of
6 forty thousand dollars for the purpose of funding an equal amount of

7 said warrants, and the acts of the officers of said city in executing
8 said bonds, be and the same are hereby legalized as though the law
9 had been complied with in all respects.

1 SEC. 2. Warrants legalized. That the aforesaid warrants of the
2 city of Burlington, Iowa, in the aggregate sum of forty thousand
3 dollars and thirty-two cents (\$40,000.32) be and the same are hereby
4 legalized and declared to be valid, legal, and subsisting obligations of
5 said city the same as though the law had been complied with in all
6 respects.

1 SEC. 3. Bonds legalized. That the aforesaid bonds of the city of
2 Burlington, Iowa, in the aggregate sum of forty thousand dollars
3 (\$40,000.00) authorized and directed to be issued and sold for the
4 purpose of funding the aforesaid warrants, be and the same are hereby
5 legalized, and when sold as by law provided shall be valid, legal and
6 subsisting obligations of and against the city of Burlington, Iowa,
7 the same as though the law had been complied with in all respects.

1 SEC. 4. Pending litigation. Nothing in this act shall affect pend-
2 ing litigation.

1 SEC. 5. Publication clause. This act being deemed of immediate
2 importance shall take effect and be in force from and after its publi-
3 cation in the Des Moines Capital, a newspaper published in the city of
4 Des Moines, Iowa, and the Burlington Hawk-Eye, a newspaper pub-
5 lished in the city of Burlington, Iowa, without expense to the state.

Approved April 2, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April 3, 1919, and in the Burlington Hawk-Eye April 9, 1919.

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

CHAPTER 125.

SCHOOL HOUSE SITES.

S. F. 316.

AN ACT to amend the law as it appears in chapter 26, section 1, acts of the 37th general assembly, relating to the acquisition of school house sites.

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

1 SECTION 1. School house sites—acquisition—levy, etc. That the
2 law as it appears in chapter 26, section 1 acts of the thirty-seventh
3 general assembly of Iowa, be and the same is hereby amended by
4 inserting the words, "or area equal thereto", following the words, "two
5 blocks", in line nine; by inserting the words, "or cities under special
6 charters", following the word "village", in line nine; and by adding at
7 the end of said section the following, to wit:

8 "The directors in any independent district whose territory is com-
9 posed wholly or in part of territory occupied by any city of the first
10 class or city under special charter may, at their regular meeting in

11 July, or at a special meeting called for that purpose, between the time
 12 designated for such regular meeting and the third Monday in August,
 13 certify an amount not exceeding four mills to the board of supervisors
 14 and they shall levy the amount so certified and the tax so levied shall
 15 be placed in the school house fund and used only for the purchase of
 16 sites in and for said school district. Anything contained in section
 17 twenty-seven hundred and forty-nine (2749) of the code to the con-
 18 trary notwithstanding."

1 SEC. 2. Publication clause. This act being deemed of immediate
 2 importance, shall take effect and be in force from and after its publi-
 3 cation in the Des Moines Register and in the Des Moines Capital, news-
 4 papers published in the city of Des Moines, Iowa, without expense to
 5 the state.

Approved April 2, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and
 in the Des Moines Register April 3, 1919.

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

CHAPTER 126.

IOWA STATE FAIR GROUNDS.

S. F. 192.

AN ACT to provide for purchasing additional land for the Iowa state fair and for paying
 paving and curbing assessment against the Iowa state fair grounds and to make appro-
 priations therefor.

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

SECTION 1. State fair grounds—additional land—paving and curb-
 1 ing—appropriation. There is hereby appropriated to the Iowa Depart-
 2 ment of Agriculture, out of any money in the state treasury not
 3 otherwise appropriated, the sum of sixty-three thousand dollars
 4 (\$63,000) for the following purposes:
 5 For purchasing additional land for state fair ground purposes fifty-
 6 four thousand dollars (\$54,000).
 7 For paying paving and curbing assessment against the Iowa State
 8 Fair Grounds nine thousand dollars (\$9,000).

1 SEC. 2. Appropriation—how drawn. The amounts appropriated by
 2 this act shall be drawn from the state treasury upon warrants issued
 3 by the state auditor upon the order of the state board of agriculture,
 4 signed by the president and secretary.

1 SEC. 3. Publication clause. This act, being deemed of immediate
 2 importance, shall take effect and be in force from and after its publi-
 3 cation in Des Moines Register and Des Moines Capital, newspapers
 4 published in Des Moines, Iowa.

Approved April 2, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register and
 in the Des Moines Capital April 3, 1919.

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

CHAPTER 127.

PROCESS OR RENOVATED BUTTER.

S. F. 205.

AN ACT defining and regulating the sale, the endeavoring to sell, or the sale, of process or renovated butter, and to provide for the branding and labeling of the same.

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

SECTION 1. Process or renovated butter—branding or labeling.

1 That no person, firm, corporation, agent or employe shall sell, offer or
2 expose for sale in this state any butter that is produced by taking origi-
3 nal packing stock butter, or other butter, or both, and melting the same
4 so that the butter fat can be drawn off or extracted, then mixing the
5 said butter fat with skimmed milk, or milk, or cream, or other milk
6 product, and rechurning or re-working the said mixture, or that pro-
7 duced by any process that is commonly known as boiled, process or
8 renovated butter, unless the same is branded or marked as provided
9 in section 2 of this act.

1 SEC. 2. Same. No person, firm, corporation, agent or employe,
2 shall sell, offer or expose for sale, or deliver to purchaser, any boiled,
3 process or renovated butter, as defined in section 1 of this act, unless
4 the words "Renovated Butter" shall be plainly branded with gothic or
5 bold-faced letters at least three-fourths of an inch in length, on the
6 top and sides of each tub, or box, or pail, or other kind of a case, or
7 package, or on the wrapper of prints or rolls in which it is put up. If
8 such butter is exposed for sale uncovered or not in a case or package,
9 a placard containing the label so printed shall be attached to the mass
10 of butter in such manner as to easily be seen and read by the purchaser.
11 The branding or marking of all packages shall be in the English lan-
12 guage, and in a conspicuous place, so as to be easily seen and read by
13 the purchaser.

1 SEC. 3. Enforcement of provisions, etc. The state dairy and food
2 commissioner and his assistants, experts and chemists, by him
3 appointed, shall be charged with the proper enforcement of all the
4 provisions of this act. When complaint is made by the said state
5 dairy and food commissioner, security for costs shall not be required.

1 SEC. 4. Violation of provisions—misdemeanor—penalty. Whoever
2 violates any provision of this act shall be deemed guilty of a misde-
3 meanor, and shall for each offense, upon conviction thereof, be subject
4 to a fine of not less than twenty-five dollars (\$25.00) nor more than
5 fifty dollars (\$50.00), or of imprisonment in the county jail for any
6 period not to exceed six months.

1 SEC. 5. Commissioner, assistants, agents, etc.—power and authority.
2 The said commissioner and his assistants, experts, chemists or agents,
3 shall have access and ingress to all places of business, factories, stores
4 and buildings, used for the manufacture or sale of butter. They also
5 shall have power and authority to open any tub, box, pail or other
6 kind of case or package containing any butter that may be manufac-
7 tured, sold or exposed for sale.

Approved April 2, A. D. 1919.

CHAPTER 128.

SUPERINTENDENT OF SCHOOL FOR THE DEAF.

S. F. 287.

AN ACT to amend section two thousand seven hundred twenty-seven three-a (2727-3a) of the supplement to the code, 1913, providing for the salary of the superintendent of the Iowa school for the deaf.

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

- 1 SECTION 1. School for the deaf—salary of superintendent. That
- 2 section two thousand seven hundred twenty-seven-three a (2727-3a),
- 3 supplement to the code 1913, be, and the same is hereby amended, by
- 4 striking out the words “for the school for the deaf at Council Bluffs,
- 5 fifteen hundred dollars” in lines five and six of said section.

Approved April 2, A. D. 1919.

CHAPTER 129.

LEGALIZING LAND DEED TO BEN GILKERSON.

S. F. 224.

AN ACT to legalize deed of Wayne county, Iowa to Ben Gilkerson for lots one (1) and two (2) in Young's second addition to the town of Seymour, Iowa, as shown by plat recorded in book II, page 152, land deed records of the office of the recorder of Wayne county, Iowa, the same being lots one (1) and two (2) in block one (1) in Young's second addition to the town of Seymour, Iowa.

WHEREAS, Elsie E. Duskin and J. B. Duskin, her husband gave to Wayne county, Iowa a certain mortgage dated September 5th, A. D. 1902 to secure the payment of the principal sum of two hundred twenty-five and no-100 dollars, with accruing interest thereon, said mortgage conveying Lots One (1) and Two (2) in Young's Second Addition to the town of Seymour, Iowa, which said mortgage was foreclosed and bid in by Wayne county, Iowa, and said land was conveyed to Wayne county Iowa, by sheriff's deed dated December 18th, A. D. 1915, instead of to the state of Iowa as required by law, and

WHEREAS, said county sold said land to Ben Gilkerson, and conveyed to Ben Gilkerson the land so sold him by warranty deed dated September 5th, 1918, the land so sold and conveyed to said Ben Gilkerson being described as Lots One (1) and Two (2) in Block One (1) in Young's Second Addition to the town of Seymour, Iowa, as shown by plat recorded in Book II, page 152 of the land deed records at the office of the recorder of Wayne county, Iowa, said deed being recorded in Book 26 page 512, land deed records of said office, and

WHEREAS, said Wayne county has accounted to the state of Iowa for the proceeds of said sale, therefore

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

1 SECTION 1. Deed to Ben Gilkerson and grantees legalized. That
 2 the deed from Wayne county Iowa to Ben Gilkerson, for Lots One (1)
 3 and Two (2) in Block One (1) in Young's Second Addition to the town
 4 of Seymour, Iowa, as shown by plat in Book II, page 152, land deed
 5 records of the office of the recorder of Wayne county, Iowa, be and the
 6 same is hereby declared to be legal and valid and conveys to said Ben
 7 Gilkerson and his grantees, all the right, title and interest of the state
 8 of Iowa in and to said land.

1 SEC. 2. Pending litigation. Nothing in this act shall affect pending
 2 litigation.

Approved April 2, A. D. 1919.

CHAPTER 130.

GIVING OF BONDS BY GUARDIANS, ETC.

S. F. 351.

AN ACT to amend the law as it appears in section three thousand one hundred ninety-seven (3197) of the code, relating to the giving of bonds by guardians, and providing for the amount and approval of the same.

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

1 SECTION 1. Guardians—bonds—amount. The law as it appears in
 2 section three thousand one hundred ninety-seven (3197) of the code,
 3 be and the same is hereby amended by striking out the period in the
 4 sixth line thereof, and inserting a comma in lieu thereof, and adding
 5 the following to wit:

6 "provided that in cases where an approved surety company's bond
 7 is furnished said bond may be fixed in a lesser amount, but in no case
 8 less than the actual value of the present estate, and the rents and
 9 profits of the real estate, with twenty-five per centum added thereto."

Approved April 2, A. D. 1919.

CHAPTER 131.

FUGITIVES FROM JUSTICE.

S. F. 363.

AN ACT to repeal the law as it appears in chapter eighty-eight (88), acts of the thirty-seventh general assembly, and to enact a substitute therefor, relating to the appointment of agents to demand of the executive authority of another state or foreign government fugitives from justice.

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

1 SECTION 1. Repeal and substitute—fugitives from justice—agents
 1 to demand—expenses—fees, etc. That the law as it appears in chapter

2 eighty-eight (88), acts of the thirty-seventh general assembly be, and
 3 the same is, hereby repealed and the following enacted in lieu thereof;
 4 "The governor, in any case authorized by the constitution and laws of
 5 the United States, may appoint agents to demand of the executive
 6 authority of another state or territory, or from the executive authority
 7 of a foreign government, any fugitive from justice charged with trea-
 8 son or felony. The expenses to be allowed such agent shall be; fees
 9 paid the officers of the state upon whose governor the requisition is
 10 made; all necessary and actual traveling expenses paid on account of
 11 the agent and fugitive, including the necessary and actual railroad
 12 fare of the agent and that paid for transportation of the fugitive;
 13 bills for such expenses shall be made out, itemized so as to show each
 14 day's expenses, sworn to and filed with the county auditor of the proper
 15 county, the county making application for the requisition, and shall be
 16 by said county auditor audited and paid out of the county treasury."

Approved April 2, A. D. 1919.

CHAPTER 132.

CATTLE BARN, ETC., FOR STATE FAIR GROUNDS.

S. F. 193.

AN ACT to provide for the construction of a cattle barn and sale pavilion on the Iowa state fair grounds and to make an appropriation therefor.

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

1 SECTION 1. Cattle barn and sale pavilion—appropriation. There is
 2 hereby appropriated to the Iowa Department of Agriculture, out of
 3 any money in the state treasury not otherwise appropriated, the sum
 4 of one hundred fifty thousand dollars (\$150,000) for the purpose of
 5 constructing a cattle barn and sale pavilion on the Iowa State Fair
 6 Grounds.

1 SEC. 2. Appropriation available—how drawn. The amount appro-
 2 priated by this act shall be available January 1, 1920 and shall be
 3 drawn from the state treasury upon warrants issued by the state audi-
 4 tor upon the order of the state board of agriculture, signed by the
 5 president and secretary.

Approved April 2, A. D. 1919.

CHAPTER 133.

SCHOOL DISTRICT OF HURON.

H. F. 459.

AN ACT to legalize an election held in Consolidated Independent School District of Huron, Des Moines county, Iowa, authorizing the issuance of bonds in the sum of fifty-five thousand dollars (\$55,000), and to validate said bonds.

WHEREAS, at an election called by the board of directors of Consolidated Independent School District of Huron, Des Moines county, Iowa, and held on September 7, 1918, a majority of the voters in said district, voting at said election, voted in favor of issuing the bonds of said district in the sum of fifty-five thousand dollars (\$55,000), for the purpose of purchasing a school site and constructing and equipping thereon a school house; and

WHEREAS, at a meeting of the board of directors of said district held on February 8, 1918, a resolution entitled, "Resolution to provide for the issuance of \$55,000 school building bonds," was adopted authorizing the issuance of said bonds and approving the sale thereof; and

WHEREAS, doubts have arisen concerning the validity of said election and the legality of said bonds; now, therefore,

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

SECTION 1. Election—school site and house—acts of board legalized.

1 That the acts and proceedings of the board of directors of said Consoli-
 2 dated Independent School District of Huron, Des Moines county, Iowa,
 3 in calling said election and submitting to the voters of said district the
 4 question of issuing bonds in the sum of fifty-five thousand dollars
 5 (\$55,000), for the purpose of purchasing a school site and constructing
 6 and equipping thereon a school house, the notice given in respect
 7 thereof, the canvass of the votes cast thereat, and all proceedings in
 8 relation thereto, be and the same are hereby legalized and validated.

1 **SEC. 2. Bonds legalized—taxes levied.** That the school building
 2 bonds of Consolidated Independent School District of Huron, Des
 3 Moines county, Iowa, in the aggregate sum of fifty-five thousand dollars
 4 (\$55,000), so authorized at said election and directed to be issued by
 5 said resolution, be and the same are hereby legalized and validated, and
 6 when delivered to the purchaser thereof, pursuant to the contract of
 7 sale approved by said resolution, shall be the valid, legal and subsisting
 8 obligations of Consolidated Independent School District of Huron, Des
 9 Moines county, Iowa, and thereafter said district shall cause to be
 10 levied taxes for the payment of the principal of and interest upon said
 11 school building bonds in accordance with the provisions of the code of
 12 Iowa, as amended and supplemented.

1 **SEC. 3. Pending litigation.** Nothing in this act shall affect pending
 2 litigation.

1 **SEC. 4. Publication clause.** This act, being deemed of immediate
 2 importance, shall take effect and be in full force from and after its
 3 publication in the Gazette, a newspaper published in Burlington, Des

4 Moines county, Iowa, and the Des Moines Register, a newspaper pub-
5 lished in Des Moines, Iowa, without expense to the state.

Approved April 3, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register and in the Gazette April 5, 1919.

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

CHAPTER 134.

AUTHORIZATION AND LEGALIZATION OF SCHOOL BONDS, ETC.

H. F. 248.

AN ACT to amend the law as it appears in section twenty-eight hundred twenty-d4 (2820-d4), supplement to the code, 1913, relating to the vote required to authorize the issuance of bonds and to legalize elections heretofore held in school districts, where a majority of the votes cast at such elections was in favor of issuing bonds and to legalize such bonds.

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

1 SECTION 1. **Qualified voters—bonds, etc.** That section twenty-eight
2 hundred twenty-d4 (2820-d4), supplement to the code, 1913, be and the
3 same is hereby amended by striking out from the first line thereof the
4 word "electors" and inserting in lieu thereof the words "qualified
5 voters".

1 SEC. 2. **Election—bonds legalized—authorization.** That in all cases
2 where an election has been held in any school district, under the pro-
3 visions of sections twenty-eight hundred twenty-d1 (2820-d1), twenty-
4 eight hundred twenty-d2 (2820-d2), twenty-eight hundred twenty-d3
5 (2820-d3), twenty-eight hundred twenty-d4 (2820-d4) and twenty-
6 eight hundred twenty-d5 (2820-d5), supplement to the code, 1913, and
7 a majority of the votes cast, regardless of the sex of the voter, at such
8 election was in favor of the issuance of bonds, such election is hereby
9 declared to be sufficient authorization for the issuance of bonds, and all
10 bonds so authorized, whether heretofore issued or hereafter to be
11 issued, are hereby legalized and validated.

1 SEC. 3. **Pending litigation.** This act shall not affect pending litiga-
2 tion.

1 SEC. 4. **Publication clause.** This act being deemed of immediate
2 importance, shall take effect and be in force from and after its publica-
3 tion in the Des Moines Register and in the Des Moines Capital, news-
4 papers published in Des Moines, Iowa.

Approved April 3, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register and the Des Moines Capital April 5, 1919.

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

CHAPTER 135.

AUTHORIZING BONDS FOR DRAINAGE DISTRICTS, ETC.

H. F. 326.

AN ACT to authorize the issuing of drainage bonds as provided by section 1989-a27, chapter 2-a, title X, supplement to the code, 1913, for account of drainage districts organized under chapter 2-B, title X, supplemental supplement to the code, 1915, and to legalize the organization of such drainage districts and assessments levied and bonds issued in respect thereof.

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

SECTION 1. Drainage districts—bond issue—assessments, etc.—

1 **legalization.** That drainage bonds may be issued, as provided by section
2 1989-a27, chapter 2-A, title X, supplement to the code, 1913, for account
3 of drainage districts heretofore or hereafter organized under the pro-
4 visions of chapter 2-B, title X, supplemental supplement to the code,
5 1915, and all such drainage districts heretofore organized and assess-
6 ments levied and confirmed in respect thereof and bonds issued in anti-
7 cipation of the collection of such assessments, are hereby validated and
8 legalized.

1 **SEC. 2. Pending litigation.** Nothing in this act shall in any manner
2 affect pending litigation.

1 **SEC. 3. Publication clause.** This act being deemed of immediate
2 importance shall be in force and effect, from and after its publication in
3 the Iowa Forum and in the Des Moines Capital, newspapers published
4 at Des Moines, Iowa, respectively, without expense to the state.

Approved April 3, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April 5, 1919, and in the Iowa Forum April 10, 1919.

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

CHAPTER 136.

TOWN OF MADRID.

H. F. 385.

AN ACT to legalize ordinances and amendments to ordinances of the town of Madrid, Boone county, Iowa.

WHEREAS, doubts have arisen as to the legality of the ordinances and amendments to ordinances of the town of Madrid, Boone county, Iowa, being ordinances number one (1) to fifty-eight (58) inclusive, and amendments thereto, in that same were not duly and regularly adopted, signed, recorded, published, attested and authenticated, and that the record of the same was not duly and regularly signed and authenticated by the mayor and city clerk; therefore,

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

SECTION 1. Town of Madrid—ordinances and amendments legalized.

1 All ordinances and amendments to ordinances of the town of Madrid,
2 Boone county, Iowa, being ordinances numbered one (1) to fifty-eight
3 (58) inclusive and amendments thereto, be and the same are hereby
4 legalized and declared to be as valid as if all the provisions of the laws
5 of the state relating to the voting upon, passage, adoption, signing,
6 recording, attesting, authenticating and publishing of the same had
7 been duly observed and performed.

1 **SEC. 2. Pending litigation.** Nothing in this act contained shall
2 affect pending litigation.

1 **SEC. 3. Publication clause.** This act being deemed of immediate
2 importance, shall take effect and be in force from and after its publi-
3 cation in the Des Moines Capital, a newspaper published in Des Moines,
4 Iowa, and the Register News, a newspaper published in the town of
5 Madrid, Boone county, Iowa, without expense to the state.

Approved April 3, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April 5, 1919 and in the Madrid Register News April 10, 1919.

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

CHAPTER 137.

CONFIRMING LAND TITLE OF FRANK SCHULTZ, ETC.

H. F. 242.

AN ACT to confirm the title of Frank Schultz to the southeast quarter of the northwest quarter of section No. thirty-four (34) in township No. eighty-one (81) north range No. fifteen (15), west fifth P. M., in Poweshiek county, Iowa, and authorizing the issuance of a patent to him therefor.

WHEREAS the southeast quarter of the northwest quarter of Section No. thirty-four (34) in Township No. eighty-one (81) North Range No. fifteen (15) West Fifth P. M., in Poweshiek county, Iowa, together with other lands, was granted by the United States to the state of Iowa, to aid in the construction of certain railroads in said state, by an act of congress, approved May 15, 1856, and being as follows:

“An Act making a grant of lands to the state of Iowa, in alternate sections to aid in the construction of certain railroads in this state, being the vacant and unappropriated lands within twenty miles on each side of said railroad, from the city of Davenport via Iowa City and Fort Des Moines to Council Bluffs, north of base line and east of Fifth Principal Meridian, in Iowa”, and

WHEREAS, under an act of congress, approved June 2, 1864, the Chicago Rock Island and Pacific Railroad Company selected said southeast quarter of the northwest quarter of Section No. thirty-four (34) Township No. eighty-one (81) North Range No. fifteen (15) West Fifth P. M., in Powe-

shiek county, Iowa, and which selection was approved by the Department of the Interior of the United States, on March 14, 1871, as appears by the records of Poweshiek county, Iowa, found at deed record of lands No. three (3) at pages Nos. 488 and 489, and

WHEREAS no patent has been issued by the state of Iowa, covering said above described lands, to the Chicago Rock Island and Pacific Railroad Company, or to any other person, firm or corporation, and

WHEREAS Frank Schultz is now the owner of said above described lands, and holds title thereto by a perfect chain of title from the Chicago Rock Island and Pacific Railroad Company, and that he has been, together with his grantors, in possession of said land since the 14th day of June, 1876, and has during said time paid the taxes on said land and made improvements thereon, and

WHEREAS the state of Iowa does not now, and never has asserted title to said land, except for the use and benefit of said railroad company, but that the state of Iowa failed to issue a patent to said land to said railroad company, or to any other person, and that the failure to issue a patent therefor now creates an apparent defect in the title to said land, therefore

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

SECTION 1. Frank Schultz—land title confirmed—patent authorized.

1 That the title to the southeast quarter of the northwest quarter of Sec-
2 tion No. thirty-four (34) Township No. eighty-one (81) North Range
3 No. fifteen (15) West Fifth P. M., in Poweshiek county, Iowa, be con-
4 firmed in Frank Schultz, his heirs and grantees, forever, and the gov-
5 ernor and secretary of state are hereby authorized to issue, without
6 expense to the state of Iowa, a patent conveying said above described
7 land to Frank Schultz.

1 **SEC. 2. Pending litigation.** Nothing in this act shall be construed
2 as affecting pending litigation.

1 **SEC. 3. Publication clause.** This act, being deemed of immediate
2 importance, shall be in force from and after its publication in the Des
3 Moines Register and Des Moines Capital, newspapers published at Des
4 Moines, Iowa, said publication to be without expense to the state of
5 Iowa.

Approved April 3, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register and in the Des Moines Capital April 5, 1919.

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

CHAPTER 138.

NOTICE TO PROPERTY OWNERS WITHIN PROPOSED DRAINAGE DISTRICT.

H. F. 293.

AN ACT to amend section nineteen hundred eighty-nine-a three (1989-a3) of the supplement to the code, 1913, relating to the manner of giving notice to owners, lien holders and encumbrancers of property within a city or town of its inclusion within a proposed drainage district.

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

SECTION 1. Drainage district—boundaries within city or town—
 1 notice to owners, etc. That section nineteen hundred eighty-nine-a3
 2 (1989-a3) of the supplement to the code, 1913, be and the same is
 3 hereby amended by inserting after the comma following the word
 4 “individuals” in the twenty-fourth (24) line of said section the follow-
 5 ing: “and when there is included within such proposed district any por-
 6 tion of a city or incorporated town it shall be sufficient that such notice
 7 set forth the boundaries of the territory within such city or town
 8 included within the proposed district and be directed to the owners,
 9 lien holders and encumbrancers of the property within such boundaries
 10 without naming individuals,”

1 SEC. 2. Publication clause. This act being deemed of immediate
 2 importance shall take effect and be in force from and after its publica-
 3 tion in the Register and the Des Moines Capital, newspapers published
 4 at Des Moines, Iowa.

Approved April 3, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register April 5, 1919, and in the Des Moines Capital April 6, 1919.

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

CHAPTER 139.

EMPLOYMENT OF CHILD LABOR.

H. F. 11.

AN ACT to repeal section two thousand four hundred seventy-seven-c (2477-c), supplemental supplement to the code, and to enact a substitute therefor, relating to the hours that child labor may be employed in the state of Iowa.

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

SECTION 1. Repeal and substitute—child labor—occupation—hours,
 1 etc. That section two thousand four hundred seventy-seven-c (2477-c),
 2 supplemental supplement to the code, 1915, be and the same is hereby
 3 repealed and the following enacted in lieu thereof:

4 No person under sixteen years of age shall be employed at any of the
 5 places or in any of the occupations recited in section 1 hereof before the
 6 hour of seven o'clock in the morning or after the hour of six o'clock in
 7 the evening, and if such person is employed exceeding five hours of each
 8 day, a noon intermission of not less than thirty minutes shall be given
 9 between the hours of eleven and one o'clock, and such person shall not
 10 be employed more than eight hours in any one day, exclusive of the
 11 noon hour intermission; nor shall any such person be employed more
 12 than forty-eight hours in any one week; provided that whenever in any
 13 organized school district there shall have been established a part-time
 14 school, department or class, no person under sixteen years of age shall
 15 be employed for more than forty hours in any one week; nor shall any
 16 person under eighteen years of age be employed in the transmission,
 17 distribution or delivery of goods or messages between the hours of ten
 18 in the evening and five in the morning in any city of ten thousand or
 19 more inhabitants.

1 **SEC. 2. Violation of provisions—penalty.** That all the penalties con-
 2 tained in section two thousand four hundred seventy-seven-e (2477-e),
 3 supplement to the code, 1913, be and the same are hereby made
 4 applicable to any violation of the provisions of section 1 of this act.

1 **SEC. 3. Publication clause.** This act being deemed of immediate
 2 importance shall take effect and be in force from and after its passage,
 3 approval and publication in the Des Moines Capital and the Des Moines
 4 News, newspapers published at Des Moines, Iowa.

Approved April 3, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April 5, 1919 and in the Des Moines News April 6, 1919.

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

CHAPTER 140.

COUNTY OR DISTRICT FAIRS.

H. F. 41.

AN ACT to amend chapter eighty-nine (89), acts of the thirty-seventh (37th) general assembly, relating to public aid to county or district fairs.

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

1 **SECTION 1. County or district fairs—public aid.** That chapter
 2 eighty-nine (89) acts of the thirty-seventh (37th) general assembly be
 3 and the same is hereby amended by inserting in line fourteen (14)
 4 following the word "fair" the following: "in any one year".

Approved April 3, A. D. 1919.

CHAPTER 141.

ENGINEER OF DRAINAGE DISTRICT.

H. F. 284.

AN ACT to amend the law as it appears in section nineteen hundred eighty-nine-a two (1989-a2) of the supplement to the code 1913, relating to the report of engineer.

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

SECTION 1. Engineers' notes, etc., filed with report—property of drainage district. That section nineteen hundred eighty-nine-a two (1989-a2) of the supplement to the code 1913, be, and the same is hereby amended by adding after the period (.) following the word "material" in the thirty-ninth (39) line, the following:

"The engineers' notes of the preliminary survey, together with the original tracing of plat and profile of the drainage district, are to be filed with the county auditor at the time of making report, and to be the property of the drainage district, together with all other plats, profiles and reports specified in this section."

Approved April 3, A. D. 1919.

CHAPTER 142.

MUNICIPAL COURTS.

H. F. 168.

AN ACT to amend the law as it appears in section six hundred ninety-four-c1 (694-c1), supplemental supplement to the code, 1915, relating to municipal courts.

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

SECTION 1. Municipal court—population—establishment. That the law as it appears in section six hundred ninety-four-c1 (694-c1), supplemental supplement to the code, 1915, be and the same is hereby amended by striking out the words "twenty thousand" in line four of said section, and substituting in lieu thereof the words "five thousand".

Approved April 3, A. D. 1919.

CHAPTER 143.

POWERS OF SCHOOL BOARDS, ETC.

H. F. 232.

AN ACT to amend the law as it appears in section two thousand seven hundred and seventy-three (2773), supplement to the code, 1913, relating to the powers of school boards for fixing length of term, and in providing means of transportation for pupils.

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

SECTION 1. School corporations—attendance—closing or maintaining schools—transportation of pupils. The law as it appears in section two thousand seven hundred and seventy-three (2773), supplement to the code, 1913, is hereby amended by striking out the period in line seven of said section and inserting the following:

“except that no contract shall be entered into with any teacher to teach any school in the school corporation, when the average attendance in said school the last preceding term therein, was less than five pupils, unless a showing is made to the county superintendent that the number of children of school age in said school district, has increased so that ten or more will be enrolled in such school and will attend therein, in which case, or when natural obstacles to transportation of pupils to another district or other conditions make it clearly inadvisable that such schools be closed, the county superintendent may consent to maintaining a school in said district for the ensuing term. It shall be the duty of the member of the school board residing in said district to make the showing referred to herein or any resident of said district may upon his own motion make said showing.”

SEC. 2. Closed school—term—transportation of pupils—tuition, etc. That section two thousand seven hundred and seventy-three (2773), supplement to the code, 1913, be further amended by inserting a period in line ten thereof, after the word “July”, and striking from line ten the word “unless”, and striking out all of lines eleven and twelve and that portion of line thirteen before the word “No” in said line thirteen, and inserting therein the following:

“In case a school in any district be closed as herein provided, then the board of such school corporation shall provide for the instruction of the pupils in said district in another school as conveniently as may be, and shall provide for the transportation of such pupils to such other school when any one or more of such pupils reside more than one and a half miles from the school to which they have been assigned, or shall allow to the parent or guardian of such pupil or pupils a reasonable sum for transporting such child or children to such other school.

“The school board of the corporation in which the school that is closed under the provisions of this act is situated shall pay to the secretary of the school corporation in which children attend from the closed school the average cost of tuition and other expenses in the school wherein such children attend.”

Approved April 3, A. D. 1919.

CHAPTER 144.

BANKS OR TRUST COMPANIES.

H. F. 365.

AN ACT to prohibit the receiving of commissions, etc., for organizing a bank or securing subscriptions to stock.

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

SECTION 1. **Commissions or subscriptions prohibited—exceptions—**
 1 violation of provisions. No individual, partnership or corporation, shall,
 2 directly or indirectly, receive or contract to receive any commission or
 3 bonus of any kind for organizing any bank or trust company in this
 4 state, or for securing a subscription, to the original capital stock or
 5 surplus of any bank or trust company in this state, or to any increase
 6 thereof. Provided, that this section shall not be construed as prohib-
 7 iting an attorney-at-law from receiving reasonable compensation for
 8 legal service in connection therewith. Each and every individual, part-
 9 nership or corporation violating the provisions of this section shall
 10 forfeit to the state one hundred (\$100.00) dollars, for each and every
 11 such violation, and in addition thereto forfeit double the amount of
 12 such commission, compensation or bonus.

Approved April 3, A. D. 1919.

CHAPTER 145.

BUILDING LINES IN CERTAIN CITIES.

H. F. 35.

AN ACT authorizing certain cities to establish building lines by ordinance, and providing for the notice to be given thereof and for hearing objections thereto.

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

1 SECTION 1. **Building lines—establishment in certain cities.** All cities
 2 of the first and second class, including the cities acting under special
 3 charter and the cities under commission form of government, may
 4 establish, by ordinance, building lines on private or public property at
 5 such distance back from the street or highway line as may be deter-
 6 mined necessary or proper by the city council to promote the public
 7 health, safety, order and general welfare. After the establishment of
 8 any such building line, no building, other structure or addition thereto
 9 shall be erected between said line and the street or highway line.

1 SEC. 2. **Resolution—publication—objections, etc.** Whenever the
 2 council of any such city shall deem it advisable or necessary for the
 3 benefit to the city as a whole to establish a building line as authorized
 4 in this chapter, it shall, in a proposed resolution, which shall be pub-
 5 lished for two consecutive days in some newspaper of general circula-

6 tion in the city, the last publication to be not less than five days before
 7 the time set for the hearing, declare such advisability or necessity,
 8 stating the street or highway adjacent to which the line is to be estab-
 9 lished; location thereof and the time when and the place where all
 10 objections to the establishment of the same will be heard. At which
 11 hearing the ordinance may be amended but it shall not be adopted until
 12 next regular council meeting.

Approved April 3, A. D. 1919.

CHAPTER 146.

ACTING NOTARIES PUBLIC.

H. F. 495.

AN ACT to legalize the official acts of certain persons acting as notaries public.

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

SECTION 1. Notaries public—official acts before qualifying—legaliz-
 1 ing—pending litigation. That all of the official acts of all notaries
 2 public holding their office during the term ending July 4, 1918, who
 3 continued to act as such notaries public after July 4, 1918, before quali-
 4 fying as such, but have since qualified as provided by law, be and the
 5 same are hereby legalized and made valid to the same extent as though
 6 they had become duly qualified to act as notaries public immediately
 7 upon the expiration of the term ending July 4, 1918. Provided, how-
 8 ever, that nothing in this act shall affect any pending litigation.

Approved April 3, A. D. 1919.

CHAPTER 147.

APPOINTMENT OF OFFICERS IN CITIES AND TOWNS.

H. F. 208.

AN ACT to amend section six hundred fifty-one (651), supplement to the code, 1913, re-
 lating to the appointment of officers in cities and towns.

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

SECTION 1. Officers—appointment—city engineer. That section six
 2 hundred fifty-one (651), supplement to the code, 1913, be and the same
 3 is hereby amended by striking out the period at the end of said section
 4 and inserting in lieu thereof the words "and may appoint a city
 5 engineer."

Approved April 3, A. D. 1919.

CHAPTER 148.

TAX LEVY FOR FIRE FUND.

H. F. 133.

AN ACT to amend chapter one hundred thirty-one (131), acts of the thirty-seventh general assembly, relating to the levying of taxes for fire fund.

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

1 SECTION 1. Fire fund—tax levy. That chapter one hundred thirty-
2 one (131), acts of the thirty-seventh general assembly, be and the
3 same is hereby amended by striking out the word “six” in the seventh
4 (7th) line of section one thereof, and inserting in lieu thereof the word
5 “seven”.

Approved April 3, A. D. 1919.

CHAPTER 149.

CONSOLIDATED SCHOOL DISTRICTS.

S. F. 286.

AN ACT to amend section twenty-seven hundred ninety-four-a (2794-a) of the supplemental supplement to the code, 1915, as amended by chapter 432 of the acts of the thirty-seventh general assembly, relating to consolidated school districts.

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

SECTION 1. Consolidated independent school districts—petition—
1 notice—objections—appeal—election, etc. That section twenty-seven
2 hundred ninety-four-a (2794-a) of the supplemental supplement to
3 the code, 1915, as amended by chapter 432 of the acts of the thirty-
4 seventh general assembly be amended by striking therefrom the first
5 hundred lines of sub-division “a” thereof and inserting in lieu thereof
6 the following:
7 When a petition describing the boundaries of contiguous territory
8 containing not less than sixteen sections, within one or more counties,
9 asking for the establishment of a consolidated independent school
10 district and signed by one-third of the qualified voters residing therein,
11 is filed with the county superintendent of the county in which the
12 largest number of qualified voters in the proposed district reside, he
13 shall within ten days give public notice of the place and date when
14 all objections shall be filed. Such petition shall be accompanied by
15 an affidavit showing the number of qualified voters in the proposed
16 consolidated district and in case such district is in two or more counties
17 such affidavit shall show separately, as to each county, the number of
18 qualified voters in the part of each county included in the proposed
19 district. Such affidavit shall be made by some qualified voter residing
20 in the proposed district, and shall be taken as true, unless objections
21 are filed to it prior to the final decision on said petition. All notices

22 under this act shall be by one publication in a newspaper published
23 within the proposed district or if there be none, then in a newspaper
24 having general circulation within the proposed consolidated district,
25 which publications shall be made not less than five days nor more than
26 fifteen days prior to the hearing or election to which they refer.
27 Objections may be made by any person residing upon or owning land
28 within such proposed boundaries or who would be injuriously affected
29 by the formation of the proposed district and shall be on file not later
30 than twelve o'clock noon of the day fixed for receiving objections.
31 Within five days after such filings the county superintendent shall
32 review all papers filed in his office and after careful review and investi-
33 gation of their merits shall overrule or sustain the objections filed and
34 fix and determine the boundary lines of the proposed consolidated
35 district. In determining these boundaries he shall so locate the
36 boundary lines as will in his judgment form the best possible consoli-
37 dated district, having due regard also to the welfare of adjoining
38 districts. He shall also notify at once all objectors by registered
39 letter of his decision.

40 Any person having filed objections and being aggrieved by the ruling
41 of the county superintendent may appeal from his decision to the
42 county board of education within ten days after the decision is
43 rendered, by serving written notice on the said county superintendent.
44 Within five days after said notice has been received, the county super-
45 intendent shall file with the county board of education all of the
46 original papers together with his decision and fix the time and place
47 where such appeal will be heard and shall give notice to appellants by
48 registered letter as heretofore provided. The time fixed for such
49 hearing shall be not less than ten nor more than fifteen days from the
50 date his decision is rendered. The county board of education shall
51 determine such appeal within five days after the submission thereof
52 which decision shall be final as to said boundaries.

53 If no objections be filed or if the objections be not sustained, it shall
54 be the duty of the county superintendent with whom said petition has
55 been filed to call an election in the proposed consolidated district, legal
56 notice of which shall be given as hereinbefore provided. At the elec-
57 tion all qualified voters residing in the proposed consolidated district
58 shall be entitled to vote by ballot for or against the establishment
59 thereof.

60 When it is proposed to include in such district a school corporation
61 containing a city, town or village with a population of two hundred or
62 more inhabitants, the voters residing upon the territory outside the
63 limits of the said school corporation shall vote separately upon the
64 proposition to create such new district. The judges of said election
65 shall provide separate ballot boxes in which shall be deposited the
66 votes cast by the qualified voters from their respective territory, and
67 if a majority of the votes cast by the qualified voters residing either
68 within or without the limits of the aforesaid school corporation is
69 against the proposition to form a consolidated independent corpora-
70 tion, then the proposed corporation shall not be formed. If a majority
71 of the votes so cast in each territory shall be in favor of such inde-
72 pendent organization, the organization of the proposed consolidated
73 independent school corporation shall be completed by the election of a
74 board of directors for said school corporation. Said election shall be
75 called by the same county superintendent and by giving the same
76 notice as provided for the calling of the election to establish said con-

77 solidated independent district. At such election two directors shall be
 78 chosen to serve until the next annual meeting, two until the second,
 79 and one until the third annual meeting thereafter. It is further pro-
 80 vided that when a consolidated independent district is so organized
 81 it shall not be reduced to less than sixteen sections unless dissolved
 82 as provided by law.

83 No remaining portion of any school corporation from which terri-
 84 tory is taken to form such a consolidated independent corporation shall,
 85 after the change, contain less than four government sections, which
 86 territory shall be contiguous and so situated as to form a suitable
 87 corporation. In the formation of such consolidated school corporation
 88 the boundary lines shall conform to those of school corporations or
 89 sub-districts already established, provided however that the county
 90 board of education on hearing, may fix other boundaries than herein
 91 prescribed, when because of meandering streams, irregular boundaries
 92 of existing sub-districts or school corporations or the location of high-
 93 ways, the welfare of the consolidated district and adjoining districts
 94 may be better served. In case the boundary of such sub-districts be
 95 a public highway then the said consolidated district may include such
 96 tracts of one hundred sixty acres or less as are contiguous to the said
 97 highway. And where after the formation of such consolidated school
 98 corporation, there is left in any school township one or more pieces
 99 of territory containing four or more government sections, each of such
 100 pieces of territory shall thereon become a rural independent school
 101 corporation, unless two or more sub-districts remain in a contiguous
 102 body, in which event such remaining portion of territory shall con-
 103 stitute a school township, and it shall be the duty of the officers of
 104 the former school township to call an election in each of such remain-
 105 ing pieces of territory for the purpose of electing school officers in
 106 the manner provided by law for the election of officers in rural inde-
 107 pendent school and school township corporations. The judges of the
 108 elections herein provided for shall be appointed by the county super-
 109 intendent with whom the petition was filed. Such judges shall be
 110 qualified voters of the territory or district in which they are to
 111 serve. If any judge fails to appear at the proper time his place shall
 112 be filled by the judge or judges present.

1 SEC. 2. Publication clause. This act being deemed of immediate
 2 importance shall take effect and be in force when published in the
 3 Des Moines Capital and Des Moines Register, newspapers published
 4 in Des Moines, Iowa.

Approved April 5, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital
 and in the Des Moines Register April 8, 1919.

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

CHAPTER 150.

TEMPORARY SIDEWALKS IN CITIES AND TOWNS.

H. F. 266.

AN ACT to amend section seven hundred seventy-seven (777), supplement to the code, 1913, relating to temporary sidewalks in cities and towns.

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

1 SECTION 1. Temporary sidewalks—cost, etc. That section seven
2 hundred seventy-seven (777), supplement to the code, 1913, be and
3 the same is hereby amended by striking out the word “forty” in line
4 four of said section and inserting in lieu thereof the word “sixty”.

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

Approved April 5, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register and in the Des Moines Capital April 8, 1919.

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

CHAPTER 151.

LOANS AND LOAN CORPORATIONS.

H. F. 398.

AN ACT to aid in the securing of loans by deserving persons whose business or circumstances are such as to make it desirable or convenient for them to accumulate funds with which to repay such loans by paying into a fund comparatively small amounts at frequent regular intervals, and to provide for the taxation of corporations engaged in such loan business.

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

SECTION 1. Loans to deserving persons—loan corporations—
1 requirements. That any domestic corporation engaged in the busi-
2 ness of loaning money to deserving persons whose business or circum-
3 stances are such as to make it desirable or convenient for them to
4 accumulate funds with which to repay such loans by paying into a
5 fund comparatively small amounts at frequent regular intervals, which
6 fund may be held by such corporation as collateral security for the pay-
7 ment of such loans, may take advantage of the provisions of this act
8 on or before January 15th of each year by filing with the auditor of
9 state, of the state of Iowa, a verified report and statement of its finan-
10 cial condition, and showing the following items:
11 (a) Its total capital stock paid in.
12 (b) Its net surplus and undivided profits.

- 13 (c) The total amount of loans outstanding.
 14 (d) The highest rate of interest charged and collected on loans
 15 made by it.
 16 (e) Whether its loans have been made to deserving persons whose
 17 business or circumstances are such as to make it desirable or con-
 18 venient for them to accumulate funds with which to repay such loans
 19 by paying into a fund comparatively small amounts at frequent regular
 20 intervals.
 21 (f) Such further information in detail as the auditor of state shall
 22 from time to time require.

1 SEC. 2. Examination of books, etc.—expense. The auditor of state
 2 may in his discretion examine the books, records, business and methods
 3 of doing business of such corporation once each year, and the annual
 4 expense of said examination shall not exceed twenty-five dollars
 5 (\$25.00), which shall be paid by the corporation.

1 SEC. 3. Report, etc.—certificate—taxation. If the auditor of state
 2 finds from such report or said examination, or both, that such cor-
 3 poration has honestly and in good faith so conducted its business as
 4 to aid deserving persons in the manner provided in section 1 of this
 5 act, and that the corporation has not collected a usurious rate of
 6 interest from the borrower on his loan; then the auditor of state shall
 7 issue to said corporation a certificate to that effect which shall entitle
 8 the corporation to be assessed on the net actual value of its moneys
 9 and credits at the rate of five mills on the dollar, which taxation shall
 10 be in lieu of all other taxes on the stock of said corporation and on its
 11 moneys and credits.

1 SEC. 4. Pending litigation. This act shall not apply to pending
 2 litigation.

1 SEC. 5. Publication clause. This act, being deemed of immediate
 2 importance, shall take effect and be in force from and after its publi-
 3 cation in the Des Moines Capital, a newspaper published in Des Moines,
 4 Iowa, and the Cedar Rapids Tribune, a newspaper published in Cedar
 5 Rapids, Iowa.

Approved April 5, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April 8, 1919 and in the Cedar Rapids Tribune April 11, 1919.

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

CHAPTER 152.

TOWN OF DALLAS CENTER.

H. F. 439.

AN ACT to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants for the town of Dallas Center, Iowa.

WHEREAS, the town of Dallas Center, in the county of Dallas and state of Iowa, did heretofore issue its warrants to pay for certain deficiencies

in assessments made against certain lots within its corporate limits to pay the cost of paving certain streets therein, and

WHEREAS, the said town by its council issued warrants aggregating the sum of sixty-two hundred nineteen and 41/100 dollars (\$6,219.41) to evidence the indebtedness incurred in making said improvement and numbered 1643 to 1649, both inclusive, and

WHEREAS, said expenditures were all made for purpose authorized by law and the town is enjoying the use and benefit of said expenditures, and

WHEREAS, the purpose for which said expenditures were made and the result thereof were and are well worth the sum, which the town by contract agreed to pay therefor, and

WHEREAS, said warrants, when issued, did not and do not now exceed the constitutional limitation of indebtedness of said town, and

WHEREAS, doubt has arisen concerning the legality of said warrants, on the ground that the aforesaid expenditure or a portion thereof may be in excess of the town's authorized revenue, and

WHEREAS, doubt has arisen concerning the legality of the aforesaid warrants on the ground that the aforesaid expenditures were not provided for in said town's annual appropriation, and

WHEREAS, doubt has arisen concerning the legality of the aforesaid warrants on the ground that the indebtedness, which said warrants evidence, is in excess of the statutory limit of indebtedness, and

WHEREAS, on February 7, 1919, at a regular meeting of the town council of said town of Dallas Center, Iowa, a resolution was duly and legally adopted authorizing and directing the issuance of negotiable bonds of the said town payable 1920 to 1931 in the aggregate sum of sixty-two hundred dollars (\$6,200.00) for the purpose of funding said warrant indebtedness.

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

1 SECTION 1. Town council—acts legalized. That the acts of the
2 town council of Dallas Center, Iowa, in making expenditures for
3 improvement of streets, issuing warrants therefor in the sum of sixty-
4 two hundred nineteen and 41/100 dollars (\$6,219.41) and authorizing
5 and directing the issuance and sale of negotiable bonds in the sum
6 of sixty-two hundred dollars (\$6,200.00) be and the same are hereby
7 legalized as though first made in strict compliance with the law.

1 SEC. 2. Warrants legalized, etc. The aforesaid warrants of the
2 town of Dallas Center, Dallas county, Iowa, in the aggregate sum of
3 sixty-two hundred nineteen and 41/100 dollars (\$6,219.41) be and the
4 same are each hereby legalized and declared to be valid, legal and sub-
5 sisting obligations the same as though the law had been in all respects
6 complied with.

1 SEC. 3. Bonds legalized—levy authorized. The aforesaid bonds
2 of the town of Dallas Center, Iowa, in the aggregate sum of sixty-
3 two hundred dollars (\$6,200.00) authorized and directed to be issued
4 and sold for purpose of funding the aforesaid warrants, be and the
5 same are hereby legalized and when sold in accordance with the law
6 shall be valid, legal and binding obligation against said town of Dallas
7 Center, Iowa, the same as though the law had been in all respects
8 complied with and a levy sufficient to pay principal and interest of said
9 bonds is hereby authorized.

1 SEC. 4. Pending litigation. Nothing in this act shall affect pend-
2 ing litigation.

1 SEC. 5. Publication clause. This act being deemed of immediate
2 importance shall take effect and be in force from and after its publi-
3 cation in the Des Moines Capital, a newspaper published in the city
4 of Des Moines, Iowa, and Dallas Center Times, a newspaper published
5 in the town of Dallas Center, Iowa, without expense to the state.

Approved April 5, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and
in the Dallas Center Times April 10, 1919.

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

CHAPTER 153.

TOWN OF ADEL.

H. F. 456.

AN ACT to legalize certain warrants and the issuance and sale of negotiable bonds
funding said warrants for the town of Adel, Iowa.

WHEREAS, the town of Adel, in the county of Dallas and state of Iowa,
did heretofore make expenditures in the sum of ten thousand (\$10,000.00)
dollars; and,

The said town of Adel issued warrants in the sum of ten thousand
(\$10,000.00) dollars to evidence the indebtedness incurred in making said
expenditures; and,

Said warrants did not when issued, and do not now, exceed the consti-
tutional limitation of the indebtedness of said town; and,

Said expenditures were all made for the purpose authorized by law; and,

The town of Adel has been and now is enjoying the use and benefit of
said expenditures; and,

The purpose for which said expenditures were made, and the result
thereof, were and are well worth the sum which the said town of Adel con-
tracted should be paid therefor; and,

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 town's authorized annual
revenue; and,

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 in the said town's annual appropriation;
and

Doubts have arisen concerning the legality of the aforesaid warrants,
or a portion thereof, on the ground that the indebtedness which said war-
rants evidence was contracted in excess of the statutory limitation on
indebtedness; and,

On the 3rd day of March, 1919, at a duly and legally called regular
meeting of the town council, of the town of Adel, Iowa, a resolution was
duly and legally adopted authorizing and directing the issuance of negoti-

able bonds of said town in the aggregate sum of ten thousand (\$10,000.00) dollars, for the purpose of funding the aforesaid outstanding warrant indebtedness.

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

1 **SECTION 1. Town council—acts legalized.** That the acts of the
2 town council of the town of Adel, Iowa, in making expenditures for the
3 town of Adel, issuing warrants therefor in the sum of ten thousand
4 (\$10,000.00) dollars, and authorizing and directing the issuance and
5 sale of negotiable bonds in the sum of ten thousand (\$10,000.00)
6 dollars for the purpose of funding the aforesaid warrants, be and the
7 same are hereby legalized as though the law had been complied with
8 in all respects.

1 **SEC. 2. Warrants legalized.** The aforesaid warrants of the town
2 of Adel, Iowa, in the aggregate sum of ten thousand (\$10,000.00)
3 dollars, be and the same are hereby legalized and declared to be valid,
4 legal and subsisting obligations the same as though the law had been
5 complied with in all respects.

1 **SEC. 3. Bonds legalized.** The aforesaid bonds of the town of
2 Adel, Iowa, in the aggregate sum of ten thousand dollars (\$10,000.00)
3 authorized and directed to be issued and sold for the purpose of fund-
4 ing the aforesaid warrants, be and the same are hereby legalized and
5 when sold as by law provided shall be a valid, legal and subsisting
6 obligation against the town of Adel, Iowa, the same as though the
7 law had been complied with in all respects.

1 **SEC. 4. Pending litigation.** Nothing in this act shall affect pend-
2 ing litigation.

1 **SEC. 5. Publication clause.** This act being deemed of immediate
2 importance shall take effect and be in force from and after its publi-
3 cation in Des Moines Capital, a newspaper published in the town of
4 Des Moines, Iowa, and Dallas County News, a newspaper published
5 in the town of Adel, Iowa, without expense to the state.

Approved April 5, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April 8, 1919 and in the Dallas County News April 9, 1919.

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

CHAPTER 154.

LAND PATENT TO JOSEPH B. HILL.

H. F. 479.

AN ACT authorizing the governor of the state of Iowa to issue patent conveying to Joseph B. Hill, the following described lands situated and lying in Greene county, state of Iowa, to wit: The southeast quarter (SE $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of section seventeen (17), township eighty-five (85) north range thirty (30), west of the fifth (5th) principal meridian and containing forty (40) acres, more or less, according to the government survey.

WHEREAS, the said southeast quarter (SE $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of section seventeen (17) township eighty-five (85) north range thirty (30) west of the fifth (5th) principal meridian, being a part of the northwest quarter (NW $\frac{1}{4}$) of section seventeen (17) township eighty-five (85) north range thirty (30), was granted to the state of Iowa under act of congress May 15th, 1856 and approved to the state of Iowa April 20th, 1869; that on the 14th day of September, 1874, a patent was issued by the state of Iowa to the Cedar Rapids and Missouri River Railroad Company; that through oversight and mistake the said southeast one fourth (SE $\frac{1}{4}$) of the northwest one fourth (NW $\frac{1}{4}$) of section seventeen (17) township eighty-five (85) north range thirty (30), was not included in said patent, and

WHEREAS, the said Cedar Rapids and Missouri River Railroad Company, acting upon supposition that the said southeast quarter (SE $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of section seventeen (17) township eighty-five (85) north range thirty (30), was included in aforesaid patent and grant deeded all of said northwest one fourth (NW $\frac{1}{4}$) of section seventeen (17) township eighty-five (85) north range thirty (30) to the Iowa Railroad Land Company, and

WHEREAS, the Iowa Railroad Land Company on October 24th, 1883, deeded the southeast quarter (SE $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of section seventeen (17) township eighty-five (85) north range thirty (30), and based upon said deed said southeast quarter (SE $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of section seventeen (17) township eighty-five (85) north range thirty (30), has been deeded many times until the first day of March, 1918, when the said southeast (SE $\frac{1}{4}$) quarter of the northwest quarter (NW $\frac{1}{4}$) was deeded to one Joseph B. Hill, and

WHEREAS, during all the time since the attempted transfer of said land by the state of Iowa in 1874 to the first day of March, 1919, taxes have been paid regularly upon said land as assessed, and

WHEREAS, the said land, when attempted to be transferred from the state of Iowa to the Cedar Rapids and Missouri River Railroad Company, was wild, unbroken and unproductive prairie land and of little value, and

WHEREAS, since the attempted grant, patent or deed in 1874 the said southeast quarter (SE $\frac{1}{4}$) northwest quarter (NW $\frac{1}{4}$) of section seventeen (17) township eighty-five (85) north range thirty (30), has been held in open, notorious and adverse possession under claim of right by the said Cedar Rapids and Missouri River Railroad Company and its grantees down to and including the present holder of said record title, to wit, Joseph B. Hill, and

WHEREAS, the said land has been sold and resold and by successive conveyance in an unbroken line the title to said tract is now vested in Joseph B. Hill, therefore,

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

1 SECTION 1. Joseph B. Hill—land patent authorized. That the
2 governor of the state of Iowa be, and is hereby authorized, empowered
3 and directed to execute and deliver to Joseph B. Hill a patent to the
4 southeast quarter (SE $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of section
5 seventeen (17) township eighty-five (85) north range thirty (30)
6 west of the fifth (5th) principal meridian in Greene county, Iowa.

1 SEC. 2. Publication clause. This act, being deemed of immediate
2 importance, shall take effect and be in force from and after its publi-
3 cation in the Des Moines Capital, a newspaper published at Des Moines,
4 Iowa, and the Jefferson Bee, a newspaper published at Jefferson, Iowa,
5 without expense to the state of Iowa.

Approved April 5, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April 8, 1919 and in the Jefferson Bee April 9, 1919.

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

CHAPTER 155.

MUNICIPAL COURT BUILDINGS.

H. F. 535.

AN ACT to confer additional power on cities now or hereafter having a population of eighty-five (85,000) thousand inhabitants or over, including cities acting under the commission plan of government, relating to municipal court buildings.

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

1 SECTION 1. Municipal court buildings—funds to complete—pro-
2 cedure. That all cities now or hereafter having a population of
3 eighty-five (85,000) thousand inhabitants or over, including cities
4 acting under the commission plan of government, in which an election
5 on the question of the erection of a municipal court building has been
6 held, and a majority of the voters voting at such election voted in
7 favor thereof, and such cities, because of increased cost of construc-
8 tion due to the war have been unable to complete such municipal court
9 building and furnish and equip the same with the amount fixed in the
10 question submitted to vote, shall have power without again submitting
11 such question to an election to complete such municipal court building
12 and furnish the same, and to secure the funds with which to pay
13 therefor may levy a tax and anticipate the same by the issue of interest
14 bearing bonds as provided in sections two and three of chapter 17 of
15 the laws of the 37th general assembly, and said chapter, except section
five thereof, shall so far as applicable apply to this act.

1 **SEC. 2. Publication clause.** This act being deemed of immediate
 2 importance, shall take effect and be in force from and after its passage
 3 and publication in the Des Moines Register and the Des Moines Capital,
 4 newspapers published in Des Moines, Iowa.

Approved April 5, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register and the Des Moines Capital April 8, 1919.

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

CHAPTER 156.

QUALIFICATIONS OF TEACHERS, ETC.

H. F. 332.

AN ACT to repeal the law as it appears in section two thousand seven hundred and thirty-four-p (2734-p), supplement to the code, 1913, and to enact a substitute therefor and relating to qualifications of teachers, teachers' certificates and fee therefor.

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

That section two thousand seven hundred and thirty-four-p (2734-p), supplement to the code, 1913, is hereby repealed and the following enacted in lieu thereof:

SECTION 1. Substitute enactment—teachers—qualifications—certificate, etc.—act not applicable. Each applicant for a certificate shall pay a fee of one dollar (\$1.00), one half of which shall be paid into the state treasury on or before the first day of the succeeding month, and one half shall be paid into the county institute fund. Provided, however, that all applicants for teachers' certificates shall have had, before receiving a certificate to teach, at least twelve weeks of normal training and shall furnish a certificate from the institution where such training has been received, which certificate shall have printed thereon the subjects taken and the standing in each subject; but the examination in all subjects other than didactics may be taken at any regular examination prior to, or after, the term of normal training has been taken; the examination shall not be complete until the normal training has been certified as herein provided.

It is further provided that this act shall not apply to the regular graduates of the state university, state teachers' college, state college of agriculture and mechanic arts, any accredited college of the state, or any other school of like character outside the state.

It is further provided that, in the case of graduates of four year courses in approved or accredited high schools, the grades made in didactics in an approved normal training course in any of the institutions mentioned in this section may be accepted by the state board of educational examiners and by the county superintendent in lieu of the examination in didactics.

1 **SEC. 2. Publication clause.** This act being deemed of immediate
 2 importance shall take effect and be in force from and after its publi-

3 cation in the Des Moines Register and the Des Moines Capital both
4 published in the city of Des Moines, Iowa.

Approved April 5, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register and the Des Moines Capital April 8, 1919.

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

CHAPTER 157.

LAND PATENT TO HOMER CLARK.

H. F. 466.

AN ACT authorizing and directing the governor and secretary of state to execute and deliver to Homer Clark a patent conveying government lot 2 of section 31, township 77 north, range 20 west 5th P. M., in Marion county, Iowa.

WHEREAS, the United States of America, by act of congress, dated August 8, 1846, granted to the state of Iowa government lot 2 of section 31, township 77 north, range 20 west 5th P. M., and said lands were purchased from the state of Iowa July 9, 1857, by Alonzo Reynolds and patent was issued to the said Alonzo Reynolds on February 16, 1853, and, in said patent, said real estate was erroneously described as being lot 2, quarter section 31, township 77 north, range 20 west 5th P. M., which erroneous description cast a cloud upon the title of the present owner of said real estate; and,

WHEREAS, Homer Clark is the present owner of said real estate and has an unbroken chain of title from the United States to him, therefore, in order to clear the apparent cloud upon said title,

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

1 SECTION 1. Homer Clark—land patent—conveyance. That the
2 governor and secretary of state shall, in the name of the state of
3 Iowa and under its seal, convey by patent to Homer Clark the following
4 described real estate, to wit:

5 Government lot No. 2, section 31, township 77 north, range 20 west
6 5th P. M., Marion county, Iowa; and transfer to him any and all
7 interest which the state of Iowa may have in said real estate, said
8 conveyance to have the same force and effect as the original patent,
9 which does not correctly describe said real estate.

Approved April 5, A. D. 1919.

CHAPTER 158.

NOTICES OF INCORPORATION.

H. F. 199.

AN ACT to legalize the publication of certain notices of incorporation in cases where notice had not been published within the time as provided in section sixteen hundred fourteen (1614) of the code.

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

SECTION 1. Notices of incorporation—delayed publication—
 1 legalization. That in all instances where the incorporators of cor-
 2 porations organized in this state for pecuniary profit have omitted
 3 to publish notices of such incorporation within three months from
 4 and after the date of the certificates of incorporation issued by the
 5 secretary of state, but did publish such notices within three months
 6 after the date required by law in such cases in the manner and form
 7 as required by law, such notices of incorporation are hereby legalized,
 8 and shall have the same force and effect in all respects as though the
 9 same had been published within said three months' period, as provided
 10 by section sixteen hundred and fourteen (1614) of the code and amend-
 11 ments thereto, and all the corporate acts of such corporations from
 12 and after the date of such completed publications are hereby legalized
 13 in all respects.

1 SEC. 2. Pending litigation. Nothing herein contained shall be so
 2 construed as to affect any pending litigation.

Approved April 5, A. D. 1919.

CHAPTER 159.

EQUIPMENT FOR FIRE DEPARTMENTS.

H. F. 205.

AN ACT to amend the law as it appears in chapter one hundred thirty-one (131), laws of the thirty-seventh (37th) general assembly, relative to levying taxes by cities and towns for the purpose of equipping fire departments.

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

1 SECTION 1. Fire equipment—fund—certain cities. That chap-
 2 ter one hundred thirty-one (131) of the laws of the thirty-seventh
 3 (37th) general assembly, be and the same is hereby amended as
 4 follows:

5 By inserting after the word "towns", in line sixteen thereof, the
 6 words "and cities with a population not in excess of three thousand
 7 (3,000)".

Approved April 5, A. D. 1919.

CHAPTER 160.

SCHOOL TERM FOR DISCHARGED SOLDIERS, ETC.

H. F. 290.

AN ACT to amend section twenty-seven hundred seventy-three (2773), supplement to the code, 1913, and twenty-seven hundred thirty-three-one a (2733-1a), supplemental supplement to the code, 1915, relating to the length of time pupils may attend the public schools and the payment of tuition in certain cases.

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

1 SECTION 1. Soldiers, etc.—public schools—term extended. That
2 section twenty-seven hundred seventy-three (2773), supplement to
3 the code, 1913, be and the same is hereby amended by inserting after
4 the comma in the eighth line the words “and to resident honorably
5 discharged soldiers, sailors, and marines as many months after becom-
6 ing twenty-one (21) years of age as they have spent in the military
7 and naval service of the United States before they became twenty-one
8 (21).”

1 SEC. 2. Attendance outside home district—tuition. That sec-
2 tion twenty-seven hundred thirty-three-one a (2733-1a), supplemental
3 supplement to the code, 1915, be and the same is hereby amended by
4 striking from the eleventh line the words “of school age” and inserting
5 in lieu thereof the words “entitled to attend the public schools.”

Approved April 5, A. D. 1919.

CHAPTER 161.

COMPENSATION OF JURORS IN MUNICIPAL COURTS.

H. F. 339.

AN ACT to amend the law as it appears in section 694-c42 of the supplemental supplement to the code, 1915, relating to the pay of jurors in municipal courts.

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

1 SECTION 1. Jurors in municipal courts—compensation. That
2 section 694-c42 of the supplemental supplement to the code, 1915, be
3 amended by striking out all words before the period in the second line
4 and inserting in lieu thereof the following:
5 The jurors provided for herein shall receive the same compensation
6 as jurors in the district court, except that they shall be allowed no
7 mileage.

Approved April 5, A. D. 1919.

CHAPTER 162.

UNPAID DRAINAGE WARRANTS.

H. F. 414.

AN ACT to amend the law as it appears in section one thousand nine hundred eighty-nine-a nine (1989-a9), supplement to the code, 1913, as amended by chapter two hundred sixty-four (264) of the acts of the 37th general assembly, by providing for keeping a record of holders of drainage warrants, and for notifying such holders by the county treasurer of funds with which to pay such warrants.

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

That the law as it appears in section one thousand nine hundred eighty-nine-a nine (1989-a9) supplement to the code, 1913, as amended by chapter two hundred sixty-four (264) of the acts of the thirty-seventh general assembly, be amended by adding thereto the following, to wit:

SECTION 1. Unpaid drainage warrants—record of holders of.

1 When a warrant drawn upon the funds of any drainage district is
 2 presented to the county treasurer for payment and not paid for want
 3 of funds and so endorsed by the treasurer, said treasurer shall make
 4 and keep a record of the owner and holder presenting such warrant,
 5 together with his or its postoffice address.

1 SEC. 2. Transfer—record to show. Whenever such drainage
 2 warrant shall be assigned and transferred after having been so
 3 endorsed by the county treasurer, the assignee thereof may notify
 4 the treasurer of such assignment, giving the treasurer his or its name
 5 and postoffice address; and upon the receipt of such notice by the
 6 treasurer he shall make a memorandum in the record kept of such
 7 warrant, showing the name and address of each such successive
 8 assignee or holder.

1 SEC. 3. Funds—notice to holder—interest. Whenever the treas-
 2 urer shall have funds on hand to pay such warrant or warrants, he
 3 shall in addition to the call provided for in section four hundred eighty-
 4 four (484) of the code, mail a written notice of such call to the then
 5 holder thereof as shown by his said record, and shall make a memo-
 6 randum showing the date of mailing such notice as shown by the
 7 memorandum herein required to be made, the interest on such warrant
 8 or warrants shall cease.

Approved April 5, A. D. 1919.

CHAPTER 163.

MUNICIPAL COURT JUDGES, CLERKS, BAILIFFS, ETC.

H. F. 303.

AN ACT to repeal section six hundred ninety-four c-six (694-c6) of the supplemental supplement to the code of Iowa, 1915, and to enact a substitute therefor, providing for the number of judges of the municipal court, and the clerks and bailiffs thereof, and the method of appointment, nomination, and election, and tenure of office.

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

SECTION 1. Repeal and substitute—municipal court judges, etc.—number—tenure of office. That section six hundred ninety-four c six (694-c6), supplemental supplement to the code, 1915, be and the same is hereby repealed and the following enacted in lieu thereof:

That in any city having a population of less than thirty thousand inhabitants, as shown by the last state or United States census, wherein a municipal court has been or may hereafter be established, there shall be one municipal judge; in cities having more than thirty thousand and less than fifty thousand inhabitants there shall be two municipal judges; provided further, that in cities having more than fifty thousand inhabitants there shall be one municipal judge for each thirty thousand inhabitants or major fraction thereof, provided that the inhabitants of any civil township in which said city or any part thereof is located shall be counted in determining the number of judges. In every city, establishing a municipal court, as herein provided, there shall be nominated at the following primary, and elected at the following city election, a judge or judges of said municipal court, a clerk and a bailiff thereof, as hereinafter provided. Provided, however, that when the territorial limits of any municipal court extend beyond the city limits to the borders of any township in which any such city is located as herein provided, then the primary and general election shall be held on the same day and subject to the same requirements as said city primary and election. They shall qualify and their terms of office shall begin on the first Monday after their election. The term of office of each judge and of the clerk and bailiff shall be four years.

SEC. 2. Additional judge—appointment. In any city which shall be entitled to an additional judge of the municipal court under the provisions of this act a vacancy shall be deemed to exist as to the office of such additional judge and the governor shall, by appointment, fill such vacancy as provided in section six hundred ninety-four c-sixteen (694-c16) of the supplemental supplement to the code, 1915.

Approved April 5, A. D. 1919.

CHAPTER 164.

TOWN OF LONG GROVE.

S. F. 442.

AN ACT to legalize the plat and dedication of the incorporated town of Long Grove, Scott county, Iowa.

WHEREAS, the town council of the town of Long Grove, did on the 12th day of March, 1913, cause to be surveyed and platted the various lots and blocks of said town which had heretofore been designated and recorded by their metes and bounds descriptions only, and

WHEREAS, it is desired that the aforesaid plat be adopted for all purposes in the transfer and assessment of said lots and blocks, and be accepted by all courts as evidence for any purpose whatsoever, and

WHEREAS, it is impossible at this time to secure the acknowledgment of all lot owners as provided by law for the platting of towns and additions, therefore

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

SECTION 1. Town of Long Grove—plat, etc., legalized—pending litigation. That the plat and dedication of the incorporated town of Long Grove, Scott county, Iowa, is hereby legalized and declared to be legal, valid and binding to the same extent and with the same force and effect as though all of the provisions of law governing the platting and dedication of towns and additions thereto, existing and in force at the time of the platting and dedication of said town site, had been fully complied with. But nothing in this act shall in any manner affect pending litigation.

SEC. 2. Record of plat, etc.—force and effect. That the record of the plat and dedication of the incorporated town of Long Grove, Scott county, Iowa, as same now exists on the records of Scott county, Iowa, may be offered and shall be received in evidence in any and all courts of this state, for all purposes whatsoever, and shall have the same force and effect as if all the laws governing the platting and dedication of towns and additions thereto, and the recording of such plats and additions, existing at the time of the platting, dedication and recording thereof of said town of Long Grove, had been fully complied with.

Approved April 7, A. D. 1919.

CHAPTER 165.

JUVENILE HOME.

S. F. 227.

AN ACT to establish a home for dependent, neglected, delinquent or destitute children, residents of Iowa, as defined by the laws of the state of Iowa, to secure necessary grounds, site, buildings and equipment therefor, conferring full power to manage, control and govern the same upon the board of control of state institutions, and to make necessary appropriations therefor.

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

1 SECTION 1. Juvenile home—establishment and equipment. The
2 board of control of state institutions is hereby authorized, and it shall
3 be the duty of the state board of control of state institutions to, at
4 once, establish a fit and proper Juvenile Home for the reception and
5 care and education of dependent, neglected, delinquent or destitute
6 children residents of Iowa as now or hereafter defined by the laws
7 of the state of Iowa, and it shall procure or cause to be procured, build
8 or erect suitable and necessary grounds, buildings, furniture and
9 fixtures and equipment therefor.

1 SEC. 2. Superintendent, assistants, etc.—remuneration—rules
2 —duties. The said board of control shall appoint a general super-
3 intendent who shall, subject to the approval of the board of control,
4 appoint such assistants, teachers, physicians and other employees as
5 shall in the judgment of the board of control be necessary, and said
6 board of control shall fix and determine the salaries, wages and remun-
7 eration to be paid to each of the persons employed at said home. Said
8 board of control may make such rules and regulations for the govern-
9 ment and control of said home and prescribe such duties for the said
10 superintendent and for any officer or employee connected therewith
as in its judgment shall be deemed advisable.

1 SEC. 3. Superintendent—duties—school instruction, manual
2 training, etc. It shall be the duty of the superintendent, under the
3 direction of the board of control, to provide for instruction for the
4 inmates of said home and to provide instructors and appliances for
5 teaching and giving instruction in common school and higher branches,
6 science and arts, so far as practicable, and in such manual training
7 as shall best physically and otherwise develop and fit such inmates
8 to become good citizens and obtain for themselves a livelihood upon
9 discharge from said home and may also provide for instruction and
exercise in elementary military tactics.

1 SEC. 4. Opening of home—notification of judges. It shall
2 be the duty of the said board of control to notify all judges of the
3 district and superior courts of the state of Iowa, not less than thirty
4 days before the opening of said home, of the time when said home is
5 to be opened, and, after that date, the district and superior courts of
6 the state shall send to said home all mentally and physically, normal
7 resident children who may be by said courts adjudicated to be
8 dependent, neglected, delinquent or destitute children, unless it shall
9 appear to the court, in the exercise of its discretion, to be the best

10 interest of said child or children to make other lawful provision for
11 such child or children.

1 **SEC. 5. Admission to home—approval of application.** Destitute
2 children, not adjudicated to be such by the juvenile court and who
3 have legal settlement in the state, may be admitted to said home
4 upon application for admission when said application is approved by
5 the board of supervisors of the county of legal settlement or a judge
6 of a court of record having jurisdiction in said county.

1 **SEC. 6. Eligibility.** Such dependent, neglected or destitute and
2 delinquent children as are under the age of fifteen years shall be
3 eligible to admission in said home when this act, and other laws of
4 the state of Iowa applying thereto, have been complied with.

1 **SEC. 7. Adoption.** Any child in said home who is an orphan or
2 has been abandoned by its parents, and any child in the home who
3 is not an orphan and who has not been abandoned, with the consent,
4 in writing, of its parents, or if but one be living the consent of
5 survivor, may be adopted by any citizen of this state upon the recom-
6 mendation of the superintendent of the home, with the approval of
7 the board of control of state institutions. The adoption shall be by
8 an instrument in writing to be signed by the superintendent, subject
9 to the approval, in writing, of the board of control, and by the person
10 adopting, and except as herein otherwise provided such instrument
11 shall be signed and recorded as provided by chapter seven (7) of title
12 sixteen (16) of the code as amended, and the adoption shall create the
13 rights and liabilities provided by said chapter as amended.

1 **SEC. 8. State wards—placing—articles of agreement—period.**
2 All children received in the home, whether admitted on application
3 of a parent, guardian or other person or committed as dependent or
4 neglected under the law as it appears in chapter five-b (5-b) of title
5 three (3) of the supplement to the code, 1907, shall when received
6 become wards of the state. Any child so received unless adopted as
7 authorized under the law as it appears in section twenty-six hundred
8 ninety-a of the supplement to the code, 1907 may be placed by the
9 superintendent with any person or family of good standing and char-
10 acter where it will be cared for and educated properly. Such child
11 shall be placed under articles of agreement to be signed by the person
12 or persons taking the child and the superintendent, approved in writing
13 by the board of control of state institutions which articles shall pro-
14 vide for the custody, care, education, maintenance and earnings of the
15 child for a time to be therein fixed which shall not extend beyond the
time when the child shall attain its majority.

1 **SEC. 9. Repossession of child—other disposition—legal pro-
2 ceedings.** In case any child, whether adopted or placed under arti-
3 cles of agreement for a term of years, is not furnished the care,
4 education, treatment and maintenance required by the articles of
5 adoption or agreement, the board of control may cause the child to
6 be taken from the person or persons with whom it is placed, and may
7 make such other disposition of it as shall seem to be for its best
8 interests. And in case legal proceedings are necessary to recover
9 possession of such child they may be instituted and carried on in the
10 name of the superintendent, and the county attorney of the county in
11 which the child is placed shall, if requested by the superintendent, act
as his attorney in the proceedings.

SEC. 10. Interference with control—earnings—benefit of child.

1 It shall not be lawful for any parent or other person not a party to
 2 the placing of a child by adoption or for a term of years under the
 3 provisions of this act, to interfere in any manner with or to assume
 4 or exercise any control over such child or his earnings while so placed,
 5 but such earnings shall be used, or otherwise applied for the exclusive
 6 benefit of the child.

1 **SEC. 11. Support fund—estimate.** For the support of the home
 2 there is hereby appropriated out of any money in the state treas-
 3 ury not otherwise appropriated, or so much thereof as may be needed,
 4 twenty-five dollars (\$25.00) for each child actually supported, and in
 5 addition the expense of his transmission to the home, which sum shall
 6 be paid upon abstracts and certificates as required by law as it appears
 7 in section twenty-seven hundred twenty-seven-a forty-two and section
 8 twenty-seven hundred and twenty-seven-a thirty-three of the supple-
 9 ment to the code, 1907. The number of children shall be ascertained
 10 by taking the average attendance for the preceding month. Pro-
 11 vided, however, that if the average number of children shall be less
 12 than three hundred and sixty (360) in any month, the auditor of the
 13 state and treasurer of the state shall credit the home with nine thou-
 14 sand dollars (\$9,000) for that month and the sum so credited shall be
 15 drawn from the state treasury in the same manner and for the same
 16 purposes as the regular monthly per capita allowance is drawn.

1 **SEC. 12. County liability—proportion—taxes due state.** Each
 2 county shall be liable for sums paid by the home in support of all its
 3 children, to the extent of one-half of the per capita cost per month
 4 for each child, and when the average number of children be less than
 5 three hundred and sixty (360) in any month each county shall be
 6 liable for its just proportion for each child of the amount credited to
 7 the home for that month. The sum for which each county is so liable
 8 shall be charged to the county, and collected as a part of the taxes due
 9 the state, and paid by the county at the same time state taxes are
 10 paid.

1 **SEC. 13. Appropriation.** There is hereby appropriated, out of
 2 any funds in the state treasury not otherwise appropriated:
 3 For land for site, the sum of\$20,000.00;
 4 For institution building, dormitory, housing offices, super-
 5 intendent residence and all stores, kitchen and dining
 6 room, the sum of..... 50,000.00;
 7 For water supply, the sum of..... 3,000.00;
 8 For sewerage, the sum of..... 2,000.00;
 9 For electric wiring and lighting from commercial sources,
 10 the sum of 5,000.00;
 11 For poultry house, the sum of..... 700.00;
 12 For dairy and horse barn, the sum of..... 1,500.00;
 13 For fences, gates, walks and roads, the sum of..... 3,500.00;
 14 For farm implements, tools, etc., the sum of 1,000.00;
 15 For live stock, hogs, horses and cattle, the sum of..... 2,000.00;
 16 For furniture and supplies for inmates, including offices,
 17 the sum of 10,000.00;
 18 For contingents, the sum of 10,000.00;

1 SEC. 14. Board of control—powers. The board of control shall
 2 have full power to manage, control and govern the said home subject
 3 only to the limitations of this act.

Approved April 7, A. D. 1919.

CHAPTER 166.

TRANSCRIPT OF CONVEYANCE.

S. F. 127.

AN ACT providing for a transcript of any conveyance executed by any executor, administrator, guardian or trustee, which has been recorded in the office of the clerk of the district or circuit courts of the state of Iowa, and for filing and recording same in the office of the county recorder.

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

SECTION 1. Transcript of conveyance — certification — filing —
 1 effect. That any person interested therein may procure from the
 2 clerk of any district court in this state a transcript of any conveyance
 3 executed by any executor, administrator, guardian, or trustee, which
 4 has been recorded in the office of the clerk of the district or circuit
 5 courts of the state of Iowa, in the county in which such real estate
 6 is situated, for more than ten years, and such transcript when certi-
 7 fied by the clerk of the district court of such county, under the seal of
 8 his office, may be filed in the office of the recorder of such county, and
 9 shall have the same effect, when so recorded, as the original convey-
 10 ance.

Approved April 7, A. D. 1919.

CHAPTER 167.

CITY OF PERRY.

H. F. 391.

AN ACT to legalize certain warrants of the city of Perry, Iowa.

WHEREAS, the city of Perry, in the county of Dallas, state of Iowa, did heretofore make certain expenditures and did issue warrants in the sum of thirty thousand five hundred twenty-three dollars and twenty-five cents (\$30,523.25), as follows; to evidence the indebtedness incurred in making said expenditures, said warrants consisting of warrants Nos. 605, 749, 761, 833, 868, 922, 939, 961, 974, 993, 1014, 1028, 1033, 1034, 1035, 1054, 1057, 1058, 1060, 1089, 1098, 1100, 1113, 1116, 1131, 3862, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1187,

1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, aggregating the sum of fourteen thousand eight hundred sixteen dollars and sixty-seven cents (\$14,816.67), each of which warrants was issued against the general fund of said city; also warrants Nos. 193, 194, 644, 646, 648, 650, 659, 664, 682, 689, 690, 704, 717, 718, 729, 750, 751, 753, 770, 771, 772, 773, 774, 778, 797, 798, 801, 802, 803, 804, 805, 1909, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, aggregating the sum of thirteen thousand seven hundred eighty dollars and forty-eight cents (\$13,780.48), each of which warrants was issued against the waterworks fund of said city; also warrants Nos. 292, 293, 113, 114, aggregating the sum of nineteen hundred twenty-six dollars and ten cents (\$1,926.10), each of which warrants was issued against the fire fund of said city; all of which warrants are now outstanding, payable and due; and

WHEREAS, the total indebtedness of said city does not now, including said warrants, and did not at the time of the issuance of said warrants, including said warrants, or at the time of the contracting of the indebtedness evidenced by said warrants, including said indebtedness, exceed the constitutional limitation of indebtedness; and

WHEREAS, said expenditures were made for purposes of general and lasting benefit authorized by law, and said city is enjoying the use and benefit of said expenditures and the result of said expenditures is well worth the price which said city contracted should be paid therefor; and

WHEREAS, doubts have arisen concerning the legality or validity of aforesaid warrants or a portion thereof on the ground that the aforesaid expenditures or a portion thereof were contracted in excess of said city's authorized annual revenues; and

WHEREAS, doubts have arisen concerning the legality or validity of the aforesaid warrants or a portion thereof on the ground that the aforesaid expenditures or a portion thereof were contracted in excess of said city's annual revenue actually levied; and

WHEREAS, doubts have arisen concerning the legality or validity of the aforesaid warrants or a portion thereof on the ground that the aforesaid expenditures or a portion thereof were not provided for in said city's annual appropriations; and

WHEREAS, doubts have arisen concerning the legality or validity of the aforesaid warrants or a portion thereof on the ground that the indebtedness which said warrants evidence or a portion thereof was contracted in excess of the statutory limitation on indebtedness; and

WHEREAS, it is deemed advisable to put said doubts and all other doubts which may arise concerning the legality or validity of the aforesaid warrants forever at rest; now therefore

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

- 1 SECTION 1. City of Perry—acts legalized. That the acts of the
- 2 council and officers of the city of Perry, in the county of Dallas, state
- 3 of Iowa, in making said expenditures for said city and issuing war-
- 4 rants to evidence the indebtedness incurred in making said expendi-
- 5 tures in the sum of thirty thousand five hundred twenty-three dollars
- 6 and twenty-five cents (\$30,523.25), said warrants consisting of the

7 warrants referred to in the preamble hereof be and the same are
8 hereby legalized, the same in effect as if said acts had been in full
9 conformity with provisions of law provided therefor.

1 SEC. 2. Warrants legalized. The aforesaid warrants of said
2 city be and the same are hereby legalized and declared to be and to
3 constitute legal and valid and subsisting obligations and indebtedness
4 of said city.

1 SEC. 3. Pending litigation. Nothing in this act shall affect any
2 pending litigation.

1 SEC. 4. Publication clause. This act, being deemed of immediate
2 importance, shall take effect and be in force from and after its publi-
3 cation in the Des Moines Register, a newspaper published at Des
4 Moines, Iowa, and the Perry Chief, a newspaper published at Perry,
5 Iowa, without expense to the state.

Approved April 8, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register
and in the Perry Chief April 10, 1919.

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

CHAPTER 168.

LEVY FOR PARK, ART AND MEMORIAL PURPOSES.

H. F. 9.

AN ACT granting additional powers to all cities including special charter cities and
cities under commission plan of government, having a population of 85,000 or over,
pertaining to levying of taxes for park, art and memorial purposes.

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

SECTION 1. Certain cities—park, art, etc., purposes—annual
1 tax—separate fund. All cities including cities under special charter
2 and commission plan of government, having a population of eighty-
3 five thousand (85,000) or over, shall have the power to certify to
4 the county auditor and to cause to be collected in addition to all taxes
5 now authorized for park purposes an annual tax of not to exceed one-
6 half mill on the dollar on all taxable property of the city, to be used
7 for the sole and only purpose of purchasing and paying for real estate
8 to be used for park, art and memorial purposes. Such cities may
9 anticipate the collection of said additional tax authorized to be levied
10 for the purchase of real estate for park, art and memorial purposes,
11 and for that purpose may issue park certificates or bonds with interest
12 coupons, and the provisions of chapter 12, title V of the code, and
13 chapter 7 of the acts of the thirty-seventh general assembly shall be
14 operative as to such certificates, bonds and coupons in so far as they
15 may be applicable. The proceeds of such tax shall be kept as a
16 separate fund and shall be issued for the sole and only purpose of
17 paying certificates or bonds and coupons issued thereupon, and for no
18 other purpose whatsoever.

1 **SEC. 2. Additional powers granted.** This act shall be construed
 2 as granting additional power without limiting the power already exist-
 3 ing in all cities, including cities acting under the commission plan of
 4 government and special charter cities.

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

Approved April 8, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Des Moines Register April 10, 1919.

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

CHAPTER 169.

COUNTY OF PALO ALTO.

H. F. 453.

AN ACT to legalize the acts and proceedings of the board of supervisors and officers of the county of Palo Alto, state of Iowa, in relation to drainage district number ninety-two (92), within said county.

WHEREAS, On the thirtieth day of December, 1915, there was filed in the office of the county auditor, of the county of Palo Alto, in the state of Iowa, a petition, with a good and sufficient bond requesting the organization of a drainage district to include certain lands within said county, which said drainage district is now known as Drainage District Number Ninety-two (92).

WHEREAS, Pursuant to said petition and in strict compliance with all the provisions of title X, chapter Two-A (2-A) of the supplement to the code, 1913, as amended, said drainage district has been duly established, the construction of a system of drainage therein now fully completed and assessments have been duly levied against the lands and highways within said drainage district benefited by said improvement; and

WHEREAS, Said system of drainage has been completed and said drainage district number ninety-two (92) is enjoying the use and benefit of said drainage improvement and said system of drainage is well worth the price which the board of supervisors of said county contracted should be paid for said improvement; and

WHEREAS, Doubts have arisen concerning the legality and validity of the proceedings and acts of the board of supervisors and officers of said county in connection with drainage district number ninety-two (92) on the grounds that the notice of the hearing on the assessment roll was given by personal service instead of by publication as required by law, and that all of the property owners and lienors within said drainage district do not appear to have received notice of the levying of said assessments; and

WHEREAS, On the nineteenth (19th) day of February, 1918, the board of supervisors of said county duly adopted a resolution authorizing bonds

for the account of said drainage district and it is the intention to issue said bonds; and

WHEREAS, It is deemed advisable to put said doubts and all other doubts regarding the legality of said proceedings and acts forever at rest; now therefore

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

1 SECTION 1. County of Palo Alto—acts legalized. That all
2 the proceedings and acts of the board of supervisors and officers of
3 the county of Palo Alto, in the state of Iowa, in relation to drainage
4 district number ninety-two (92), within said county, be and the same
5 are hereby legalized, the same in effect as if said acts and proceedings
6 had been in full conformity with all provisions of law provided there-
7 for and that the bonds for the account of said drainage district when
8 issued are hereby declared to be legal, valid and binding obligations
9 of said drainage district.

1 SEC. 2. Pending litigation. Nothing in this act shall in any man-
2 ner affect pending litigation.

1 SEC. 3. Publication clause. This act being deemed of immediate
2 importance shall take effect and be in force from and after its publi-
3 cation in the Des Moines Register, a newspaper published in Des
4 Moines, Iowa, and in the Palo Alto Reporter, a newspaper published
5 in Emmetsburg, Iowa, without expense to the state.

Approved April 8, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register and in the Palo Alto Reporter, April 10, 1919.

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

CHAPTER 170.

MEMORIAL BUILDINGS FOR SOLDIERS, SAILORS AND MARINES.

H. F. 215.

AN ACT authorizing counties, cities and towns to erect and equip, or purchase and equip, soldiers', sailors' and marines' memorial buildings, to purchase or condemn necessary grounds therefor, and to issue bonds therefor, and to levy a special tax for the purpose of liquidating said bonds, and for the maintenance of such buildings, in case of municipalities, supplemental to chapter four (4), title five (5), of the code.

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

SECTION 1. Memorial buildings—power to purchase, erect, etc.—
1 may include—control, etc. Counties, cities and towns, including
2 cities under commission plan and those under special charter, shall
3 have power to purchase or condemn ground for, erect and equip, or
4 purchase and equip, a building as a soldiers', sailors' and marines'
5 memorial, commemorative of their military and naval service, and
6 which shall be given an appropriate name, and shall have special

7 accommodations or provisions for soldiers, sailors, nurses, and other
8 persons who are or have been in the military or naval service of the
9 United States. Such building may be or include military headquar-
10 ters, memorial rooms, library, assembly hall, gymnasium, natatorium,
11 club rooms and rest rooms; it may include city hall and offices for any
12 county or municipal purpose, or community house, or recreation
13 center; or it may be a memorial hospital, or it may be for any one or
14 more of such purposes; and for similar or appropriate purposes may
15 be extended to general community and neighborhood uses; all under
16 the control and regulation as to charges and otherwise, of the city or
17 town council, with the advice and cooperation of the community civic
18 congress. Such building may be erected as an appropriate annex to
19 any other city or public building, or by reconstructing the same.

SEC. 2. Municipalities—community civic congress—improvements
1 **—cooperation.** In the case of municipalities the city or town council
2 shall appoint a community civic congress, as mentioned in section
3 four (4), chapter one hundred eighty-two (182), laws of the thirty-
4 seventh general assembly, being three persons, residents of said city
5 or town, especially fitted for and interested in community work, who
6 may cooperate with the council in all matters pertaining to community
7 improvements, not only as heretofore provided by law, but also with
8 reference to improvements contemplated by this act; they shall serve
9 without compensation.

SEC. 3. Funds—liberty memorial bonds—limit of indebtedness—
1 **tax levy—period.** For the purpose of providing funds for the acqui-
2 sition of necessary ground therefor, and purchasing, erecting, con-
3 structing or reconstructing such building, and for the necessary equip-
4 ment therefor, the county, city or town may issue bonds to be known
5 as liberty memorial bonds, to be issued and sold as provided by law;
6 they shall provide for portions of such bonds to become due at
7 different, definite periods, but none in less than five (5) nor more than
8 fifty (50) years from date. In issuing such bonds, such county, city
9 or town may become indebted in an amount which, added to all other
10 indebtedness, shall not exceed five (5) per centum of the actual value
11 of the taxable property in such county, city or town as determined by
12 the last state and county tax lists, anything in section thirteen hun-
13 dred six-b (1306-b), supplement to the code, 1913, and acts amenda-
14 tory thereto, to the contrary notwithstanding. For the purpose of
15 liquidating such bonds, together with the interest thereon, such
16 county, cities and towns shall levy upon all the property within the
17 limits thereof, subject to taxation for such purpose, in addition to all
18 other taxes provided by law, a special tax not exceeding in any one
19 year five mills on the dollar for a period of not exceeding fifty years.

SEC. 4. Petition—election—notice by publication or posting—form
1 **of.** Upon petition of fifteen per cent of the legal voters of any county,
2 city or town, the question as herein provided shall be submitted to the
3 voters of said county, city or town. Such petition shall ask that an
4 election be called, shall refer to this act, shall suggest generally the
5 nature and uses of the proposed liberty memorial building. No such
6 building shall be erected and equipped, or purchased and equipped,
7 under the provisions of this act, unless a majority of the legal voters
8 voting thereon vote in favor of the same at a general, municipal or
9 special election called for that purpose. Notice of such election shall

10 be given in two newspapers published in said county, city or town, if
 11 there are two, but if not, then in one, once each week for at least four
 12 consecutive weeks. But if no newspaper is published within the limits
 13 of the corporation, then such notice may be given by posting in three
 14 public places within the limits of said corporation, two of which places
 15 shall be the post office and the mayor's office of such city or town, and
 16 by publication for four consecutive weeks in a newspaper of general
 17 circulation in the county. The election shall be held not less than five
 18 nor more than twenty days after the last publication of such notice.
 19 The questions to be submitted shall be in the following form: "Shall
 20 the county, city (or town) of erect and equip
 21 (or purchase and equip) a liberty memorial building, as provided in
 22 chapter (naming this act) of the laws of the thirty-eighth
 23 general assembly; and issue bonds therefor in the amount of
 24 dollars?"

SEC. 5. Maintenance—annual tax levy—advice and suggestions.

1 In case a building be constructed or purchased under this act, the
 2 county, city or town shall thereafter provide annually a levy of not
 3 more than three mills on all the taxable property within said county,
 4 city or town, for the development, operation and maintenance of such
 5 building, in care of a city or town, and it shall seek advice and sug-
 6 gestions of the community civic congress.

SEC. 6. Gifts and bequests authorized, etc.

1 Gifts and bequests to
 2 the county, city or town, for any of the purposes provided in this act,
 3 are hereby authorized; the same shall be used and applied as provided
 4 in this act, and as especially stipulated by the donor.

SEC. 7. Publication clause.

1 This act, being deemed of immediate
 2 importance, shall take effect and be in force from and after its publi-
 3 cation in the Des Moines Capital and the Des Moines Register, news-
 4 papers published in the city of Des Moines, Iowa.

Approved April 8, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and
 the Des Moines Register April 10, 1919.

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

CHAPTER 171.

TUBERCULOSIS SANATORIUM.

H. F. 318.

AN ACT to amend sections twenty-seven hundred twenty-seven-a seventy-six (2727-a76)
 and twenty-seven hundred twenty-seven-a eighty-two (2727-a82), and to repeal sec-
 tion twenty-seven hundred twenty-seven-a eighty-three (2727-a83) of chapter eleven-c
 (11-c), title thirteen (XIII), supplement to the code, 1913, relative to the require-
 ments of patients for admission to the tuberculosis sanatorium at Oakdale, Iowa.

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

1 SECTION 1. Superintendent and other officers—requirements. That
 2 the law as it appears in section twenty-seven hundred twenty-

3 seven-a76 (2727-a76), title thirteen (13), chapter eleven-C (11-C),
 4 supplement to the code, 1913, be and the same is hereby amended by
 5 striking out the comma (,) following the word "institution" in line five
 6 (5) and the words, "including examining physicians", and substitut-
 7 ing in lieu thereof, following the word "institution", a period (.)

SEC. 2. **Substitute amendment—patients—applicant for admis-**
 1 **sion—procedure.** That section twenty-seven hundred twenty-
 2 seven-a82 (2727-a82) of the supplement to the code, 1913, be and the
 3 same is hereby amended by striking out all said section and enacting
 4 in lieu thereof the following:

5 "No patients shall be received except those afflicted with pulmonary
 6 tuberculosis. Any person wishing to become a patient in the institu-
 7 tion shall first make application to the superintendent who shall
 8 thereupon furnish the necessary admission blanks. Such applicant
 9 shall thereafter secure a thorough examination from his attending
 10 physician, who shall for this purpose be a physician regularly licensed
 11 to practice medicine in Iowa and who shall examine said applicant
 12 fully with a view of ascertaining whether he is afflicted with pul-
 13 monary tuberculosis, and shall so far as possible fill out the medical
 14 blanks which are furnished for that purpose and shall mail the same
 15 to the superintendent of the sanatorium. If from this blank and other
 16 papers which said applicant shall be required to furnish it shall appear
 17 that the applicant is a bona fide resident of this state and in all other
 18 respects under the law entitled to admission, he shall notify the appli-
 19 cant and shall receive the applicant as a patient, providing there is
 20 room. If no room be then available he shall record the name in the order
 21 in which the application is made and the applicant shall be admitted in
 22 said order whenever there is room. In case it shall appear from the
 23 application or from the report of the physician that the applicant does
 24 not come within the provisions of the law, or in case the superintendent
 25 shall be in possession of reliable information which convinces him that
 26 the applicant is not entitled to the benefits of this act, he shall notify
 27 the applicant that he cannot be admitted as a patient. If, however, the
 28 superintendent after receiving the report of the physician is in doubt
 29 as to whether it is a case of pulmonary tuberculosis, he shall personally
 30 examine the applicant in case he presents himself at the institution
 31 for that purpose."

1 SEC. 3. **Repeal.** That the law as it appears in section twenty-seven
 2 hundred twenty-seven-a83 (2727-a83) of the supplement to the code
 3 of 1913 is hereby repealed.

1 SEC. 4. **Publication clause.** This act being deemed of immediate
 2 importance shall take effect on and after this publication in the Des
 3 Moines Register and the Des Moines Capital, newspapers published in
 4 Des Moines, Iowa.

Approved April 8, A. D. 1919.

I hereby certify that the foregoing act was published in Des Moines Capital and
 the Des Moines Register April 10, 1919.

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

CHAPTER 172.

COUNTY OF LOUISA.

H. F. 458.

AN ACT to legalize action of the board of supervisors of Louisa county, Iowa, in purchasing pumping machinery and equipment in levee district number eight (8) and levee district number eleven (11) in said county, and to legalize the levy of taxes therein, and the issuance of bonds.

WHEREAS, the board of supervisors of Louisa county, Iowa, in the months of October and November, 1918, acting for and in behalf of levee district number eight (8) and levee district number eleven (11) in said county, caused certain pumping machinery and equipment to be purchased by each of said levee districts to be used in pumping sand and other material for the repairing and enlarging of the levees in said district; and

WHEREAS, special taxes to pay for said machinery and equipment and improvements were levied under the provisions of title ten (10) of chapter two-A (2-A), supplement to the code, 1913, and acts amendatory thereto; and

WHEREAS, notices were given to landowners and others, as required by the provisions of said chapter relating to the hearing of the reports of the commissioners to assess in said districts; and

WHEREAS, pursuant to such notices special taxes were levied to pay the cost and expenses of repairing and enlarging said levees, including the cost of pumping machinery and equipment in each of said levee districts; and

WHEREAS, doubts have arisen as to the legality of said proceedings and as to the authority of the board of supervisors to purchase said machinery and equipment and to levy such special taxes; therefore

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

SECTION 1. Board of supervisors—levee districts—equipment, etc. —tax levy—bonds—proceedings legalized. The proceedings of the board of supervisors of Louisa county, Iowa, in the months of October and November, 1918, in the purchasing sand dredges and other pumping machinery and equipment in and for levee district No. eight (8) and in and for levee district No. eleven (11) in said county, and in ordering certain repairs and improvements and enlargements to be made upon the levee in each of the aforesaid districts and in levying special taxes in each of said districts to pay therefor, and in making assessments of benefits upon the land in each of said districts and in levying special taxes upon the lands in each of said districts and in providing by resolution of said board on November 18, 1918, for the issuance of the bonds of and for said district No. eight (8) in the sum of \$20,000.00, and in providing for the issuance of bonds of and for said district No. eleven (11) in the sum of \$17,000.00, be and the same are hereby legalized.

SEC. 2. Pending litigation. Nothing in this act shall affect pending litigation.

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

3 in the Des Moines Register, a newspaper published at Des Moines,
4 Iowa, and the Wapello Tribune, a newspaper published at Wapello,
5 Iowa, without expense to the state.

Approved April 8, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register April 10, 1919 and in the Wapello Tribune April 17, 1919.

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

CHAPTER 173.

PARDONS, ETC., BY THE GOVERNOR.

H. F. 249.

AN ACT to amend section fifty-six hundred twenty-six (5626), supplement to the code, 1913, relating to pardons and remission of fines and forfeitures by the governor.

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

1 SECTION 1. Governor—pardons; etc.—amendment. That section
2 fifty-six hundred twenty-six (5626), supplement to the code, 1913, be
3 and the same is hereby amended by striking from lines three and four
4 the words "murder in the first degree" and substituting in lieu thereof
5 the words "a felony," and by inserting before the word "he" in the
6 eighth line the words "where the sentence is death or imprisonment
7 for life".

Approved April 8, A. D. 1919.

CHAPTER 174.

TRANSPORTATION ON COMMON CARRIERS.

H. F. 190.

AN ACT to amend section two thousand one hundred fifty-seven-g (2157-g) supplement to the code, 1913, relating to persons entitled to transportation on common carriers.

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

SECTION 1. Common carriers—transportation—persons entitled
1 to. That the law as it appears in section two thousand one hundred
2 fifty-seven-g (2157-g) supplement to the code, 1913, be and the same
3 is hereby amended:
4 By striking out the word "policemen" following the letter (1) in the
5 twenty-fourth (24) line thereof and substituting therefor the words
6 "all peace officers, except state agents,".

Approved April 8, A. D. 1919.

CHAPTER 175.

COUNTY AND DISTRICT FAIRS OR AGRICULTURAL SOCIETIES.

H. F. 29.

AN ACT to repeal the law as it appears in sections sixteen hundred fifty-eight (1658) and sixteen hundred fifty-nine (1659), supplement to the code, 1913, and section sixteen hundred sixty-one-a (1661-a), supplemental supplement to the code, 1915, and to enact a substitute therefor, relating to state aid granted county and district fairs or agricultural societies.

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

1 SECTION 1. Repeal and substitute. That the law as it appears in
2 section sixteen hundred fifty-eight (1658) and section sixteen hun-
3 dred fifty-nine (1659) supplement to the code, 1913, and section six-
4 teen hundred sixty-one-a (1661-a) supplemental supplement to the
5 code, 1915, be and the same are repealed and the following enacted in
6 lieu thereof:

1 SEC. 2. Premiums. County and district fair or agricultural soci-
2 eties may annually offer and award premiums to further the interest
3 in and to encourage the improvement of live stock, agricultural and
4 educational products, implements and mechanical devices, articles of
5 domestic industry and such other articles as they may think proper,
6 and so regulate the amount thereof and the classification as to induce
7 general competition.

SEC. 3. Report—state aid—failure to report—diminution of aid.

1 Any county and district fair or agricultural society upon filing with
2 the secretary of the state board of agriculture a report as herein pro-
3 vided for shall be entitled to receive from the state treasury a sum
4 equal to seventy per cent (70%) of the first one thousand dollars
5 (\$1,000) and sixty per cent (60%) of all subsequent amounts in excess
6 of one thousand dollars (\$1,000) paid in cash premiums at its annual
7 fair for the current year, but in no case shall the amount paid to any
8 fair or society exceed the sum of fifteen hundred dollars (\$1,500) in
9 any one year.

10 When any county and district fair or agricultural society fails to
11 report, according to law, on or before the first day of November, that
12 fair or society shall not receive a warrant from the state auditor for
13 that year, but the secretary of the state board of agriculture shall
14 notify the county auditor of the county in which the fair or society is
15 located of such failure and the board of supervisors may appoint a
16 delegate to the state agricultural convention, said delegate to be a
17 resident of said county, and any county or district fair or agricultural
18 society failing to have an accredited delegate in attendance at the
19 state agricultural convention the second Wednesday in December of
20 the year in which said fair was held shall have the amount of state
21 aid which it would otherwise receive diminished in the sum of one
22 hundred dollars (\$100).

1 SEC. 4. State board of agriculture—statements filed with—list of
2 awards, etc. On or before the first day of November of each year the
president, secretary and treasurer of each county and district fair or

3 agricultural society claiming the benefit under this act, shall file with
4 the secretary of the state board of agriculture a sworn statement of
5 the actual amount of cash premiums paid at the fair of the current
6 year, which must correspond with the published offer of premiums and
7 a further sworn statement that none of the amounts were paid for
8 speed events, or to secure games or amusements, and that no gambling
9 devices, sale of intoxicating liquor, or other violations of the law were
10 permitted on the grounds of such county and district fair or agricul-
11 tural society. The said statement shall also contain a full and com-
12 plete statement of receipts and expenditures and other statistical data
13 relative to exhibits and attendance for the current year.

14 Each county and district fair or agricultural society shall annually
15 publish an itemized list of the awards, and a financial statement of
16 receipts and disbursements for the current year in one or more news-
17 papers of the county. A copy of the published list of awards and
18 financial statement, with proof of publication, shall accompany the
19 statement filed with the secretary of the state board of agriculture.

1 SEC. 5. Warrants by state auditor conditional. The auditor of state
2 is hereby authorized and directed to draw warrants on the state
3 treasurer for the funds hereinabove appropriated in favor of the sev-
4 eral county and district fairs or agricultural societies who shall have
5 complied with the provisions of this act. The auditor of state, before
6 issuing a state warrant in favor of such county and district fair or
7 agricultural society for any amount shall demand the certificate of the
8 secretary of the state board of agriculture that said fair or society
9 has filed a report as provided for in this act, and upon the receipt of
10 said certificate the auditor of state shall issue his warrant for the
11 amount to which said fair or society is entitled, less the sum of one
12 hundred dollars (\$100), which amount shall be withheld and paid to
13 said fair or society by warrant of the state auditor only upon certifi-
14 cate of the secretary of the state board of agriculture that said fair
15 or society had an accredited delegate in attendance upon the state
16 agricultural convention as hereinbefore required.

SEC. 6. Bona-fide exhibition—incorporation under state laws.
1 Wherever the term "county and district fair or agricultural society"
2 occurs in this act it shall be held to mean a bona-fide exhibition of live
3 stock, together with agricultural products and farm implements and
4 one duly incorporated under the laws of the state of Iowa.

Approved April 8, A. D. 1919.

CHAPTER 176.

PHARMACIST HOLDING FOREIGN REGISTRATION CERTIFICATE.

H. F. 361.

AN ACT to amend section twenty-five hundred eighty-nine-b (2589-b), supplement to the code, 1913, relating to the fee to be paid by the holder of a foreign certificate of registration as a pharmacist when issued a certificate in this state.

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

1 SECTION 1. State certificate—fee. That section twenty-five hun-
 2 dred eighty-nine-b (2589-b), supplement to the code, 1913, be and the
 3 same is hereby amended by striking out the words “ten dollars” in the
 4 last line of said section, and inserting in lieu thereof the following:
 5 “not less than the fee charged for reciprocal registration by the state
 6 issuing the certificate upon which said application for reciprocal regis-
 7 tration is made, but in no event shall the fee be less than ten dollars”.

Approved April 8, A. D. 1919.

CHAPTER 177.

COMPENSATION OF ALDERMEN.

H. F. 214.

AN ACT to amend section nine hundred forty-three (943) code of 1897, relative to compensation of alderman.

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

1 SECTION 1. Aldermen—compensation. That section nine hundred
 2 forty-three (943) of the code, be amended by striking the words
 3 “three hundred dollars” out of the second and third lines and substi-
 4 tuting in lieu thereof the words “six hundred dollars”.

Approved April 8, A. D. 1919.

CHAPTER 178.

COMPENSATION OF MAYOR.

H. F. 213.

AN ACT to amend section nine hundred forty-five (945) code of 1897, relative to the compensation of mayor.

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

1 SECTION 1. Mayor—compensation. That section nine hundred
 2 forty-five (945) of the code, be and is hereby amended by striking

3 from line two the word "one" and substituting in lieu thereof the word
4 "two".

Approved April 8, A. D. 1919.

CHAPTER 179.

DESTRUCTION OF FOOD PRODUCTS.

H. F. 201.

AN ACT providing a penalty for the willful destruction of food products.

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

1 SECTION 1. Food products—willful destruction or waste. It shall
2 be unlawful for any person, firm or corporation to willfully destroy,
3 or negligently suffer to go to waste, with intent to increase the price
4 thereof, any food products of any nature or description, without the
5 authority or consent of the local board of health or local health officer
6 of the city, town or township in which the food products are located.

1 SEC. 2. Misdemeanor—penalty. Any person, firm or corporation
2 violating any of the provisions of this chapter, shall be guilty of a mis-
3 demeanor and, upon conviction, shall pay a fine in a sum not more than
4 one thousand dollars (\$1000), or imprisoned for any length of time
5 not exceeding one year, or both such fine and imprisonment.

Approved April 8, A. D. 1919.

CHAPTER 180.

CONSOLIDATION OF VOTING PRECINCTS.

H. F. 470.

AN ACT to amend the law as it appears in section one thousand seventy-six of chapter two, of the supplemental supplement to the code, 1915, by providing for the consolidation of voting precincts into registration districts in all cities in which registration is required, including cities under special charter, at any general, city or special election and providing a method of such consolidation.

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

1 SECTION 1. Registration districts—voting precincts consolidated
2 into—registrars. That section one thousand seventy-six of chapter
3 two, of the supplemental supplement to the code, 1915, be amended
4 by adding after the period at the end of the last line following the
5 word "county" the following:

5 "Provided further, that all cities in which registration is required,
6 including cities under special charter, may, by resolution passed not
7 less than thirty days or more than sixty days preceding any general,
8 city or special election, consolidate the voting precincts of the city into
9 registration districts for the purpose of registration only and appoint
10 registrars for such registration districts; but such registrars must be
11 residents and electors of the registration district in which they are to
12 serve.

Approved April 8, A. D. 1919.

CHAPTER 181.

ACKNOWLEDGMENTS OF FOREIGN INSTRUMENTS.

H. F. 471.

AN ACT legalizing certain acknowledgments taken in countries other than the United States.

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

SECTION 1. Foreign countries—instruments—legalization of
1 acknowledgments. That in all acknowledgments of instruments in writ-
2 ing which by the laws of Iowa are required to be so acknowledged, and
3 which said acknowledgments have been taken without the United
4 States by officers of such countries outside the United States author-
5 ized by section two thousand nine hundred forty-seven of the code to
6 take such acknowledgments, the said acknowledgments are hereby
7 legalized whether or not there is attached to such written instrument,
8 a certificate by an ambassador, minister, consul, vice-consul, charge
9 d'affaires or consular agent of the United States certifying that full
10 faith and credit is due such officer of such foreign country taking said
11 acknowledgment; and the certificate of acknowledgment of such officer
12 of such foreign country is hereby declared and made conclusive evi-
13 dence that such officer was duly qualified to make such certificate of
14 acknowledgment.

1 SEC. 2. Pending litigation. This act shall in no wise affect pend-
2 ing litigation.

Approved April 8, A. D. 1919.

CHAPTER 182.

HOTEL INSPECTION, LICENSING, ETC.

H. F. 255.

AN ACT to repeal section twenty-five hundred fourteen-h (2514-h), section twenty-five hundred fourteen-m (2514-m), section twenty-five hundred fourteen-q (2514-q), section twenty-five hundred fourteen-s (2514-s), and section twenty-five hundred fourteen-t (2514-t), of the supplement to the code, 1913, and to enact substitutes therefor; also to amend section twenty-five hundred fourteen-u (2514-u), and section twenty-five hundred fourteen-w (2514-w), of the supplement to the code, 1913, relating to the inspection of hotels and providing for the licensing thereof.

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

1 SECTION 1. Repeal and substitute. That the law as it appears in
2 section twenty-five hundred fourteen-h (2514-h), supplement to the
3 code, 1913, be and the same is hereby repealed and the following
4 enacted in lieu thereof:

5 SEC. 2514-h. "Hotel" defined. Every building or structure kept,
6 used, advertised as, or held out to the public to be an inn, hotel, or
7 public lodging house, or place where sleeping accommodations are fur-
8 nished for hire to transient guests whether with or without meals
9 shall for the purpose of this act be defined to be a hotel, and wherever
10 the word hotel shall occur in this act, it shall be construed to mean
11 and cover every such building or structure as is described in this
12 section.

13 SEC. 2514-h1. Hotel management—application for license—state-
14 ment of rates, etc. On taking effect of this act and on or before Janu-
15 ary 1st of each year thereafter every person, firm or corporation now
16 engaged in the business of conducting a hotel, and every person, firm
17 or corporation who shall hereafter engage in conducting such busi-
18 ness shall make application to the inspector of hotels for a license to
19 conduct such business which application shall be accompanied by a
20 statement showing the maximum rates to be charged for each room in
21 such hotel to the guests when occupied by one guest, by two guests,
22 by three guests or more and on the first day of July and January in
23 each year thereafter; and the rate for each room shall be posted on a
24 card on the inside of the entrance door to such room in type of such
25 size and dimension sufficiently large to be easily read. A complete list
26 of rooms by number and floor together with rate for each room shall
27 be continuously kept posted on the wall near the office in the lobby of
28 such hotel and open to public inspection without request from the
29 management and no greater rate shall be charged or collected. Pro-
30 vided that any hotel inspected and certified during the year 1919,
31 prior to the taking effect of this act, shall not require license until after
32 December 31, 1919.

33 SEC. 2514-h2. License—application blank—approval—fee. The
34 inspector of hotels upon request shall furnish to any person, firm or
35 corporation desiring to conduct a hotel an application blank to be filled
36 out by such person, firm or corporation for a license therefor and which
37 shall require such applicant to state the full name and address of the
38 owner of the building, the lessee, and manager of such hotel together
39 with the full description of the building and property to be used or

40 proposed to be used for such business, the location of the same, the
 41 name under which such business is to be conducted, and such other
 42 information as may be required therein by the inspector of hotels and
 43 such application shall be accompanied by the license fee hereinafter
 44 provided. Upon the approval of such application by the inspector of
 45 hotels he shall issue a license to the applicant to conduct a hotel in this
 46 state.

47 **SEC. 2514-h3. License—expiration—transfer—refusal—appeal.** Each
 48 license shall expire on the 31st day of December next following its
 49 issuance. No hotel shall be maintained or conducted in this state after
 50 the taking effect of this act without having secured a license therefor
 51 as herein provided and said license shall be transferable upon payment
 52 of one dollar for such transfer.

53 Provided, however, that after the making of application for license
 54 as herein provided, and pending the issuance of such license, such
 55 hotel shall be permitted to operate as such until the final refusal of
 56 such application by the inspector; provided, also, that no hotel shall
 57 be denied relief in the courts in any action instituted by such hotel by
 58 reason of the fact that a license has not been issued to such hotel.

59 **SEC. 2514-h4. License fees—hotel inspection fund.** The fee for
 60 license to conduct a hotel in this state shall be for every hotel contain-
 61 ing fifteen rooms, or less, for the accommodation of guests, four dol-
 62 lars (\$4.00); for more than fifteen and less than thirty-one rooms, six
 63 dollars (\$6.00); for more than thirty and less than seventy-six rooms,
 64 eight dollars (\$8.00); for more than seventy-five rooms and less than
 65 one hundred and fifty rooms, ten dollars (\$10.00); for one hundred and
 66 fifty rooms and upward, fifteen dollars (\$15.00). In all hotels within
 67 the meaning of this act the office, parlors, dining-room and kitchen and
 68 all sleeping rooms whether for hire to transient or permanent guests
 69 shall be construed to mean guest rooms.

70 All fees received for licenses shall be forthwith paid over to the
 71 state treasurer and his receipt taken and kept on file in the office of
 72 the inspector of hotels. Such fees shall be by the treasurer kept as a
 73 separate fund to be known as a hotel inspection fund and only paid
 74 out for bills or claims approved by the inspector of hotels and the state
 75 board of audit.

1 **SEC. 2. Repeal and substitute.** The law as it appears in section
 2 twenty-five hundred fourteen-m (2514-m), supplement to the code,
 3 1913, be and the same is hereby repealed and the following enacted in
 4 lieu thereof:

5 **SEC. 2514-m1. Sanitary requirements.** Every hotel located or situ-
 6 ated in a city or town having a system of sewerage shall be thoroughly
 7 drained, constructed and plumbed according to approved sanitary prin-
 8 ciples; all hotels shall be kept and maintained in a clean and sanitary
 9 condition and free from any effluvia, gas or offensive odors arising
 10 from any sewer, drain, privy, or any other source whatsoever within
 11 the control of the owner, manager, agent or person in charge thereof.
 12 Hotels in cities or towns not provided with a sewerage system shall be
 13 provided with an approved cesspool or with privies or water-closets
 14 properly screened from flies and separated for the use of males and
 15 females, which cesspools, privies and water-closets shall be properly
 16 cleaned and disinfected as often as necessary to keep and maintain
 17 them in an approved sanitary condition. In hotels which maintain
 18 locked sanitary toilets accessible to guests said hotel shall furnish to

19 all guests slugs for admittance to toilets, said slugs to be furnished
20 without expense to the guests.

21 **SEC. 2514-m2. Ventilation.** Every hotel in this state shall be prop-
22 erly ventilated. Such proper ventilation shall be construed to mean
23 that no room shall be used for sleeping purposes which does not have
24 a window or ventilated skylight opening to the outside of the building
25 or court and that no room with floor more than three (3) feet below
26 level of the outside surface of the ground shall be used for sleeping
27 purposes and provided also that every hotel hereafter constructed or
28 any building remodeled to be used for hotel purposes shall have suffi-
29 cient ventilation in the door or doorway or by such other equivalent
30 improvement as may be later discovered and at least one window
31 opening to the outside of the building or court which window or win-
32 dows shall equal in area at least one eighth of the floor area of such
33 room and where storm windows are used the same shall be so con-
34 structed that proper ventilation may be had by the guests if desired.
35 Such storm sash shall be hung in such manner that same may be
36 opened to insure safe and speedy exit in cases of fire.

37 **SEC. 2514-m3. Sheets, etc.—laundrying—bedding—vermin.** Each
38 bed, bunk, cot or other sleeping place provided for the use of guests
39 shall be supplied with pillow slips and under sheets sufficiently large
40 to cover the mattress, and top sheets, sheet to be made ninety-six
41 inches long, and of sufficient width to completely cover the mattress
42 and springs; said sheets and pillow slips to be made of white cotton
43 or linen, and all such sheets and pillow slips, after being used by one
44 guest, to be washed and ironed before they are used by any other
45 guest, a clean set being furnished each succeeding guest. All bedding
46 used in any hotel shall be thoroughly aired and kept clean, provided
47 that all bedding including mattresses, quilts, blankets, pillows, sheets
48 or comforts which are so worn or unsanitary as to be unfit for use,
49 shall be condemned by the inspecting officer and their further use
50 forthwith prohibited. Any room in any hotel under this act which
51 shall become infested with vermin or bed-bugs shall be renovated
52 until said vermin or bedbugs are exterminated.

53 **SEC. 2514-m4. Towels—toilet and guest rooms.** The use of the
54 roller or common towel in the toilet rooms or wash rooms of hotels is
55 hereby prohibited. Individual towels shall be provided for the use of
56 guests in guest rooms so that no two or more guests will be required
57 to use the same towel; provided, that this shall not prohibit the use
58 of individual sanitary paper towels in wash rooms.

59 **SEC. 2514-m5. Common drinking cup.** The use of the common
60 drinking cup in hotels or in hotel offices, or toilet rooms and wash
61 rooms of hotels, is hereby prohibited.

62 **SEC. 2514-m6. Kitchens, refrigerators, etc.—sanitary condition—**
63 **screens.** In every hotel the kitchen, dining room, cellar, office, ice
64 boxes, refrigerators, and all places where foods are prepared, kept or
65 stored, and cooking utensils, shall be kept clean and in a sanitary con-
66 dition, and the use of soiled or unsanitary tablecloths, napkins or other
67 tableware is hereby prohibited. Kitchens and dining rooms shall be
68 screened from flies.

69 **SEC. 2514-m7. Lodging rooms—rate card—rate advance—notice.** On
70 the inside of the door of each lodging room there shall be posted in a
71 conspicuous place a card stating the price of said room per day per
72 person and said posted price shall not be increased until the manager

73 of said hotel shall have given the hotel inspector provided for in this
 74 act sixty (60) days' notice of his intention to so increase the said
 75 price and stating the amount he proposes to charge and receive per-
 76 mission from the said inspector to increase the rates.

1 **SEC. 3. Repeal and substitute.** That the law as it appears in sec-
 2 tion twenty-five hundred fourteen-q (2514-q), supplement to the code,
 3 1913, be and the same is hereby repealed and the following enacted in
 4 lieu thereof:

5 **SEC. 2514-q. Inspector and deputies—powers and duties—manage-**
 6 **ment to aid.** It shall be the duty of the inspector and his deputies to
 7 see that all of the provisions of this act are enforced and complied
 8 with, and for such purpose such inspector or deputy shall personally
 9 inspect at least once each year every hotel in the state coming within
 10 the provisions of this act, said inspector or his deputy being hereby
 11 empowered and authorized to enter any hotel at all reasonable hours
 12 to make such inspection; and it is hereby made the duty of every per-
 13 son in the management or control of such hotel to afford free access
 14 to every part of the hotel and render all aid and assistance necessary
 15 to enable the inspector to make a full, thorough and complete exam-
 16 ination thereof.

1 **SEC. 4. Repeal and substitute.** That the law as it appears in sec-
 2 tion twenty-five hundred fourteen-s (2514-s), supplement to the code,
 3 1913, be and the same is hereby repealed and the following enacted in
 4 lieu thereof:

5 **SEC. 2514-s. Complaint—inspection—expense—cancellation of**
 6 **license.** Upon the receipt of a verified complaint signed by three or
 7 more patrons of any hotel in this state, setting forth facts showing
 8 that such hotel is in an unsanitary condition or that fire escapes and
 9 appliances are not kept and maintained in accordance with the pro-
 10 visions of law, the inspector shall make or cause to be made an inspec-
 11 tion or examination of the matters complained of and if upon inspec-
 12 tion the complaint is found to be justifiable the actual cost or expense
 13 necessarily incurred in making such inspection shall be charged and
 14 collected from the person, firm or corporation conducting such hotel.
 15 Provided, however, that the inspectors of hotels shall not have power
 16 to cancel, annul or invalidate any license issued, except, upon the judg-
 17 ment of a court of record or municipal court.

1 **SEC. 5. Repeal and substitute.** That the law as it appears in sec-
 2 tion twenty-five hundred fourteen-t (2514-t), supplement to the code,
 3 1913, be and the same is hereby repealed and the following enacted
 4 in lieu thereof:

5 **SEC. 2514-t. Inspector and deputies—salary and expenses—claims**
 6 **—fund.** The inspector of hotels shall receive a salary of twenty-four
 7 hundred dollars (\$2400) per annum and necessary expenses payable
 8 monthly out of the hotel inspection fund.

9 Each deputy inspector shall receive an annual salary of eighteen
 10 hundred dollars (\$1800), and necessary expenses payable monthly out
 11 of the hotel inspection fund. All salaries, compensation, printing, sta-
 12 tionery, postage, and other contingent expenses necessarily incurred
 13 under the provisions of this act shall be paid from said fund. All bills
 14 and claims for compensation and necessary expenses shall be itemized,
 15 verified and shall be approved and certified by the state board of audit
 16 before warrants in payment of the same are drawn by the auditor of

17 state, provided that no salaries, compensation or expenses shall be
18 paid in excess of the license fees received.

1 SEC. 6. False certification—misdemeanor—penalty. That the law
2 as it appears in section twenty-five hundred fourteen-u (2514-u), sup-
3 plement to the code, 1913, be and the same is hereby amended by
4 striking out the word certificate in the third line thereof and substi-
5 tuting the word "license" therefor.

SEC. 7. Hotel management—failure to comply—revocation of license.
1 That the law as it appears in section twenty-five hundred fourteen-w
2 (2514-w), supplement to the code, 1913, be and the same is hereby
3 amended by striking out the words "or who shall fail to pay the proper
4 fee for inspection"; also by adding to such section the following "Upon
5 such conviction of any court of competent jurisdiction the inspector of
6 hotels may revoke the license of the person, firm or corporation so con-
7 victed."

1 SEC. 8. Publication clause. This act being deemed of immediate
2 importance shall take effect and be in full force from date of publica-
3 tion in the Des Moines Capital and in the Des Moines Register, news-
4 papers published in Des Moines, Iowa.

Approved April 8, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and
the Des Moines Register April 10, 1919.

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

CHAPTER 183.

COMMISSION OF PHARMACY.

H. F. 497.

AN ACT to amend section twenty-five hundred eighty-five (2585), supplement to the code,
1913, relating to the traveling expenses of the secretary and treasurer of the com-
mission of pharmacy.

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

1 SECTION 1. Secretary and treasurer—traveling expenses. That sec-
2 tion twenty-five hundred eighty-five (2585), supplement to the code,
3 1913, be and the same is hereby amended by striking out the period at
4 the end of the sentence in the tenth line of said section, and by adding
5 the following words after the word "annum" in said tenth line, to wit,
6 "and traveling expenses," and also by inserting a period after the said
7 word "expenses".

1 SEC. 2. Publication clause. This act being deemed of immediate
2 importance, shall take effect from and after its passage and publication
3 in the Des Moines Capital and the Des Moines Register, newspapers
4 published in the city of Des Moines, Iowa.

Approved April 8, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and
the Des Moines Register April 10, 1919.

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

CHAPTER 184.

COMMUNITY CENTER HOUSES AND GROUNDS.

H. F. 392.

AN ACT to amend the law as it appears in chapter fifty-one (51), section one (1), acts of the thirty-seventh (37) general assembly, relating to community center houses and recreation grounds.

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

SECTION 1. Community centers—buildings and grounds—powers of council. That the law as it appears in chapter fifty-one (51), section one (1), acts of the thirty-seventh (37) general assembly be, and the same is hereby amended by adding at the end of said section the following:

“And in cities where buildings and grounds suitable for community center activities are owned and maintained by the city, the city council may, by resolution, establish such buildings or grounds as community centers without submitting the question of the establishment thereof to the electors.”

SEC. 2. Publication clause. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication as provided by law in the Des Moines News and Des Moines Register, newspapers published at Des Moines, Iowa.

Approved April 8, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register and in the Des Moines News April 10, 1919.

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

CHAPTER 185.

CITIES UNDER SPECIAL CHARTERS.

H. F. 319.

AN ACT to amend the law as it appears in section nine hundred thirty-seven (937), supplemental supplement to the code, 1915, relative to cities under special charters.

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

SECTION 1. Council—presiding officer. That the law as it appears in section nine hundred thirty-seven (937) supplemental supplement to the code, 1915, be and the same is hereby amended by striking out in the third line the words “a mayor” and by inserting after the words “herein provided for” in the ninth line of said section, the following: “The mayor shall be the presiding officer of the council with the right to vote only in case of a tie.”

SEC. 2. Publication clause. This act being deemed of immediate public importance shall take effect upon its publication in the Des

3 Moines Register and the Des Moines Capital, newspapers published in
4 the city of Des Moines, Iowa.

Approved April 8, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Des Moines Register April 10, 1919.

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

CHAPTER 186.

TRAINING SCHOOL FOR GIRLS AT MITCHELLVILLE.

H. F. 502.

AN ACT to appropriate funds for the construction and equipment of a cottage for the training school for girls at Mitchellville.

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

1 SECTION 1. Cottage and equipment—appropriation. There is hereby
2 appropriated out of the funds in the state treasury, not otherwise
3 appropriated, a sum not exceeding forty thousand dollars (\$40,000.00)
4 to be expended by the board of control for the purpose of building a
5 cottage for the training school for girls at Mitchellville and for the
6 equipment of the same.

Approved April 8, A. D. 1919.

CHAPTER 187.

TRAINING IN TEACHING SERVICE AND INSTRUCTION TO PUPILS.

S. F. 154.

AN ACT to provide training in teaching service for the Iowa State Teachers College, State University of Iowa and College of Agriculture and Mechanic Arts and to furnish instruction to pupils of school districts under contract between the board of directors and the state board of education.

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

1 SECTION 1. Instruction to pupils—training of teachers. The board of
2 directors of any school district in the state of Iowa may enter into con-
3 tract with the state board of education for furnishing instruction to
4 pupils of such school district, and for training teachers for the schools
5 of the state, in such particular lines of demonstration and instruction
6 as are deemed necessary for the efficiency of the Iowa state teachers
7 college, state university of Iowa and college of agriculture and
8 mechanic arts as training schools for teachers.

1 **SEC. 2. Contract for instruction—agreement.** The contract for such
2 instruction shall authorize the payment for such service furnished the
3 school district or for such service furnished the state, the amount to be
4 agreed upon by the officers of the state and of the school district thus
5 co-operating.

1 **SEC. 3. Contract—period.** Such contracts shall be in writing and
2 shall extend over a period of not to exceed two years and a copy
3 thereof shall be filed in the office of the superintendent of schools of
4 the county.

1 **SEC. 4. Publication clause.** This act, being deemed of immediate
2 importance, shall go into effect when published in the Des Moines Reg-
3 ister and the Des Moines Capital, newspapers published at Des Moines,
4 Iowa.

Approved April 9, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital and
the Des Moines Register April 11, 1919.

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

CHAPTER 188.

LEASE OF COAL-MINING RIGHTS UNDER STATE FAIR GROUNDS.

S. F. 248.

AN ACT to authorize and empower the state board of control to lease the right to mine
the coal from under all that portion of the present state fair ground lying east of a
line running north and south two hundred (200) feet, east of the present poultry
building.

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

SECTION 1. State fair grounds—coal—lease to mine—authorization.
1 That the state board of control be and it is hereby authorized and
2 empowered to make and enter into contracts of lease with suitable
3 person, firm or corporation desiring to contract, authorizing such lessee
4 to mine and remove the coal from under all that portion of the present
5 state fair ground lying east of a line running north and south two hun-
6 dred (200) feet, east of the present poultry building on said state fair
7 ground.

1 **SEC. 2. Monies received—disposition.** All monies received under and
2 by virtue of any lease executed under the provisions hereof, shall be
3 paid into the state treasury and become a part of the general fund of
4 the state.

1 **SEC. 3. Lease—safeguarding buildings, etc.** The state board of con-
2 trol, in making such lease, shall specifically provide that no coal shall
3 be mined within two hundred (200) feet of any building on the leased
4 premises and that no opening shall be made thereon, and shall make
5 such other provisions as may be proper to properly protect and safe-
6 guard the state's interests.

1 SEC. 4. **Publication clause.** This act being deemed of immediate
 2 importance, shall take effect and be in full force from and after its pub-
 3 lication in the Des Moines Register and the Des Moines Capital, news-
 4 papers published at Des Moines, Polk county, Iowa.

Approved April 9, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register and the Des Moines Capital April 11, 1919.

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

CHAPTER 189.

CONDEMNATION OF LAND FOR STATE PURPOSES.

S. F. 111.

AN ACT to amend section two thousand and nine (2009), supplement to the code, 1913, relating to condemnation of land for state purposes.

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

1 SECTION 1. **Appeals.** That section two thousand and nine (2009)
 2 supplement to the code, 1913, be amended by striking out all of said
 3 section after the word "defendant" in the eighth line of said section.

Approved April 9, A. D. 1919.

CHAPTER 190.

SPECIAL ADJOURNMENT OF DISTRICT COURT.

S. F. 302.

AN ACT to amend section two hundred thirty-five (235) of the code relating to special adjournment of the district court.

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

1 SECTION 1. **District court—special adjournment—amendment.** That
 2 section two hundred thirty-five (235) of the code be and the same is
 3 hereby amended by striking out the word "or" after the word "letter"
 4 in the third (3) line of said section and inserting in lieu thereof a
 5 comma, and by adding after the word "telegram" in the third (3) line
 6 of said section the words "or telephone".

Approved April 9, A. D. 1919.

CHAPTER 191.

TUBERCULOSIS SANATORIUM AT OAKDALE.

S. F. 79.

AN ACT to appropriate twenty-five thousand dollars (\$25,000) as an additional amount to complete the medical and laboratory building of the state sanatorium for the treatment of tuberculosis at Oakdale and for equipment thereof, and also to appropriate the sum of three thousand dollars (\$3,000) for the purchase of an X-ray machine for said institution.

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

SECTION 1. Medical and laboratory building—appropriation for completion and equipment. That there is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of twenty-five thousand dollars (\$25,000) as an additional appropriation to complete the medical and laboratory building of the state sanatorium for the treatment of tuberculosis at Oakdale, and for the equipment of said building.

SEC. 2. X-ray machine—appropriation for. That there is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of three thousand dollars (\$3,000) or so much thereof as is necessary to be expended for the purchase of an X-ray machine for use in the state sanatorium for the treatment of tuberculosis at Oakdale.

Approved April 9, A. D. 1919.

CHAPTER 192.

SHARE OF A SURVIVING SPOUSE.

S. F. 119.

AN ACT to repeal section thirty-three hundred and seventy-six (3376), supplement to the code, 1913, and to enact a substitute therefor, relating to share not affected by will and election by a surviving spouse to take or to refuse to take under a decedent's will.

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

SECTION 1. Repeal and substitute—decedent's will—share of surviving spouse, etc. That section thirty-three hundred and seventy-six (3376), supplement to the code, 1913, be, and the same is hereby repealed, and the following enacted in lieu thereof:—

"The survivor's share cannot be affected by any will of the spouse unless consent thereto is given as hereinafter provided. Where a voluntary election to take or refuse to take under a will has not been filed by a surviving spouse within sixty (60) days from the date when the will of a decedent has been admitted to probate, it shall be the duty of

9 the executor appointed to administer the will of such decedent in this
 10 state, to cause to be served, in the manner required for service of
 11 original notice, upon the surviving spouse, a notice, in writing, advis-
 12 ing such surviving spouse that the will of such decedent has been
 13 admitted to probate, stating the name of the court and the date when
 14 the will was admitted to probate, and requiring that such spouse,
 15 within six (6) months after the completed service of such notice to
 16 elect whether he or she shall take or refuse to take under the pro-
 17 visions of the will of such decedent, and that such election may be
 18 made in open court or by writing filed in such court, which election,
 19 when made, shall be entered on the proper records thereof. The same
 20 notice may be given by any other person interested in the estate of
 21 decedent, and shall have the same force and effect as if given by the
 22 executor. In case such surviving spouse does not make such election
 23 within six (6) months from the date of the completed service of such
 24 notice, it shall be conclusively presumed that such survivor consents
 25 to the provisions of the will and elects to take thereunder; unless
 26 within such period of six (6) months, an affidavit shall be filed setting
 27 forth that such surviving spouse is mentally incapable of making such
 28 election. In case such an affidavit is so filed, the court shall fix a time
 29 and place of hearing and cause a notice thereof, containing the require-
 30 ments above set out, to be served upon said surviving spouse in such
 31 manner and for such time as the court may direct, and at said hearing,
 32 a guardian ad litem shall be appointed to represent such spouse and
 33 the court shall enter an order electing for and in behalf of such spouse,
 34 as it shall deem under the evidence to be for the best interests of such
 35 spouse.

Approved April 9, A. D. 1919.

CHAPTER 193.

JURY COMMISSIONERS.

S. F. 54.

AN ACT to amend chapter two hundred sixty-seven (267) of the laws of the thirty-seventh general assembly, and relating to the compensation of jury commissioners and the auditing of the same by a judge of the district court.

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

1 SECTION 1. Jury commissioners—compensation—auditing. That sec-
 2 tion four (4) of chapter two hundred sixty-seven of the laws of the
 3 thirty-seventh general assembly be amended by striking out the words
 4 “not exceeding two days” in the eighteenth line thereof, and that the
 5 words “and the time which the commissioners are actually employed in
 6 the duties of their office” be stricken out of line twenty of said section,
 7 and that the following be substituted therefor: “together with his
 8 actual expenses; and, that a statement of the time the commissioner is
 9 actually employed in the duties of his office and his actual expenses
 10 shall be approved by a judge of the district court and”

Approved April 9, A. D. 1919.

CHAPTER 194.

CUTTING OF WEEDS ALONG PUBLIC HIGHWAYS.

S. F. 341.

AN ACT amending section fifteen hundred thirty-three (1533), supplement to the code, 1913, relating to the cutting of weeds along public highways over which township trustees and county boards have jurisdiction.

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

1 SECTION 1. Weeds—highways—township trustees. Amend section
2 fifteen hundred thirty-three (1533), supplement to the code, 1913, by
3 inserting after the word roads in line fifteen thereof the words "over
4 which they have jurisdiction".

1 SEC. 2. Weeds—cutting of—county boards. The county board of
2 supervisors shall have jurisdiction over the cutting of weeds in the
3 manner and at the time as provided in section fifteen hundred thirty-
4 three (1533), supplement to the code, 1913, upon the roads over which
5 they have jurisdiction.

Approved April 9, A. D. 1919.

CHAPTER 195.

LAND PATENT TO JAMES M. PEDEN.

S. F. 440.

AN ACT to convey to James M. Peden the title of the state of Iowa to the northeast quarter (NE $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) of section eleven (11), township seventy (70) north, range thirteen (13), west of the 5th P. M.

WHEREAS, the northeast quarter (NE $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) of section eleven (11), township seventy (70), north, range thirteen (13), west of the 5th P. M. was granted by the United States to the state of Iowa for the improvement of navigation to the Des Moines river; and

WHEREAS, said land was assessed for taxes by Davis county, Iowa, for the years 1859, 1860, 1861 and 1862 and were on the first day of November, 1859, sold to S. W. McAtee, by the treasurer of Davis county, for the unpaid taxes thereon; and

WHEREAS, thereafter on February 4, 1867, the treasurer of Davis county issued a tax deed for said land to John Browne, assignee, of the treasurer's certificate of sale issued in pursuance of the sale aforesaid; and

WHEREAS, after divers conveyances said land was on the 13th day of April 1878, conveyed to James M. Peden and the deed therefor filed for record in the office of the recorder of Davis county on April 15, 1878; and

WHEREAS, the said James M. Peden has ever since said conveyance held possession of said land and has paid the taxes levied and assessed thereon, in the belief that he held a good and indefeasible title to said land, and said

Davis county and the state of Iowa had the benefit of the purchase price at tax sale of the taxes imposed on said land since the conveyance to James M. Peden to the present time; and

WHEREAS, said land is now held and has been improved by the said James M. Peden in good faith without knowledge of the defect in the title thereto; and

WHEREAS, said lands appear on the record to belong to the state of Iowa; Therefore

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

1 SECTION 1. Patent. That the governor and secretary of state shall, in
2 the name of the state of Iowa, and under its sale convey by patent to
3 James M. Peden, the following described real estate, to wit:

4 The northeast quarter (NE $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) of
5 section eleven (11), township seventy (70) north, range thirteen (13),
6 west of the 5th P. M. in Davis county, Iowa, and transfer to him any
7 and all interest which the state of Iowa may have in said real estate.

Approved April 9, A. D. 1919.

CHAPTER 196.

ADMISSION TO IOWA SOLDIERS' HOME.

S. F. 182.

AN ACT to amend section two thousand six hundred six (2606), supplemental supplement to the code, 1915, relating to rules of admission to the Iowa soldiers' home.

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

SECTION 1. Iowa soldiers' home—women—rules of admission.
1 That section two thousand six hundred six (2606) supplemental sup-
2 plement to the code, 1915, be amended by striking from line nine (9)
3 thereof the following words and figures "eighteen hundred ninety-five
4 (1895)" and inserting in lieu thereof the following words and figures
5 "nineteen hundred five (1905)"

Approved April 9, A. D. 1919.

CHAPTER 197.

GROUP LIFE INSURANCE.

H. F. 546.

AN ACT defining group life insurance, authorizing chapter six (6) life insurance companies to issue contracts providing for such group life insurance, fixing the terms under which such group life insurance can be written, prescribing certain provisions and conditions to be embodied in such a life insurance contract, and waiving the medical examination required by section seventeen hundred eighty-three-b (1783-b), supplement to the code, 1913, in all cases of such group life insurance.

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

1 SECTION 1. Group life insurance defined. Group life insur-
 2 ance is hereby declared to be that form of life insurance covering not
 3 less than fifty employes, with or without medical examination, written
 4 under a policy issued to the employer, the premium on which is to
 5 be paid by the employer or by the employer and employes jointly, and
 6 insuring only all of his employes, or all of any class or classes thereof
 7 determined by conditions pertaining to the employment, for amounts
 8 of insurance based upon some plan which will preclude individual selec-
 9 tion, for the benefit of persons other than the employer; provided,
 10 however, that when the premium is to be paid by the employer and
 11 employe jointly and the benefits of the policy are offered to all eligible
 12 employes, not less than seventy-five per centum of such employes may
 13 be so insured.

SEC. 2. Level premium life insurance companies — contracts.

1 Any level premium life insurance company, organized on the stock
 2 or mutual plan and authorized to transact insurance business under
 3 the provisions of chapter 6, title IX, of the code, may, by complying
 4 with the provisions of said chapter six and with the provisions of this
 5 act, issue contracts providing for group life insurance as defined in
 6 section 1 hereof.

SEC. 3. Policy of group insurance — provisions — domestic life
 1 companies — employer deemed policy holder holder. No policy of

2 group insurance shall be issued or delivered in this state unless and
 3 until a copy of the form thereof has been filed with the commissioner
 4 of insurance and approved by him; nor shall such policy be so issued
 5 or delivered unless it contains in substance the following provisions:
 6 (1) A provision that the policy shall be incontestable after two
 7 years from its date of issue, except for nonpayment of premiums and
 8 except for violation of the conditions of the policy relating to military
 9 or naval service in time of war.

10 (2) A provision that the policy, the application of the employer
 11 and the individual applications, if any, of the employes insured, shall
 12 constitute the entire contract between the parties, and that all state-
 13 ments made by the employer or by the individual employes shall, in
 14 the absence of fraud, be deemed representations and not warranties,
 15 and that no such statement shall be used in defense to a claim under
 16 the policy, unless it is contained in a written application.

17 (3) A provision for the equitable adjustment of the premium or
 18 the amount of insurance payable in the event of a misstatement of
 19 the age of an employe.

20 (4) A provision that the company will issue to the employer for
 21 delivery to the employe, whose life is insured under such policy, an
 22 individual certificate setting forth a statement as to the insurance
 23 protection to which he is entitled, to whom payable, together with
 24 provision to the effect that in case of the termination of the employ-
 25 ment for any reason whatsoever the employe shall be entitled to have
 26 issued to him by the company, without further evidence of insurability,
 27 and upon application made to the company within thirty-one days
 28 after such termination and upon the payment of the premium appli-
 29 cable to the class of risk to which he belongs and to the form and
 30 amount of the policy at his then attained age, a policy of life insurance
 31 in any one of the forms customarily issued by the company, except
 32 term insurance, in an amount equal to the amount of his protection
 33 under such group insurance policy at the time of such termination.

34 (5) A provision that to the group or class thereof originally
 35 insured shall be added from time to time all new employes of the
 36 employer eligible to insurance in such group or class.

37 Policies of group insurance, when issued in this state by any com-
 38 pany not organized under the laws of this state, may contain, when
 39 issued, any provision required by the law of the state, or territory,
 40 or district of the United States under which the company is organized;
 41 and policies issued in other states or countries by companies organ-
 42 ized in this state, may contain any provision required by the laws of
 43 the state, territory, district or country, in which the same are issued,
 44 anything in this section to the contrary notwithstanding. Any such
 45 policy may be issued or delivered in this state which in the opinion
 46 of the commissioner of insurance contains provisions on any one or
 47 more of the several foregoing requirements more favorable to the
 48 employer or to the employe than hereinbefore required.

49 In every group policy issued by a domestic life insurance company,
 50 the employer shall be deemed to be the policyholder for all purposes
 51 within the meaning of this chapter, and, if entitled to vote at meetin^{gs}
 52 of the company, shall be entitled to one vote thereat.

1 SEC. 4. Policy or proceeds—garnishment, etc.—debts. No pol-
 2 icy of group insurance, nor the proceeds thereof, when paid to any
 3 employe or employes thereunder, shall be liable to attachment, gar-
 4 nishment, or other process, or to be seized, taken, appropriated or
 5 applied by any legal or equitable process or operation of law, to pay
 6 any debt or liability of such employe, or his beneficiary, or any other
 7 person who may have a right thereunder, either before or after pay-
 8 ment; nor shall the proceeds thereof, when not made payable to a
 9 named beneficiary, constitute a part of the estate of the employe for
 10 the payment of his debts.

1 SEC. 5. Medical examination. The provisions of section seven-
 2 teen hundred eighty-three-b (1783-b), supplement to the code, 1913,
 3 relating to medical examination of applicants, shall not apply to insur-
 4 ance written under this act.

Approved April 10, A. D. 1919.

[Note—Preceding the last paragraph of Sec. 3 there appears in the enrolled act the following: "Sec. 3"—a repetition of section number and a manifest error, which we eliminate.—Ed.]

CHAPTER 198.

ENGLISH LANGUAGE FOR SECULAR SUBJECTS IN SCHOOLS OF STATE.

H. F. 6.

AN ACT requiring the use of the English language as the medium of instruction in all secular subjects in all schools within the state of Iowa.

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

SECTION 1. Secular subjects — instruction in — English language medium of — foreign languages — where permitted. That the medium of instruction in all secular subjects taught in all of the schools, public and private, within the state of Iowa, shall be the English language, and the use of any language other than English in secular subjects in said schools is hereby prohibited, provided, however, that nothing herein shall prohibit the teaching and studying of foreign languages as such as a part of the regular school course in any such school, in all courses above the eighth grade.

SEC. 2. Violation of act — misdemeanor — penalty. That any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00).

Approved April 10, A. D. 1919.

CHAPTER 199.

RED FLAG OR OTHER INSIGNIA.

H. F. 102.

AN ACT making it a misdemeanor to display, carry or exhibit a red flag with the intent to advocate, encourage or incite anarchy or treason, and providing a penalty therefor.

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

SECTION 1. Red flag, etc. — display — misdemeanor — penalty. Any person who displays, carries, or exhibits any red flag, or other flag, pennant, banner, ensign, or insignia, or who aids, encourages, or advises such display, carriage, or exhibition, with the intent thereby to himself, or to induce others, to advocate, encourage, or incite anarchy or treason or hostility to the government of the United States or of the state of Iowa, or to insult or disregard the flag of the United States, shall be guilty of a misdemeanor and upon conviction shall be fined not to exceed one thousand (\$1,000) dollars or be imprisoned not to exceed six (6) months or both.

SEC. 2. Dangerous weapon — felony — penalty. If any person so violate the provisions of section one of this act, and be then

3 and there armed with a dangerous weapon, he shall be guilty of a
4 felony and upon conviction shall be imprisoned not to exceed five (5)
5 years.

SEC. 3. Hostility to government, etc. — display presumptive
1 evidence. In all prosecutions for violation of section one (1) of this
2 act, the display, carriage, or exhibition of such red flag, pennant, ban-
3 ner, ensign, or insignia in processions, parades, meetings or assem-
4 blages, shall be presumptive evidence that the same was so displayed,
5 carried, or exhibited with the intent thereby to advocate, teach,
6 encourage, or incite anarchy or treason or hostility to the government
7 of the United States or the state of Iowa, or with intent to insult or
8 disregard the flag of the United States.

Approved April 10, A. D. 1919.

CHAPTER 200.

COUNTY AID FOR THE BLIND.

H. F. 108.

AN ACT to repeal section twenty-seven hundred twenty-two-j (2722-j) and amend section
twenty-seven hundred twenty-two-k (2722-k) of the supplemental supplement to the
code, 1915, relating to the benefit that the county board of supervisors may or shall
allow persons who have been declared to be blind, and providing who shall be entitled
to receive the same.

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

SECTION 1. Repeal and substitute — blind citizens — benefit
1 allowance. That section two thousand seven hundred twenty-two-j
2 (2722-j) supplemental supplement to the code, 1915, be and the same
3 is hereby repealed and the following substituted in lieu thereof:
4 "That all male citizens over the age of twenty-one years, and all
5 female citizens over the age of eighteen years, who are declared to be
6 blind in the manner hereinafter set forth, and who come within the
7 provisions of this act shall receive as a benefit a sum not less than one
8 hundred fifty dollars (\$150.00) per annum, and not more than three
9 hundred dollars (\$300.00) per annum, payable quarterly, upon war-
10 rants properly drawn upon the treasurer of the county of which such
11 citizen or citizens are residents. The board of supervisors of the
12 county shall at their discretion determine what sum between one hun-
13 dred fifty dollars and three hundred shall go to such citizen or citizens."

SEC. 2. Who not entitled to benefit. By striking out all of
2 line two after the word "institution" of section 2722-k of the supple-
3 mental supplement to the code, 1915, and all prior to the comma in
4 the third line of said section and substituting in lieu thereof the words
5 "in this state".

Approved April 10, A. D. 1919.

CHAPTER 201.

BOARDS OF DIRECTORS OF SCHOOL CORPORATIONS.

H. F. 351.

AN ACT to amend section two thousand seven hundred and seventy-one (2771), supplement to the code, 1913, relating to filling vacancies on the board of directors of school corporations.

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

SECTION 1. School corporations — boards of directors — appointment — vacancies — term. That section two thousand seven hundred and seventy-one (2771), supplement to the code, 1913, be and the same is hereby amended by adding thereto the following:

In the case of any school corporation, including consolidated school districts, where no director has been elected or where no director who has been elected has qualified, the county superintendent of the county in which said district or the larger portion of said district is located shall be authorized and empowered to appoint a board of directors of such school corporation who shall act as such board of directors until their successors have been elected and qualified. The county superintendent, when making such appointments to fill vacancies, shall designate which term or terms each director appointed shall fill.

Approved April 10, A. D. 1919.

CHAPTER 202.

FOOD-PRODUCING ESTABLISHMENTS.

H. F. 253.

AN ACT to amend section twenty-five hundred twenty-seven-a (2527-a) and section twenty-five hundred twenty-seven-c (2527-c) of the supplement to the code, 1913, relating to hotel inspection.

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

SECTION 1. Food-producing establishments — “hotel.” That the law as it appears in section twenty-five hundred twenty-seven-a (2527-a) of the supplement to the code 1913, be and the same is hereby amended by striking out from the fourth line thereof the word “hotel”.

SEC. 2. Building interiors — finish of — “hotel.” That the law as it appears in section twenty-five hundred twenty-seven-c (2527-c), be and the same is hereby amended by striking from the second and third lines thereof the word “hotel” and by striking from the seventh line of said section twenty-five hundred twenty-seven-c (2527-c) the word “hotel”.

Approved April 10, A. D. 1919.

CHAPTER 203.

SALE OF LAKE BEDS.

H. F. 227.

AN ACT to amend the law as it appears in section twenty-nine hundred-b (2900-b), supplemental supplement to the code, 1915, relating to the sale of lake beds.

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

1 SECTION 1. Lake beds — sale or lease — proceeds. That the
2 law as it appears in section twenty-nine hundred-b (2900-b) supple-
3 mental supplement to the code 1915, be amended by striking out all
4 of said section following the comma after the word "chapter" in line
5 eight (8) of said section, and by inserting in lieu thereof the follow-
6 ing, "and such excepted lake beds may be sold or leased by the execu-
7 tive council as provided in said chapter, the net proceeds to be
8 disbursed in the same manner as is provided in relation to the disburse-
9 ment of proceeds received from similar sources by chapter two hundred
10 forty-six (246) of the laws of the thirty-seventh (37) general
11 assembly".

1 SEC. 2. Publication clause. This act being deemed of immediate
2 importance, shall take effect and be in force from and after its publi-
3 cation in the Des Moines Register, a newspaper published in the city
4 of Des Moines, Iowa, and in the Ruthven Free Press, a newspaper
5 published in the town of Ruthven, Palo Alto County, Iowa.

Approved April 10, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register April 12, 1919 and in the Ruthven Free Press April 16, 1919.

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

CHAPTER 204.

STATE INSTITUTIONS UNDER BOARD OF CONTROL.

S. F. 29.

AN ACT making appropriations for the erection, repair and improvement of buildings, for appurtenances and connections thereto, for furniture, fixtures, furnishings and equipment, for the purchase of land, for the purchase of live stock, farm machinery and equipment, for establishing and maintaining industries, for the purchase of clothing, food, fuel and supplies, and for improvements, equipment and appliances needed in any or all of the institutions hereinafter named, to wit: Iowa soldiers' home, Iowa soldiers' orphans' home, institution for feeble minded children, state sanatorium for the treatment of tuberculosis, state industrial schools, state hospitals for the insane, state penitentiary, the reformatory, state hospital and colony for epileptics and the women's reformatory.

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

SECTION 1. State institutions under board of control—
1 buildings, equipment, etc. — appropriation. There is hereby ap-

2 appropriated out of any money in the state treasury, not otherwise
 3 appropriated, the sum of eight hundred thirty-four thousand, one
 4 hundred and fifty dollars, (\$834,150.00), for the erection, repair and
 5 improvement of buildings, for appurtenances and connections thereto,
 6 for furniture, fixtures, furnishings and equipment, for the purchase
 7 of land, for the purchase of live stock, farm machinery and equip-
 8 ment, for establishing and maintaining industries, for the purchase
 9 of clothing, food, fuel and supplies and for improvements, equipment
 10 and appliances needed in any or all of the institutions hereinafter
 11 named, to wit: Iowa soldiers' home, Iowa soldiers' orphans' home,
 12 institution for feeble minded children, state sanatorium for the treat-
 13 ment of tuberculosis, state training schools, state hospitals for the
 14 insane, state penitentiary, the reformatory, state hospital and colony
 15 for epileptics and the women's reformatory, provided, however, that
 16 not more than four hundred seventeen thousand, seventy-five dollars,
 17 (\$417,075.00) of said appropriation shall be available for the period
 18 ending June 30, 1920, and not more than four hundred seventeen
 19 thousand and seventy-five dollars (\$417,075.00), shall be available for
 20 the period ending June 30, 1921.

SEC. 2. Appropriation — how drawn and expended — report
 1 by board. All money appropriated by this act shall be drawn from
 2 the state treasury and expended in the manner provided by chapter
 3 eleven-b (11-b) title thirteen (13) supplement to the code, 1913. Any
 4 balance remaining of any appropriations after the object for which it
 5 was made has been accomplished, may be expended in the discretion
 6 of the board of control of state institutions for any purpose connected
 7 with the institution for which the appropriation was made, and the
 8 board of control shall report within five (5) days after the convening
 9 of the next general assembly, the amount transferred from each fund,
 10 as provided in this section, and the amount of unexpended balances in
 11 the state treasury December 31, 1920.

SEC. 3. Iowa soldiers' home — Marshalltown. Of the appro-
 2 priations made by this act, the Iowa soldiers' home, at Marshalltown,
 3 shall receive sums as follows:
 4 For contingent and repair fund.....\$25,000.00
 5 For lectures, amusements, books and periodicals..... 700.00

SEC. 4. Soldiers' orphans' home — Davenport. Of the appro-
 2 priations made in this act, the soldiers' orphans' home, at Davenport,
 3 shall receive sums as follows:
 4 For contingent and repair fund.....\$20,000.00
 5 For chaplains, lectures, amusements, books and peri-
 6 odicals 800.00
 7 For transportation of children..... 2,500.00
 8 For dental, oculist, aurist, nose and throat treat-
 9 ments, and necessary supplies 1,800.00

SEC. 5. Institution for feeble-minded children — Glenwood.
 1 Of the appropriations made in this act, the institution for feeble-
 2 minded children, at Glenwood, shall receive sums as follows:
 3 For contingent and repair fund.....\$35,000.00
 4 For building for bakery and equipment (additional).. 35,000.00

SEC. 6. Sanatorium for treatment of tuberculosis — Oakdale.

1 Of the appropriations made by this act, the state sanatorium for the
2 treatment of tuberculosis, at Oakdale, shall receive sums as follows:

3	For contingent and repair fund.....	\$15,000.00
4	For chaplain, lectures, amusements, books and peri-	
5	odicals	700.00

1 **SEC. 7. Training school for boys — Eldora.** Of the appro-
2 priations made by this act, the training school for boys, at Eldora,
3 shall receive sums as follows:

4	For contingent and repair fund.....	\$25,000.00
5	For transportation of boys.....	1,200.00
6	For chaplain, lectures and amusements.....	800.00
7	For dental, oculist, aurist, nose and throat treat-	
8	ments and necessary supplies.....	5,000.00
9	For completion of boys' cottage and furnishings.....	5,000.00

1 **SEC. 8. Training school for girls — Mitchellville.** Of the ap-
2 propriations made by this act, the training school for girls, at Mitchel-
3 ville, shall receive sums as follows:

4	For contingent and repair fund.....	\$20,000.00
5	For completion of new laundry and equipment.....	8,500.00
6	For transportation of girls.....	600.00
7	For chaplain, lectures and amusements.....	500.00
8	For dental, oculist, aurist, nose and throat treat-	
9	ments and necessary supplies.....	1,200.00

1 **SEC. 9. Mt. Pleasant state hospital.** Of the appropriations
2 made by this act, the Mt. Pleasant state hospital, at Mt. Pleasant,
3 shall receive sums, as follows:

4	For contingent and repair fund.....	\$50,000.00
5	For books and periodicals.....	500.00
6	For a battery of boilers.....	11,000.00
7	For mechanical stokers and repairs in boiler room.....	14,700.00
8	For coal crushing machine.....	2,500.00

1 **SEC. 10. Independence state hospital.** Of the appropriations
2 made by this act, the Independence state hospital, Independence, shall
3 receive sums as follows:

4	For contingent and repair fund.....	\$40,000.00
5	For completion of power house and equipment.....	31,600.00

1 **SEC. 11. Clarinda state hospital.** Of the appropriations made
2 by this act, the Clarinda state hospital, at Clarinda, shall receive sums
3 as follows:

4	For contingent and repair fund.....	\$35,000.00
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1 **SEC. 12. Cherokee state hospital.** Of the appropriations made
2 by this act, Cherokee state hospital, at Cherokee, shall receive sums
3 as follows:

4	For contingent and repair fund.....	\$40,000.00
5	For new boilers and stokers.....	12,000.00

1 **SEC. 13. State hospital and colony for epileptics — Wood-**
2 **ward.** Of the appropriations made by this act, the state hospital and
3 colony for epileptics, at Woodward, shall receive sums as follows:

3	For contingent and repair fund.....	\$15,000.00
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4	For building hog house (additional).....	2,250.00
5	For additional water supply.....	7,000.00
6	For two dining halls, kitchen and custodial building	
7	(additional)	15,000.00

1 SEC. 14. State penitentiary — Fort Madison. Of the appro-
 2 priations made by this act, the state penitentiary, at Fort Madison,
 3 shall receive sums as follows:

4	For contingent and repair fund.....	\$20,000.00
5	For the purchase of land and industries.....	75,000.00
6	For transportation of prisoners.....	3,000.00
7	For dental, oculist, aurist, nose and throat treat-	
8	ments, and necessary supplies.....	1,500.00
9	For lectures and amusements.....	600.00

1 SEC. 15. The reformatory — Anamosa. Of the appropriations
 2 made by this act, the reformatory, at Anamosa, shall receive sums as
 3 follows:

4	For contingent and repair fund.....	\$ 20,000.00
5	For the purchase of farm land and industries.....	160,000.00
6	For transportation of prisoners.....	3,500.00
7	For dental, oculist, aurist, nose and throat treat-	
8	ments and necessary supplies.....	1,500.00
9	For lectures, amusements, books and periodicals.....	700.00

1 SEC. 16. The women's reformatory — Rockwell City. Of the
 2 appropriations made by this act, The Women's Reformatory, at Rock-
 3 well City, shall receive sums as follows:

4	For contingent and repair.....	\$7,000.00
5	For pathological building (additional).....	5,000.00
6	For additional to install sewage and disposal plant.....	5,000.00
7	For lectures, amusements, books and periodicals.....	500.00

1 SEC. 17. Appropriation — special purposes. Out of the ap-
 2 propriations made by this act there is hereby appropriated the sum
 3 of fifty thousand dollars, (\$50,000.00), to be used in the discretion of
 4 the board of control of state institutions, for any or all of the follow-
 5 ing purposes: For the erection, repair and improvement of buildings,
 6 for appurtenances and connections thereto, for furniture, fixtures and
 7 furnishings and equipment thereto, for the purchase of land, for the
 8 purchase of live stock, farm machinery and equipment, for establishing
 9 and maintaining industries, for the purchase of clothing, food, fuel
 10 and supplies and for improvements, equipment and appliances needed
 11 in any or all of the institutions hereinafter named, to wit: Iowa sol-
 12 diers' home, Iowa soldiers' orphans' home, institution for feeble-
 13 minded children, state sanatorium for the treatment of tuberculosis,
 14 state training schools, state hospitals for the insane, state penitentiary,
 15 the reformatory, state hospital and colony for epileptics and the
 16 women's reformatory.

Approved April 10, A. D. 1919.

CHAPTER 205.

REPORTS BY CORPORATIONS.

S. P. 118.

AN ACT to amend sections sixteen hundred fourteen-f (1614-f), sixteen hundred fourteen-g (1614-g), sixteen hundred fourteen-h (1614-h), and sixteen hundred fourteen-i (1614-i), of the supplement to the code, 1913, relating to annual reports by corporations, and making provision for forfeiture and cancellation of the corporate charter, and rights to do business in this state.

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

SECTION 1. Report and fee — delinquency — penalties, etc.

1 That section sixteen hundred fourteen-f (1614-f) of the supplement
2 to the code, 1913, be, and the same is hereby amended by placing a
3 comma after the word "shall" in the fifth line of said section, and also
4 by inserting after the said word "shall" the following words: "in
5 addition to the annual fee of one dollar required," and also by inserting
6 a comma after the said word "required;" that said section be further
7 amended by striking out the word "two" in the seventh line of said
8 section and inserting in lieu thereof the word "one"; also by striking
9 out the word "four" in the seventh line of said section and inserting
10 in lieu thereof the word "two"; also by striking out the word "six"
11 in the eighth line of said section and inserting in lieu thereof the word
12 "three"; also by striking out the word "eight" in the ninth line of
13 said section and inserting in lieu thereof the word "four"; also by
14 striking out the word "ten" in the tenth line of said section and insert-
15 ing in lieu thereof the word "five". That said section be further
16 amended by striking out the word "May" in the tenth line of said
17 section and inserting in lieu thereof the word "January"; also by
18 striking out the following words in the eighteenth line of said section,
19 and commencing at the first of said line, to wit: "first day of May,
20 nineteen hundred ten, and the"; also by striking out the word "May"
21 in the eighteenth line of said section wherein it is used the second
22 time and inserting in lieu thereof the word "February"; also by insert-
23 ing after the word "corporation" in the twentieth line of said section
24 the following words "in the manner provided by section sixteen hun-
25 dred and seventeen of the code" and by inserting a comma after the
26 word "code."

SEC. 2. Notice of delinquency — forfeiture of rights — rein-

1 statement. That section sixteen hundred fourteen-g (1614-g) of
2 the supplement to the code, 1913, be and the same is hereby amended
3 by striking out the word "April" in the seventh line of said section and
4 inserting in lieu thereof the word "January"; also by striking out the
5 word "May" in the eighth line of said section and inserting in lieu
6 thereof the word "February". That said section be further amended
7 by striking out the period at the end of said section and inserting in
8 lieu thereof a comma, and also by adding after the said comma at the
9 end of said section, the following:
10 "or, at his discretion, the attorney general may recommend that the
11 secretary of state cancel the name of any delinquent corporation from
12 the list of live corporations in his office, and enter such cancellation on

13 the proper records, and when so cancelled by the secretary of state
14 the corporate rights of any such corporation shall be forfeited and its
15 corporate period terminated on the date such cancellation shall have
16 been entered on the records of his office; provided, however, that the
17 secretary of state shall forward to such corporation, a written notice
18 of the recommendations of the attorney general, such notice to state
19 that unless said corporation shall within sixty days of the date of such
20 notice fully comply with the provisions of this act by filing in the office
21 of the secretary of state any report that may be due and pay all fees
22 and penalties that have accrued, or, in lieu thereof file a proof of pub-
23 lication of notice of dissolution as required by section sixteen hundred
24 seventeen (1617) of the code, a declaration of forfeiture and cancella-
25 tion will be entered on the records of his office. After such declaration
26 and forfeiture shall have been entered by the secretary of state on
27 the records of his office such corporation shall not be entitled to exer-
28 cise the rights of a corporate body, except, it may be allowed a reason-
29 able time to close up its business and wind up its affairs, but no new
30 business shall be transacted. The notice herein provided for, when
31 enclosed in a sealed envelope with legal postage affixed thereon, and
32 addressed to the corporation, shall constitute a legal notice for the
33 purpose of this act, provided, that any corporation whose corporate
34 rights shall have been cancelled and forfeited in the manner provided
35 in this act, or any stockholder or creditor of such corporation may,
36 however, make an application to the executive council in the manner
37 provided in section one hundred seventy-h (170-h), supplement to the
38 code, 1913, for a compromise of the claim of the state for the fee and
39 penalties that may have accrued under the provisions of this chapter,
40 and upon payment of the secretary of state the fee or fees that may
41 have accrued, and such amount in addition thereto as penalties as may
42 be fixed by the executive council, and also, upon filing such annual
43 reports as may be delinquent, the secretary of state shall reinstate
44 said corporation and the decree of cancellation and forfeiture pre-
45 viously entered shall be annulled and the corporation shall be entitled
46 to continue to act as a corporation for the unexpired portion of its
47 corporate period, as fixed by its article of incorporation and the limi-
48 tations prescribed by law, with the right of renewal under section
49 sixteen hundred eighteen-a (1618-a) supplement to the code, 1913;
50 provided, however, that no corporation shall be permitted to waive any
51 duty or obligation required of corporations or the payment of any just
52 claim or claims by reason of such cancellation, forfeiture, and rein-
53 statement as herein provided."

1 SEC. 3. Forfeiture of permit. That section sixteen hundred
2 fourteen-h of the supplement to the code, 1913, be, and the same is
3 hereby amended by striking out the word "May" in the second line
4 of said section and inserting in lieu thereof the word "February".

1 SEC. 4. Exemptions. That section sixteen hundred fourteen-i
2 (1614-i) of the supplement to the code, 1913, be, and the same is hereby
3 amended by striking out the figures "1907" in the eighth line of said
4 section and inserting in lieu thereof the figures "1913".

1 SEC. 5. Fees and penalties. The fees and penalty provided for
2 in this act shall be a prior lien on any property of the corporation

3 against all persons, whether said property is in the possession of said
4 corporation or otherwise.

Approved April 10, A. D. 1919.

CHAPTER 206.

DAIRY AND FOOD COMMISSIONER, ETC., AND IMITATION DAIRY PRODUCTS.

S. F. 178.

AN ACT to amend the law as it appears in section two thousand five hundred fifteen (2515) of the supplemental supplement to the code, 1915, and relating to the appointment of a dairy and food commissioner, a deputy dairy and food commissioner, a state dairy inspector, assistants, a chemist, and a bacteriologist and assistant chemist, define the power and duties of such officers; and to amend the law as it appears in section two thousand five hundred fifteen-g (2515-g) of the supplement to the code, 1913, relating to penalties for violating the dairy laws enforced by the dairy and food commissioner; and to amend section two thousand five hundred twenty-two (2522) of the supplement to the code, 1913, relating to making reports by manufacturers of certain dairy products; and to amend chapter thirteen (13) of title XII of the code by adding thereto a section relating to the registration and use of marks or brands on containers used for handling skimmed-milk, butter-milk, milk, cream and ice cream, also a section relating to the use of the words "butter", "creamery" and "dairy" on substitutes for butter and advertising material pertaining thereto; and to repeal the law as it appears in sections two thousand five hundred fifteen-b (2515-b) and two thousand five hundred fifteen-c (2515-c) of the supplement to the code, 1913, and section two thousand five hundred fifteen-d (2515-d) supplement to the code, 1913, as amended by chapter three hundred seventy-seven (377), section one (1), acts of the thirty-seventh general assembly, and to enact substitutes therefor relating to the sale of imitation evaporated milk, imitation ice cream, skimmed milk, milk, cream and other dairy products.

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

SECTION 1. Dairy and food commissioner — officers — assistants — appointment — salaries, etc. That the law as it appears in section twenty-five hundred fifteen (2515) supplemental supplement to the code, 1915, be and the same is hereby amended by striking out of line eleven thereof the words "of each even-numbered year" and inserting in lieu thereof the words "nineteen hundred twenty"; by striking out of line fourteen thereof the words "hold his office for two" and inserting in lieu thereof the words "who shall hold his office for a term of four"; by inserting after the word "shall" in line forty-three thereof the following; "devote all their time to their duties and shall"; by striking out of line fifty-one thereof the word "shall" and inserting in lieu thereof the word "may"; by striking out of lines fifty-five and fifty-six thereof after the comma (,) where it appears following the word "year" in line fifty-five the words "to be paid in the same manner as the salaries of other state officers. He" and inserting in lieu thereof the following; "and a bacteriologist and assistant chemist at a salary to be hereafter fixed by the general assembly. The state chemist and the bacteriologist and assistant chemist"; and by inserting after the period (.) where it appears following the word "assistants" in line sixty-one thereof the following;

20 "The commissioner, the deputy commissioner, the state dairy inspec-
 21 tor, the assistants, the chemist and the bacteriologist and assistant
 22 chemist shall be paid in the same manner as the salaries of other state
 23 officers".

**SEC. 2. Repeal and substitute — adulteration or misbranding
 — "milk" and "cream" defined — cheese — imitation products, etc.**

1 That the law as it appears in section two thousand five hundred fifteen-
 2 b (2515-b), two thousand five hundred fifteen-c (2515-c) and two
 3 thousand five hundred fifteen-d (2515-d), supplement to the code, 1913,
 4 as amended by chapter 377, acts of the thirty-seventh general assem-
 5 bly, be and the same are hereby repealed and the following enacted in
 6 lieu thereof:

7 No person shall sell, exchange or expose for sale or exchange or
 8 deliver or bring to another for domestic or potable use or to be con-
 9 verted into any product of human food, any adulterated, or misbranded
 10 milk, cream or skimmed milk, and no person shall purchase any such
 11 substance to be converted into any human food product or manufac-
 12 ture the same into food product, nor shall any persons offer or expose
 13 for sale or have in his possession with intent to sell or sell any skimmed
 14 milk unless each receptacle and carrying can containing the same shall
 15 be kept plainly marked on the side thereof with the words "Skimmed
 16 Milk" in the English language in plain letters not less than one inch
 17 in height, provided that skimmed milk sold in bottles shall be deemed
 18 to be properly marked if the cap shall be plainly printed with the
 19 words "Skimmed Milk" in letters not smaller than twelve point Gothic
 20 caps.

21 For the purpose of this act, milk is the fresh, clean, lacteal secretion
 22 obtained by the complete milking of one or more healthy cows, prop-
 23 erly fed and kept. For the purpose of this act, cream is the portion
 24 of milk, rich in milk fat, which rises to the surface of milk on standing,
 25 or is separated from it by centrifugal force, is fresh and clean. For
 26 the purpose of this act, skimmed milk is the portion of milk, poor in
 27 fat, from which the cream has been removed. The term "skimmed
 28 milk" shall also include the fresh, clean, lacteal secretion of one or
 29 more healthy cows and containing less than three per cent (3%) of
 30 milk fat or less than eleven and one-half per cent (11½%) of milk
 31 solids.

32 For the purpose of this act, milk, cream and skimmed milk shall be
 33 deemed to be adulterated:

34 In case of milk, cream and skimmed milk:

35 First. If water or any other substance has been added.

36 Second. If it contains any visible dirt or be contained in any con-
 37 tainer which is not clean.

38 Third. If it be obtained from any animal having disease, sickness,
 39 ulcer, abscess or running sore or which has been obtained from a cow
 40 within fifteen days before or five days after calving.

41 Fourth. If it be obtained from a cow stabled in an unhealthful
 42 place or fed upon any substance in a state of putrification or of an
 43 unhealthful nature.

44 In case of milk:

45 If it contains less than three per cent (3%) of milk-fat or less than
 46 eleven and one-half per cent (*11¼%) of milk solids.

*Should read: "(11¼%)".

47 In case of cream :

48 If it contains less than sixteen per cent (16%) of milk-fat.

49 For the purpose of this act, milk, cream and skimmed milk shall be
50 deemed to be misbranded.

51 If it be labeled or branded so as to deceive or mislead the purchaser
52 or if the package bears any statement, design or device which is false
53 or misleading in any particular.

54 For the purpose of this act, cheese is the sound, ripened product made
55 from milk or cream by coagulating the casein with rennet or lactic
56 acid with or without the addition of ripening ferments, seasonings and
57 color, and contains not less than thirty per cent (30%) of milk-fat. For
58 the purpose of this act, skimmed milk cheese is the sound and ripened
59 product made from skimmed milk as defined in this chapter, by coagu-
60 lating the casein thereof with rennet or lactic acid, with or without
61 the addition of ripening ferments, seasoning, and color and containing
62 less than thirty per cent (30%) of milk fat. No person shall offer or
63 expose for sale any skimmed milk cheese without the same being
64 plainly and durably branded or marked on the side or top of both cheese
65 and package in the English language with the words "Skimmed Milk
66 Cheese" in letters to be not less than one inch in height and one-half
67 inch in width.

68 Every article, substitute or compound, save that produced from
69 pure milk of cows and containing no added substance, made in the sem-
70 blance of or designed to be used for or in the place of evaporated milk,
71 is hereby declared "Imitation Evaporated Milk" and every article, sub-
72 stitute or compound, containing any fat other than the milk-fat of milk
73 cows, made in the semblance of or designed to be used for or in the
74 place of cream, is hereby declared "Imitation Ice Cream". No person,
75 firm or corporation shall manufacture, have in his possession, offer to
76 sell, or sell, solicit or take orders for delivery or ship any such imitation
77 evaporated milk or imitation ice cream, except in the manner and sub-
78 ject to the regulations provided in this section.

79 Imitation evaporated milk and imitation ice cream may be manufac-
80 tured, kept in possession, offered for sale, or sold, if each can, tub, box,
81 or other package in which same is kept, offered for sale or shipped
82 shall have plainly branded on the side or top thereof in the English
83 language in a durable manner, the words "Imitation Evaporated
84 Milk" or "Imitation Ice Cream" as the case may be. The letters of the
85 words to be not less than one inch in height and one-half inch in width.
86 Provided, however, that on packages containing less than twenty
87 ounces net of imitation evaporated milk the words "Imitation Evap-
88 orated Milk" may appear plainly printed on the principal label of the
89 package in type not less than one-fourth inch in height and one-
90 eighth inch in width. Imitation evaporated milk and imitation ice
91 cream may be kept, used or served only in case the proprietor or
92 person in charge of the place in which such imitation evaporated
93 milk or imitation ice cream is used, or served, shall display and keep
94 constantly posted and card opposite each table, counter, or other
95 places where the guests or others are served with the same, which
96 card shall be white, at least ten by fourteen inches in size and the
97 words "Imitation Evaporated Milk Used Here" or "Imitation Ice
98 Cream Used Here", as the case may be, printed in black Roman letters
99 not less than three inches in height and two inches in width and

100 no other words or figures shall be printed thereon. Provided, how-
 101 ever, that this provision shall not apply to a private residence of a
 102 person serving his family or guests. Nothing in this or the preceding
 103 section shall be construed to require the labeling of nut ice cream
 104 or ice cream flavored with chocolate or cocoa, "imitation ice cream".

1 **SEC. 3. Violation—penalties.** That the law as it appears in section
 2 two thousand five hundred fifteen-g (2515-g), supplement to the code,
 3 1913, be and the same is hereby amended by striking out of line three
 4 thereof the words "twenty-five" and inserting in lieu thereof the word
 5 "ten" and by striking out of line four thereof the word "less" and
 6 inserting in lieu thereof the word "more."

1 **SEC. 4. Milk dealers, manufacturers, etc.—sanitation—reports—vio-**
 2 **lations—penalty.** That the law as it appears in section two thousand
 3 five hundred twenty-two (2522), supplement to the code, 1913, be and
 4 the same is hereby amended by inserting after the word "creamery"
 5 where it appears in line four thereof the words "Milk-plant, cream-
 6 station or ice cream."

1 **SEC. 5. Mark or brand—registration—protection of rightful owner.**
 2 That chapter thirteen (13) of title XII of the code be and the same
 3 is hereby amended by adding thereto the following:

4 Any person, firm or corporation who buys, sells or transports
 5 skimmed-milk, butter-milk, milk, cream or ice cream, may adopt a
 6 distinctive mark or brand to be placed on any container of such dairy
 7 products, owned by it, and may register such mark or brand with the
 8 state dairy and food commissioner, and when approved by the com-
 9 missioner, such mark or brand shall be used only by the registrant
 10 thereof. The mark or brand may consist of the owner's name and
 11 address or suitable abbreviations therefor or both.

12 It shall be unlawful for any person, firm or corporation to use any
 13 mark or brand which has been so registered by and approved for the
 14 use of any other person, firm or corporation.

15 It shall be unlawful for any person, firm or corporation, other than
 16 the rightful owner thereof, to use any container, marked or branded
 17 as in this section provided, for any other purpose or for the transpor-
 18 tation or handling of any other commodity than skimmed-milk,
 19 butter-milk, milk, cream or ice cream.

20 It shall be unlawful for any person, firm or corporation, other than
 21 the rightful owner thereof to deface, remove or injure any mark or
 22 brand, provided in this section, placed on any container.

23 It shall be unlawful for any person, firm or corporation to use any
 24 container marked or branded, as in this section provided, without the
 25 consent of the owner thereof.

26 It shall be unlawful for any person, firm or corporation to have in
 27 its possession for a longer time than three days any container marked
 28 or branded as in this section provided, without the consent of the
 29 owner thereof and any person, firm or corporation having in its pos-
 30 session any container not its own property, or sent it by the owner
 31 thereof for use, shall immediately return such container or containers,
 32 other than milk and cream bottles, to the owner by a common carrier,
 33 and a receipt from a common carrier shall be prima facie evidence
 34 that such container was returned. Milk and cream bottles, marked or
 35 branded as in this section provided, shall be returned by delivering
 them to the owner thereof or his agent or servant in person, or by

36 leaving them where such owner, his agent or servant may pick them
 37 up at the time he delivers milk. Provided, that where the person, firm
 38 or corporation finds in its possession a container not its own property
 39 nor sent it by the owner thereof for use and not knowing the name
 40 and address of the rightful owner shall immediately notify the state
 41 dairy and food commissioner in writing that such container is in its
 42 possession, describing to him the size and shape of container and the
 43 mark thereon. Upon receipt of shipping instructions from the state
 44 dairy and food commissioner he shall immediately forward same by
 45 a common carrier collect to the name and address furnished him by
 46 the state dairy and food commissioner. Nothing in this section shall
 47 require the return of any milk or cream bottle when the cost of return-
 48 ing such bottle is greater than the market value of the bottle.

49 The state dairy and food commissioner shall adopt and issue rules
 50 and regulations for carrying out the provisions of this section. The
 51 term container used in this section shall include cans, bottles, casks,
 52 kegs, barrels, packages, and other receptacles of like nature.

1 **SEC. 6. Substitute for butter, etc.—requirements.** That chapter
 2 thirteen (13) of title XII, of the code be and the same is hereby
 3 amended by adding thereto the following:

4 No person, firm or corporation shall use in any way, in connection or
 5 association with the sale or exposure for sale or advertisement of any
 6 substance designed to be used as a substitute for butter, the word
 7 "butter", "creamery", or "dairy", except as required by section
 8 twenty-five hundred seventeen (2517) of the code, or the name or rep-
 9 resentation of any breed of dairy cattle, or any combination of such
 10 word or words and representation, or any other words or symbols or
 11 combination thereof commonly used in the sale of butter.

1 **SEC. 7. Violation of act—misdemeanor—penalty.** That any person,
 2 firm or corporation violating any provision of this act shall be guilty
 3 of a misdemeanor, and upon conviction therefor shall be punished by
 4 a fine of not less than ten nor more than one hundred dollars or by
 5 imprisonment for not more than thirty days in the county jail.

1 **SEC. 8. Commissioner and assistants—vacancy in office not contem-**
 2 **plated by act.** Nothing contained in this act shall in any manner
 3 operate to cause a vacancy or remove from office the dairy and food
 4 commissioner or his assistants or employes of the dairy and food
 5 department who may be serving when this act becomes effective.

1 **SEC. 9. Provisions of sections 2 and 6—when effective.** The pro-
 2 visions of section two of this act in so far as they relate to imitation
 3 evaporated milk shall take effect October 1st, 1919.

4 The provision of section 6 of this act shall take effect August 1st,
 5 1919.

1 **SEC. 10. Publication clause.** This act being deemed of immediate
 2 importance, shall be in force and effect from and after its publication
 3 in the Des Moines Register and the Des Moines Capital, newspapers
 4 published at Des Moines, Iowa.

Approved April 11, A. D. 1919.

I hereby certify that the foregoing act was published in Des Moines Capital April 15,
 1919 and in the Des Moines Register April 16, 1919.

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

CHAPTER 207.

OFFICERS AND EMPLOYEES OF REFORMATORY AND PENITENTIARY.

S. F. 115.

AN ACT to repeal the law as it appears in section fifty-seven hundred sixteen (5716), supplemental supplement to the code, 1915, and to enact a substitute therefor providing for the compensation and allowances of officers and employees of the reformatory at Anamosa, Iowa, and the penitentiary at Fort Madison, Iowa.

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

SECTION 1. Repeal and substitute—reformatory and penitentiary—
 1 officers and employees—compensation, etc. That section fifty-seven
 2 hundred sixteen (5716) supplemental supplement to the code, 1915, is
 3 hereby repealed and in lieu thereof is enacted the following:
 4 “The officers and employees of the reformatory at Anamosa and the
 5 penitentiary at Fort Madison, hereinafter specified, shall be paid for
 6 their services each month sums to be fixed by the board of control of
 7 state institutions not exceeding, however, the sum specified as fol-
 8 lows: The warden, two hundred fifty (\$250.00) dollars; the deputy
 9 warden one hundred fifty (\$150.00) dollars; the assistant deputy
 10 warden one hundred twenty-five (\$125.00) dollars; the clerk one hun-
 11 dred fifty (\$150.00) dollars; the chaplain one hundred twenty-five
 12 (\$125.00) dollars, and an additional chaplain twenty-five (\$25.00) dol-
 13 lars; the physician and surgeon one hundred twenty-five (\$125.00)
 14 dollars; the store keeper one hundred twenty-five (\$125.00) dollars;
 15 the record clerk, receiving officer, and captains of the night guards,
 16 each one hundred ten (\$110.00) dollars; but turnkeys and guards of
 17 the first class shall be paid one hundred (\$100.00) dollars; turnkeys
 18 and guards of the second class ninety (\$90.00) dollars; and turnkeys
 19 and guards of the third class eighty (\$80.00) dollars.
 20 Other officers and employees in the opinion of the board of control
 21 of state institutions needed to carry on the various departments of the
 22 prisons, properly and efficiently, may be authorized and their salaries
 23 fixed by said board, subject to the approval of the governor as pro-
 24 vided by the law as found in section twenty-seven hundred twenty-
 25 seven-a38 (2727-a38) supplement to the code, 1913. The salaries and
 26 wages herein authorized shall be paid by the state treasurer from any
 27 money in the state treasury not otherwise appropriated, upon certi-
 28 fied abstracts as provided by the law as it appears in section twenty-
 29 seven hundred twenty-seven-a43 (2727-a43) supplement to the code,
 30 1913.”

1 SEC. 2. Publication clause. This act being deemed of immediate
 2 importance shall take effect and be in force from and after its publi-
 3 cation in the Des Moines Register and the Des Moines Capital, both
 4 newspapers published in Des Moines, Iowa.

Approved April 11, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April 15, 1919 and the Des Moines Register April 16, 1919.

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

CHAPTER 208.

TOWN OF PANORA.

S. F. 410.

AN ACT to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants of the town of Panora, in Guthrie county, Iowa.

WHEREAS, the town of Panora, Guthrie county, Iowa, by its town council, did heretofore authorize and incur expenditures in the sum of five thousand (\$5,000) dollars for corporate purposes, as permitted by law; and did issue warrants of said town in like amount to evidence such indebtedness, in the manner and form required by law; and

WHEREAS, said expenditures were made for proper corporate purposes and the town of Panora is enjoying the use and benefit thereof and the purposes for which said expenditures were made, was and is well worth the sum which said town contracted should be paid therefor, and the indebtedness of said town, at the time said warrants were issued did not, and does not at this time, exceed the statutory or constitutional limitation; and

WHEREAS, at a properly convened meeting of the town council of said town of Panora, Iowa, held on the 3rd day of March, A. D. 1919, a resolution entitled, "Resolution authorizing the issue of five thousand (\$5,000) dollars funding bonds of the town of Panora, Iowa," was adopted for the purpose of funding the indebtedness represented by the aforesaid warrants, and

WHEREAS, doubts have arisen concerning the legality of the aforesaid warrants, because the expenditures or a portion thereof, evidenced thereby, were contracted in excess of the appropriations theretofore made for the funds against which said warrants were drawn, now, therefore,

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

1 SECTION 1. Town of Panora—acts of council legalized. That the acts
2 of the town council of the town of Panora, Iowa, in making expendi-
3 tures for said town, issuing warrants therefor in the sum of five
4 thousand (\$5,000) dollars as aforesaid, and authorizing and directing
5 the issuance and sale of negotiable bonds in the sum of five thousand
6 (\$5,000) dollars for the purpose of funding the aforesaid warrants be
7 and the same are hereby legalized and validated.

1 SEC. 2. Warrants legalized. That the aforesaid warrants of the
2 town of Panora, Iowa, in the aggregate sum of five thousand (\$5,000)
3 dollars be and the same are hereby legalized and declared to be valid,
4 legal and subsisting obligations of said town of Panora, Iowa.

1 SEC. 3. Funding bonds legalized—tax levy. That the funding bonds
2 of the town of Panora, Iowa, in the aggregate sum of five thousand
3 (\$5,000) dollars authorized and directed to be issued and sold by said
4 resolution for the purpose of funding the aforesaid warrants, be and
5 the same are hereby legalized, and when sold as by law provided, shall
6 be the valid, legal and subsisting obligations of the town of Panora,
7 Iowa, and thereafter said town shall levy taxes for the payment of the
8 principal and interest upon said funding bonds in accordance with
9 the provisions of the code of Iowa as amended, relating to taxation.

1 SEC. 4. Pending litigation. Nothing in this act shall affect pending
2 litigation.

1 SEC. 5. Publication clause. This act, being deemed of immediate
2 importance, shall take effect and be in force from and after its publi-
3 cation in the Des Moines Capital, a newspaper published in Des
4 Moines, Iowa, and the Guthrie County Vedette, a newspaper published
5 in the town of Panora, Iowa, without expense to the state of Iowa.

Approved April 11, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April 15, 1919, and in the Guthrie County Vedette April 17, 1919.

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

CHAPTER 209.

CONSOLIDATED INDEPENDENT SCHOOL DISTRICT OF MARBLE ROCK.

S. F. 457.

AN ACT to legalize the action and acts of the county superintendent of Floyd county, Iowa, and of the board of directors and officers of the school township of Union, in the county of Floyd, state of Iowa, preliminary to, and in connection with, a special election held on the 14th day of March, 1919, whereat there was submitted to the voters residing in or upon sections seven (7), eight (8), nine (9), ten (10), fifteen (15), sixteen (16), seventeen (17), eighteen (18), nineteen (19), twenty (20), twenty-one (21), twenty-two (22), twenty-seven (27), twenty-eight (28), twenty-nine (29), thirty (30), thirty-one (31), thirty-two (32), thirty-three (33), and thirty-four (34), all in township ninety-four north, range seventeen west of the fifth principal meridian, within Union township, Floyd county, Iowa, the question of the establishment of a consolidated independent school district comprising the said sections of land, to be known as consolidated independent school district of Marble Rock, in the county of Floyd, state of Iowa; and to legalize the said special election and all acts and proceedings leading up to and resulting in, the formation and establishment of the said consolidated independent school district, and to validate and establish the formation of the said consolidated school district.

WHEREAS, a petition describing the boundaries of contiguous territory containing not less than sixteen (16) sections of land in Floyd county, Iowa, signed by one-third of the electors residing in the said territory and asking that all the territory situated within the limits therein described be organized into one consolidated independent school district was filed with the county superintendent of Floyd county, Iowa, and

WHEREAS, the said county superintendent thereupon fixed a time for hearing the said petition and gave notice of the time and place for such hearing; and at the time and place so fixed all objections then filed to the proposed boundaries of the said district were heard by the said county superintendent upon their merits, after which the said county superintendent did fix the boundaries of the proposed consolidated district in accordance with the said petition and did determine that the said district be composed of the sections of land described therein, and did approve the said petition; and

WHEREAS, the contiguous territory described in the said petition and the boundaries of the said proposed consolidated district fixed and determined

by the said county superintendent were as follows: Sections seven (7), eight (8), nine (9), ten (10), fifteen (15), sixteen (16), seventeen (17), eighteen (18), nineteen (19), twenty (20), twenty-one (21), twenty-two (22), twenty-seven (27), twenty-eight (28), twenty-nine (29), thirty (30), thirty-one (31), thirty-two (32), thirty-three (33), and thirty-four (34), all in township ninety-four (94) north, range seventeen (17) west of the fifth (5th) principal meridian, within Union township, Floyd county, Iowa; and

WHEREAS, the board of directors of the school township of Union, county of Floyd, state of Iowa, being the board of directors of the school corporation in which the portion of the proposed consolidated district having the largest number of voters was situated, did thereupon on the 5th day of March, 1919, duly meet and call an election in the proposed consolidated district to be held on the 14th day of March, 1919, in the town of Marble Rock, Union township, Floyd county, Iowa, at which election there should be submitted to the voters residing in or upon the said territory the question whether the proposed consolidated independent school district, to be known as Consolidated Independent School District of Marble Rock, in the county of Floyd, state of Iowa should be established; and

WHEREAS, the said election was duly held at the time and place set therefor and a majority of the votes cast by the electors residing in or upon the said territory was in favor of the establishment of the proposed consolidated independent school district; and

WHEREAS, doubts have arisen as to the legality of the said election and the action and acts of the said county superintendent and of the board of directors and officers of the said school township of Union, preliminary to, and in connection with, the said election, and as to the legality of the establishment of the said consolidated independent school district; now therefore

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

SECTION 1. Special election, boundaries, acts, proceedings, etc., legalized. That the said special election and the action and acts of the county superintendent of Floyd county, Iowa, preliminary to, and in connection with, the hearing of the said petition and the fixing of the boundaries of the proposed consolidated district and the approval of the said petition, and the action and acts of the board of directors, and officers of the school township of Union, county of Floyd, state of Iowa, preliminary to, and in connection with, the calling, giving notice of and holding the said special election held on the 14th day of March, 1919, in the town of Marble Rock, Union township, Floyd county, Iowa, and all acts and proceedings leading up to, and resulting in, the formation and establishment of the said Consolidated Independent School District of Marble Rock, in the county of Floyd, state of Iowa, comprising the sections of land hereinbefore enumerated, be, and the same are hereby legalized and declared in all respects valid; and the formation of the said consolidated independent school district is hereby validated and established.

SEC. 2. Pending litigation. Nothing herein contained shall be construed to affect any pending litigation.

1 **SEC. 3. Publication clause.** This act being deemed of immediate
 2 importance shall take effect and be in full force from and after its
 3 publication in the Des Moines Register, a newspaper published in Des
 4 Moines, Iowa, and the Marble Rock Journal, a newspaper published in
 5 Marble Rock, Iowa, without expense to the state.

Approved April 11, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register April 16, 1919, and in the Marble Rock Journal April 24, 1919.

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

CHAPTER 210.

FALSE ENTRIES UPON BOOKS OF EMPLOYERS, ETC.

S. F. 402.

AN ACT to punish the making of any false entries upon the books of a corporation or other employer by any officer, agent or employe of such corporation or employer.

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

SECTION 1. Books of corporation, etc.—false entries—felony—punishment. Any officer, agent or employe of any corporation who shall
 1 knowingly make or knowingly authorize to be made false entries upon
 2 the books of such corporation, and any employe of another who shall
 3 knowingly make or cause to be made false entries upon the books of
 4 his employer, shall be guilty of a felony, and upon conviction shall be
 5 punished by imprisonment not to exceed two (2) years, or by a fine
 6 not to exceed five thousand dollars (\$5,000.00), or by both such fine
 7 and imprisonment.
 8

Approved April 11, A. D. 1919.

CHAPTER 211.

GRAND AND PETIT JURIES.

S. F. 267.

AN ACT to amend chapter two hundred sixty-seven (267) of the laws of the 37th general assembly, relating to the selection of grand and petit juries.

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

SECTION 1. Jury commission—vacancy—appointment. That section
 1 two (2) of chapter two hundred sixty-seven (267) of the laws of the
 2 37th general assembly be, and the same is hereby amended by adding
 3 to said section the following: "If a vacancy shall occur in such com-
 4 mission through death, removal or inability of a member thereof to
 5

6 act, the judge, or judges of the judicial district, shall appoint some
7 person to act during the remainder of such unexpired term."

1 **SEC. 2. Clerical assistance—expense statement—warrant.** That sec-
2 tion four (4) of chapter two hundred sixty-seven (267) of the laws of
3 the 37th general assembly be, and the same is hereby amended by
4 striking out the words "not exceeding two days" as the same appears
5 in the eighteenth line thereof, and by adding to said section following
6 the word "entitled" at the end of said section the following: "It is
7 further provided that the jury commissioners may employ such clerical
8 assistance in preparing the jury lists as they may deem necessary,
9 and the clerk of said district court shall certify the expense incidental
10 thereto to the county auditor, upon a sworn statement of such expense
11 filed by said commissioners with said clerk, and the auditor shall
12 thereupon draw a warrant upon the court expense fund for the amount
13 thereof."

1 **SEC. 3. Grand and petit jurors and talesmen — number.** That section
2 five (5) of chapter two hundred sixty-seven (267) of the laws of the
3 37th general assembly be, and the same is hereby amended by striking
4 out the words "first Monday after the 10th day of November in each
5 year" as they appear in lines three and four of said section, and insert-
6 ing in lieu thereof the words "second Monday after the general elec-
7 tion in each year such election is held, and the first Monday in Novem-
8 ber in each year in which no general election is held". Also amend
9 by striking out the words "a number of persons equal to twenty per
10 cent of the whole number of" as they appear in lines fourteen and
11 fifteen of said section, and inserting in lieu thereof the words "five
12 hundred".

1 **SEC. 4. Jury lists—sealing, filing, etc.** That section seven (7) of
2 chapter two hundred sixty-seven of the laws of the 37th general
3 assembly be, and the same is hereby amended by striking out the
4 words "fifteenth day of November" as they appear in lines eight and
5 nine of said section, and inserting in lieu thereof the words "first
6 Monday in December".

1 **SEC. 5. Jurors—drawing of.** That section nine (9) of chapter two
2 hundred sixty-seven (267) of the laws of the 37th general assembly
3 be, and the same is hereby amended by inserting after the word
4 "court" and before the word "the" as the same appear in line thirteen
5 of said section the following: "If for any reason all of such jury com-
6 missioners are unable to meet at the time fixed by the clerk, after
7 notice by the clerk to such commissioners of the time fixed by him for
8 drawing the jury panel, any two of such commissioners, in the pres-
9 ence of the county auditor and clerk, may proceed and draw the jury
10 at said time". That said section be further amended by striking out
11 the comma after the word "commissioners" as it appears in line
12 twenty of said section and inserting between the word "Commis-
13 sioners" and the word "who" as the same appear in line twenty, the
14 words "or county auditor".

1 **SEC. 6. Grand jurors—talesmen—how drawn.** That section fifteen
2 (15) of chapter two hundred sixty-seven (267) of the laws of the
3 37th general assembly be, and the same is hereby amended by insert-

4 ing after the word "drawn" and before the word "from" as the same
 5 appear in line two of said section, the words "by the jury commis-
 6 sion".

Approved April 11, A. D. 1919.

CHAPTER 212.

SALE OF LIQUORS, ETC., NEAR PLACES OF WORSHIP.

S. F. 275.

AN ACT to repeal section 4960 and section 4961 of the code relating to the sale of or gift of spirituous or other liquors or articles of merchandise at camp meetings and other places of religious worship.

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

1 SECTION 1. Repeal. That section 4960 and section 4961 of the code
 2 be and the same are hereby repealed.

Approved April 11, A. D. 1919.

CHAPTER 213.

TRUSTS, ETC., AND THE EXCEPTING OF LABOR UNIONS.

S. F. 321.

AN ACT to amend section five thousand sixty-seven-a (5067-a) of the supplement to the code, 1913, relating to combinations, pools and trusts, and excepting labor unions from the operation of said section.

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

SECTION 1. Combinations, trusts, etc.—excepting of labor unions.
 1 That section five thousand sixty-seven-a (5067-a) of the supplement
 2 to the code, 1913, be, and the same is hereby amended by adding to
 3 said section following the period at the close thereof the following:
 4 "Provided, however, that the labor of a human being either mental
 5 or physical is not a commodity or article of commerce and it shall not
 6 be unlawful for men and women to organize themselves into or carry
 7 on unions for the purpose, by lawful means of lessening the hours of
 8 labor or increasing the wages, or bettering the condition of the mem-
 9 bers of such organizations; or lawfully carrying out their legitimate
 10 purposes".

Approved April 11, A. D. 1919.

CHAPTER 214.

TAXATION EXEMPTIONS OF SOLDIERS, SAILORS, ETC.

S. F. 381.

AN ACT to amend section one (1) chapter one hundred ninety-one (191) acts of the thirty-seventh general assembly relating to soldiers, sailors and marines and widows exemption.

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

SECTION 1. **Soldiers, sailors and marines—taxation exemptions—**
 1 **sale.** That section one (1), chapter one hundred ninety-one (191), acts
 2 of the thirty-seventh general assembly, be and the same is hereby
 3 amended by substituting a colon (:) for the final period (.) and adding
 4 to said chapter the following: provided, however, that such exemption
 5 shall only extend to the period during which such soldier, sailor or
 6 marine or widow thereof or the wife or minor child of any such soldier,
 7 sailor or marine remains the owner of said property, and upon the sale
 8 thereof to any person other than those of the class included in this
 9 act, said exemption shall cease, and the property shall be subject to
 10 taxation as other property.

Approved April 11, A. D. 1919.

CHAPTER 215.

UNITED STATES SENATORS.

S. F. 420.

AN ACT to amend chapter four hundred and one (401) of the laws of the thirty-seventh general assembly and relating to filling vacancies in the office of senator in the congress of the United States.

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

SECTION 1. **United States senators—vacancies—amendatory substi-**
 1 **tute.** That section two (2) of chapter four hundred and one (401), of
 2 the laws of the thirty-seventh general assembly be amended by strik-
 3 ing out the word "Congress" in the third line thereof and substituting
 4 therefor the words "the Senate"

Approved April 11, A. D. 1919.

CHAPTER 216.

JUSTICES OF THE PEACE AND CONSTABLES.

S. F. 181.

AN ACT to amend section forty-six hundred-a (4600-a) of the supplement to the code, 1913, relative to fees of justices of the peace and constables.

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

SECTION 1. Repeal and substitute—justices of the peace and constables—fees. Section forty-six hundred-a (4600-a) supplement to the code, 1913, is hereby repealed and the following enacted in lieu thereof: Justices of the peace and constables in townships having a population of more than twelve thousand shall pay into the county treasury all criminal fees collected in each year. Justices of the peace and constables in townships having a population of under twelve thousand shall pay into the county treasury all fees collected each year in excess of the following sums: In townships having a population of four thousand and under twelve (thousand), justices, eight hundred dollars; constables, six hundred dollars; in all townships having a population of under four thousand, justices, six hundred dollars; constables, five hundred dollars. In townships having a population of twelve thousand or more, justices of the peace and constables shall receive in full compensation for their services performed in criminal cases during the year, the following sums which shall be paid quarterly out of the county treasury: In townships having a population of forty thousand or more, justices, eighteen hundred dollars; constables, fifteen hundred dollars; in townships having a population of twenty-eight thousand or more, justices, fifteen hundred dollars; constables, twelve hundred dollars; in townships having a population of twenty thousand and under twenty-eight (thousand), justices, twelve hundred dollars; constables, one thousand dollars; in townships having a population of twelve thousand and under twenty thousand, justices, one thousand dollars; constables, eight hundred dollars. Justices and constables in all townships having a population of twelve thousand and over shall retain such civil fees as may be allowed by the board of supervisors, not to exceed five hundred dollars per annum, for expenses of their offices actually incurred, and shall pay in to the county treasurer all the balance of the civil fees collected by them.

Approved April 11, A. D. 1919.

CHAPTER 217.

BRINGING OF DRUGS, WEAPONS, ETC., TO STATE INSTITUTIONS.

S. F. 392.

AN ACT to amend section forty-nine hundred thirteen-a (4913-a) of the supplement to the code, 1913, relating to the crime of bringing to state institutions or inmates drugs, liquors, weapons, explosives or articles aiding escape.

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

SECTION 1. Institution for feeble-minded children—drugs, weapons,
 1 etc.—crime of bringing. That section forty-nine hundred thirteen-a
 2 (4913-a) of the supplement to the code, 1913, be, and the same is
 3 hereby amended by inserting after the word “school” in line six of
 4 said section a comma (,) and after said comma the words “institution
 5 for feeble-minded children”.

Approved April 11, A. D. 1919.

CHAPTER 218.

CEMETERIES.

S. F. 95.

AN ACT to amend the law as it appears in section five hundred eighty-six (586), supplemental supplement to the code, 1915, relating to the powers and duties of township trustees with reference to cemeteries.

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

SECTION 1. Cemeteries—township trustees—powers and duties.
 1 That the law as it appears in section five hundred eighty-six (586)
 2 supplemental supplement to the code, 1915, be and the same is hereby
 3 amended by inserting after the word “power” in line eight of said
 4 section the following, “and it shall be their duty” and also by insert-
 5 ing after the word “power” in line eleven, the following, “and it shall
 6 be their duty.”

Approved April 11, A. D. 1919.

CHAPTER 219.

DISCHARGE OF PAROLED PRISONERS.

S. F. 8.

AN ACT to amend section fifty-seven hundred eighteen-a twenty (5718-a20), supplement to the code, 1913, relating to the discharge of paroled prisoners.

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

SECTION 1. Parole—United States or allied service—discharge or release—board of parole—powers. That section fifty seven hundred eighteen-a-twenty (5718-a20) supplement to the code, 1913, be amended by inserting after the word "sentence", in the twelfth (12th) line of said section the following:

In cases where a paroled man during his parole period entered the military, marine, or naval service of the United States, or in like service with any of the countries with which the United States was allied or associated in the war with the central powers of Europe, during and prior to the year A. D. 1918, and has been honorably discharged from such service, or where a paroled man was during such war period employed upon or in public works by, or for the immediate benefit of the United States in the prosecution of such war, and has been honorably released from such service, the board of parole shall have the power to recommend the final discharge of such parolee.

Approved April 11, A. D. 1919.

CHAPTER 220.

IOWA WORKMEN'S COMPENSATION ACT.

S. F. 159.

AN ACT to amend the law as it appears in chapter 8-a, title XII, supplement to the code, 1913, as amended, by repealing sections 2477-m 9 (b), as amended by chapter 270, acts of the 37th general assembly of Iowa, section 2477-m 9 (d), section 2477-m 9 (j) (13) and (15), section 2477-m 15 (f) and section 2477-m 29, supplement to the code, 1913, and by enacting substitutes for each of the sections so repealed; also by so amending said chapter 8-a as to increase the basis of compensation from 50 to 60 per cent of the average weekly wage; also by amending section 2477-m 9 (j), supplement to the code, 1913, by adding thereto a paragraph providing that compensation for the loss of the second eye shall be paid for a period of two hundred weeks, all relating to the law known as the Iowa workmen's compensation act.

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

SECTION 1. Workmen's compensation act—amendments. That chapter eight-a (8-a) of title twelve (XII) of the supplement to the code, 1913, and all act amendatory thereof be amended by adding the following to said chapter:
 "Wherever the words 'fifty per cent' appear in any part of said chapter they shall be stricken out and the words 'sixty per cent' shall be substituted therefor."

SEC. 2. Repeal and substitute—disability—medical or other services —limitation. That the law as it appears in section 2477-m 9 (b), supplement to the code, 1913, as amended by chapter 270, acts of the thirty-seventh general assembly of Iowa, be and the same is hereby repealed, and the following enacted in lieu thereof:

(b) At the time of the injury and thereafter during the disability, but not exceeding four weeks of incapacity, the employer, if so requested by the employe, 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 therefor, not exceeding one hundred (\$100.00) dollars. Provided, however, that in exceptional cases, an application may be made in writing to the Iowa industrial commissioner for additional surgical, medical and hospital services, and supplies therefor, in which case a copy of such application shall be mailed to the employer or his insurer. If such application is approved by the commissioner, then the employer shall furnish such additional services and supplies for such period and in such amount as the Iowa industrial commissioner shall order, but in no event to exceed one hundred (\$100.00) dollars.

SEC. 3. Repeal and substitute — death resultant — dependents — employer's liability. That the law as it appears in section 2477-m 9 (d), supplement to the code, 1913, be and the same is hereby repealed, and the following enacted in lieu thereof:

(2) 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 sixty per cent of his average weekly wages, but not more than fifteen (\$15.00) dollars nor less than six (\$6.00) dollars per week for a period of three hundred weeks.

SEC. 4. Repeal and substitute—loss of arm—compensation. That the law as it appears in section 2477-m9 (j), (13), supplement to the code, 1913, be and the same is hereby repealed, and the following enacted in lieu thereof:

(13) The loss of two-thirds of that part of an arm between the shoulder joint and the elbow joint shall constitute the loss of an arm, and the compensation therefor shall be sixty (60%) per cent of the average weekly wages during two hundred twenty-five (225) weeks.

SEC. 5. Repeal and substitute—loss of leg—compensation. That the law as it appears in section 2477-m9 (j), (15), supplement to the code, 1913, be and the same is hereby repealed, and the following enacted in lieu thereof:

(15) The loss of two-thirds of that part of a leg between the hip joint and the knee joint shall constitute the loss of a leg, and the compensation therefor shall be sixty (60%) per cent of the average weekly wages during two hundred (200) weeks.

SEC. 6. Amendment—loss of second eye—compensation. That the law as it appears in section 2477-m9 (j), supplement to the code, 1913, be and the same is hereby amended by adding thereto, as a new paragraph thereof, and immediately following paragraph (16) of said section 2477-m9 (j), the following:

6 (17) For the loss of a second or last eye, the other eye having been
7 lost prior to the injury resulting in the loss of the second eye, sixty
8 (60%) per cent of the average weekly wages during two hundred (200)
9 weeks.

SEC. 7. Repeal and substitute—periods of business suspension—
1 basis for compensation. That the law as it appears in section 2477-m
2 15, (f), supplement to the code, 1913, be and the same is hereby
3 repealed, and the following enacted in lieu thereof:

4 (f) As to employes employed in a business or enterprise which
5 customarily shuts down and ceases operation during a season of each
6 year, the number of working days which it is the custom of such busi-
7 ness or enterprise to operate each year shall be used instead of three
8 hundred as a basis for computing the annual earnings, provided the
9 minimum number of days which shall be used as a basis for the year's
10 work shall not be less than two hundred.

SEC. 8. Repeal and substitute—committee of arbitration—filing deci-
1 sion, etc. That the law as it appears in section 2477-m 29, supplement
2 to the code, 1913, be and the same is hereby repealed, and the follow-
3 ing enacted in lieu thereof:

4 The committee of arbitration shall make such inquiries and investi-
5 gations as it shall deem necessary. The hearings of the committee
6 shall be in the city, town or place where the injury occurred, if within
7 the state. If the injury occurred outside this state the hearings of
8 the committee shall be held in the county seat of this state which is
9 nearest to the place where the injury occurred unless the interested
10 parties and the Iowa industrial commissioner mutually agree by writ-
11 ten stipulation that the same may be held at some other place. The
12 decision of the committee, together with the statement of evidence
13 submitted before it, its findings of fact, rulings of law and any other
14 matters pertinent to questions arising before it shall be filed with the
15 industrial commissioner. Unless a claim for review is filed by either
16 party within five days from the date of filing the decision with said
17 commissioner, such decision shall be enforceable under the provisions
18 of this chapter.

Approved April 11, A. D. 1919.

CHAPTER 221.

WINES FOR SACRAMENTS, ETC.

S. F. 481.

AN ACT to authorize any minister, priest or rabbi to obtain a permit authorizing the purchase, transportation, use and possession of sacramental wines used by such ministers, priests or rabbis and providing penalties for the violation.

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

SECTION 1. Wines for sacraments, etc.—purchase and transporta-
1 tion—permit. Any minister, priest or rabbi of any church, sect,
2 denomination or creed which uses wines in its sacraficial ceremonies

3 or sacraments, and who desires to purchase and have transported by
4 either intrastate or interstate common carriers and have possession of
5 such sacramental wines shall, before purchasing or transporting such
6 sacramental wines apply for and obtain a permit authorizing such sale
7 or transportation as hereinafter provided.

1 SEC. 2. Permit—application for—affidavit. Any such minister,
2 priest or rabbi desiring such permit shall apply to the judge of the
3 district court of the county in which such minister, priest or rabbi,
4 resides, by filing with the clerk of the district court the affidavit of
5 such minister, priest or rabbi, as the case may be, stating therein the
6 following facts.

7 1. The name and post office address of the applicant and the loca-
8 tion of the church, building or synagogue where such minister, priest
9 or rabbi ministers or officiates.

10 2. The kind and character of the wine and approximately the
11 amount required during the calendar month.

SEC. 3. Petitioner—county attorney to represent—hearing—permit
1 —period. It shall be the duty of the county attorney to appear for
2 and represent the petitioner without expense to the petitioner. If,
3 after a hearing, the judge is satisfied that the facts stated in said affi-
4 davit are true the permit shall be issued accordingly, which permit,
5 unless revoked for cause, shall remain in force for five years from the
6 date of its issuance.

1 SEC. 4. Record of permits—certificate to permit holder—form. It
2 shall be the duty of the clerk to keep a record of permits issued herein,
3 giving each permit holder a serial number and at the time of the issu-
4 ance of said permit, or afterwards, while the same remains in force,
5 on application of the permit holder the clerk shall deliver to him cer-
6 tificates showing his authority to buy transport and use such sacra-
7 mental wines as may be covered by said permit, which certificates
8 shall be in triplicate and on red paper and in substantially the follow-
9 ing form:

CLERGYMAN'S SHIPPING PERMIT.

11 This is to certify that, of, county
12 of and state of Iowa, is the holder of a clergyman's
13 permit No., which will expire on the day of
14, 19....., and that such permit holder is authorized
15 to purchase and have transported to him sacramental wines of the
16 kinds and amounts specified below, providing one duplicate of this
17 certificate is firmly pasted or affixed to the exterior of the package
18 and one duplicate hereof is attached to the bill of lading and after
19 the delivery of said wine to such permit holders, said duplicate with
20 the date of the delivery endorsed or stamped thereon shall be by the
21 delivering carriers promptly mailed to the undersigned.

22	Kinds of Wine	Amount and purpose for which to be used
23
24

25
26 Clerk of the District Court
27 county, Iowa.

SHIPPING ORDER

28
29
30
31
32
33

.....
.....
Please ship to me via the wine
Here insert name of carrier
above specified.

SEC. 5. Permit holder—purchase and transportation—procedure.

1 When the holder of any permit granted under this act desires to pur-
2 chase and have transported any wine provided for in this act, he shall
3 make a written order in triplicate upon the blanks provided in section
4 four (4) hereof, which shall be furnished to him by said clerk, setting
5 forth the exact amount and kind of wine ordered, from whom and by
6 what railway, express company or other common carrier the said
7 liquor is to be transported. One copy of this order shall be immedi-
8 ately filed with the clerk of the district court of the county in which
9 the permit is issued, one copy shall be attached to the package in
10 which shipment is made in a conspicuous place in such way that it
11 cannot be removed without showing evidence of mutilation where the
12 entire order is shipped in one package, and if the said order shall be
13 contained and shipped in more than one package, then the consignor
14 shall attach the original copy to one of said packages and a duplicate
15 thereof to each additional package required to ship said order, and the
16 third copy shall be attached at the original point of shipment to the
17 waybill of the common carrier transporting such wine. This copy,
18 when the holder of the permit or his authorized agent shall have
19 receipted for said wine, shall be stamped with the date of delivery of
20 such wine and immediately filed by the agent of the common carrier
21 which has transported the said wine with the clerk of the district
22 court of the county in which permit is granted. The clerk of the dis-
23 trict court shall compare the copy of the order filed by the agent of
24 the common carrier with the copy filed by the holder of the permit and,
25 if any discrepancy exists, he shall report such fact to the county
26 attorney.

1 **SEC. 6. Dealers—authorization to sell and deliver.** It shall be lawful
2 for any person, firm or corporation holding a permit in the state of
3 Iowa for the sale of alcohol, spirituous or vinous liquors to sell sacra-
4 mental wines to holders of permits under this act and to deliver the
5 same to common carriers for transportation to such permit holders
6 under the conditions and as provided by this act, anything to the con-
7 trary in any other law notwithstanding.

1 **SEC. 7. Permit holder or dealer—transportation, etc.—duty.** It
2 shall be the duty of any permit holder within this state or dealer
3 without the state filling such order to paste or otherwise attach firmly
4 one duplicate of such certificate to the exterior of such package, which
5 shall be sufficient authority for the transportation and delivery to such
6 permit holders of the package containing such wine.

1 **SEC. 8. Common carriers and permit holders—authorization to con-**
2 **vey.** When the provisions of this act have fully been complied with,
3 common carriers are authorized to transport to such permit holders
4 wine described in this act in the manner specified therein and the per-
5 mit holder is authorized to carry or convey such wine to his place of
6 business, anything in any other law to the contrary notwithstanding.

SEC. 9. Violation of act by permit holder—misdemeanor—forfeiture.

1 Any person receiving or having shipped any wine under the provisions
 2 of this act, and using or permitting the same to be used for any pur-
 3 pose other than for sacramental purposes, or using or permitting the
 4 same to be used for beverage purposes shall be guilty of a misdemeanor
 5 and shall forfeit all his rights under any permit granted under the pro-
 6 visions of this act.

SEC. 10. Violation of act or liquor laws—misdemeanor—revocation of

1 permit. Any person, firm or corporation violating any of the provi-
 2 sions of this act shall be guilty of a misdemeanor and any violation of
 3 any of the liquor laws of this state by a permit holder shall auto-
 4 matically revoke any permit held by him.

1 **SEC. 11. Publication clause.** This act being deemed of immediate
 2 importance shall take effect and be in full force from and after its
 3 publication in the Des Moines Register and the Des Moines Capital,
 4 newspapers published in Des Moines, Iowa.

Approved April 14, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register and
 the Des Moines Capital April 17, 1919.

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

CHAPTER 222.
JUVENILE PLAYGROUNDS.

S. F. 443.

AN ACT to amend the law as it appears in section eight hundred seventy-nine-r (879-r),
 supplemental supplement to the code, 1915, affecting juvenile playgrounds.

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

1 **SECTION 1. Juvenile playgrounds—cities—power to provide.** That
 2 the law as it appears in section eight hundred seventy-nine-r (879-r)
 3 supplemental supplement to the code, 1915, be and the same is hereby
 4 amended by inserting after the word "cities" in the first line thereof
 5 the following:—"including special charter cities."

Approved April 14, A. D. 1919.

CHAPTER 223.

GRAND AND PETIT JURIES.

S. F. 272.

AN ACT to amend the law as it appears in chapter three hundred ten (310), acts of the 37th general assembly, relating to the drawing of grand and petit jurors, fixing the number thereof, and regulating the method and number of challenges, and the method of exercising peremptory challenges, and of selecting the petit jury from the panel.

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

1 SECTION 1. Grand and petit jurors—number of. That section one
2 (1) of chapter three hundred ten (310) of the laws of the 37th general
3 assembly be, and the same is hereby amended by striking out the
4 words "which shall not exceed seventy-two (72)" as they appear in
5 lines five and six of said section.

Approved April 14, A. D. 1919.

CHAPTER 224.

FRUIT-TREE RESERVATIONS.

S. F. 345.

AN ACT to amend section 1400-c and 1400-h of the supplement to the code, 1913, relating to fruit tree reservations.

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

1 SECTION 1. Fruit-tree reservations. That section 1400-c supplement
2 to the code, 1913, be amended by striking out the word "five" in line
3 four of said section and inserting the word "ten" in lieu thereof.

1 SEC. 2. Minimum number—care—period. That section 1400-h sup-
2 plement to the code, 1913, be amended by inserting the words "forty
3 apple trees, or" after the word "than" in the second line, and the word
4 "other" after the word "seventy" in the same line, and the words
5 "that are pruned and sprayed annually" after the word "and" in the
6 third line of said section.

Approved April 14, A. D. 1919.

CHAPTER 225.

DENTAL ATTENDANCE, ETC., FOR THE POOR.

S. F. 167.

AN ACT to amend the law as it appears in section two thousand two hundred thirty-eight (2,238) of the code, giving to the board of supervisors authority to provide dental attendance and services for the poor.

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

1 SECTION 1. Dental attendance for the poor—contracts—bonds. That
2 the law as it appears in section two thousand two hundred thirty-
3 eight (2238) of the code, be and the same is hereby amended by insert-
4 ing after the word "medical" in the third line of said section, and pre-
5 ceding the word "attendance" the following: "or dental," so that said
6 section will read as follows, to wit:

7 SEC. 2238. The board of supervisors may make contracts with the
8 lowest responsible bidder for furnishing any or all supplies, medical
9 or dental attendance or services required for the poor, for a term not
10 exceeding one year, or it may enter into a contract with the lowest
11 responsible bidder, through proposals opened and examined at a regu-
12 lar session of the board, for the support of any or all the poor of the
13 county for one year at a time, and may make all requisite orders to
14 that effect, and shall require all such contractors to give bonds in such
15 sum as it believes sufficient to secure the faithful performance of the
16 same.

Approved April 14, A. D. 1919.

CHAPTER 226.

PAVING HIGHWAY ADJACENT TO HOSPITAL FOR INSANE AT CHEROKEE.

S. F. 103.

AN ACT to authorize the paving by the state of Iowa of the public highway along the south side of the property owned by the state in connection with the hospital for insane at Cherokee, Iowa, and to make an appropriation therefor.

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

1 SECTION 1. Hospital for insane—highway adjacent—paving, etc.,
2 authorized. The board of control of state institutions is hereby author-
3 ized and directed to grade, curb, and pave the highway running east
4 and west along the south side of the land owned by the state of Iowa
5 in connection with the hospital for insane at Cherokee, Iowa, to wit:
6 from the west line of Eleventh Street in the city of Cherokee, Iowa, to
the west line of the land so owned by the state.

1 SEC. 2. Construction—material—plans, etc. The construction of said
2 improvement shall be under the control and supervision of the board

3 of control of state institutions, and the material shall be brick, con-
 4 crete, asphalt, or other hard material approved by the state highway
 5 engineer, and shall be constructed under plans and specifications drawn
 6 by said engineer, and said construction shall be equal in all respects
 7 to the pavement of the streets of Cherokee, Iowa, with which the same
 8 shall connect. Provided that as a prerequisite to the ordering of said
 9 improvements the abutting property owners and city of Cherokee
 10 shall have taken the proper steps, under the statutes of Iowa, to assure
 11 the payment by said property owners and city of Cherokee of that
 12 part of the costs of the said improvements which can legally be
 13 assessed against said property owners and city.

1 SEC. 3. Appropriation. There is hereby appropriated for the pay-
 2 ment of the cost of said improvement not borne by the abutting prop-
 3 erty owner and the city of Cherokee, the sum of thirty-seven thousand
 4 dollars (\$37,000), or so much thereof as may be necessary, which sum
 5 shall be paid out of any money in the state treasury not otherwise
 6 appropriated.

Approved April 14, A. D. 1919.

CHAPTER 227.

FRATERNAL BENEFICIARY SOCIETIES.

S. F. 458.

AN ACT to amend the law as it appears in section eighteen hundred thirty-nine-j (1839-j), supplement to the code, 1913, relating to fraternal beneficiary societies.

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

1 SECTION 1. Mortuary assessment rates. That the law as it appears
 2 in section eighteen hundred thirty-nine-j (1839-j), supplement
 3 to the code, 1913, be and the same is hereby amended by insert-
 4 ing after the comma in the sixth line thereof the following: "including
 5 the issuance of term, whole life, or limited payment certificates with
 6 withdrawal options,".

Approved April 14, A. D. 1919.

CHAPTER 228.

DESTRUCTION OF WEEDS.

S. F. 146.

AN ACT to amend the law as it appears in section fifteen hundred sixty-five-a (1565-a), supplement to the code, 1913, relating to the cutting of weeds.

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

1 SECTION 1. Noxious weeds—date for cutting. That section fifteen
 2 hundred sixty-five "A" (1565-A) supplement to the code, 1913, be

3 amended by striking out the period after the word "year" in line 15 of
 4 said section and inserting in lieu thereof a comma (,) and adding
 5 thereafter and before the word "but" the following: "except in the
 6 case of noxious weeds which reach maturity before July 15th, and the
 7 township trustees or city or town council may require cutting at an
 8 earlier date."

Approved April 14, A. D. 1919.

CHAPTER 229.

ARRAIGNMENTS, PLEAS AND JUDGMENTS, ETC.

S. F. 326.

AN ACT repealing sections 5239-n and 5239-o of chapter 12-a, supplement to the code, 1913, and enacting substitutes therefor relating to arraignments, pleas, and judgments on written pleas of guilty in prosecutions on information filed by the county attorney.

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

SECTION 1. **Repeal and substitute—arraignments, pleas, etc., in vacation.** That section five thousand two hundred thirty-nine-n (5239-n), supplement to the code, 1913, be, and the same is hereby repealed and the following enacted in lieu thereof:
 "An accused prosecuted on information may, in vacation, be arraigned by any judge of the district court, and, in vacation, be required to plead to the information before any such judge, but arraignments can be made and pleas required, in vacation, only before such judge sitting in chambers at the usual place of holding court in the county in which the information was filed, or in any other county of the judicial district, or in any county to which the cause may be sent on change of venue. The proceedings with reference to arraignments and the taking of pleas, in vacation, shall be signed by the judge and filed with the clerk of the court of the county where the information was filed and entered at length in the records of the court with the same force and effect as if made and entered in term time

SEC. 2. **Repeal and substitute—judgments in vacation—record—force and effect.** That section five thousand two hundred thirty-nine-o (5239-o), supplement to the code, 1913, be, and the same is hereby repealed and the following enacted in lieu thereof:
 "Judgments may be rendered in vacation on written pleas of guilty of the offense charged, or of any degree or grade thereof, or of any offense included therein, with the same force and effect as though rendered in term time, which written plea of guilt, together with the judge's entry of judgment in reference thereto, shall be forthwith filed with the clerk of the court of the county wherein the information was filed and entered at length in the records of said court, and, after such entry, be executed as in case of judgments on indictment, but judgments in vacation can only be rendered by a judge of the district court sitting in chambers at the usual place of holding court in the county where the information was filed, or in any other county of the

15 judicial district, or in any county to which the cause may be trans-
 16 ferred on change of venue. A record of the proceedings and judg-
 17 ment in this and the foregoing section when signed by the judge shall
 18 be sent to the clerk of the district court of the county in which the
 19 information was filed, which shall be entered at length in the records
 20 of the court and shall have the same force and effect as if made and
 21 entered by the court in said county, and the commitment or subse-
 22 quent proceedings shall be had upon the judgment and record from
 23 that county.

Approved April 14, A. D. 1919.

CHAPTER 230.

STATE AID FOR NORMAL TRAINING HIGH SCHOOLS.

H. F. 206.

AN ACT to amend section twenty-six hundred thirty-four-b eight (2634-b8), supplement to the code, 1913, relating to the appropriation for aid to normal training high schools.

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

1 SECTION 1. Normal training high schools—appropriation. That sec-
 2 tion twenty-six hundred thirty-four-b8 (2634-b8), supplement to the
 3 code, 1913, be and the same is hereby amended by striking out all
 4 after the word “of” in line six (6) thereof and inserting in lieu thereof
 5 the words “one hundred fifty thousand dollars annually hereafter”.

Approved April 15, A. D. 1919.

CHAPTER 231.

RELEASE OF LIENS ON PERSONAL PROPERTY, ETC.

H. F. 307.

AN ACT relating to the release of liens on personal property, and providing the manner of making such releases and the jurisdiction in actions on the bond given to secure such release.

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

SECTION 1. Personal property—lien—procedure for release of—
 1 bond, etc. Whenever a controversy arises between any person, firm,
 2 partnership, or corporation, claiming a common law or statutory lien
 3 upon any personal property within the state, and the owner of said
 4 property as to the existence of a lien or the amount thereof, the owner
 5 of the property upon which the lien is claimed may file in the office of
 6 the clerk of the district court for the county in which the property is
 7 located a bond in double the amount of the lien claimed, conditioned

8 on the payment to the person, firm, partnership or corporation claim-
 9 ing a lien, any sum that may be found to be due and to have been a
 10 lien on the personal property at the time the bond was filed by the
 11 judgment of any court having jurisdiction; said bond to be signed by
 12 one or more sureties and to be approved by the clerk of the said dis-
 13 trict court. When such a bond is filed and written notice of such filing
 14 given the person, firm, partnership, or corporation claiming a lien, as
 15 aforesaid, the lien, if any, shall be discharged from the personal prop-
 16 erty and shall be merged in the bond upon which there shall be a
 17 right of action to the extent of the lien on the personal property at
 18 the time the bond was filed; and if the person, firm, partnership or
 19 corporation claiming a lien has the possession of said personal prop-
 20 erty, such possession shall be surrendered to the owner of the
 21 property. If the person, firm, partnership, or corporation claiming
 22 the lien fails, neglects, or refuses to surrender said personal property
 23 after the bond has been filed and notice served as aforesaid, the owner
 24 of said personal property may bring an action for the possession of the
 25 specific personal property or pursue any other remedy provided by law
 26 to enforce that right. An action upon such bond shall be brought in
 27 the county where the principal on the bond resides; but where the
 28 aforesaid principal is a nonresident of the state, the action shall be
 29 brought in the county where the bond is filed.

Approved April 15, A. D. 1919.

CHAPTER 232.

COMPENSATION AND DUTIES OF COUNTY ATTORNEYS.

H. F. 343.

AN ACT to repeal section three hundred eight (308) of the supplemental supplement to the code, 1915, relating to compensation and duties of county attorneys, and for enacting a substitute therefor.

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

SECTION 1. Repeal and substitute—county attorney—compensation.

1 That section three hundred eight (308) of the supplemental supple-
 2 ment to the code, 1915, relating to compensation of county attorneys,
 3 be and the same is hereby repealed and the following enacted in lieu
 4 thereof:
 5 "County attorneys shall be allowed an annual salary in counties
 6 having a population less than fifteen thousand, eleven hundred dol-
 7 lars; in counties of fifteen thousand and under twenty-five thousand,
 8 fourteen hundred dollars; in counties of twenty-five thousand and
 9 under thirty-five thousand, seventeen hundred dollars; in counties of
 10 thirty-five thousand and under forty-five thousand, two thousand
 11 dollars; in counties of forty-five thousand and under fifty-five thou-
 12 sand, twenty-two hundred dollars; in counties of fifty-five thousand
 13 and under sixty-five thousand, twenty-five hundred dollars; in counties
 14 of sixty-five thousand and over, three thousand dollars: said salary
 15 to be paid in twelve equal installments on the first day of each calendar

16 month of each year, out of the general fund of the county. In addition to the salary above provided, he shall receive the fees as now allowed to attorneys for suits upon written instruments where judgment is obtained, for all fines collected where he appears for the state, but not otherwise, and school fund mortgages foreclosed, and his necessary and actual expenses incurred in attending upon his official duties at a place other than his residence and the county seat, which shall be audited and allowed by the board of supervisors of the county. In counties where the district court is held at two places in the county, the board of supervisors shall allow to the county attorney, in addition to the salary above provided, the sum of five hundred dollars per annum."

1 **SEC. 2. County attorney—legal advice—duty.** It shall be the duty
2 of the county attorney to furnish free of charge legal advice to all
3 school boards and township officers.

Approved April 15, A. D. 1919.

CHAPTER 233.

FARMERS' INSTITUTE OF FRANKLIN COUNTY.

H. F. 533.

AN ACT making an appropriation for the farmers' institute of Franklin county, Iowa, under the provisions of section sixteen hundred seventy-five (1675), supplement to the code, 1913.

WHEREAS, the Farmers' Institute of Franklin county, Iowa, was duly organized with one hundred twenty-five (125) farmers as members, and held a farmers' institute at Geneva, Iowa, on the 18th, 19th and 20th days of February 1918, and in all respects complied with the provisions of section sixteen hundred seventy-five (1675) supplement to the code, 1913, necessary to be complied with to entitle said institute to the seventy-five (\$75) dollars state aid mentioned therein, except that the said institute failed to file the sworn statement necessary to entitle them to such state aid prior to the first day of June 1918, and

WHEREAS, the auditor of state, acting upon the advice of the attorney general, has held that said sum cannot be paid to said institute because of the failure to file said sworn statement prior to the first day of June 1918, therefore,

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

SECTION 1. Farmers' Institute of Franklin county—appropriation.
1 That there is hereby appropriated out of any money in the state
2 treasury not otherwise appropriated the sum of seventy-five (\$75)
3 dollars as state aid to the Farmers' Institute of Franklin county, Iowa
4 for the year 1918.

Approved April 15, A. D. 1919.

CHAPTER 234.

STREET IMPROVEMENTS, ETC.

H. F. 452.

AN ACT to repeal section eight hundred fourteen (814) of the supplement to the code of 1913, and enacting a substitute therefor.

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

SECTION 1. **Repeal and substitute—street improvements—contract**
 1 **—repairs—bond.** Section eight hundred fourteen (814) of the sup-
 2 plement to the code of 1913 be and is hereby repealed, and the follow-
 3 ing enacted in lieu thereof:

4 All contracts for the making or reconstruction of street improve-
 5 ments or sewers shall contain a provision obligating the contractor and
 6 his bondsmen to keep such improvement or sewer in good repair for
 7 not less than four (4) years after the acceptance of the same by the
 8 city, and the bond shall be so conditioned as to conform to such con-
 9 tract.

Approved April 15, A. D. 1919.

CHAPTER 235.

STATE PSYCHOPATHIC HOSPITAL.

S. F. 277.

AN ACT to establish a state psychopathic hospital especially designed, equipped and administered for the care, observation and treatment of persons who are afflicted with abnormal mental conditions, and providing for method of hearing complaint as to persons so afflicted and commitment following such hearing, and making appropriation for the establishment of such hospital.

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

1 SECTION 1. **State psychopathic hospital—establishment.** There shall
 2 be established a state psychopathic hospital, especially designed, kept
 3 and administered for the care, observation and treatment of those per-
 4 sons who are afflicted with abnormal mental conditions.

1 SEC. 2. **Designation—location, etc.** It shall be known as the State
 2 Psychopathic Hospital, and shall be located at Iowa City, Iowa, and
 3 connected with the college of medicine of the state university of Iowa.

1 SEC. 3. **State board of education—control.** The said state psycho-
 2 pathic hospital shall be under the control of the Iowa state board of
 3 education.

1 SEC. 4. **State board of education—powers.** The said Iowa state
 2 board of education shall have full power to manage, control and gov-
 3 ern the said hospital the same as other institutions already under its
 4 control.

SEC. 5. Medical director—appointment—additional service—title.

1 The said Iowa state board of education shall appoint a medical direc-
 2 tor of the said hospital, who shall serve as Professor of Psychiatry in
 3 the college of medicine of the state university of Iowa.

SEC. 6. Medical director—duties.

1 The medical director of the said
 2 hospital shall seek to bring about systematic cooperation between the
 3 several state hospitals for the insane and the said state psychopathic
 4 hospital. He shall be the director and in sole charge of the clinical and
 5 pathological work of the said hospital. He shall, from time to time,
 6 visit the state hospitals for the insane, upon the request of the super-
 7 intendants thereof, or upon the request of the board of control of state
 8 institutions, and may advise the medical officers of such state hospitals
 9 for the insane, or the said board of control, in subjects relating to the
 10 phenomena of insanity.

1 **SEC. 7. Patients—classification.** Patients admitted to the said
 2 state psychopathic hospital shall be divided into four classes: First,
 3 voluntary private patients; second, committed private patients; third,
 4 voluntary public patients; and, fourth, committed public patients.

5 All voluntary private patients and committed private patients shall
 6 be kept and maintained without expense to the state, and the volun-
 7 tary public patients and committed public patients shall be kept and
 8 maintained by the state.

SEC. 8. Voluntary private patients—admission—care, etc.—charges.

1 Voluntary private patients may be admitted in accordance with the
 2 regulations to be established by the Iowa state board of education;
 3 and their care, nursing, observation, treatment, medicine and main-
 4 tenance shall be without expense to the state. However, the charge
 5 for such care, nursing, observation, treatment, medicine and main-
 6 tenance shall not exceed the cost of the same to the state.

SEC. 9. Committed public patients—filing of information—examina-

1 **tion, etc.** Persons suffering from mental diseases may be admitted as
 2 committed public patients as follows: Any physician authorized to
 3 practice his profession in the state of Iowa or any citizen of the state
 4 may file information with any district or superior court of the state or
 5 with any judge thereof, alleging that the person named therein is
 6 suffering from some abnormal mental condition that can probably be
 7 remedied by observation, treatment and hospital care; and that he is,
 8 of himself or through those legally responsible for him, unable to pro-
 9 vide the means for such observation and hospital care.

10 Said judge of the district or superior court may, upon his own
 11 motion or upon the information contained in such report filed as
 12 aforesaid, appoint some physician who shall personally examine said
 13 person with respect to his mental condition. Said physician shall
 14 make a written report to the said judge, giving such a history of the
 15 case as will be likely to aid in the observation, treatment and hospital
 16 care of said person and describing the same all in detail, and stating
 17 whether or not, in his opinion, the said person would probably be
 18 helped by observation, treatment and hospital care in said state psycho-
 19 pathic hospital. Such report shall be made within such time as may
 20 be fixed by the court. It shall be the duty of the said judge to have a
 21 thorough investigation made by the county attorney of the county in
 22 which the said person resides, regarding his financial condition and
 23 the financial condition of those legally responsible for him.

1 **SEC. 10. Further procedure.** Upon the filing of such report or
2 reports, said judge of the district or superior court as aforesaid shall
3 fix a day for the hearing upon the complaint and shall cause the per-
4 son or those legally responsible for him to be served with a notice of
5 the hearing; and he shall also notify the county attorney who shall
6 appear and conduct the proceedings; and upon such complaint evi-
7 dence may be introduced. Upon such hearing the person against whom
8 the complaint is made shall be entitled to a trial by jury. If the judge
9 or jury finds that the said person is suffering from an abnormal mental
10 condition which can probably be remedied by observation, medical or
11 surgical treatment and hospital care, and that he or those legally
12 responsible for him are unable to pay the expenses thereof, said judge
13 shall enter an order directing that the said person shall be sent to the
14 state psychopathic hospital at the state university of Iowa, for observa-
15 tion, treatment and hospital care as a committed public patient.

1 **SEC. 11. Patient—examination—treatment, etc.—when admission**
2 **denied—transfer.** When the patient arrives at said hospital it shall
3 be the duty of the director or of some physician acting for him to
4 examine the said patient and determine whether or not, in his judg-
5 ment, he is a fit subject for such observation, treatment and hospital
6 care. If, upon said examination, he decides that such patient should
7 be admitted to the said hospital, the medical director shall provide
8 him with a proper bed in said hospital; and the physician or surgeon
9 who shall have charge of said patient shall proceed with such observa-
10 tion, medical or surgical treatment and hospital care as, in his judg-
11 ment, are proper and necessary. A proper and competent nurse shall
12 also be assigned to look after and care for such patient during such
13 observation, treatment and care as aforesaid.

14 If, upon such examination, the medical director decides that such
15 patient is not a fit subject for admission to the state psychopathic
16 hospital, it shall be the duty of the medical director, as hereinafter
17 provided, to transfer said patient to the state hospital for the insane
18 to which he would be committed under existing statutes if adjudged
19 insane; and the superintendent of the said hospital for the insane shall
receive him.

1 **SEC. 12. Voluntary public patient—order of judge—proviso—treat-**
2 **ment.** If the said judge of the district or superior court, as aforesaid,
3 finds from the physician's report which was filed under the provisions
4 of section 10 of this act, that the said person is suffering from an
5 abnormal mental condition which can probably be remedied by observa-
6 tion, medical or surgical treatment and hospital care, and the report
7 of the county attorney shows that he, or those legally responsible for
8 him, are unable to pay the expenses thereof, said judge shall enter an
9 order directing that the said person shall be sent to the state psycho-
10 pathic hospital at the state university of Iowa for observation, treat-
11 ment and hospital care as a voluntary public patient, provided that
12 the said person, or those legally responsible for him, request the said
13 court or judge to commit said person without the hearing which is
14 required under the provisions of section 10 of this act. When the said
15 patient arrives at the said hospital, he shall receive the same treat-
16 ment as is provided for committed public patients in section 11 of this
act.

1 **SEC. 13. Committed private patient—treatment.** If the said judge
2 of the district or superior court, as aforesaid, finds in the hearing as
3 provided for under the provisions of section 10 of this act that the
4 said person is suffering from an abnormal mental condition which can
5 probably be remedied by observation, medical or surgical treatment
6 and hospital care, and that he, or those legally responsible for him,
7 are able to pay the expenses thereof, said judge shall enter an order
8 directing that the said person shall be sent to the state psychopathic
9 hospital at the state university of Iowa for observation, treatment and
10 hospital care as a committed private patient. When the said patient
11 arrives at the said hospital, he shall receive the same treatment as is
12 provided for committed public patients in section 11 of this act.

1 **SEC. 14. General hospital of college of medicine—transfer of**
2 **patients to—expenses.** If patients of the state psychopathic hospital
3 are transferred by the medical director to the general hospital of the
4 college of medicine of the state university of Iowa, all necessary
5 expenses for the care of said patients while in the wards or rooms of
6 the general hospital shall be paid to the general hospital by the said
7 state psychopathic hospital.

1 **SEC. 15. Transfer of patients—attendant—compensation—expenses**
2 **—itemized statement.** The court may, in his discretion, appoint some
3 person to accompany said committed public patient or said voluntary
4 public patient or said committed private patient from the place where
5 he may be to the state psychopathic hospital of the state university at
6 Iowa City, or to accompany such patient from the said hospital to such
7 place as may be designated by the court. Any person appointed by
8 the court or judge to accompany said person to or from the hospital
9 or to make an investigation and report on any question involved in the
10 complaint, other than the physician making the examination, shall
11 receive the sum of three dollars (\$3.00) per day for the time actually
12 spent in making such investigation (except in cases where the person
13 appointed therefor receives a fixed salary or compensation) and his
14 actual necessary expenses incurred in making such investigation or
15 trip. The physician appointed to make the examination and report
16 shall receive the sum of five dollars (\$5.00) for each and every exam-
17 ination and report so made, and his actual necessary expenses incurred
18 in making such investigation, in conformity with the requirements of
19 this act. The person making claim to such compensation shall present
20 to the court or judge an itemized sworn statement thereof, and when
21 such claim for compensation has been approved by the court or judge,
22 the same shall be filed in the office of the county auditor and shall be
23 allowed by the board of supervisors and paid out of the funds of the
24 county collected for the relief of the poor. If the patient be a female,
25 the person appointed to accompany her must be a woman.

26 Whenever a patient is transferred to a hospital for the insane, it shall
27 be the duty of the medical director of the state psychopathic hospital
28 to designate an attendant to accompany said patient from Iowa City,
29 Iowa, to the said hospital for the insane; and the pay of said attendant
30 in accompanying said patient to the said hospital for the insane and in
31 returning home therefrom shall not exceed three dollars (\$3.00) a day
32 for the time thus necessarily employed, and his actual, reasonable and
33 necessary expenses incurred in accompanying said patient to the said
hospital for the insane and in returning home therefrom. Said per diem

34 and expenses shall be itemized and verified and presented to and
 35 allowed by the state board of audit in connection with the bills for
 36 maintenance as hereinafter provided; provided, however, that if the
 37 party accompanying said patient to the said hospital for the insane
 38 is a parent or other relative or an officer or employee receiving other
 39 compensation, the said person shall receive no per diem, but only his
 40 actual, reasonable and necessary traveling expenses.

SEC. 16. Committed private patient—expenses for care, etc.—liability—claims—collection of. Every committed private patient, if he
 1 has an estate sufficient for that purpose or if those legally responsible
 2 for his support are financially able, shall be liable to the county and
 3 state for all expenses paid by them in behalf of such patient. All bills
 4 for the care, nursing, observation, treatment, medicine and main-
 5 tenance of such patients shall be paid by the state board of audit in
 6 the same manner as those of committed and voluntary public patients
 7 as hereinafter provided, unless said patient or those legally responsible
 8 for him make such settlement with the medical director of said state
 9 psychopathic hospital. If the bills for such patient are audited by
 10 the state board of audit and paid by the state, it shall be the duty of
 11 the medical director of the said state psychopathic hospital to file a
 12 certified copy of the claim which has been audited by the state board
 13 of audit and paid by the state, with the auditor of the proper county,
 14 who shall proceed to collect the same by action if necessary, in the
 15 name of the State Psychopathic Hospital, and when collected, pay the
 16 same into the state treasury. The said medical director shall also, at
 17 the same time, forward a duplicate of the account to the state auditor.

18 Unless said committed private patient or those legally responsible
 19 for him offer to make such settlement, it shall also be the duty of the
 20 county auditor of the proper county as aforesaid to proceed to collect,
 21 by action if necessary, in the name of the said county, the amount of
 22 all claims for per diem and expenses that have been approved by the
 23 said court or judge and paid by the county treasurer of said county
 24 as provided for under the provisions of section 15 of this act, and
 25 when collected to pay the same into the county treasury.
 26

SEC. 17. Voluntary or committed private patients—moneys collected—disposition of. Until such time as the said state psychopathic hos-
 1 pital is actually treating and caring for one hundred patients, the
 2 medical director shall pay all moneys collected from voluntary private
 3 patients or from committed private patients into the state treasury.
 4 After said hospital is actually treating and caring for more than one
 5 hundred patients, all moneys collected from said patients shall be used
 6 for the support of the said hospital.
 7

SEC. 18. Discharge of patients—condition—transfer—notice of.
 1 The medical director of the state psychopathic hospital may discharge
 2 any patient in the following ways:

3 First, as improved, or not likely to be benefited by further treat-
 4 ment.

5 Second: Any patient of the state psychopathic hospital may be
 6 transferred by the medical director to the state hospital for the insane,
 7 in the district of which the said patient was a legal resident, when-
 8 ever, after a satisfactory period of observation and treatment, it is
 9 found that said patient is insane and that further confinement at the
 10 state psychopathic hospital at the state university of Iowa is inadvis-

11 able; provided that whenever an insane person is to be transferred,
 12 due notice of such transfer shall be given to the judge who committed
 13 said patient to the said state psychopathic hospital, to the person mak-
 14 ing the application for the admission of said patient, and to the super-
 15 intendent of the state hospital for the insane to which the patient is
 16 to be transferred.

SEC. 19. **Psychopathic hospital—administration expenses—public patients—appropriation.** The state shall pay to the state psychopathic hospital, out of any money in the state treasury not otherwise appropriated, all expenses for the administration of said hospital, and for the care, treatment and maintenance of committed and voluntary public patients therein, including their clothing and all other expenses of said hospital for said public patients. The bills for said expenses shall be rendered monthly in accordance with rules agreed upon by the state board of audit and the finance committee of the Iowa state board of education, provided that until such time as the said hospital is actually treating and caring for one hundred patients, the sum of nine thousand dollars (\$9,000.00) per month, or as much thereof as may be necessary, is hereby appropriated, out of any money in the state treasury not otherwise appropriated, for the support and maintenance of said hospital.

SEC. 20. **Blanks and reports—preparing and filing—cost—allowance.** The medical faculty of the hospital of the college of medicine of the state university of Iowa shall, immediately upon the taking effect of this act, prepare blanks containing such questions and requiring such information as may be necessary and proper to be obtained by the physician who examines the patient under order of court; and such blanks shall be printed by the state and a supply thereof shall be sent to the clerk of each district and superior court of the state of Iowa; and the physician making such examination shall make his report to the court in duplicate on said blanks, answering the questions contained therein and setting forth the information required thereby; and one of said duplicate reports shall be sent to the state psychopathic hospital with the patient, together with a certified copy of the order of the court. The state board of audit shall audit, allow and pay the cost of the bills as other bills for public printing are allowed and paid.

SEC. 21. **Hospital—erection and equipment—appropriation.** There is hereby appropriated, out of any money in the state treasury not otherwise appropriated, the sum of one hundred seventy-five thousand dollars (\$175,000.00) for the erection and equipment of a building for the state psychopathic hospital at the state university of Iowa. Said sum shall be payable July 15, 1919, on the order of the Iowa state board of education.

Approved April 15, A. D. 1919.

CHAPTER 236.

NEW BANKS OR TRUST COMPANIES, BOARD OF APPEAL, ETC.

S. F. 476.

AN ACT to authorize the superintendent of banking to deny a certificate of authority for any proposed new bank or trust company to commence business; to provide a board of appeal; and to prohibit any more private banks from commencing business, provided private banks established previous to the date of enactment of said act are not affected, and to provide publication of said act.

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

SECTION 1. New banks or trust companies—certificate—denial of—
1 **appeal, etc.** That the superintendent of banking be, and he is hereby
2 authorized to deny or decline to issue a certificate of authority to
3 commence business, if, after he shall have made, or cause to have
4 been made, an examination and investigation, it shall be his judgment
5 that the town or city or community in which the proposed new bank
6 is to be located, is amply served with banking facilities, and that the
7 public necessity, convenience and advantage will not be promoted by
8 the opening of the proposed new bank or trust company, or that the
9 character and general fitness of the persons named as officers and
10 stockholders are such as not to command the confidence of the com-
11 munity in which such bank or trust company is proposed to be located.
12 If the superintendent of banking shall not be satisfied with the result
13 of said examination or said investigation, he shall inform the appli-
14 cants within sixty (60) days after the certified articles of incorpora-
15 tion and application have been presented to him. The expenses in
16 making said examination or investigation by the superintendent of
17 banking, or his department, shall be paid by the proposed bank or
18 trust company, and payment shall be made in advance if required by
19 the superintendent of banking. In the event the application for a
20 certificate of authority shall have been rejected by the superintendent
21 of banking, the applicants may, if they desire, appeal to the committee
22 on retrenchment and reform within thirty (30) days after service of
23 notice of rejection of application for said certificate of authority and
24 the applicants so appealing shall file a notice in writing with the
25 superintendent of banking that they appeal from his decision made on
26 said application to the committee on retrenchment and reform. Upon
27 filing of such notice the superintendent of banking shall lay all the
28 facts in writing, together with his written decision thereon, and the
29 notice of appeal, before the chairman of the committee on retrench-
30 ment and reform. The chairman of the committee on retrenchment
31 and reform shall fix a time and place within ten (10) days after
32 receiving said communication from the superintendent, when and
33 where the committee on retrenchment and reform shall hear the
34 appeal, and shall notify the applicants and the superintendent of bank-
35 ing thereof, that they may be present. The proceedings shall be
36 reviewed by the committee on retrenchment and reform, which com-
37 mittee on retrenchment and reform shall also hear other or addi-
38 tional evidence and the committee on retrenchment and reform, shall,
39 within three (3) days subsequent to said meeting issue an order,
40 either affirming or reversing the order of the superintendent of bank-

41 ing, and shall immediately thereafter return to the superintendent of
 42 banking all of the records and proceedings pertaining to such case,
 43 together with a statement of its decision, and the superintendent of
 44 banking shall thereupon transmit a copy of that decision of the com-
 45 mittee on retrenchment and reform relating to said appeal to the said
 46 incorporators. Any order reversing the decision of the superintendent
 47 of banking must have the majority vote of said committee on retrench-
 48 ment and reform. The said decision of the said committee on retrench-
 49 ment and reform shall be final and conclusive, and the superintendent
 50 of banking shall be so governed in said case. Provided, however, that
 51 none of the provisions of this section shall be in force or effect after
 52 Dec. 31, 1920.

SEC. 2. **New private banks—the words “bank”, “banking”, etc.—**
 1 **unlawful use of—misdemeanor—penalty.** Henceforth, it shall be
 2 unlawful for any individual, partnership, or unincorporated associa-
 3 tion, or corporation, other than national banking associations, not sub-
 4 ject to the supervision or examination of the banking department, to
 5 make use of any office sign bearing thereon the word “Bank”, “Bank-
 6 ing”, “Banker”, or any derivative, plural or compound of the word
 7 “Banking”, or word or words in a foreign language having the same
 8 or similar meaning, or to make use of any exterior or interior sign
 9 bearing thereon such word or words whatsoever to indicate to the gen-
 10 eral public, or to any individual, that such place or office is the place
 11 or office of a bank, nor shall such person or persons, partnership, unin-
 12 corporated association, or corporation, make any use of or circulate
 13 any letterheads, billheads, bank notes, bank receipts, certificates, cir-
 14 culars, or any written or printed, or partly written or partly printed
 15 papers whatever having thereon any other word or words indicating
 16 that such business is the business of a bank. Any person or persons
 17 violating any of the provisions of this section, either individually or as
 18 an interested party in any such copartnership or corporation, shall be
 19 guilty of a misdemeanor and on conviction thereof shall be fined in a
 20 sum not less than three hundred dollars nor more than one thousand
 21 dollars, or by imprisonment in the county jail not less than sixty days
 22 nor more than one year, or by both such fine and imprisonment.

1 SEC. 3. **Present private banks or bankers—act not to affect.** But
 2 nothing in this act shall be construed as affecting or in any wise inter-
 3 fering with any private bank or private banker that may be engaged
 4 in lawful business previous to the date on which the foregoing may be
 5 enacted.

1 SEC. 4. **Parts of act not interdependent.** If any part of this act
 2 shall be declared unconstitutional it shall not affect any other part of
 3 this act.

1 SEC. 5. **Publication clause.** This act being deemed of immediate
 2 importance shall take effect and be in force from and after its publica-
 3 tion in the Des Moines Capital and Des Moines Register, newspapers
 4 published at Des Moines.

Approved April 15, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register April 17, 1919 and in the Des Moines Capital April 18, 1919.

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

CHAPTER 237.

CONSTRUCTION, IMPROVEMENT AND MAINTENANCE OF HIGHWAYS.

H. F. 548.

AN ACT to co-ordinate the work of the state of Iowa and of the government of the United States relative to road improvements, to provide and to define a system of primary and secondary roads in each county and to provide for the extension of such primary system, to provide for the improvement and maintenance of such roads and to prescribe the procedure therefor, to extend certain options to each county in the improvement of its roads, to provide the funds to pay the cost of such improvements and to regulate the division, accounting and disbursement of such funds, to authorize, in certain cases, the levy of limited special assessments upon real estate which abuts upon or is adjacent to such road improvements, in order to defray a part of the cost thereof and to regulate and prescribe the procedure in consummating such assessments and the collection and application thereof, to authorize and regulate the anticipation by each county of the funds (including special assessments) provided by this act for road improvements, to authorize the submission to the voters of each county of the question of issuing the bonds of the county in order to secure immediate funds to carry on such improvements, and of levying an annual tax on all the property of the county to pay the annual interest on said bonds and to pay any deficiency in the principal of such bonds which cannot be met by other funds provided by this act, to authorize the submission to the voters of the county of the question of validating specified contracts for the improvement of highways and the question of issuing the bonds of the county in order to carry out such contracts, and of levying an annual tax to pay the annual interest on such bonds and to pay any deficiency in the principal of such bonds which cannot be met by other funds provided by this act, to provide the procedure for submitting all such questions to the voters and for the determination of the result of such submission, to provide the procedure for the levy of taxes and for the form, conditions, issuance, application, disbursement, and payment of authorized bonds and the interest thereon, to limit the amount of bonds which may be issued under any vote of authorization, to empower township trustees to levy an additional tax of two mills for township roads, to provide for the purchase, lease, receipt and distribution of equipment in aid of the improvements provided by this act and to authorize the payment of the cost of such equipment, to prohibit and punish violations of this act, to repeal section one thousand five hundred seventy-one-m thirty-two (1571-m32), supplemental supplement to the code, 1915, and to enact a substitute therefor, to amend paragraph five (5) of section one thousand three hundred three (1303) supplemental supplement to the code, 1915, to repeal sections fifteen hundred twenty-seven-f (1527-f) to section fifteen hundred twenty-seven-r (1527-r), supplement to the code, 1913, and all existing acts and parts of acts in conflict with this act, to provide for the printing and distribution of this act, and to provide the time when the same shall take effect.

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

SECTION 1. Highways—improvement of—system—funds—federal
 1 aid, etc. It is the intent of this act to divide the highways of the
 2 state and of each county into a primary and secondary system, to pro-
 3 vide for the substantial and durable improvement of such primary
 4 roads of each county, to pay for said improvements on such primary
 5 roads from federal aid funds, motor vehicle registration fees, and from
 6 the proceeds of assessments on benefited real property, to permit each
 7 county to anticipate such funds if it chooses so to do, to divert other
 8 existing highway funds to the construction, reconstruction, improve-
 9 ment and maintenance of the secondary system of roads, to secure the
 10 benefit of all present and future acts of the government of the United
 11 States which proffer financial aid to the state of Iowa in the construc-
 12 tion and maintenance of highways, and to coordinate the system
 13 herein created with the requirements of said federal government rela-
 14 tive to such improvements. This act shall be construed as additional
 15 to and not in repeal of chapter 249 of the acts of the thirty-seventh
 16 general assembly of the state of Iowa.

SEC. 2. State and federal co-operation—highway commission and county boards empowered. The state highway commission is empowered, on behalf of the state, to enter into any arrangement or contract with, and required by, the duly constituted federal authorities, in order to secure the full co-operation of the government of the United States, and the benefit of all present and future federal allotments in aid of highway construction, reconstruction, improvement or maintenance. The good faith of the state is hereby pledged to cause to be made available each year, sufficient funds to equal the total of any sums now or hereafter apportioned to the state for road purposes by the United States government for such year and to maintain the roads constructed with said funds. The board of supervisors of each county is empowered to enter into any arrangement or contract with, and required by, the state highway commission, in order to fully carry into effect the provisions of this act.

SEC. 3. Primary and secondary road systems—what each shall embrace. The highways of the state are, for the purpose of this act, divided into two systems, to wit: the primary road system and the secondary road system. The primary road system shall embrace those main market roads (not including roads within cities), which connect all county seat towns and cities and main market centers, and which have already been designated under section 2 of chapter 249 of the laws of the thirty-seventh general assembly of the state of Iowa, accepting the provisions of the act of Congress approved July 11, 1916, known as the federal aid road act; provided, that the said designation of the roads shall, for more efficient service or more economical construction of the system, and with the consent of the federal authorities, be subject to revision by the state highway commission. Any portion of said primary system so eliminated by any change shall revert to and become a part of the system from which originally taken. The state highway commission may, for the purpose of affording access to state parks and recreation centers within a county, add such roads or roads to the primary system of said county as the board of supervisors may specifically designate and request. The secondary road system shall embrace all roads not embraced in the primary system and not embraced within the limits of cities or towns. Roads embraced in the secondary road system shall continue to be classed as at present, as county roads or township roads as the case may be.

SEC. 4. Primary road fund—how created—apportionment to counties, etc. There is hereby created a fund which shall be known as the primary road fund, which shall embrace the federal-county-co-operation road fund as created by chapter 249 of the laws of the thirty-seventh general assembly, all additional and future federal aid road funds, and all other funds derived from year to year by the state under acts regulatory of motor vehicles, commencing with and including all fees for the year 1920, except such portion of said motor vehicle fund as shall be necessary to maintain the federal aid engineering fund, and as may, by law, be retained in the state treasury as a maintenance fund for the state highway commission, or as a fund to cover administration of the motor vehicle department. Said primary road fund shall be apportioned to the respective counties in the ratio that the area of the county bears to the total area of the state, and shall be

14 employed as herein provided, solely in the drainage, grading, surfac-
15 ing and maintenance of the roads of the primary road system, except
16 as hereinafter provided. The portion of said fund apportioned to each
17 county as above provided, is hereby pledged to the completion of said
18 primary system and is dedicated by the state to the county, to be used
19 solely for the payment of the cost of such improvements or the main-
20 tenance thereof, and for the redemption of any bonds issued therefor
21 as herein provided. For the purposes of administration, the appor-
22 tionment to any county may be made up partly from the federal aid
23 road allotments.

SEC. 5. Primary road fund—highway commission to open county
1 accounts—system of credits and charges, etc. The state highway
2 commission shall open an account with each county in the state in rela-
3 tion to the primary road fund, and shall first credit each county with
4 any unused portion of the allotment of the federal-county-co-opera-
5 tion road fund, as shown by the official supplementary bulletin of the
6 state highway commission of June, 1917, and designated as "Volume
7 V, No. 6", and shall each year credit each county with its allotted por-
8 tion of the primary road fund, and charge it with the amount of all
9 duly and finally approved vouchers for claims properly chargeable to
10 said county. Said account shall also show the amount of each separate
11 authorization of bonds or road certificates hereunder, and the amount,
12 number, date, maturity, and interest rate of each series of bonds or
13 certificates actually issued by the county under this act. The said
14 commission shall, at all proper times, keep each county fully informed
15 as to the state of its account.

SEC. 6. County expenditure of allotments—three options—hard
1 surfacing—election to authorize, etc. Each county, acting through its
2 board of supervisors, shall have three options in the expenditure of its
3 allotments from the primary road fund:

4 First, it may elect to complete the grading and drainage of any
5 part or all of the primary roads within the county before laying any
6 hard surfacing; or

7 Second, it may hard surface in any one year, such portion of the
8 roads in the primary system in its county as may be met by its allotted
9 portion of the primary road fund for said year, plus any balance
10 remaining to its credit from previous allotments, plus the special
11 assessments on abutting and adjacent real estate as hereinafter pro-
12 vided; or it may proceed in any one year with draining and grading
13 on one or more divisions of the primary system and with hard surfac-
14 ing on other divisions of said system.

15 Third, it may proceed with said hard surfacing in a more rapid
16 manner when authorized to do so by the voters of the county as here-
17 inafter set forth, provided no hard surfacing shall be constructed on
18 any division of the primary roads until the drainage and grading of
19 said division shall have been fully completed.

20 It is hereby made the duty of the board of supervisors to proceed in
21 the improvement of primary roads under this act as fast as the pri-
22 mary road fund is available, until the improvement of the primary
23 system is completed; provided, however, that any county, after drain-
24 ing and grading its primary system, or any division thereof, shall have
25 the right to surface same with gravel or oil or both if by resolution of
26 the board of supervisors it elects so to do. Such graveling or oiling shall

27 not be considered hard surfacing within the meaning of this act. Said
28 surfacing shall be done in accordance with the plans and specifications
29 of the highway commission applicable to such improvement and the cost
30 of such improvement when so done may be paid from the primary road
31 fund. Vouchers therefor must be approved by the board of supervisors
32 and forwarded to the highway commission for final audit, approval, and
33 payment as provided in section thirteen (13) hereof.

34 The board of supervisors shall not proceed with hard surfacing of
35 roads until such work shall be authorized by a majority vote of the
36 electors of such county at a general election, or a special election,
37 called for that purpose; and the board of supervisors of any county
38 may, on its own motion, and shall, if petitioned by the voters in any
39 county equal to ten per cent of the number voting at the last general
40 election, to be determined by the number of electors voting for gov-
41 ernor thereat, submit to said voters the question whether hard sur-
42 facing shall be done on the primary road system, or any portion
43 thereof, in said county. Said petition shall be in writing, giving the
44 name and residence of each signer thereto, and each sheet thereof
45 shall be verified by a resident of the county. The board of super-
46 visors shall be governed by the result of such election, and, if a major-
47 ity of said voters voting thereon shall vote therefor, the board shall
48 proceed forthwith with the work. Such election, however, shall not
49 interfere with or affect work under construction, or under contract, or
50 federal aid projects already approved at the time of the holding of
51 said election. Notice of such election shall be given as provided in
52 section twenty-five (25) of this act, and the notice shall give the time
53 said election shall be held and the form of the proposition submitted,
54 and such proposition shall be contained in the ballot. Special elections
55 shall be held in the same manner as general elections. The question of
56 hard surfacing shall not be submitted to a vote in any county oftener
57 than once in twenty-four months.

58 The question as to hard surfacing of roads and as to issue of bonds
59 under this act may be submitted at the same election. And at the
60 election as to the question of whether or not bonds may be issued, there
61 may be submitted at the same election and upon the same ballot as a
62 separate proposition the question of whether or not hard surfacing
63 may be done. If upon such submission the proposition of hard sur-
64 facing is defeated, such vote shall thereby nullify the vote as to the
65 issuance of bonds.

SEC. 7. County primary roads—system of improvement—divisions
1 constituting district—map—record—city streets. For the purpose of
2 creating a basis for a systematic program of improvement, the board
3 of supervisors of each county, in conjunction with the county engineer,
4 shall, as soon as may be reasonably possible after the taking effect of
5 this act, divide into divisions the roads of the primary road system
6 within their county, with a view to the most advantageous program
7 of improvement, having in view the development of the primary roads
8 in the county in such order as will best and most fairly meet the con-
9 venience of the public, viewing the county as a whole. Different por-
10 tions of primary roads which diverge from a common point may be so
11 divided into divisions that the several divisions immediately adjacent
12 to the common point will constitute an appropriate district. Said
13 divisions shall be suitably designated on a map filed with the state
14 highway commission, and shall be recorded by the county auditor in

15 the proceedings of the board, and shall be final, except that the board
16 may, under changed or better understood conditions, modify such
17 record in order to attain more advantageous results in cost. No
18 division established by the board of supervisors shall embrace roads
19 or streets within a city.

SEC. 8. Division of primary road system—improvement of—procedure—zones, etc. When the board of supervisors of any county shall decide to begin the improvement of any division of said primary road system, it shall, on or before the first day of August of any year, by a resolution filed with the state highway commission, specify the division or divisions of the primary road system in said county which they desire to improve hereunder. Said resolution shall indicate the program of improvement for the ensuing year or years, and shall specify the funds available or the method proposed to finance the cost of such improvements. If the resolution filed with the state highway commission embraces the hard surfacing of any division of primary roads, the same shall be accompanied by a proposed assessment district for each division in the form of an engineer's plat. Each district shall be clearly designated by some appropriate and distinctive name and number, such, for instance, as "Correctionville Road, District No. 1". Portions of primary roads which diverge from a common point may be included within one district. No district established by the board of supervisors shall embrace real estate within a city, but no proceedings for an improvement which embraces a road or street of a town shall be affected by the fact that subsequent to the establishment of the district, and before the completion of the improvement, such town becomes a city by change in population. All real estate lying upon and immediately adjacent to each side of the highway, and constituting two continuous zones each three hundred twenty rods in width, measured from the center of the highway, shall be included within each district. The board of supervisors may increase the width of either of said zones by extending the outer boundary thereof for a distance of not to exceed one hundred sixty rods. If either of the zones first mentioned be increased in width, the outer boundary of such increase may follow governmental or other well defined lines; and if any part of a governmental forty-acre tract, or less, is within four hundred eighty rods of the center of the road, then and in such case the entire forty acres or less may be included within the district. Should the center of the highway be less than four hundred eighty rods from an interstate boundary line, or river which acts as such interstate boundary, then the zone adjacent to such line or river may extend to such line or river. Should travel to or from such highway to real estate within either of said zones be wholly barred by a natural or artificial barrier, the board of supervisors may wholly exclude such real estate, or any portion thereof, from such assessment district, or may otherwise meet the difficulty by making a nominal assessment on said real estate.

SEC. 9. Highway commission—powers as to project—establishment of district, etc. The said commission shall examine said project, and before approval shall have power to so modify the same as to comply with this act. Upon the approval of said resolution by the state highway commission, the said district or districts, as proposed by the board, shall be deemed finally established. Upon the final establish-

6 ment of said district or districts as above provided, the board of super-
7 visors shall cause to be entered and published in the minutes of its
8 proceedings, a description of all real estate embraced within each dis-
9 trict. Such description may be by any legal description, but the failure
10 to strictly comply with said direction as to such entry and publication
11 shall not affect the validity of the proceeding.

SEC. 10. **Surveys, plans, etc.—approval by board and commission—**
1 **modifications.** When the resolution has been finally approved, the
2 commission shall make, or cause to be made, proper surveys, and
3 shall prepare the plans, specifications and estimates for such improve-
4 ment, or shall cause the same to be prepared by the county engineer,
5 under its supervision, which plans, specifications and estimates shall
6 be finally approved by the board and the commission, and filed with
7 the county auditor, and the work shall be done in accordance there-
8 with, except in so far as the same may be modified by the commission
9 to meet unforeseen or better understood conditions, and no such modi-
10 fication shall be deemed an invalidating matter. Such plans and speci-
11 fications may provide, as a part of said hard surfaced roadway (and
12 to be computed as a part of the cost thereof), for such shoulders of
13 gravel or other material as may be necessary to protect the roads
14 thereof and to facilitate travel thereover.

SEC. 11. **Bids for construction—contract—provisions—violation of**
1 **—rejection or award—bond.** As soon as the approved plans and
2 specifications are received by the board of supervisors, they shall pro-
3 ceed to advertise for bids for the construction of said improvement.
4 Each bid shall be accompanied by a sworn statement by the bidder, or
5 by a partner or officer thereof, which shall show the name and address
6 of each director, officer or partner of such bidder. No contract shall
7 be let to any state or county official, elective or appointive, nor to any
8 relative of such state official, nor to any partnership or corporation in
9 which such state official or relative thereof is financially interested. No
10 contract shall be let to any partnership or corporation in which a
11 county officer of the contracting county, or relative of such county
12 officer, is financially interested. The letting of a contract in violation
13 of the foregoing provisions shall not invalidate the contract, nor any
14 bonds issued thereunder, but upon discovering such violation, the
15 board of supervisors or the state highway commission may terminate
16 the contract, and such violation in case of such termination shall be
17 a complete defense to any action by the contractor to recover any
18 consideration due or earned under the contract at the time of such
19 termination. In the award of contracts, due consideration shall be
20 given not only to the prices bid, but to the mechanical and other equip-
21 ment, and financial responsibility of the bidder and his ability and
22 experience in the performance of like or similar contracts. The board
23 may reject any or all bids and may readvertise for bids, or, with the
24 written consent of the state highway commission, may let by private
25 contract, or with such consent may proceed to the construction (except
26 in case of paving) by day labor at a cost not to exceed the lowest bid
27 received. In any event, all contracts entered into under the provisions
28 of this act shall be approved by the state highway commission before
29 they shall become effective. The form and conditions of all contracts,
30 the form and conditions of all bonds taken or required for the full
31 performance or maintenance of all work, shall be prescribed by the

32 state highway commission. All contracts for performing paving work
 33 or furnishing material therefor shall be in writing and shall be secured
 34 by a bond for the faithful performance thereof, which bond shall be
 35 so drawn as to fully secure the proper county from defective workman-
 36 ship or material for five (5) years after the completion of contract.

1 **SEC. 12. State highway commission—powers and duties.** The state
 2 highway commission is expressly charged with the duty of controlling
 3 the supervision, inspection and direction of the work of construction
 4 on behalf of the state and its counties, and of supervising the expendi-
 5 ture of all funds paid on account of such work by the counties of the
 6 state, and it shall do and perform all other matters and things neces-
 7 sary to the faithful completion of the improvements herein authorized,
 8 and to fully carry out the cooperation contemplated and provided by
 9 the said federal aid road act. All engineers or inspectors having
 10 responsible charge of any improvement shall give bonds for the faith-
 11 ful performance of their duties and for like accounting of all property
 12 entrusted to their custody. All bonds given by such engineers or
 13 inspectors in the employ of the state highway commission shall be
 14 deemed to embrace any and all improvements of which they may be
 15 in charge.

1 **SEC. 13. Claims—payment of—road fund or assessment—voucher**
 2 **forms—warrants—partial payments.** Claims for draining and grad-
 3 ing, graveling or oiling, shall be paid wholly from the county's allot-
 4 ment of the primary road fund. Claims for hard surfacing, in case the
 5 county is proceeding without bond issue, shall be paid to the extent
 6 of seventy-five per cent of the total cost of such hard surfacing, from
 7 the county's said allotment, and the balance shall be paid with special
 8 assessment or road certificates, or with the proceeds thereof. Claims
 9 for hard surfacing, in case the county is improving with the proceeds
 10 of a bond issue, shall be paid, first, from the county's said allotment
 11 then available, or from any balance of said allotment remaining after
 12 the retirement of bonds and from the proceeds of special assessments,
 13 and second, out of such bond fund of the county. All claims shall be
 14 itemized upon voucher forms prepared by the state highway commis-
 15 sion, sworn to by the claimants, certified to by the engineers in charge,
 16 filed with and audited by the board of supervisors, and then forwarded
 17 to the state highway commission for final audit and approval. Upon
 18 the final approval of vouchers which are payable from the county's
 19 allotment of the primary road fund, such vouchers shall be forwarded
 20 to the auditor of state, who shall draw warrant therefor, and said
 21 warrant shall be paid by the treasury of state from the primary road
 22 fund. Duly approved voucher claims, payable at the office of the
 23 county treasurer, shall be forwarded by the state highway commission
 24 to the county auditor, who shall issue warrant therefor, and the county
 25 treasurer shall pay the same with special assessment or road certifi-
 26 cates, or from the proceeds thereof, or from the bond fund, as the case
 27 may be. Partial payments may be made on work during the progress
 28 thereof, but no such partial payment shall be deemed final acceptance
 of the work nor a waiver of any defect therein.

1 **SEC. 14. Board of apportionment—appointment—duties—who may**
 2 **not serve—reports—compensation—mileage and expense.** A board of
 3 apportionment of three resident freeholders of the county shall be
 4 appointed by the board of supervisors to apportion all special benefits
 to real estate within each district, but the same board of apportion-

5 ment may act for more than one district. No person shall serve on
6 such board if he lives or owns real estate within the district for which
7 he is to act. Whenever the total expense of such improvement within
8 said district has been approximately determined, said board of appor-
9 tionment shall, with all reasonable dispatch, personally inspect and
10 classify in some uniform manner, and under some intelligent descrip-
11 tion, and in a graduated scale of benefits, all real estate within said
12 districts. Said classification, when finally established, shall remain
13 as a basis for all future assessments to cover deficiencies, if any, unless
14 the board of supervisors, for good cause, shall authorize a revision
15 thereof. Said board of apportionment shall, among other relevant and
16 material matters, if any, give due consideration to the fair market
17 value per acre of each of the different tracts of real estate, to their
18 relative location and productivity, and to their relative proximity and
19 accessibility to the said improvement. They shall, in writing, and to
20 the different described tracts of real estate within said district, make
21 an approximately equitable apportionment of twenty-five per cent of
22 the total expense of said improvement. In making said apportion-
23 ment, real estate owned by the state or any county shall be treated as
24 other real estate, but no other publicly owned real estate shall be
25 included, and in apportioning benefits to real estate owned by the
26 county or state no consideration shall be given to the buildings thereon.
27 Said apportionment report shall specify each tract of real estate by
28 some intelligent description, the amount apportioned thereto, and the
29 ownership thereof, as the same appears on the transfer books in the
30 auditor's office, and shall be filed with the county auditor. Said appor-
31 tionment shall carry the presumption, in the absence of a contrary
32 showing, that the same is fair, just, equitable, and in proportion to
33 benefits and not in excess thereof. Upon receipt of said apportion-
34 ment, the county auditor shall fix a day for hearing before the board
35 of supervisors, and cause notice to be served upon each person whose
36 name appears in said apportionment report, or in any recommenda-
37 tion accompanying the same, as owner, and also upon the person or
38 persons in actual occupancy of any such real estate, which notice shall
39 state the amount of special assessments apportioned to each tract,
40 the day set for hearing before the board of supervisors, that at said
41 hearing any apportionment may be increased without further notice,
42 that (if such be the case) the board of apportionment has recom-
43 mended that specified additional tracts of real estate should be included
44 within said district, and that specified sums should be apportioned
45 thereto to defray the cost of said improvement, and that all objec-
46 tions to said report, or any part thereof, by reason of any irregular-
47 ity in prior proceedings, or by reason of any irregularity, illegality, or
48 inequality in making such apportionment, must be specifically made
49 in writing and filed with the county auditor on or before noon of the
50 day set for such hearing, and that a failure to so make and file such
51 objections will be deemed a conclusive waiver of all such objections.
52 The county auditor shall cause such notice to be published in at least
53 one of the official newspapers of the county once each week for two
54 consecutive weeks, the last of which publications shall be not less than
55 five days prior to the day set for said hearing. Proof of such service
56 shall be made by affidavit of the publisher and be filed with the county
57 auditor. Omission to serve any party with notice herein provided,
58 shall work no loss of jurisdiction on the part of the board over such

59 proceeding, and such omission shall only affect the persons upon whom
60 service has not been had, and if, before or after the board has entered
61 its final order in apportionment proceedings, it be discovered that
62 service of said notice has not been had on any necessary person as
63 herein provided, the board shall fix a time for hearing as to such
64 omitted parties and shall cause such service to be then made upon
65 them, either by publication as in this section provided or by personal
66 service in the time and manner required for service of original notices
67 in the district court, and after such hearing shall proceed as to such
68 person as though such service had been originally complete. The
69 appearance of any interested party, either in writing or personally,
70 or by authorized agent, either before the board of supervisors or
71 before the state highway commission at any stage of a pending pro-
72 ceeding for the hard surfacing of the highways of a district, shall be
73 deemed a full appearance. Only interested parties shall have the
74 right to appear before the board of supervisors in proceedings provided
75 for in this act, and all persons so appearing shall be required to state
76 for whom they appear, and the clerk of the board shall make definite
77 entry accordingly, in the minutes of the board. The state highway
78 commission shall prescribe standard forms for apportionment reports
79 and notice of hearings thereon. Each member of the board of appor-
80 tionment shall be paid in full for all services, at the rate of six dollars
81 per day of actual service, and ten cents per mile for each mile neces-
82 sarily traveled in the performance of his duties, and bills therefor,
83 duly sworn to and itemized, shall be returned to the board of super-
84 visors with the report of the apportioners.

SEC. 15. Omitted tracts—procedure—recommendation—district
1 boundaries, etc. Should the board of apportionment be satisfied from
2 its investigation, that certain tracts of real estate have been omitted
3 from said district, and that such omitted tracts ought to bear an
4 equitable portion of the expense of such improvement, and are, as to
5 any part thereof, within four hundred eighty rods of said improve-
6 ment, and not embraced within any other primary road district, they
7 shall proceed in the following manner, to wit:

8 First, they shall make and return their apportionment report to the
9 board of supervisors, on the presumption that no real estate will be
10 ultimately assessed, except the real estate which is embraced within
11 the district as then constituted and established.

12 Second, they shall accompany their apportionment report with a
13 definite list of the heretofore mentioned tracts of real estate, which
14 ought, in their judgment, to be within said district, but which have
15 been omitted therefrom, and shall definitely state the amount which,
16 in their judgment, each such omitted and described tracts ought to
17 equitably bear toward the cost of the improvement. The board of
18 supervisors on the final hearing of said apportionment report, shall
19 pass on said recommendation, and may wholly reject or wholly approve
20 the same, or may reject in part and approve in part, or may approve
21 wholly or in part, with modification. If the recommendation be
22 approved and adopted in any part, the board shall enter an order
23 changing the boundaries of the district accordingly, and notify the
24 state highway commission of said change, and shall adjust the final
25 apportionment in accordance therewith.

SEC. 16. Apportionment report—final hearing—levy—assessment in installments—delinquent taxes, etc. The final hearing on said apportionment report may be adjourned from time to time without loss of jurisdiction on the part of the board. On such final hearing the board shall hear and determine all objections filed, and may increase, diminish, annul or affirm the apportionment made in said report, or any part thereof, as may appear to the board to be just and equitable. On the final determination, the board shall levy such apportionment and all installments thereof upon the real estate within said district, as finally established, and said assessment and all installments thereof shall be then due and payable, and bear interest at six per cent per annum from said date; provided, that if any owner, other than the state or county, of any of said tracts of land shall, within twenty days from the date of said assessment agree, in writing filed in the office of the county auditor, that in consideration of his having the right to pay his assessment in installments, he will not make any objection of illegality or irregularity as to said assessment upon his said real estate, and will pay the same with six per cent interest thereon; then and in that case, said assessment shall be payable as follows: In ten equal installments, the first of which, with interest on the whole assessment from the date of levy, shall mature and be payable on the date of such agreement, and the other installments, with interest on the whole amount unpaid, annually thereafter, at the same time and in the same manner as the March semi-annual payment of ordinary taxes. Where no such agreement is executed, then the whole of such special assessment so levied shall mature at one time and be due and payable with interest from the date of levy, and shall be collected at the next succeeding March semi-annual payment of ordinary taxes. All such taxes shall become delinquent on the first day of March next after their maturity, shall bear the same interest, the same penalties and be attended with the same rights and remedies for collection, as ordinary taxes. An owner of land who has availed himself of said ten-year option may at any time discharge his assessment by paying the balance then due on all unpaid installments, with interest on the entire amount for thirty days in advance. Assessments against lands owned by the state or county shall be due and payable from the date of levy by the board of supervisors, or in the case of any appeal, from the date of final confirmation of the levy by the court. In case of assessment on lands owned by the county, the same shall be paid from the county general fund. In case of assessments on lands owned by the state, the same shall be represented by a voucher, duly audited as heretofore provided, and the state auditor shall draw warrant therefor and make the same payable out of any funds in the state treasury not otherwise appropriated.

SEC. 17. Assessment—insufficient or defective—procedure to correct. In case an assessment as originally made, should later be found to be insufficient to pay one-fourth of the total cost of the improvement, an additional assessment may be made in the same relative ratio as the original assessment, to meet the deficiency. In case an assessment appears to be invalid or, in the judgment of the board, seriously defective, the board of supervisors may proceed to the making of a new assessment as though no assessment had ever been made.

SEC. 18. Special benefit assessments—levy—hard surfacing—assessment of real estate for, etc. Special benefit assessments shall be levied for an amount which, in the aggregate, shall equal twenty-five per cent of the total cost of hard surfacing, and sums expended for drainage, grading, bridging and culverting shall not be computed as part of said cost, except that the cost of such draining and grading as is purely incidental to the construction of said hard surfacing may be included in the cost thereof. No real estate, under any circumstances, though embraced within more than one road assessment district, shall be specially assessed for the original cost of hard surfacing in an amount exceeding, in the aggregate, four per cent of the fair market value thereof. Any deficiency in the said twenty-five per cent of the total cost, occurring by reason of said four per cent limitation, shall be paid from the county's allotment of the primary road fund.

SEC. 19. Land owner—assessment levy—appeal—bond—notice—hearing—adjustment. Any owner of land may appeal to the district court from the order of the board of supervisors in levying the assessment against his real estate, by filing with the county auditor within fifteen days from the date of such levy, a bond conditioned to pay all costs in case the appeal is not sustained, and a written notice of appeal wherein he shall, with particularity, point out the specific objection which he desires to lodge against such levy. The appearance term shall be the trial term, and said appeal shall have precedence over all other business of the term except criminal matters. The appeal shall be heard as in equity, and the court may raise or lower the assessment in question and make an equitable assessment in the judgment of the court. The clerk of the district court shall, upon the entry of the final order of the court, certify such final order to the county auditor, and the board of supervisors shall at once so adjust the assessments as to comply with such final order.

SEC. 20. Appeal—transcript of notice—procedure of appellant—waiver—dismissal by court. When an appeal is taken, the county auditor shall at once make a transcript of the notice of appeal and appeal bond, and transmit the same to the clerk of the district court. The appellant shall, on or before the first day of the first term of the court, after taking said appeal, docket said appeal and file a petition setting forth the order or decision of the board of supervisors appealed from and his specific objections thereto. A failure to comply with either of these requirements shall be deemed a conclusive waiver of the appeal, and in such case, the court shall dismiss the same. Appellee need not file answer, but may do so.

SEC. 21. Special assessments on given improvement—procedure by county auditor and treasurer. When the board of supervisors has entered its final order as to the amounts of all special assessments on a given improvement, the county auditor shall at once certify a list of such assessments and a list of the real estate upon which each assessment has been levied, with the specific designation of the district embracing such real estate, to the county treasurer, who shall enter each assessment upon the tax books and continue such entry until such assessment is paid. Each special assessment and all installments thereof shall be a lien upon the real estate upon which it is levied from the date of such certification by the county auditor, to the same extent and in the same manner as taxes levied for state and county purposes.

12 Changes in the amount of any special assessment by reason of any
 13 ruling of the district court on appeals, shall be likewise certified and
 14 the county treasurer shall make the proper corrections on his books.

SEC. 22. Assessment district—unit—hard surfacing—separate fund.

1 Each assessment district shall be considered a unit and all funds
 2 received by the county treasurer for and on behalf of the hard surfac-
 3 ing of such unit shall be carried as a distinct and separate account and
 4 under the same specific name as that used by the board in establishing
 5 such unit.

SEC. 23. County road certificates—board may issue—what certi-

1 **ates shall recite—subsequent holder—fund for payment.** In order to
 2 render immediately available that amount of the cost of an improve-
 3 ment which has been specially assessed, the board may issue road certi-
 4 ficates in the name of the county in an aggregate amount not exceeding
 5 the then unpaid amount of the special assessment levied in said district.
 6 Each issue of certificates shall be under, and in accordance with, a duly
 7 adopted resolution of the board which shall be entered at large in the
 8 minutes of the proceedings of the board, and which shall recite: (1),
 9 the name or designation of the road district on account of which the
 10 certificates are issued; (2), that a stated amount (naming the amount)
 11 has been specially assessed against the lands within said district; (3),
 12 that a stated amount of said aggregate special assessment has not yet
 13 been paid (naming said unpaid amount); (4), that it is necessary to
 14 render said unpaid amount immediately available; (5), the number of
 15 road certificates authorized and the specific amount of each certificate;
 16 (6), the specific numbering or designation of each certificate; (7), the
 17 rate of interest which each certificate shall bear from date, to wit, not
 18 to exceed six per cent per annum; (8), the fact that said certificates are
 19 payable solely from the proceeds of the special assessments which have
 20 been levied on the lands within said district; (9), that each certificate
 21 shall be payable on or before the first day of January of the first year
 22 following the maturity of the last installment of said special assess-
 23 ments, and that interest thereon shall be paid annually; (10), the
 24 authorization to the chairman of the board, and to the county auditor
 25 respectively, to sign and countersign each of said certificates. Upon
 26 the signing of each of said certificates by the chairman of the board,
 27 said certificates shall be delivered to the county auditor, who shall
 28 countersign the same, charge the county treasurer with the amount
 29 thereof, and deliver the same to such latter officer, who shall be
 30 responsible therefor on his bond. The treasurer may apply said certi-
 31 ficates in payment of any warrants duly authorized and issued for hard
 32 surfacing the roads within said district, or he may sell the same for
 33 the best attainable price and for not less than par plus accrued interest
 34 and apply the proceeds in payment of such authorized warrants. Said
 35 certificates shall be retired in the order of the consecutive numbering
 36 thereof. The county treasurer shall, on or in connection with the road
 37 account for said district, clearly enter the name and post office address
 38 of all persons to whom any of said certificates are issued, with a par-
 39 ticular designation of the certificates delivered to each person. Any
 40 subsequent holder may present his certificates to the county treasurer
 41 and cause his name and post office address to be entered in lieu of that
 42 of such former holder. Whenever the fund for such particular dis-
 43 trict has money sufficient to pay the first retireable certificate or certi-

44 ficates, the county treasurer shall, by mail, as shown by his records,
45 promptly notify the holder of such certificate of such fact, and from
46 and after the mailing of such letter all interest on such certificate
47 shall cease.

SEC. 24. Road certificates—county board may issue—procedure of
1 officials when allotment available. The board of supervisors of any
2 county which is proceeding with the drainage, grading and hard sur-
3 facing of its roads without the aid of a bond issue, may, by the issu-
4 ance of road certificates, anticipate the annual allotment of the pri-
5 mary road fund for said county, for the current and succeeding year.
6 Such certificates shall be authorized by a duly adopted resolution
7 which shall specify, (1) the allotment or allotments which are to be
8 anticipated, (2) the amount of certificates authorized, which amount
9 for any such anticipated year shall not exceed a sum equal to ninety
10 per cent of the county's allotment for the year preceding that in which
11 the authorization is made, (3) the denominations of each certificate,
12 (4) the rate of interest which each certificate shall bear, which shall
13 not exceed six per cent per annum, payable annually, and (5) the
14 authorization of the chairman of the board of supervisors and of the
15 county auditor, respectively, to sign and countersign such certificates.
16 Each certificate shall recite the allotment of which it is anticipatory,
17 and shall be payable on or before the last day of the year for which
18 such allotment has been anticipated, and shall recite that it is payable
19 solely from the future proceeds of the county's allotment of the pri-
20 mary road fund. The record of such certificate by the county auditor,
21 the receipt, record, handling and disbursement of the same by the
22 county treasurer, and the latter's responsibility therefor, shall be the
23 same as provided herein for road certificates issued for special assess-
24 ments on benefited property. Such anticipated allotments shall stand
25 pledged for the payment of such certificates and shall be used for no
26 other purpose. As soon as said anticipated allotment is available to
27 the county, the state highway commission shall notify the county
28 treasurer of such fact, and the county treasurer shall at once forward
29 to the said commission the canceled vouchers which were paid from
30 the proceeds of the certificates issued in anticipation of such allotment,
31 and thereupon the said commission shall forward to the state auditor,
32 in favor of the county treasurer, a voucher for the amount of said can-
33 celed claims with interest thereon sufficient to balance the interest on
34 an equal amount of certificates to the first day of the next succeeding
35 month. The auditor of state shall issue his warrant for said amount
36 and the treasurer of state shall pay the same out of the primary road
37 fund. The county treasurer immediately upon receipt of said funds,
38 shall notify the holders of said certificates that said certificates will
39 be met on presentation, and from and after the mailing of said notice,
40 interest on said certificates shall cease. Said funds so received shall
41 be used solely for the purpose of retiring said certificates. If, for
42 any reason, the amount realized from an anticipated allotment be
43 insufficient to meet the legally issued certificates, the deficiency shall
44 be met from the county's first accruing allotment thereafter.

SEC. 25. County primary roads—improvements—submission to
1 voters—bonds—authorization and certification. If any county desires
2 to hasten the drainage and grading or the hard surfacing of the pri-
3 mary roads of its county at a more rapid rate than would be accom-

4 plished by merely employing each year its allotted portion of the pri-
 5 mary road fund for said year, it may proceed as follows: The board
 6 may submit or upon petition of a number of the qualified voters of the
 7 county equal to 20% of the total vote cast in said county at the last
 8 preceding general election, presented to the board in writing so to do,
 9 must submit to the voters of the county at a general election, or at a
 10 special election called by the board for such purpose, the question of
 11 issuing bonds for the purpose of raising funds to meet the cost of such
 12 work, and to provide for the retirement of such bonds and interest
 13 thereon. Notice of such election shall be given by publication once
 14 each week for two successive weeks in all the official newspapers of
 15 the county, stating the time when such election will be held, and sub-
 16 stantially the proposition that will be submitted. The last publication
 17 to be at least five days prior to the day such election is to be held.
 18 Special elections shall be conducted in the same manner as general
 19 elections are conducted. Said question shall be set forth on the bal-
 20 lots substantially as follows: "Shall the board of supervisors be
 21 authorized to issue bonds from year to year, in the aggregate amount
 22 not exceeding dollars, for the purpose of providing
 23 the funds for hard surfacing the primary roads of the county, and to
 24 levy a tax on all the property in the county from year to year not
 25 exceeding mills in any one year, for the payment of
 26 the principal and interest of said bonds, provided, however, that the
 27 annual allotments to the county of the primary road fund shall be
 28 used to retire said bonds as they mature, and only such portion of
 29 said tax shall be levied from year to year as may be necessary (1) to
 30 pay the interest annually, and (2) to meet any deficiency, if any,
 31 between the amount of the principal of the bonds and the said allot-
 32 ments from the primary road fund, together with assessments on
 33 benefited property provided by law." Immediately to the right of
 34 said proposition shall appear two squares of appropriate size, one above
 35 the other. Immediately after the first square shall appear the word
 36 "yes". Immediately after the other square shall appear the word
 37 "no". The voter shall indicate his vote by a cross in the appropriate
 38 square. The returns of said elections shall be canvassed by the board,
 39 and its findings shall be entered at large in the minutes of its proceed-
 40 ings. No proceedings to test or review the legality or correctness of
 41 said election shall be maintainable unless instituted within thirty days
 42 after the findings of the board have been entered upon the record.
 43 The fact of each authorization of bonds by a county shall be at once
 44 certified by the county auditor to the state highway commission, with
 45 such data relative thereto as the commission may demand.

SEC. 26. Serial bonds—board may issue—conditions—maturity, etc.

1 If a majority of the votes be in favor of such issue of bonds and tax
 2 levy, the board shall from time to time, as necessary to meet the con-
 3 struction cost and expenses incidental thereto, not provided for by
 4 funds immediately available from the primary road fund, or from
 5 proceeds of special benefit assessments heretofore provided for, issue
 6 serial bonds in denominations of five hundred dollars or one thousand
 7 dollars each, and at a rate of interest, payable annually, not exceed-
 8 ing five per cent per annum. Bonds and annual interest thereon shall
 9 mature on the first day of May. Each bond shall provide that the
 10 same shall be payable at the option of the county, on any interest pay-
 11 ment date on or after five years from the date of the bond. No bonds

12 shall be sold for less than par value plus accrued interest. No bonds
13 shall be issued with maturity date postponed more than fifteen years.

SEC. 27. Bond issue, etc.—procedure of county board—tax levy—
1 limitation. If a majority of the voters be in favor of such bond issue
2 and tax levy, the board of supervisors shall, each year thereafter dur-
3 ing the life of the bonds, levy on all the property of the county such
4 part of such authorized tax as will clearly meet (1) the matured or
5 maturing interest for the ensuing year on all such outstanding bonds,
6 and (2) any amount of maturing principal of bonds, provided, how-
7 ever, that only so much of said tax shall be levied in any year for
8 principal of said bonds, if any, as cannot be met (a) by the county's
9 allotment of the primary road fund available for such ensuing year,
10 and (b) by the proceeds of special assessments on benefited property.

SEC. 28. Bond issue—serial form—authorization by resolution—
1 specific provisions. All bonds issued under the provisions of this act
2 shall be issued in serial form. Each issue shall be authorized by a
3 duly adopted resolution of the board, which resolution shall be entered
4 at large in the minutes of the board. Such resolution shall clearly
5 specify the number of bonds authorized, the amount of each bond,
6 the number or designation of each bond, the rate of interest which
7 each bond shall bear from date, which interest shall not exceed five
8 per cent per annum, payable annually, the date of maturity of each
9 bond, and the authorization to the chairman of the board to sign, and
10 to the county auditor to countersign, the same. When signed and
11 countersigned, the county auditor shall charge the county treasurer
12 with the amount of same and deliver the same to the county treasurer,
13 who shall be responsible therefor on his bond. The county treasurer
14 shall, when so directed by the board, apply any part or all of said
15 bonds in payment of any warrants duly authorized and issued for the
16 particular purpose for which such bonds are issued, provided the
17 same are applied, for at least par of such bonds plus all accrued inter-
18 est, or the county treasurer shall, when so directed by the board,
19 advertise and sell any part or all of said bonds for the best attainable
20 price, and for not less than par plus all accrued interest, and apply
21 the proceeds wholly for a like purpose. Said advertisement shall be
22 inserted once a week for at least two weeks in one official county paper
23 in the county, and for a like period in at least one newspaper of general
24 circulation throughout the state, and may include one or more periodi-
25 cals devoted to the interest of investors. Bonds of each series shall
26 be retired in the order of the issuance of each series. The county
27 treasurer shall, in disposing of said bonds, keep an accurate record of
28 the name and post office address of all persons to whom any of said
29 bonds are issued, with a particular designation and description of the
30 bonds delivered to each person. Any subsequent holder of any of
31 such bonds may present the same to the county treasurer and cause
32 his name and post office address to be entered in lieu of such former
33 holder. Whenever the fund from which such bonds are payable is
34 sufficient to pay the legally retireable series of any issue of bonds, the
35 county treasurer shall, by mail, as shown by his records, promptly
36 notify the record holder thereof of such fact, and from and after the
37 expiration of twenty days from the mailing of such notice, all interest
38 on such bonds shall cease. If bonds are presented and paid prior to
39 the expiration of such time, interest shall be computed only to the

40 time of such presentation and payment. Bonds, and road certificates
 41 (whether issued in anticipation of special assessments or in anticipa-
 42 tion of annual allotments of the primary road fund), shall not be taxed.

SEC. 29. Anticipatory bonds or road certificates—county auditor—
 1 duty of. The county auditor shall certify to the state highway com-
 2 mission a correct copy of each resolution which authorizes the issu-
 3 ance of bonds or road certificates which are anticipatory either of
 4 special assessments or annual allotments, and from time to time a like
 5 certificate as to the actual issuance of bonds or road certificates, under
 6 such resolution, together with such data relative thereto as the com-
 7 mission may demand.

SEC. 30. Available funds—retirement by purchase when not
 1 required. Whenever available funds created under this act are not
 2 needed for pending or contemplated improvements, the board of super-
 3 visors may, with the consent of any holder of immatured bonds, retire
 4 the same by purchase at a price not exceeding par and accrued interest.

SEC. 31. Hard surfacing of primary roads—county may hasten—
 1 procedure. If any county desires to proceed with the hard surfacing
 2 of the primary roads of said county at a more rapid rate than would
 3 be accomplished by merely employing its allotted portion of the pri-
 4 mary road fund as it becomes available from year to year, it may in
 5 lieu of the procedure provided in section 25 hereof, proceed as follows:
 6 The board of supervisors may enter into one or more tentative con-
 7 tracts for the hard surfacing of any designated number of divisions of
 8 one or more of such roads of its county. Such tentative contract or
 9 contracts shall be entered into in the same manner and under the
 10 same formality and procedure heretofore prescribed for the execu-
 11 tion of contracts. Such tentative contracts shall not be effective as
 12 contracts until validated by the voters of the county as herein pro-
 13 vided, and shall so recite. Upon the execution of such tentative con-
 14 tract or contracts, the board of supervisors may submit to the voters
 15 of the county, at a general election or at a special election called by the
 16 board for such purpose, the question of validating said contract or
 17 contracts and of issuing bonds and of levying a tax to meet the cost of
 18 such work. Special elections shall be conducted in the same manner
 19 as general elections are conducted. Notice of such election shall be
 20 given by publication once each week for two successive weeks in all
 21 the official newspapers of the county, stating the time when such
 22 election will be held, and substantially the proposition that will be
 23 submitted. The last publication to be at least five days prior to the
 24 day such election is to be held. If any such contract is to be submitted
 25 for validation, the said questions shall be set forth on the ballots sub-
 26 stantially as follows: "Shall the following contract be validated, to
 27 wit: the contract entered into by the board of supervisors on the
 28 day of and approved by the state highway
 29 commission on the day of between
 30 county and (specifying the
 31 name of the contractor) for the hard surfacing of
 32 road with material, and shall the board of super-
 33 visors be authorized to issue bonds of this county in an amount not
 34 exceeding dollars for the purpose of providing the
 35 funds with which to pay for such hard surfacing, and shall the board
 36 of supervisors be authorized to levy a tax from year to year on all the

37 property in the county in an amount not exceeding
 38 mills in any one year for the payment of the principal and interest of
 39 said bonds, provided, however, that the annual allotments to the
 40 county of the primary road fund shall be used to retire the bonds as
 41 they mature, and only such portion of said tax shall be levied, if any,
 42 as is necessary to pay the interest annually and to meet any defi-
 43 ciency between the maturing principal of such bonds and the allot-
 44 ments aforesaid?" Immediately to the right of said proposition shall
 45 appear two squares, one above the other. Immediately after the first
 46 square shall appear the word "yes". Immediately after the other
 47 square shall appear the word "no". The voter shall indicate his vote
 48 by a cross in the appropriate square. If more than one contract is to
 49 be submitted at said election, for validation and for authorization to
 50 issue bonds and to make tax levy, the proposition pertaining to each
 51 contract shall be separately stated on the same ballot and each proposi-
 52 tion shall be complete in itself, but the voting thereon shall be collec-
 53 tively and not separately.

SEC. 32. Hard surfacing — election returns — contract in fact, etc.

1 The returns of such election shall be canvassed by the board of super-
 2 visors, and its findings shall be entered at large in the minutes of the
 3 proceedings. If more than one contract has been submitted, and if a
 4 majority of the votes be against the validation of such tentative con-
 5 tracts then all the said contracts submitted at said election shall be
 6 of no further force and effect. If the majority of the votes be in
 7 favor of such tentative contract or contracts, then the same shall be
 8 deemed a contract in fact. Actions to test the legality of such elec-
 9 tion or of any proceedings relating thereto, shall be instituted within
 10 thirty days after the findings of the board as to such election have
 11 been entered of record, and not afterwards.

SEC. 33. Validated contracts—serial bond issue—sale—maturity.

1 If said contract or contracts be validated, the board of supervisors
 2 shall from time to time, and as necessary to meet the construction
 3 cost and expense incidental thereto, issue serial bonds in such denom-
 4 inations and amounts as will, in its judgment, afford the most advan-
 5 tageous sale, and at a rate of interest, payable annually, not exceeding
 6 five per cent per annum, provided that said bonds shall only be issued
 7 for such part of such costs and expenses which cannot be met by the
 8 funds immediately available from the primary road fund and from the
 9 proceeds of special assessments herein provided for. No bonds shall
 10 be sold for less than par value plus all accrued interest thereon. No
 11 bonds shall be issued with maturity date postponed more than fifteen
 12 years.

**SEC. 34. Validated contracts—yearly tax levy—requirements—bal-
 ance to county fund.**

1 If said contract or contracts be validated, the
 2 board of supervisors shall each year thereafter, and during the life of
 3 the bonds, levy such tax within the limits authorized at said election,
 4 on all the property in the county as will fully meet, first, all matured or
 5 maturing interest for the ensuing year on all outstanding bonds, and
 6 second, any amount of matured or maturing principal of bonds for the
 7 ensuing year, if any, which cannot be paid from the county's estimated
 8 allotment of the primary road fund for such year and from proceeds of
 9 special assessments, and any balance remaining in said fund as pro-

10 ceeds of said levy when all bonds and interest thereon shall have been
 11 paid, shall be transferred to the county road cash fund of such county.

SEC. 35. **Cities—highways within limits—county board not to improve; towns—draining and grading—hard surfacing—maintenance—location of improvements.** The board of supervisors shall not drain, grade or hard surface any highway within the limits of cities. Draining and grading on the primary system within towns shall be done by said town at its own expense. The board of supervisors is hereby given plenary jurisdiction to hard surface, within any town, any road or street which is a continuation of the primary road system of the county, providing that no hard surfacing constructed hereunder in any town shall exceed eighteen feet in width. After the completion of such improvement the same shall be maintained by the town and such town shall rest under the same obligation of care as to such improvement as is now provided by law for roads and streets generally. Any such town, through its council, and each county of the state, through its board of supervisors, are hereby authorized to enter into written agreements, subject to the approval of the state highway commission, to determine the location of such improvements within such towns. In case of disagreement, the matter shall be referred to the state highway commission, whose decision shall be final.

SEC. 36. **Adjoining counties—hard surfacing—joint agreement of boards—procedure.** Boards of supervisors of adjoining counties may jointly agree on a district for the hard surfacing of roads in the following cases:

1. When a primary road substantially parallels a county boundary line and is not more than one mile from such boundary line, or
2. When a primary road approaches a county boundary line at such an angle that the hard surfacing hereunder of such road will reasonably necessitate a district with a substantial part thereof in different counties, or
3. When a primary road constitutes a common boundary line between different counties.

In case of common boundary line roads, said boards may also jointly agree as to which county, through its board of supervisors, shall construct said improvement. Such agreements shall be subject to the approval of the state highway commission. If such agreements are entered into and so approved, the county in which the paralleling or angling road is situated shall construct the said improvement as herein provided. If such agreements are entered into relative to a common boundary line road, said improvement shall be constructed by the county agreed on. Should said boards be unable to agree on the district for the improvement of a paralleling or angling road, or should the boards be unable to agree on the district for the improvement of a common boundary line road and also as to which board shall construct the improvement, either board may apply to the state highway commission for a decision in the matter. The said commission shall, by proper order, fix the limits of the district. It shall also determine which county shall construct the hard surfacing on the common boundary line road. Said order shall be final. Such order shall be certified to each board, and the board of the county to which construction has been assigned shall enter such order at large in the minutes of its proceedings, and proceed with the construction of such hard surfacing

32 in the same manner as though the district and the real estate therein
33 were wholly within their county, except that the board of apportion-
34 ment shall file its report with the board of supervisors of all counties
35 in which any of such real estate is located. The county auditor of the
36 county constructing the hard surfacing shall fix a time for a hearing
37 on said report, and shall cause notice thereof to be given as in cases
38 where the district and the real estate therein are wholly within one
39 county, except that said notice shall be published in one of the official
40 newspapers of each of the counties in which any of the real estate is
41 situated. All subsequent proceedings including objections, final con-
42 firmation and appeals shall proceed in the same manner as though the
43 real estate therein were wholly within the constructing county, except
44 that the county auditor of the county constructing the improvement
45 shall, after the final apportionment has been determined and levied,
46 certify a list of the real estate lying in the nonconstructing county or
47 counties and the amount levied thereon, to the county auditor and
48 treasurer of such nonconstructing county. Such assessment and levy,
49 when so certified, shall have the same force and effect as though the
50 same had been duly and legally made by the board of supervisors of
51 such nonconstructing county, and the board of supervisors, auditor
52 and treasurer of such nonconstructing county shall henceforth pro-
53 ceed with the collection of said levy on such real estate in their county
54 as though such levy had arisen out of an improvement proceeding
55 wholly within their county, and when the amount of such levy has
56 been collected, either by cash payments by the property owner, or by
57 the sale of certificates, said county treasurer shall hold the same as a
58 reimbursement to said county on its allotments from the primary road
59 fund. As soon as the final apportionment and levy have been made,
60 the board of supervisors of the constructing county shall, through its
61 county auditor, certify to the state highway commission the total
62 amount of the levies on the real estate in the nonconstructing counties,
63 and the state highway commission shall credit the constructing county
64 and charge the nonconstructing county with the amount of such certi-
65 ficate. If the improvement is for hard surfacing a county boundary
66 line road, that portion of the total cost thereof not specially assessable,
67 to wit, seventy-five per cent, shall be taken equally from each county's
68 apportionment of the primary road fund. If the improvement is for
69 hard surfacing a paralleling or angling road, said seventy-five per cent
70 of the total cost shall be taken wholly from the apportionment of the
71 county wherein the paralleling or angling road is located. Any differ-
72 ences, not herein specifically provided for, arising between different
73 counties, relative to the improvement of common boundary line roads,
74 shall be referred to the state highway commission, and its decision
75 shall be final.

SEC. 37. Corporate line of city—public highway located along—
1 hard surfacing—division of cost—road certificates, etc. Whenever
2 any public highway that is a part of the primary road system is
3 located along the corporate line of any city, it may be improved by
4 hard surfacing by the board of supervisors as part of the primary
5 system under this act. In such case, one-half the cost of such hard
6 surfacing along said corporate line shall be paid by such city, and the
7 board of supervisors of the county and the city council of such city
8 are hereby authorized to agree in writing for the payment by the city
9 of one-half the cost of such improvement, and in case they cannot

10 agree upon the amount to be paid by the city, and date when payment
 11 is to be made, the matter shall be referred to the state highway com-
 12 mission whose decision shall be final. Said city may pay said amount
 13 from its general fund, or it may proceed under sections 840-h to 840-r,
 14 both inclusive, supplemental supplement to the code, 1915, for the
 15 assessment and collection of such cost, or it may pay in the first
 16 instance from such general fund and reimburse said fund thereafter
 17 from proceeds realized from such assessment proceeding. The city in
 18 such case, for prompt realization of funds, shall have the right to issue
 19 road certificates in anticipation of taxes and assessments to be realized
 20 from such assessment proceeding under sections 840-h to 840-r, sup-
 21 plemental supplement to the code, 1915.

SEC. 38. **Primary roads outside of towns—patrol system—pow-
 1 ers of highway commission.** Primary roads outside of towns shall
 2 be maintained by the board of supervisors under the patrol system
 3 provided by chapter 316 of the acts of the thirty-seventh general
 4 assembly, and when so maintained under the said patrol system to the
 5 satisfaction of the state highway commission, the county's allotment
 6 of the primary road fund may be drawn on for such maintenance.
 7 Primary roads, after the hard surfacing of the same, shall be main-
 8 tained under said patrol system wholly out of the county's allotment
 9 of the primary road fund. If any county fails to maintain any of its
 10 hard surfaced roads to the satisfaction of the state highway commis-
 11 sion, said commission shall have power to assume charge of such main-
 12 tenance and pay therefor out of said county's allotment of the primary
 13 road fund. The amount of maintenance vouchers, when the work has
 14 been done by the said commission, shall be charged to the county's
 15 allotment account, and warrants for the amount of such vouchers
 16 shall be issued by the auditor of state on presentation of such
 17 vouchers, and paid by the treasurer of state as in other cases. In
 18 case any town fails to do the draining and grading required to be
 19 done in such town in primary roads about to be improved hereunder
 20 or fails to maintain, to the satisfaction of the state highway com-
 21 mission, any hard surfacing constructed hereunder in said town, the
 22 said commission shall have power to assume charge of such grading,
 23 draining, or maintenance and pay for the same from the primary
 24 fund belonging to said county, and, in such case, the cost thereof
 25 shall be certified by said commission to the county treasurer, who
 26 shall reimburse the primary fund of the county by deducting the
 27 amount from the next succeeding apportionment of tax funds belong-
 28 ing to the general fund of said town.

SEC. 39. **Lateral or other additional roads.** After the primary
 2 road system, as now constituted, or as it may hereafter be consti-
 3 tuted by authorized modifications, is fully improved by hard sur-
 4 facing or graveling as by this act provided, the state highway com-
 5 mission shall add such lateral or other additional roads to said system
 6 in any county as the board of supervisors may recommend, and after
 7 such addition the board may proceed with the improvement of such
 8 added roads with hard surfacing or graveling under the terms of this
 9 act. In the resolution providing for the submission to the voters of
 10 the question of a bond issue for development of the primary system
 11 as provided in section 25 hereof, the board may also outline or indicate
 12 any lateral roads, part of the secondary system, which it ultimately

13 contemplates improving after the primary system has been finished,
14 but such action shall not be deemed a material matter in any way
15 affecting the validity of such bond issue for such primary roads, nor
16 shall such action interfere in any way with the earlier improvement
17 of such lateral roads under statutes relating to the improvement of
18 roads in the secondary system.

SEC. 40. Road material or machinery—authorization to purchase, etc. — government equipment — county apportionment — expense. The state highway commission, with the consent of the
2 board of supervisors of any county, is authorized to purchase for and
3 on behalf of any such county, road material or road machinery, after
4 receiving competitive bids, and to pay for the same out of such
5 county's allotment of the primary road fund, and is directed to purchase,
6 rent or lease any machinery or other articles necessary for the
7 use and most economical operation of field engineering work, the testing
8 of materials, the preparation of plans, and for allied purposes, in
9 order to enable the commission to carry out the provisions of this
10 act, and to pay for the same out of the state highway commission
11 maintenance fund. Should the government of the United States provide
12 for free distribution among the states, of machinery or other
13 equipment suitable for use in road improvement, the state highway
14 commission is empowered to receive and receipt for such machinery
15 and equipment, and to take such action as will secure to the state the
16 benefit of any such tenders by the federal authorities. Said commission
17 is further authorized, in the event of such distribution to the
18 states by the federal authorities, to make such apportionment of said
19 machinery or other equipment among the counties of the state as in
20 its judgment will best facilitate work in progress or contemplated by
21 any county or counties, but the title and right of possession of such
22 property so received from the federal government shall at all times
23 rest in the state highway commission for the use and benefit of the
24 state. The executive council is hereby authorized to pay the expense,
25 if any, attending the transportation of such machinery or other equipment
26 to the state of Iowa, out of any funds in the state treasury not
27 otherwise appropriated.

SEC. 41. Certificates or bonds—issue in violation of act—board or officer guilty of embezzlement. Any member of the board of
2 supervisors, or other county officer, who authorizes or issues, or
3 permits to be issued, any certificate or bond in violation of the requirements
4 herein specified, or who diverts any authorized certificate or
5 bond, or the proceeds derived therefrom, or any part thereof, to any
6 other purpose than the purpose herein specified, shall be deemed
7 guilty of embezzlement and punished accordingly..

SEC. 42. Federal aid engineering fund—transfer of motor vehicle funds to — uses — vouchers. The federal aid engineering fund,
2 created by chapter 249, laws of the thirty-seventh general assembly,
3 shall be continued, and the treasurer of state is hereby directed
4 annually to transfer to such fund from the funds derived from
5 year to year under the act regulatory of motor vehicles, an amount
6 equal to the estimated cost of plans and specifications for the current
7 year, as certified by the state highway commission. Said fund shall
8 be used for engineering work in connection with federal aid road

9 projects and paid out only on properly itemized vouchers approved
10 by the state highway commission and audited by the state board of
11 audit.

1 SEC. 43. **Bond issue by county — limitation.** The amount of
2 bonds issued under this act by any county shall not, when added to
3 all other indebtedness of the county, exceed in the aggregate three
4 per cent on the actual value of the taxable property within such
5 county, any other statute to the contrary notwithstanding—to be
6 ascertained by the last state and county tax list previous to the incur-
7 ring of such indebtedness.

1 SEC. 44. **Donations of property — acceptance by board — title**
2 **— obligation and accounting.** The board of supervisors is empow-
3 ered to accept on behalf of the county donations of property in aid of
4 highway construction, and from and after such acceptance the title
5 to such property shall vest in the county for the sole purpose for
6 which donated, and the obligation on the part of the officials charged
7 with the possession and disbursement thereof to properly account
8 therefor shall be the same as attends any other property of the
9 county.

1 SEC. 45. **Repeal — state highway commission maintenance fund.**
2 Section one thousand five hundred seventy-one-m thirty-two
3 (1571-m32), supplemental supplement to the code, 1915, is hereby
4 repealed and there is hereby created a fund for the maintenance of
5 the state highway commission consisting of two and one-half per
6 cent of all moneys paid into the state treasury under the act regu-
7 latory of licenses on motor vehicles. Said fund shall be used for
8 no other purpose than as a maintenance fund for said state highway
9 commission, and shall be drawn out only on warrants drawn by the
10 auditor of state on itemized vouchers approved by the state high-
11 way commission. The expenditures of said commission shall be
12 audited by the executive council, and a full and complete report of
13 all said expenditures shall be published in the annual report under
14 the act creating the state highway commission. At the end of each
15 biennial period, the unexpended funds remaining in the highway
16 maintenance fund for said biennial period shall be placed to the
credit of the primary road fund.

1 SEC. 46 **Secondary road system — classes of roads — funds**
2 **pledged — when effective.** The secondary road system shall embrace
3 the following classes of roads: (1) County roads which now exist of
4 record, or which may hereafter exist of record by additions from
5 the township roads, exclusive of all roads of the primary road system,
6 and (2) township roads, which shall embrace all other roads not
7 included within cities and towns. The county road cash fund, under
8 the jurisdiction of the board of supervisors, and the township road
9 funds, under the jurisdiction of the township trustees, are hereby
10 wholly dedicated and pledged after July 1, 1920, to the county and
11 township roads respectively as provided by law.

1 SEC. 47. **Secondary road system — improvements — powers of**
2 **boards — procedure.** In order to provide for the graveling, oiling,
3 or other suitable surfacing of roads of the secondary system, the
board of supervisors shall have power, on petition therefor, to estab-

4 lish road assessment districts, but such districts need not necessarily
5 follow the zone limits provided herein for the improvements of pri-
6 mary roads. Said petition shall intelligently describe the lands within
7 said proposed district, and the road or roads therein which the peti-
8 tioners desire improved, and the general nature of the improvement
9 proposed on each of said roads. Improvements may be proposed in the
10 alternative. Said petitions shall be signed by twenty per cent of the
11 owners of the lands within the proposed district who are residents of
12 the county. Said petition shall be filed with the county auditor,
13 whereupon the board of supervisors shall cause the county engineer
14 to personally examine all the roads within such proposed district and
15 to determine the relation of such roads to the lands within such
16 proposed district, and the relation of such roads to any of the roads
17 of the primary road system, and the necessity, if any, for further
18 grading or draining of such roads. The engineer shall embody his
19 findings in a report to said board. He may recommend the establish-
20 ment of the district as requested, or with such modifications as, in
21 his judgment, are advisable, including a recommendation as to an
22 increase or decrease of the size of the district as proposed by the
23 petitioners. The engineer's report shall include a plat showing, in
24 accordance with his recommendations, the highways to be improved
25 and benefited. Upon the filing of said report by the engineer, the
26 board of supervisors shall fix a time for hearing thereon, and shall
27 cause the county auditor to serve notice by publication as hereinafter
28 provided, of the pendency of said petition on all owners of said land
29 lying within said proposed district, as recommended by the engineer.
30 Said notice shall contain the time and place of hearing on said peti-
31 tion, an intelligent description of all of the lands lying within said
32 district, and the ownership thereof, as shown by the transfer books
33 in the auditor's office, and shall be published for two consecutive
34 weeks in some newspaper published in the English language within
35 the proposed district, if there be such newspaper, and if there be no
36 such newspaper within such district, then the said notice shall be so
37 published in some such newspaper in the county as near as prac-
38 ticable to said district. Proof of such publication shall be made by
39 the publisher by affidavit duly filed with the county auditor. Hearings
40 on said petition may be adjourned from time to time without loss of
41 jurisdiction on the part of the board. On the final hearing, the board
42 shall proceed to a determination of said matter. It may reject the
43 proposal or it may approve the same and establish the district as
44 petitioned for. It may modify the petition either by excluding lands
45 therefrom or by adding lands thereto, or otherwise modify the same,
46 or the board may withhold final order in such matter until such
47 roads, or any designated part thereof, are drained or graded to their
48 satisfaction. No lack of definiteness, either in the petition or in the
49 engineer's report, shall be deemed a jurisdictional defect, and the
50 final order of the board of supervisors establishing the district shall
51 be final. In establishing a district, the board of supervisors shall
52 determine and enter of record the general nature of the improvement
53 to be constructed on the different roads within the district, or may
54 determine such improvements in the alternative and may determine
55 on one class of improvement for some roads and a different class for
56 other roads.

1 **SEC. 48. Secondary road system — establishment of district —**
2 **duty of county board.** Upon the establishment of a district on
3 said secondary road system, the board of supervisors shall file with
4 the state highway commission a copy of the order establishing the
5 district and a copy of the engineer's plat.

1 **SEC. 49. County engineer — plans and specifications — procedure**
2 **of county board.** Upon the establishment of a district in such sec-
3 ondary road system, the county engineer shall prepare the plans for
4 the improvements contemplated by the order of the board establish-
5 ing the district, which plans shall be accompanied by the standard
6 specifications of the state highway commission for the class of
7 improvements contemplated. Upon the filing of said plans and speci-
8 fications, and upon receiving the agreement of the township or town-
9 ships to pay their portion of the improvement of township roads,
10 if any, the board shall, in accordance with their order relative to the
11 class or classes of improvements, proceed to advertise for bids, and
12 shall proceed as provided in section 11 of this act, provided that con-
13 tracts involving less than five thousand dollars need not be approved
14 by the state highway commission.

1 **SEC. 50. Secondary roads — contracts — specific duty of board**
2 **as to — inspection — bills and warrants — responsibility.** It shall
3 be the specific duty of the board of supervisors to see that all con-
4 tracts on said secondary roads are faithfully executed. The county
5 engineer shall maintain competent inspection of the work during the
6 progress thereof, and in the certification of bills and the issuance of
7 warrants the engineer and the county auditor shall rest under the
8 same responsibility as now attends such acts relative to road work,
9 and tile, tiling, culvert and bridge construction.

1 **SEC. 51. Secondary road system — improvement and mainte-**
2 **nance — apportionment of cost.** The total cost of improving a county
3 road in said secondary system within said district, by oiling, grav-
4 eling or other suitable surfacing, shall be apportioned and paid in
5 the proportion of seventy-five per cent from the county road cash
6 fund and twenty-five per cent from assessments on benefited lands.
7 The total cost of so improving a township road within said district
8 shall be apportioned and paid in the proportion of twenty-five per cent
9 from the county road cash fund, fifty per cent from the township
10 road funds of the township or townships embracing said township
11 road (according to their relative mileage) and twenty-five per cent
12 from the special assessments on benefited lands. A county road,
13 after it is so improved, shall be maintained, by the board of super-
14 visors, from the county road cash fund. A township road, after it is
15 so improved, shall be maintained by the township trustees from town-
16 ship funds, unless the improvement is of so substantial and permanent
17 a nature, as that the board of supervisors shall by resolution add such
18 road to the county road system, to be maintained as such.

1 **SEC. 52. County and township roads — cost of improvements —**
2 **how paid — reimbursement of funds, etc.** The total cost of such
3 improvements on said secondary roads shall, in the first instance be
4 paid from the county road cash fund, or jointly from such fund and
5 from the proceeds of all special assessments and road certificates
6 issued against special assessments on lands within the district, or by

6 direct application of such certificates to such cost. In case of the
 7 improvement of a county road, the said county road cash fund shall
 8 be reimbursed for amounts advanced in excess of its legal contribu-
 9 tion, from the proceeds of all assessments on benefited property, and
 10 from the proceeds of all road certificates which represent such special
 11 assessments. In case of the improvement of a township road, said
 12 fund shall be reimbursed to the extent of twenty-five per cent of the
 13 total cost of the improvements from said special assessments and
 14 road certificates, and fifty per cent from the township road fund, or
 15 the township drag fund, or from the township drainage fund or from
 16 any or all of said funds. The trustees are authorized to transfer to
 17 the county from any or all of such township funds the amount suffi-
 18 cient to effect such reimbursement. Should the trustees neglect to
 19 make such transfers, the county treasurer, on order from the board,
 20 shall withhold from such township sufficient of its tax funds as will
 21 effect such reimbursement, and transfer such amount to the county
 22 road cash fund, or the board of supervisors may levy such direct tax
 23 against the property within said delinquent township as will effect
 24 such reimbursement. If the district as finally established, embraces
 25 and contemplates the improvement of a township road, the board of
 26 supervisors shall proceed no farther as to such township road until
 27 the township which embraces such road shall agree in writing, signed
 28 by a majority of its trustees, to pay its portion, as herein required,
 29 of the total cost of said improvement. Said written agreement shall
 30 be deemed the financial obligation of the township and not of the
 31 trustees individually. If such township road is on a township line,
 32 such agreement shall be executed by both townships, and one half
 33 of that portion of the cost payable from township funds shall be
 34 borne by such township.

SEC. 53. **Districts embracing secondary roads — assessments —**
 1 **apportionment, etc.** Special assessments shall be levied upon the
 2 lands within districts embracing secondary roads, in the aggregate
 3 amounts hereinbefore provided, and such amount shall be appor-
 4 tioned and levied within said district in the manner heretofore pro-
 5 vided in case of improvements within primary road districts, it being
 6 the intent of this section that the appointment of apportioners, the
 7 apportioning of benefits, the notice thereof and hearing thereon, and
 8 all procedure in connection therewith which leads to and culminates
 9 in the final collection and payment of such benefits, including the
 10 issuance of road certificates, shall be governed by the provisions of
 11 this act applicable thereto, except that no additional lands shall be
 12 included within the district after same is established by the board of
 13 supervisors.

SEC. 54. **County road building fund — tax levy.** Section one
 2 thousand three hundred three (1303), supplemental supplement to
 3 the code, 1915, as amended by chapter six (6) of the acts of the
 4 thirty-seventh general assembly, is hereby amended by inserting a
 5 period after the word "fund" in the second line of paragraph five (5)
 6 of said section, and by striking out all remaining portions of said
 7 paragraph.

SEC. 55. **Township roads — additional tax levy.** The township
 2 trustees are hereby empowered to levy an additional tax on all the
 3 taxable values in the township not exceeding two mills for use on

4 township roads, said levy to be additional to all existing township
5 levies.

1 **SEC. 56. Repealed — specific sections and all other acts incon-**
2 **sistent or in conflict.** Sections fifteen hundred twenty-seven-f
3 (1527-f) to fifteen hundred twenty-seven-r (1527-r) inclusive, sup-
4 plement to the code, 1913, and all other acts and parts of acts in so
5 far as the same may be inconsistent, or in conflict, with the provisions
of this act are hereby repealed.

1 **SEC. 57. Publication of act — explanatory notes — number, etc.**
2 Promptly upon the passage of this act, the state highway commis-
3 sion shall cause the same to be published, by the state, together with
4 such explanatory notes as it may deem advisable, and in such number
5 as the executive council shall authorize, and the same shall be paid
for as other state printing.

1 **SEC. 58. Primary road fund — quarterly credit — where derived**
2 **from — when available.** The state treasurer shall, quarterly, credit,
3 to the primary road fund, all sums accruing after January 1, 1920, to
4 the state as interest on deposits of funds derived by the state from
5 acts regulatory of motor vehicles, except interest on such part, if
6 any, of said fund as may be retained in the state treasury as a main-
tenance fund for the administration of the motor vehicle department.

1 **SEC. 59. Publication clause.** This act being deemed of immediate
2 importance, shall take effect and be in force from and after its publi-
3 cation in the Des Moines Register and Des Moines Capital, newspapers
4 published at Des Moines, Iowa.

Approved April 16, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register and
the Des Moines Capital April 19, 1919.

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

CHAPTER 238.

COMMISSION OF ANIMAL HEALTH.

S. F. 430.

AN ACT to amend the law as it appears in section twenty-five hundred thirty-eight-r
(2538-r) supplement to the code, 1913, relating to commission of animal health.

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

1 **SECTION 1. Commission — how constituted — appointment —**
2 **confirmation — term.** The law as it appears in section twenty-five
3 hundred thirty-eight-r (2538-r) supplement to the code 1913, is
4 hereby amended by striking out the words "two stock raisers" in line
5 four of said section and inserting the following in lieu thereof; "four
6 stock raisers", and striking out the period in line five thereof and
inserting the following in lieu thereof: "and confirmed by a two-

7 thirds vote of the senate" and by adding to said section the follow-
 8 ing:
 9 "One of the additional members provided by this act shall serve
 10 for a term ending June 30, 1920 and the other additional member pro-
 11 vided by this act shall serve for the term ending June 30, 1921, and
 12 the present members of said commission shall serve until their present
 13 terms expire."

1 SEC. 2. **Publication clause.** This act being deemed of immediate
 2 importance shall take effect and be in force from and after its publi-
 3 cation in the Des Moines Register and the Des Moines Capital, news-
 4 papers published in Des Moines, Iowa.

Approved April 16, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April 20, 1919 and in the Des Moines Register April 21, 1919.

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

CHAPTER 239.

DETENTION OR CONTAGIOUS DISEASE HOSPITAL.

S. F. 332.

AN ACT providing for the erection of a detention or contagious disease hospital and the issuance of bonds covering the costs thereof, and providing for a tax levy to pay such bonds and the interest thereon.

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

SECTION 1. **Detention, etc., hospital — establishment — bonds —**
 1 **levy — fund.** That section 409-a of the supplement to the code,
 2 1913, be and the same is hereby amended by adding thereto the fol-
 3 lowing:
 4 Whenever the board of supervisors in counties, having a popula-
 5 tion of not less than 55,000 or more than 65,000, shall be presented
 6 with a petition signed by three hundred (300) free-holders of said
 7 county of whom two hundred (200) shall be residents of the city,
 8 town, or village where it is proposed to establish said hospital, which
 9 petition asks for the erection of a detention or contagious disease
 10 hospital at a cost not to exceed forty thousand dollars (\$40,000), the
 11 board of supervisors of said county may order the erection of said
 12 detention or contagious disease hospital at a cost not to exceed forty
 13 thousand dollars (\$40,000), and may issue bonds of the county in
 14 addition to all other outstanding indebtedness, covering the cost of
 15 the erection of said detention or contagious disease hospital, said
 16 bonds shall be payable at the pleasure of the county, at any time
 17 within fifteen (15) years and shall draw interest at not more than six
 18 per cent (6%) and the board of supervisors shall make a levy suffi-
 19 cient to pay the interest and principal on said bonds when due, and
 20 said tax shall be paid to the county treasurer of said county and kept
 21 in a separate fund which shall be known as the detention or con-

22 tagious disease hospital fund, which fund shall be used to pay off the
23 principal and interest on said bonds.

1 SEC. 2. **Publication clause.** This act being deemed of immediate
2 importance shall take effect from and after its publication in the Des
3 Moines Register, and the Des Moines Capital, newspapers published
4 in Des Moines, Iowa.

Approved April 16, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April 19, 1919 and in the Des Moines Register April 21, 1919.

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

CHAPTER 240.

FRATERNAL BENEFICIARY SOCIETIES.

S. F. 491.

AN ACT to amend the law as it appears in section 1824 of the code, relating to fraternal beneficiary societies, and providing who may be beneficiaries under certificates issued by such societies.

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

1 SECTION 1. **Certificates of membership — beneficiaries.** That the
2 law as it appears in section 1824 of the code be and the same is hereby
3 amended by striking therefrom the fifth and sixth lines thereof, and
4 by substituting in lieu of the lines so stricken, the following: "shall
5 be the wife, husband, relative by blood to the fourth degree, father-
6 in-law, mother-in-law, son-in-law, daughter-in-law, step-father, step-
7 mother, step-children, children by legal adoption, legal representative
8 or to a person or persons dependent upon the member; provided that
9 if after the issuance of the original certificate the member shall
10 become dependent upon an incorporated charitable institution, he
11 shall have the privilege, with the consent of the governing body or
12 board of the society, to make such institution his beneficiary. Within
13 the above restrictions each member shall have the right to designate
14 his beneficiary and from time to time have the same changed in
15 accordance with the laws, rules or regulations of the society, and no
16 beneficiary shall have or obtain any vested interest in said benefit
17 until the same has become due and payable upon the death of said
18 member, provided that any society may, by its laws, limit the scope
19 of beneficiaries within the above classes."

Approved April 16, A. D. 1919.

CHAPTER 241.

PLATS OF ADDITIONS IN CITIES AND TOWNS.

S. F. 504.

AN ACT to amend section nine hundred sixteen (916) of the supplement to the code, 1913, relating to plats of additions in cities and towns.

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

SECTION 1. **Plats of additions — duty of owner — power of council.** That section nine hundred sixteen (916) of the supplement to the code, 1913, be and the same is hereby amended by adding to the end of said section the following:
 “The council shall have the power to require the owner to bring all streets to a grade acceptable to the council before any such plat is approved as herein provided.”

Approved April 17, A. D. 1919.

CHAPTER 242.

TAX LEVY FOR ROAD-DRAGGING PURPOSES.

S. F. 51.

AN ACT to amend section one thousand five hundred seventy-b two (1570-b2) supplement to the code, 1913, relating to the levy of taxes by township trustees for dragging purposes.

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

SECTION 1. **Road dragging — annual tax levy.** That the law as it appears in section one thousand five hundred seventy-b2 (1570-b2) supplement to the code, 1913, be and the same is hereby amended by inserting after the word “mill” in line fifty-three (53) thereof (being the second line on page five hundred seventy-two (572) of said supplement to the code, 1913) a comma “,” and the words “and may levy not to exceed two mills,”

Approved April 17, A. D. 1919.

CHAPTER 243.

ISSUANCE OF SEWER BONDS BY CITIES AND TOWNS.

H. F. 357.

AN ACT authorizing the issuance of sewer bonds by cities and towns, including cities operating under the commission form of government.

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

SECTION 1. Cities and towns — sewers — bonds — authorization — limit of indebtedness. That cities and towns, including cities operating under the commission form of government, are hereby authorized to contract indebtedness and to issue bonds for the purpose of building and constructing sewers. Said bonds shall be payable in not more than twenty annual installments and at interest not exceeding five per centum 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 or town shall become indebted in excess of five per cent (5%) of the actual value of the taxable property of said city or town as shown by the last preceding assessment roll. The indebtedness so incurred for building or constructing sewers shall not be considered an indebtedness incurred for general or ordinary purposes.

SEC. 2. Cities and towns — construction of act as to power. This act shall be construed as granting additional power, without limiting the power already existing, in cities and towns, including cities operating under the commission form of government.

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

Approved April 18, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April 20, 1919 and in the Des Moines Register April 21, 1919.

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

CHAPTER 244.

EQUALIZATION OF TAXES BY TOWNSHIP TRUSTEES.

H. F. 384.

AN ACT to amend section one thousand three hundred seventy (1370), supplement to the code, 1913, relating to equalization of taxes by township trustees.

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

SECTION 1. Board of review — city council or township trustees may act — equalization of taxes legalized — pending litigation. That section one thousand three hundred seventy (1370), supplement to the code, 1913, be amended by adding thereto the following:

4 Provided, however, that in townships having a population of twenty
 5 thousand or more, and situated entirely within the limits of a city
 6 under special charter, and in cities under special charter having a
 7 population of twenty thousand or more, the city council of said city
 8 shall be the board of review, except that the township trustees of
 9 said township may, in the event the city council does not act as such
 10 board of review for such townships, be the board of review, the same
 11 as township trustees would be in townships in which the township
 12 lines are not coterminous with city limits. All equalizations and
 13 reviews of taxes heretofore made by township trustees in townships
 14 as hereinbefore defined are hereby legalized, except that nothing
 15 herein contained shall be construed to affect pending litigation. Pro-
 16 vided further, that the township board of review shall finish its labors
 17 not later than May 1st following commencement of the work.

1 **SEC. 2. Publication clause.** This act being deemed of immediate
 2 importance, shall take effect and be in force after its publication in the
 3 Des Moines Register and Des Moines Capital, newspapers published
 4 in Des Moines, Iowa, said publication to be without expense to the
 5 state.

Approved April 18, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register and
 the Des Moines Capital April 19, 1919.

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

CHAPTER 245.

SUPERIOR COURT JURORS.

H. F. 436.

AN ACT to repeal sections two hundred eighty-a (280-a) and two hundred eighty-b
 (280-b), supplement to the code, 1913, and to enact substitutes in lieu thereof, in rela-
 tion to superior court jurors.

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

1 **SECTION 1. Repeal and substitutes.** That sections two hundred
 2 eighty-a (280-a) and two hundred eighty-b (280-b), supplement to
 3 the code, 1913, be and the same are hereby repealed and the following
 4 enacted in lieu thereof:

SEC. 2. Superior courts — trial by jury — twelve jurors — expense.
 1 In all cities which now have a population of forty thousand (40,000)
 2 or more and in which superior courts are now or may hereafter be
 3 established, it shall be unnecessary in such superior court to make
 4 demand for trial by jury, and causes triable to a jury shall be tried to
 5 twelve jurors without the additional expense to any of the parties,
 6 required by section two hundred seventy (270) of the code.

**SEC. 3. Superior courts — panel of jurors — certified list — pre-
 1 cept.** In providing jurors for superior courts in all such cities the

2 names of sixty persons shall be drawn by the officers at the times and
 3 in the manner provided by chapter two hundred sixty-seven (267)
 4 acts of the 37th general assembly and all acts amendatory thereof;
 5 and such persons whose names are drawn shall be subject to jury
 6 duty, and shall constitute the regular panel of jurors in said superior
 7 courts for the two calendar months, commencing with the first day
 8 of the month succeeding the drawing. A list of the names of the
 9 persons drawn at each drawing provided by this act shall be immedi-
 10 ately made out and certified by the clerk of the district court, under
 11 his hand and seal, and such certified list transmitted by mail to the
 12 recorder or clerk of the city in which said superior court is located,
 13 and a precept of said superior court shall issue at such time or times
 14 as the judge of said court shall direct, authorizing and directing the
 15 marshal of said city in which said superior court is located, to sum-
 16 mon such number of said jurors, in the order of their certification by
 17 the clerk of the district court, as the judge of said superior court
 18 shall deem necessary, which precept shall be issued and served as
 19 provided by law in like cases in the district court.

1 SEC. 4. **Publication clause.** This act being deemed of immediate
 2 importance shall take effect and be in force from and after its publi-
 3 cation in the Des Moines Capital, a newspaper published in Des
 4 Moines, Iowa, and the Cedar Rapids Tribune, a newspaper published
 5 in Cedar Rapids, Iowa.

Approved April 18, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April 19, 1919 and in the Cedar Rapids Tribune April 25, 1919.

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

CHAPTER 246.

JUVENILE COURTS.

H. F. 264.

AN ACT to amend section 254-a23 of the supplement to the code, 1913, relating to juvenile courts.

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

SECTION 1. **Commitments, etc. — dependent, neglected or delinquent children.** That the law as it appears in section two hundred fifty-four-a twenty-three (254-a23) of the supplement to the code, 1913, be and the same is hereby amended by inserting before the word "delinquent" in the first line of said section the words "dependent, neglected or" and by inserting between the words "or" and "the" appearing in the thirteenth line of said section the words "in case of a delinquent child".

Approved April 18, A. D. 1919.

CHAPTER 247.

CITY OR TOWN HALL BONDS.

H. F. 252.

AN ACT to repeal section seven hundred forty-one-f (741-f), supplemental supplement to the code, 1915, as amended by chapter one hundred eighty-two (182) and chapter two hundred twenty (220), of the acts of the thirty-seventh general assembly, 1917, relating to the limit of indebtedness in the issuance of city or town hall bonds, and to enact the following in lieu thereof:

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

SECTION 1. **Repeal and substitute — city or town halls — bonds**
1 — **issuance of — limit of indebtedness.** That chapter two hundred
2 twenty (220) and section three of chapter one hundred eighty-two
3 (182) of the acts of the thirty-seventh general assembly, be and are
4 hereby repealed and the following enacted in lieu thereof:
5 Any city or town desiring to construct such a building or to pur-
6 chase ground therefor may issue bonds in anticipation of the special
7 tax authorized in the preceding section. Such bonds shall be known
8 as city or town hall bonds, and shall be issued and sold in accordance
9 with the provisions of chapter twelve (12) of title five (5) of the code
10 and all acts amendatory thereto. In issuing such bonds the city or
11 town council may cause portions of said bonds to become due at
12 different, definite periods, but none of such bonds so issued shall be
13 due and payable in less than five (5) or more than twenty (20) years
14 from date. Cities and towns, including cities under commission plan
15 and special charter cities, may issue such bonds in anticipation of
16 said special tax in an amount which, added to all other indebtedness,
17 shall not exceed five per centum of the actual value of the taxable
18 property in such city or town as determined by the last state and
19 county tax list, anything in section thirteen hundred six-b (1306-b),
20 supplement to the code, 1913, to the contrary notwithstanding, and
21 such bonds may be issued to the extent aforesaid for the purpose of
22 paying for the construction of such building and the purchase price
23 of ground therefor where an election shall have been heretofore held
24 authorizing the erection of such city or town hall.

Approved April 18, A. D. 1919.

CHAPTER 248.

DISPOSAL OF DEAD ANIMALS.

H. F. 225.

AN ACT to prevent the spread of hog cholera and other diseases; regulating the business of disposing of the bodies of dead animals by the process of cooking, burying, or burning; providing for the issuance of licenses to persons, firms and corporations, permitting them to follow such business; providing for the violation of any of its provisions and repealing conflicting laws.

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

SECTION 1. Disposal of dead animals — business of — license

1 — renewal. That any person, firm, or corporation desiring to engage
2 in the business of disposing of the bodies of dead animals by cooking,
3 burying, burning or feeding, or in any manner disposing of the same;
4 and any person, firm, or corporation in such business and desiring to
5 continue the same, shall procure from the commission of animal
6 health of the state of Iowa a license so to do, which license shall be
7 for a period of one year, and which license may be renewed annually
8 as hereinafter provided.

SEC. 2. Applicant for license — certificate of state veterinarian

1 —filing of, with commission of animal health. No such license shall
2 be issued to any person, firm, or corporation until the applicant for
3 such license shall have filed with the commission of animal health a
4 certificate signed by the state veterinarian of Iowa setting forth
5 that such applicant is a responsible person, firm or corporation; that
6 the applicant has a suitable and sanitary place in which to dispose of
7 the bodies of dead animals; that such place conforms to the rules
8 and regulations established by the commission of animal health and
9 that such applicant is entitled to a license.

SEC. 3. Application for license — procedure.

1 Any person, firm,
2 or corporation desiring a license to engage in such business shall file
3 with the state veterinarian of the state of Iowa, an application for
4 such license. Such applicant shall at the time he files such applica-
5 tion, pay to the commission of animal health the sum of twenty-five
6 dollars (\$25.00), which said sum shall be turned over and paid to
7 the state treasurer. The state veterinarian shall at once, in person
8 or by deputy, inspect the place where such applicant desires to con-
9 duct such business, and shall ascertain whether or not such applicant
10 is a responsible and suitable person, firm or corporation to be entrusted
11 with a license to conduct such business. If the state veterinarian
12 shall find that such applicant is a responsible and suitable person, firm
13 or corporation to conduct such business, and that the place where
14 such business is to be conducted is a suitable and sanitary place in
15 which to dispose of the bodies of dead animals, and that the same
16 conforms to the rules and regulations made by the commission of
17 animal health, he shall issue to such applicant a certificate to that
18 effect. Such applicant shall file such certificate with the commis-
19 sion of animal health and shall pay through such commission to the
20 state treasurer the sum of twenty-five dollars (\$25.00) for a license
21 to conduct such business. Upon the filing of such certificate and the

22 payment of such fees the commission of animal health shall issue a
23 license to such applicant. In case the state veterinarian shall find
24 that the place where such applicant proposes to conduct such busi-
25 ness, is not a suitable and sanitary place in which to carry on such
26 business, he shall notify the applicant in what particulars such
27 place fails to meet the requirements of this act and of the rules and
28 regulations of the commission of animal health. Upon being notified
29 by the applicant that the defects in such place have been remedied
30 and that he believes that such place conforms to the requirements of
31 this act and to said rules and regulations, the state veterinarian shall
32 make a second inspection, as above provided; but the state veter-
33 inarian shall not be required to make more than two (2) inspections
34 of the same place under one application. In case such applicant is
35 refused a license, no part of the fees paid by him shall be repaid to
36 him, but the same shall belong to the general state fund. Every
37 person, firm, or corporation, that shall be licensed under this act shall
38 pay to the commission of animal health yearly for the renewal of
39 such license the sum of twenty-five dollars (\$25.00), which in turn
40 shall be paid by the commission of animal health to the treasurer of the
41 state of Iowa and upon such payment, inspection, and approval of the
42 commission of animal health the applicant shall have his former
43 license renewed for a period of one year.

SEC. 4. Disposal of dead animals — sanitary building, etc. —
1 cooking — burying — burning — time limit. No place shall be
2 deemed a suitable or sanitary place for disposing of the bodies of
3 dead animals unless it conforms to the following specifications: A
4 building adapted to the purposes intended, provided with concrete or
5 cement floors and provided with good drainage and thoroughly sani-
6 tary, all to the approval of the state veterinarian. In case such
7 bodies are to be disposed of by cooking, the cooking vats or tanks
8 shall be air-tight except proper escapes or vents for live steam used
9 in cooking. Such steam shall be so disposed of as not to cause
10 unnecessary annoyance and so as not to cause a nuisance. All skin-
11 ning and dismembering of bodies shall be done within such building
12 so that no annoyance shall be caused by the unsightly appearance of
13 such bodies. Such place shall be so situated, arranged and conducted
14 as not to interfere with the comfortable enjoyment of life and property
15 of the citizens of this state. In case such bodies are disposed of by
16 burying, they shall be buried to such a depth that no part of any such
17 body shall be nearer than four (4) feet to the natural surface of the
18 ground, and every part of such body or carcass shall be covered with
19 quicklime and by at least four (4) feet of earth. In case such bodies
20 are disposed of by burning, the place for such burning shall be so
21 located, constructed and arranged as to cause no annoyance to any of
22 the citizens of this state by such burning and so as not to essentially
23 interfere with the comfortable enjoyment of life or property. All
24 parts of such bodies not entirely consumed by such burning shall be
25 disposed of by burying, as above provided, or in such other manner
26 as may be directed by the state veterinarian. All carcasses of animals
27 dying from disease or accident shall be disposed of in the manner
28 above provided within twenty-four (24) hours after death.

1 SEC. 5. Rules and regulations — firms, etc., to conform. The
2 commission of animal health shall make such reasonable rules and

3 regulations for the carrying on and conducting of such business as
4 it may deem advisable, and all persons, firms and corporations desir-
5 ing to engage in such business, or being in such business, shall con-
6 form to and obey such rules and regulations.

1 **SEC. 6. Place of conducting business — inspection of.** Before the
2 commission of animal health shall issue to any person, firm or corpo-
3 ration a certificate entitling him to a license under the provisions of
4 this act, the state veterinarian shall personally or by deputy inspect
5 the place where such business is to be conducted and shall see that
6 such place conforms to the specifications provided for in section 4 of
7 this act and to the rules and regulations of the commission of animal
8 health.

1 **SEC. 7. Inspection — suspension or revocation of license.** The
2 state veterinarian, in person or by deputy, shall inspect each place
3 licensed under this act at least once each year, and as often as he
4 deems necessary, and shall see that the licensee conducts the busi-
5 ness in conformity to this act and to the rules and regulations made
6 and established by the commission of animal health. For a failure
7 or refusal to obey the provisions of this act or said rules and regula-
8 tions by any licensee, the commission of animal health shall suspend
9 or revoke the license held by such licensee.

1 **SEC. 8. Application blanks.** Proper blank applications for license
2 and blank certificates of the state veterinarian shall be provided and
3 furnished free to applicants by the secretary of the commission of
4 animal health.

1 **SEC. 9. License to engage in business.** No person, firm or corpo-
2 ration shall engage in the business of disposing of the bodies of dead
3 animals without first obtaining a license so to do in the manner and
4 upon the terms and conditions provided in this act.

1 **SEC. 10. Transporting carcasses.** Any person, firm or corpora-
2 tion holding a license under the provisions of this act may haul and
3 transport the carcasses of hogs and other animals that have died
4 from disease, except those prohibited by the commission of animal
5 health, in a covered wagon bed or tank which is water-tight and is so
6 constructed that no drippings or seepings from such carcasses or hogs
7 can escape from such wagon bed or tank: Provided, however, such
8 wagon bed or tank shall be so constructed as to conform to the rules
9 and regulations that may be established by the commission of animal
10 health and said carcasses shall not be moved from said wagon bed or
11 tank except at the place of final disposal.

1 **SEC. 11. Obtaining carcasses by purchase, etc. — subject to pro-
2 visions and penalties.** Any person, firm or corporation which shall
3 obtain from any other person, firm or corporation, by purchase or
4 otherwise, the body of any animal for the purpose of obtaining the
5 hide, skin or grease from such dead animal in any way whatsoever,
6 shall be deemed to have engaged in the business of disposing of the
7 bodies of dead animals and shall be subject to all the provisions and
8 penalties of this act.

1 **SEC. 12. Carcasses — disposal by owner or licensed person —
2 time limit.** It shall be unlawful for any person caring for or owning

2 live stock or swine that have died to allow the carcasses to lie about
 3 the fields, yards, pens, and hog houses. Such carcasses shall be dis-
 4 posed of within twenty-four (24) hours from such death by cooking,
 5 burying, or burning as provided in section 4 of this act, or by dispos-
 6 ing of them to a state licensed person, firm, or corporation authorized
 7 to render such carcasses under the rules and regulations of the com-
 8 mission of animal health.

1 **SEC. 13. Violations of provisions — misdemeanor — fine, etc.** Any
 2 person, firm or corporation which shall violate any of the provisions
 3 of this act shall be guilty of a misdemeanor and, upon conviction,
 4 shall be fined in any sum not less than fifty dollars (\$50.00) nor more
 5 than five hundred dollars (\$500.00) to which may be added impris-
 6 onment in the county jail for a period of time not less than ten days
 7 nor more than ninety days or both.

1 **SEC. 14. Laws in conflict repealed.** All laws and parts of laws in
 2 conflict herewith are hereby repealed.

Approved April 18, A. D. 1919.

CHAPTER 249.

BOUNTY FOR THE DESTRUCTION OF WOLVES, LYNX OR WILD CATS.

H. F. 49.

AN ACT to repeal the law as it appears in section twenty-three hundred forty-eight (2348), supplement to the code, 1913, and to enact a substitute for the law repealed, and to provide for a bounty for the destruction of wolves, lynx, and wild cats.

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

SECTION 1. **Repeal and substitute — destruction of wolves, etc.**
 1 — bounty — false claims — fine. That the law as it appears in sec-
 2 tion twenty-three hundred forty-eight (2348), supplement to the
 3 code, 1913, be and the same is hereby repealed and the following
 4 enacted in lieu thereof:
 5 “A bounty of ten dollars shall be allowed on the skin of an adult
 6 wolf, four dollars on that of a cub wolf, and one dollar on that of a
 7 lynx or wild cat, to be paid out of the treasury of the county in which
 8 the animal was taken, upon the certified statement of the facts,
 9 together with such other evidence as the board of supervisors may
 10 demand showing the claimant to be entitled thereto. The person
 11 claiming the bounty shall produce such statement, together with the
 12 whole skin of the animal, to the auditor of the county wherein such
 13 wolf, lynx or wild cat was taken and killed, and he shall destroy or
 14 deface the same so as to prevent their use to obtain for the second
 15 time the bounty herein provided. Any person who shall demand a
 16 bounty on any of the above mentioned animals killed or taken in
 17 another state or county, or on a domesticated animal, shall be fined
 18 not more than one hundred nor less than fifty dollars.”

Approved April 18, A. D. 1919.

CHAPTER 250.

COUNTY AND OTHER POLITICAL OR MUNICIPAL INDEBTEDNESS, ETC.

H. F. 358.

AN ACT to amend the law as it appears in sections thirteen hundred six-b (1306-b), thirteen hundred six-c (1306-c), and thirteen hundred six-d (1306-d), supplement to the code, 1913, and chapter eighty-five (85), acts of the thirty-seventh general assembly, relating to the limitations of indebtedness which may be incurred by counties and other political or municipal corporations and the issuance of bonds in cities and towns.

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

SECTION 1. **Limitation of indebtedness — cities and towns — exception.** That the law as it appears in section thirteen hundred six-b (1306-b), supplement to the code, 1913, be and the same is hereby amended by striking from lines eleven (11) and twelve (12) of said section, the words "or of building and constructing sewers".

SEC. 2. **Municipal indebtedness — sewers excepted — provisions.** That the law as it appears in chapter eighty-five (85), acts of the thirty-seventh general assembly, be and the same is hereby amended by striking from line fifteen (15), section 1, of said chapter, the words "or of building and constructing sewers."

SEC. 3. **Procedure to exceed limitation — sewers excepted.** That the law as it appears in section thirteen hundred six-c (1306-c), supplement to the code, 1913, be and the same is hereby amended by inserting the word "or" preceding the word "heating", in line eight (8) of said section, and by striking out the words "or sewers" in line eight (8) of said section.

SEC. 4. **Election — notice — ballot — sewers excepted.** That section thirteen hundred six-d (1306-d), supplement to the code, 1913, be and the same is hereby amended by inserting the word "or" preceding the word "heating", and by striking out the words "or sewer purposes" in line ten (10) of said section; and by inserting the word "or" preceding the word "heating", and by striking out the words "or sewer purposes" in line thirteen (13) of said section.

SEC. 5. **Publication clause.** This act being deemed of immediate importance shall take effect and be in force from and after its publication in The Cedar Rapids Republican, a newspaper published in Cedar Rapids, Iowa, and The Des Moines Capital, a newspaper published in Des Moines, Iowa.

Approved April 18, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April 19, 1919 and in the Cedar Rapids Republican April 24, 1919.

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

CHAPTER 251.

PETIT JURORS AND TALESMEN FOR SUPERIOR COURTS.

H. F. 435.

AN ACT to amend section two hundred sixty-nine (269) of the code, and chapter two hundred sixty-seven (267), acts of the thirty-seventh general assembly, in relation to the selection and drawing of petit jurors and talesmen for superior courts.

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

1 SECTION 1. Selection and drawing. That the law as it appears in
2 section two hundred sixty-nine (269) of the code, be and the same is
3 hereby amended by inserting after the comma following the word
4 "located" in the third (3d) line of said section, the following: "except
5 in counties coming under the provisions of chapter two hundred sixty-
6 seven (267), acts of the thirty-seventh general assembly and all acts
7 amendatory thereof."

1 SEC. 2. District courts — provisions applicable to superior courts.
2 That the law as it appears in chapter two hundred sixty-seven (267),
3 acts of the thirty-seventh general assembly, be and the same is hereby
4 amended by adding thereto the following: "That the provisions of
5 this act in relation to the selection and drawing of petit jurors and
6 talesmen for the district courts, shall also apply to the selection and
7 drawing of petit jurors and talesmen for the superior courts in such
counties."

1 SEC. 3. Publication clause. This act being deemed of immediate
2 importance, shall take effect and be in force from and after its publi-
3 cation in the Des Moines Capital and the Des Moines Register, news-
4 papers published in Des Moines, Iowa.

Approved April 18, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April 19, 1919 and in the Des Moines Register April 21, 1919.

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

CHAPTER 252.

FREE PUBLIC LIBRARY AND SOLDIERS' MEMORIAL.

H. F. 233.

AN ACT relating to the establishment of a free public library and soldiers' memorial and providing that cities and towns having established a free public library may unite with the board of supervisors for the erection and maintenance of a soldiers' sailors' and marines' memorial and public library and providing for the appointment of trustees for such memorial and public library, and providing their powers and duties and authorizing the levy of taxes for the erection and maintenance of such memorial and library.

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

1 SECTION 1. Free public library and soldiers' memorial — erection
and maintenance—tax levy. Whenever any city or town has pro-

2 vided for the establishment of a free public library, the board of
3 supervisors of the county in which such city or town is located may
4 agree with the council of such city or town that such library shall be
5 a "Soldiers, Sailors and Marines Memorial and Public Library" and
6 the board of supervisors, for the erection and maintenance of such
7 memorial and public library shall, annually, after entering into the
8 agreement with the city or town council hereinbefore provided for,
9 levy the tax authorized in section four hundred and thirty (430) of
10 the supplemental supplement to the code, 1915, which tax shall be
11 used in the erection and maintenance of a soldiers' memorial and
12 public library as hereinafter provided.

SEC. 2. Board of trustees — appointment — number — term —
1 vacancies — qualifications. The board of supervisors, and the mayor
2 of such city or town, with the approval of the council, shall, as soon
3 as the agreement provided for in section one (1) hereof is entered
4 into, appoint a board of trustees of twelve (12) members, six (6) of
5 whom shall be appointed by the board of supervisors and six (6) by
6 the mayor, and of the trustees appointed by the mayor, and of those
7 appointed by the board, two (2) shall hold office for two (2) years,
8 two (2) for four (4) years and two (2) for six (6) years from the
9 first day of July following their appointment and biennially there-
10 after, before the first day of July, the board of supervisors and the
11 mayor, with the approval of the council, shall each appoint two (2)
12 trustees to succeed the trustees retiring on the following first of July,
13 each of whom shall hold office for six (6) years from such first of
14 July following, and until his successor is appointed and qualified.
15 Vacancies occurring in the board of trustees shall be filled by appoint-
16 ment by the authority making the appointment of trustee to be
17 succeeded, such appointee to fill out the unexpired term for which
18 the appointment is made. Trustees appointed by the mayor shall be
19 residents of the city or town and trustees appointed by the board of
20 supervisors shall be residents of the county outside of such city or
21 town and in all other respects shall have the qualifications prescribed
22 by law for library trustees.

SEC. 3. Trustees — powers — room for patriotic organizations
1 —war record and roster, etc. Said trustees shall have all the powers
2 conferred by law upon library trustees and in addition thereto, shall
3 have the exclusive expenditure of the tax levied as provided in sec-
4 tion one (1) hereof and as otherwise provided by law for library
5 trustees and on or before the first day of August of each year shall
6 certify to the board of supervisors the proportion of such one (1)
7 mill tax considered necessary for the use of said trustees and the
8 board of supervisors shall levy such tax as provided in section one
9 (1) hereof.
10 Said trustees shall also have authority to provide in any soldiers'
11 memorial and public library established under this act, at the time
12 of the erection of such building or by addition thereto, a room for
13 the use of any soldiers' or sailors' society, or other patriotic organiza-
14 tion, in which to hold meetings and to provide for the care and exhibi-
15 tion of articles of historic interest and shall also have authority to
16 collect and compile a record of the patriotic activities of the inhab-
17 itants of the county during any war in which the United States was
18 engaged and preserve the same, and to compile and preserve a roster

19 of the military record of the inhabitants of said county who have
 20 served in any branch of the army or navy of the United States, and
 21 in general to preserve, as a memorial, the record of the patriotic
 22 activities of the inhabitants of said county, and especially to preserve
 23 such records as to the world war.

24 The provisions of this act shall be construed as an addition to,
 25 rather than the repeal of any existing statutes relating to the same
 26 or similar subjects.

1 SEC. 4. **Publication clause.** This act being deemed of immediate
 2 importance shall be in full force and effect when published in the Des
 3 Moines Register and the Des Moines Capital, newspapers published
 4 in Des Moines, Iowa.

Approved April 18, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April
 19, 1919 and in the Des Moines Register April 21, 1919.

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

CHAPTER 253.

CANVASS BY STATE BOARD IN PRIMARY ELECTIONS.

H. F. 123.

AN ACT to amend the law as it appears in section one thousand and eighty-seven-a twenty-two (1087-a22), supplement to the code, 1913, relating to canvass by the state board in primary elections.

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

SECTION 1. **Canvass by state board — official ballot — certification of candidate.** That the law as it appears in section one thousand and eighty-seven-a twenty-two (1087-a22), supplement to the code, 1913, be and the same is hereby amended by placing a comma after the word "office" in the eighteenth line of said section and inserting in said line after said comma and before the word "and" in said line the following: "provided however that no candidate whose name is not printed on the official ballot who receives less than ten per centum of the whole number of votes cast in the state or district of the state as the case may be, for governor on the party ticket with which he affiliates, at the last general election shall be declared to have been nominated to any such office" and by inserting in said line after said word "and" and before the word "entitled" the following words: "each candidate so nominated shall be".

Approved April 18, A. D. 1919.

CHAPTER 254.

CLERKS OF THE GRAND JURY.

H. F. 262.

AN ACT to amend section fifty-two hundred and fifty-six (5256), supplement to the code, 1913, relating to the appointment of clerks of the grand jury and fixing salaries thereof.

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

1 SECTION 1. Clerk of the grand jury — salary — assistant. That
 2 section fifty-two hundred and fifty-six (5256), supplement to the code,
 3 1913, be and the same is hereby amended by adding after the word
 4 “inhabitants” in line twenty-four of said section the words “and less
 5 than one hundred twenty thousand inhabitants,”; also by adding
 6 after the word “of” and before the word “fifteen” in line twenty-five
 7 of said section the following words: “not to exceed”; and by adding
 8 at the end of said section the following: “In counties having a popula-
 9 tion of one hundred twenty thousand and over, such clerks shall
 10 receive an annual salary of twenty-two hundred dollars (\$2,200). In
 11 addition thereto the court may, in counties having a population of
 12 one hundred twenty thousand inhabitants and over, if it deems it
 13 necessary, appoint an assistant clerk of the grand jury and fix his
 14 salary therefor.

Approved April 18, A. D. 1919.

CHAPTER 255.

ADOPTION OF ORDINANCES, ETC., BY TOWN COUNCILS.

H. F. 418.

AN ACT to amend section six hundred eighty-three (683), supplement to the code, 1913, and section six hundred eighty-four (684) of the code, providing for passage or adoption of ordinances, resolutions and orders by town councils.

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

SECTION 1. Town councils — ordinances, etc. — majority vote.
 1 That the law as it appears in section six hundred eighty-three (683),
 2 supplement to the code, 1913, be and the same is hereby amended by
 3 striking from lines nine (9) and ten (10) of said section the words,
 4 “a concurrence of four (4) councilmen or of three (3) councilmen
 5 and the mayor”, and inserting in lieu thereof the words, “a majority
 6 vote of the town council”.

SEC. 2. Same. That the law as it appears in section six hundred
 2 eighty-four (684) of the code, be and the same is hereby amended by
 3 striking from lines three (3) and four (4) of said section the words,
 4 “the concurrence of two-thirds (2-3) of the whole number”, and
 5 inserting in lieu thereof the words, “a majority vote”.

Approved April 18, A. D. 1919.

CHAPTER 256.

BOARD OF COUNTY PRISONERS.

H. F. 423.

AN ACT to amend the law as it appears in chapter forty-nine (49) section twelve (12) of the acts of the thirty-seventh general assembly, relating to board of county prisoners.

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

1 SECTION 1. County prisoners — board of. That the law as it
2 appears in chapter forty-nine (49) section twelve (12), acts of the
3 thirty-seventh general assembly, be and the same is hereby amended
4 by striking out of line forty-three (43), the word "fifteen" and sub-
5 stituting in lieu thereof the word "twenty".

Approved April 18, A. D. 1919.

CHAPTER 257.

PROPERTY EXEMPT FROM TAXATION.

S. F. 479.

AN ACT to amend section one thousand three hundred four (1304) supplemental supplement to the code, 1915, relating to property exempt from taxation.

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

SECTION 1. Banks or trust companies — stock — government
1 securities — exemptions. That section one thousand three hundred
2 four (1304), supplemental supplement to the code, 1915, be and the
3 same is hereby amended by adding after the semi-colon in line sixteen
4 thereof, the following:— "provided, however, that in determining
5 the assessed value of bank stock, the amount of obligations issued by
6 the United States government since the declaration of war against
7 Germany, actually owned by a bank or trust company shall be
8 deducted, and any bank or trust company which since January first,
9 nineteen nineteen has been assessed on its shares of stock without
10 so deducting such United States government securities shall be
11 entitled to have its assessment on its shares reduced by the board of
12 supervisors of the county in which such bank is located, so as to
13 deduct from its total valuation such government securities. Provided,
14 however, that no deduction shall be made unless the bank or trust
15 company claiming the same shall have been the owner in good faith
16 and not for the sole purpose of securing such deduction, of said
17 securities for a period of more than sixty (60) days prior to December
18 thirty-first of the year preceding that for which the assessment is
19 made."

1 **SEC. 2. Publication clause.** This act being of immediate import-
 2 ance shall become effective upon the publication thereof in the Des
 3 Moines Register and the Des Moines Capital, newspapers published
 4 in Des Moines, Iowa.

Approved April 18, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register and
 in the Des Moines Capital April 19, 1919.

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

CHAPTER 258.

SHORTHAND COURT REPORTERS AND BOARD OF EXAMINERS.

H. F. 68.

AN ACT providing for the examination and certification of shorthand reporters of the
 district, superior and municipal courts, and creating a board of examiners therefor.

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

1 **SECTION 1. Shorthand court reporters — appointment — require-**
 2 **ments — substitute.** No person shall be appointed to the position
 3 of shorthand reporter of any district, superior or municipal court in
 4 this state, except he be a certified shorthand reporter who has been
 5 adjudged competent to report court proceedings, references, commis-
 6 sions or proceedings of like character, provided that if the regularly
 7 appointed shorthand reporter should be disabled from performing his
 8 duty, the judge of such court may appoint a substitute whom he deems
 9 competent to act during the disability of the regular reporter, or
 until his successor is appointed.

1 **SEC. 2. Certified shorthand reporter — certificate — right to**
 2 **title, etc.** Any citizen of the state of Iowa who shall have received
 3 from the board of examiners a certificate of his qualifications as a
 4 shorthand reporter, as herein provided, shall be styled and known as
 5 a certified shorthand reporter, and no other person shall assume such
 6 title and use the abbreviation C. S. R., or any words, letters or figures
 7 to indicate that the person using the same is such certified shorthand
 reporter.

1 **SEC. 3. Board of examiners — appointment — term, etc.** The
 2 board of examiners herein provided for shall consist of three mem-
 3 bers, two of whom shall be official shorthand reporters of the district
 4 court of Iowa and one of whom shall be a practicing attorney of the
 5 state of Iowa. The said board of examiners shall be appointed by
 6 the chief justice of the supreme court of Iowa for a term of three
 7 years, and the said board of examiners shall, subject to the approval
 8 of the chief justice of the supreme court of Iowa, make such rules
 9 and regulations as may be necessary for the proper performance of
 10 its duties.

1 **SEC. 4. Board of examiners — compensation, etc. — examination**
 2 **fee.** The board of examiners shall fix stated times for the examina-
 3 tion of candidates and shall receive as compensation for their services
 4 the sum of ten dollars (\$10.00) per day each, and their necessary
 5 traveling expenses, to be certified by them to the clerk of the supreme
 6 court. Each applicant for examination shall pay to the clerk of the
 7 supreme court as an examination fee the sum of five dollars (\$5.00),
 8 payable before the examination is commenced. The fees thus paid to
 9 said clerk shall be retained by him as a special fund to be appropriated
 10 as provided for in the preceding section for paying the fees and
 11 expenses of the examiners and their other expenses incident to the
 12 examinations provided for in this act. The board of examiners shall
 13 receive no compensation except from such funds as may accrue under
 this act.

1 **SEC. 5. Revocation of certificate — oaths and testimony.** The
 2 board of examiners may revoke any such certificate for sufficient
 3 cause, after written notice to the holder thereof and hearing thereon.
 4 Any member of the board of examiners may, upon being duly desig-
 5 nated by said board or a majority thereof, administer oaths or take
 6 testimony concerning any matter within the jurisdiction of said
 7 board.

1 **SEC. 6. Violations — misdemeanor.** Any violation of the provi-
 2 sions of this act shall be a misdemeanor and punishable as such.

Approved April 18, A. D. 1919.

CHAPTER 259.

PROPERTY AND EQUIPMENT FOR FIRE DEPARTMENTS.

H. F. 72.

AN ACT to repeal the law as it appears in section seven hundred sixteen-b (716-b), supplement to the code, 1913, as amended by chapter one hundred fifty-one (151), acts of the thirty-seventh general assembly, relative to levying taxes by cities and towns for the purpose of equipping fire departments, and enacting a substitute therefor.

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

1 **SECTION 1. Repeal and substitute — fire departments — tax levy**
 2 **for property, etc.** That section seven hundred sixteen-b (716-b),
 3 supplement to the code, 1913, as amended by chapter one hundred
 4 fifty-one (151), acts of the thirty-seventh general assembly, is hereby
 5 repealed and the following enacted in lieu thereof:
 6 Cities, including cities acting under special charters and cities act-
 7 ing under commission form of government and towns, shall have
 8 power to levy a special tax of not to exceed one and one-half mills
 9 each year, upon all taxable property in said city, for the purpose of
 10 acquiring property for the use of the fire department and equipping
 the same. No part of the general fund shall be used for equipping

11 said fire department. Nothing in this act shall be held to extend the
 12 power of such cities to make annual levies for general and special
 13 taxes in excess of forty-eight mills.

Approved April 18, A. D. 1919.

CHAPTER 260.

COUNTY FARM OR COUNTY HOME.

H. F. 268.

AN ACT to amend section twenty-two hundred and forty-two (2242) of the supplement to the code, 1913, relating to the management of the county home or county farm and providing for the publication of a financial statement by the board of supervisors relating to such county farm or county home.

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

SECTION 1. **County farm or home — yearly financial statement,**
 1 etc. That section twenty-two hundred and forty-two of the supple-
 2 ment to the code, 1913, be and the same is hereby amended by adding
 3 thereto the following:

4 “The board of supervisors shall, during the month of January of
 5 each year, publish in the official papers of the county as part of the
 6 proceedings of said board a financial statement of the receipts of the
 7 county home, or county farm, itemizing the same and stating the
 8 source thereof, which report shall also set forth the total (not item-
 9 ized) of the expenditures of such county farm or home; said report
 10 shall also show by inventory the amount of property on hand, at the
 11 county farm or home January 1 of the year in which the report is
 12 made and a comparison with the inventory of the county farm or
 13 home of the year preceding as provided for in the provisions of this
 14 act.”

Approved April 18, A. D. 1919.

CHAPTER 261.

DUTIES OF TOWNSHIP CLERKS.

H. F. 496.

AN ACT to amend section five hundred seventy-six (576), supplement to the code, 1913, relating to the duties of township clerks and the deposit of public funds collected by them.

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

1 SECTION 1. **Township clerk — duties as to funds.** That section five
 2 hundred seventy-six (576), supplement to the code, 1913, be and the
 3 same is hereby amended by adding thereto the following:

4 "He shall deposit in the name of and to the credit of the township
5 of which he is clerk at interest all funds coming into his hands by
6 virtue of his office, in a bank conveniently located; the rate of interest
7 to be at least two per cent (2%) per annum on ninety per cent of the
8 daily balances, payable at the end of each month, all of which interest
9 shall accrue to the benefit of the road fund of the township. Pro-
10 vided that no check shall be drawn upon said township bank account
11 by the township clerk, except it be in payment of bills which have
12 come before and have been properly audited or authorized by the
13 township board of trustees."

Approved April 18, A. D. 1919.

CHAPTER 262.

FALSE PEDIGREES OF STOCK.

H. F. 534.

AN ACT to amend section twenty-three hundred forty-one-q (2341-q), supplemental supplement to the code, 1915, referring to false pedigrees of stock.

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

SECTION 1. **Stock — pedigrees — fraudulent publication, etc. —**
1 **penalty.** That section twenty-three hundred forty-one-q (2341-q),
2 supplemental supplement to the code, 1915, be amended by striking
3 out the word "or" following the word "sheep" and preceding the word
4 "swine" in line 2 of said section twenty-three hundred forty-one-q
5 (2341-q), and inserting a "," in lieu thereof.

6 Also inserting a "," following the word "swine" in said line 2 thereof
7 and inserting the words "goats and poultry" following said comma.

Approved April 18, A. D. 1919.

CHAPTER 263.

DEFICIENCY LEVY FOR CITIES AND TOWNS.

S. F. 190.

AN ACT to amend section eight hundred eighty-seven (887) of the code, by authorizing a special extra levy not exceeding five (5) mills for the years 1919 and 1920 for the general fund of all cities and towns.

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

SECTION 1. **Cities and towns — deficiency levy — authorization.**
1 That the law as it appears in section eight hundred eighty-seven
2 (887) of the code, be and the same is hereby amended by adding
3 thereto the following; The council of each city or town is hereby

4 authorized to levy a tax for the year 1919 and for the year 1920, not
5 exceeding two (2) mills on the dollar, for the purpose of meeting
6 any deficiency in or inadequacy of said ten (10) mill levy.

1 SEC. 2. **Publication clause.** This act being deemed of immediate
2 importance shall take effect and be in force from and after its publi-
3 cation in the Des Moines Register and the Des Moines Capital, news-
4 papers published in the city of Des Moines, Iowa.

Approved April 18, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April 20, 1919 and in the Des Moines Register April 21, 1919.

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

CHAPTER 264.

SPECIAL APPROPRIATION FOR SCHOOL FOR THE DEAF.

S. F. 494.

AN ACT making an appropriation for the Iowa school for the deaf.

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

1 SECTION 1. **Repair and contingent fund — appropriation.** There
2 is hereby appropriated, out of any money in the state treasury not
3 otherwise appropriated, to the Iowa School for the Deaf, the sum of
4 twenty-two thousand five-hundred dollars (\$22,500) for the following
5 purpose:

6 Repair and contingent\$22,500.

7 The special appropriation provided for in this section shall be avail-
8 able May 1, 1919, and be paid on the order of the Iowa state board of
9 education.

1 SEC. 2. **Publication clause.** This act, being deemed of immediate
2 importance, shall take effect and be in force from and after its publi-
3 cation in the Des Moines Register and the Des Moines Capital, news-
4 papers published in Des Moines, Iowa.

Approved April 18, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April 20, 1919 and in the Des Moines Register April 21, 1919.

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

CHAPTER 265.

COUNTY OF WAPELLO.

S. F. 503.

AN ACT to legalize certain warrants issued by the board of supervisors of Wapello county, Iowa.

WHEREAS, the county of Wapello, Iowa, by its board of supervisors, did heretofore authorize and incur indebtedness in the sum of fifty thousand dollars (\$50,000), for corporate purposes, as follows: \$27,000 for constructing and repairing bridges, \$5,000 for improving roads and \$18,000 for county home purposes, as permitted by law, and prior to January 1, 1919, did issue warrants of said county in like amount to evidence such indebtedness, in the manner and form required by law; and

WHEREAS, said expenditures were made for proper corporate purposes and the county of Wapello is enjoying the use and benefit thereof and the purposes for which said expenditures were made was and is well worth the sum which said county contracted should be paid therefor, and the indebtedness of said county at the time said warrants were issued did not, and does not at this time, exceed the constitutional limitation; and

WHEREAS, it is not clear under the law, whether that portion of the existing indebtedness of said county, which was created pursuant to a vote of the people, should be considered in ascertaining the statutory limit of indebtedness of said county, wherefore, doubts have arisen concerning the legality of the aforesaid warrants because the expenditures, or a portion thereof, evidenced thereby, were contracted in excess of the statutory limit of indebtedness: Now therefore,

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

1 **SECTION 1. County of Wapello — acts of board legalized.** That the
2 acts of the board of supervisors of the county of Wapello in making
3 such expenditures for said county and issuing warrants therefor in
4 the sum of fifty thousand dollars (\$50,000.00) as aforesaid, be and
5 the same are hereby legalized and validated.

1 **SEC. 2. Warrants and funding bonds legalized.** That the afore-
2 said warrants of the county of Wapello, Iowa, in the aggregate sum
3 of fifty thousand dollars (\$50,000.00), be and the same are hereby
4 legalized and declared to be valid, legal and subsisting obligations of
5 said county, and the board of supervisors of said county may issue
6 and sell bonds to fund said warrants, as provided by the laws of the
7 state of Iowa.

1 **SEC. 3. Pending litigation.** Nothing in this act shall affect pend-
2 ing litigation.

1 **SEC. 4. Publication clause.** This act, being deemed of immediate
2 importance, shall take effect and be in force from and after its publi-
3 cation in the Des Moines Capital, newspaper published in the city of

4 Des Moines, Iowa, and the Ottumwa Daily Courier, newspaper pub-
5 lished in the city of Ottumwa, Iowa, without expense to the state.

Approved April 18, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April 20, 1919 and in the Ottumwa Daily Courier April 21, 1919.

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

CHAPTER 266.

DISPOSITION OF LIQUORS SEIZED, ETC.

S. F. 240.

AN ACT to amend the law as it appears in section twenty-four hundred sixteen (2416) of the code, 1897, relating to the disposition of liquors seized and condemned to forfeiture by the court.

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

SECTION 1. Liquors seized — disposition of — procedure —
1 “destruction” construed. That section twenty-four hundred and
2 sixteen (2416) of the code be and the same is hereby amended by
3 inserting after the word “decided” in line two thereof the following
4 “by any other than the district court” and by striking all of said
5 section beginning with the word “issue” in line three of said section
6 and ending with the word “thereon” in line seven and by inserting in
7 lieu thereof the following:
8 “forthwith file in the office of the clerk of the district court in the
9 county a certified transcript of such judgment and the officer having
10 said liquor in custody shall forthwith deliver the same to the sheriff,
11 taking itemized receipts therefor and shall file one of said receipts
12 with the clerk of the district court and the other with the court rendering
13 said judgment. The clerk of the district court shall file the
14 transcript as soon as received and enter a memorandum thereof and
15 the date of filing in the judgment docket and from such entry it shall
16 be treated in all respects and in its enforcement as a judgment in the
17 district court,” and by adding at the end of said section the following:
18 “Whenever a transcript has been filed or a judgment has been entered
19 in the district court decreeing a forfeiture of any intoxicating liquors
20 the court, or a judge thereof in vacation, may direct the disposition
21 of such liquor and the vessels containing the same by ordering the
22 destruction thereof, or by ordering any portion thereof consisting of
23 alcohol, brandies, wine or whiskey delivered for medicinal or scientific
24 purposes to any state or reputable hospital in the county or adjoining
25 counties, and shall order any balance remaining, and the vessels
26 containing the same, turned over to the state board of control to be
27 dispensed to any state institution or reputable hospital in the state of
28 Iowa to be used for medicinal or scientific purposes. The state board
29 of control shall issue to the court under whose order the said liquor
30 was delivered to it a receipt stating the kind and quantity of liquor
31 delivered to it and shall keep a strict account of all liquors received
32 and dispensed and shall make a full and complete report of all such
33 transactions each year to the governor of the state.

34 It shall be the duty of the clerk of the district court to call to the
 35 attention of the court on the first day of each term all judgments for
 36 the forfeiture of intoxicating liquor and for the disposition of which
 37 no order has been theretofore made and the court shall thereupon
 38 enter an order for the disposition of such liquors. Upon the entry of
 39 any order for the disposition of any intoxicating liquors which have
 40 been adjudged forfeited, the clerk shall forthwith transmit a certified
 41 copy thereof to the sheriff for execution and the sheriff shall immedi-
 42 ately take possession of such liquors, and the vessels containing the
 43 same, and make disposition thereof in accordance with such order,
 44 and make return of his doings to the court. When any such liquor is
 45 ordered delivered or shipped the sheriff shall securely attach to the
 46 box or package containing the same a certified copy of the order of
 47 the court and thereupon any railway company, express company or
 48 other common carrier may receive, transport, and deliver such liquor
 49 to the consignee. The cost of packing and transportation shall be
 50 paid by the consignee receiving such liquor. The sheriff shall take
 51 receipts for any liquor disposed of under the provisions of this sec-
 52 tion showing in detail the kind and quantity of liquor delivered, the
 53 character of the vessels containing the same, the date and manner of
 54 delivery and, if delivery is made by common carrier, the name of such
 55 carrier. Such receipt shall be attached by the sheriff to and filed with
 56 the return of his doings as herein provided for.

57 Any statute of this state providing for the destruction of intoxicat-
 58 ing liquors shall be construed so that the disposition of such liquors
 59 under the provisions of this act shall constitute a destruction thereof
 60 within the meaning of such statute.

1 **SEC. 2. Publication clause.** This act being deemed of immediate
 2 importance shall be in force and effect from and after its publication
 3 in the Des Moines Register and the Des Moines Capital, newspapers
 4 published at Des Moines, Iowa.

Approved April 18, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital
 April 14, 1919 and in the Des Moines Register April 21, 1919.

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

CHAPTER 267.

TRANSMISSION OF ELECTRIC LIGHT AND POWER.

S. F. 255.

AN ACT to amend section fifteen hundred twenty-seven-c (1527-c) of the supplement to
 the code, 1913, relating to the transmission of electric light and power.

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

SECTION 1. **Electric light and power — use of highways — grant**
 1 **for.** That section fifteen hundred twenty-seven-c (1527-c) of the
 2 supplement to the code, 1913 be and the same is hereby amended by

3 inserting therein following the word "manufacture" in the fourth
 4 line thereof and before the word "of" the following, "or transmis-
 5 sion", so that the same shall read ***** "engage in the manufacture
 6 or transmission of electric light and power*****.

Approved April 18, A. D. 1919.

CHAPTER 268.

SHORTHAND REPORTERS OF DISTRICT COURTS.

S. F. 24.

AN ACT to amend section two hundred and fifty-four-a two (254-a2) supplemental supplement to the code, 1915, relating to the compensation of shorthand reporters of the district courts.

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

SECTION 1. District courts — shorthand reporters — compensation. That section two hundred and fifty-four-a-two (254-a2) supplemental supplement to the code, 1915, be and the same is hereby amended by striking out the word "eight" in the second line of said section and inserting in lieu thereof the word "ten"; by striking out the word "sixteen" in the sixth line of said section and inserting in lieu thereof the word "twenty-four"; by striking out the words "not exceeding in all two hundred dollars per year" in the twenty-fifth and twenty-sixth lines of said section.

Approved April 18, A. D. 1919.

CHAPTER 269.

IMPROVEMENT OF HIGHWAY THROUGH STATE PROPERTY AT SPIRIT LAKE.

S. F. 317.

AN ACT authorizing the state of Iowa to improve a short stretch of highway, approximately a half mile long, extending through state property along the west shore of Spirit Lake, and appropriating the sum of twelve thousand (\$12,000) dollars, or so much thereof as may be necessary for the making of such improvements.

WHEREAS, Dickinson county has improved as a part of its county road system a public highway extending north from the city of Spirit Lake along the west shore of Spirit Lake, which highway should be extended northward to serve the traveling public and those residing north of the lakes, and

WHEREAS, such highway is entirely upon property of the state lying between Spirit Lake and Little Spirit Lake, and

WHEREAS, that portion of the highway on such state property is so low and narrow as to be almost impassable and at all times hazardous for those attempting to use same, and

WHEREAS, the public interests require that such stretch of road be at once improved and made available to the traveling public; now therefore,

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

SECTION 1. **State property at Spirit Lake — improvement of highway — authorization.** That the board of supervisors and the county engineer of Dickinson county, Iowa, under the general supervision of the state highway commission, be and they are hereby authorized and directed to improve, by the raising and widening and riprapping of the grade, that stretch of highway, approximately one-half mile long, lying between Spirit Lake and Little Spirit Lake, and at an expense of not to exceed twelve thousand (\$12,000) dollars, said improvement to be made as soon as practicable and in the same manner and under the same statutory requirements as are applicable to the improvement of the county road system.

SEC. 2. **Appropriation.** That there is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of twelve thousand (\$12,000) dollars, or so much thereof as may be necessary to make the improvements herein provided for.

SEC. 3. **Completed improvements — payment authorized.** Whenever the improvements which are herein provided for have been made in accordance with the provisions hereof, a voucher shall be prepared, in the form required by the state board of audit, for the amount expended by Dickinson county in the making of such improvements, which voucher shall be approved by the board of supervisors of Dickinson county, Iowa and the state highway commission, which approval shall be in writing upon the voucher. When such voucher so prepared and so approved is presented to the auditor of state, he is hereby authorized and directed to thereupon draw a state warrant for the amount called for in such voucher upon the general fund of the state, payable to Dickinson county, Iowa; and the treasurer of state is hereby authorized and directed to pay such warrant out of any fund of the state not otherwise appropriated.

Approved April 18, A. D. 1919.

CHAPTER 270.

ACTION FOR THE RECOVERY OF REAL ESTATE, ETC.

S. F. 93.

AN ACT to limit the commencement of an action for the recovery of an interest in real estate, based upon a claim arising prior to A. D. 1900, unless notice of such claimed right or interest is given as herein provided.

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

SECTION 1. **Real estate — action for recovery — chain of title.**
1 That no action based upon any claim arising or existing prior to the

2 1st day of January, A. D. 1900 shall be maintained, either at law or
 3 in equity, in any court to recover any real estate in this state or to
 4 recover or establish any interest therein or claim thereto, legal or
 5 equitable, against the holder of the record title to such real estate in
 6 possession, when such holder of the record title and his grantors
 7 immediate or remote are shown by the record to have held chain of
 8 title to said real estate, since the said 1st day of January A. D. 1900,
 9 unless such claimant, by himself, or by his attorney or agent, or if
 10 he be a minor or under legal disability, by his guardian, trustee or
 11 either parent shall within one year from and after the date of the
 12 taking effect of this act, file in the office of the recorder of deeds of
 13 the county wherein such real estate is situated, a statement in writ-
 14 ing, which shall be duly acknowledged, definitely describing the real
 15 estate involved, the nature and extent of the right or interest claimed,
 16 and stating the facts upon which the same is based.

17 For the purposes of this act, any person who holds title to real
 18 estate by will or descent from any person who held the title of record
 19 to such real estate at the date of his death or who holds title by
 20 decree or order of any court, or under any tax deed, trustee's, ref-
 21 erree's, guardian's, executor's, administrator's, receiver's, assignee's,
 22 master's in chancery or sheriff's deed, shall be deemed to hold chain
 23 of title the same as though holding by direct conveyance.

1 **SEC. 2. Record of claim.** Any such claim so filed, shall be indexed
 2 under the description of the real estate involved in a book set apart
 3 and specially designed for that purpose to be known as the "Claim-
 4 ant's Book" and kept in the office of the recorder of the county where
 5 such real estate is situated, and said statement, when so indexed, shall
 6 be recorded as other instruments affecting real estate.

1 **SEC. 3. Minors and insane persons — rights of.** That the provi-
 2 sions of section 3453 of the code as to the rights of minors and insane
 3 persons shall not be applicable against the provisions of this act.

1 **SEC. 4. Construction of act.** Provided, however, that nothing
 2 in this act contained shall be construed as limiting or extending the
 3 time within which actions by a spouse to recover dower or distribu-
 4 tive share in real estate within this state may be brought or main-
 5 tained under the provisions of section 3447-b of the supplement to the
 6 code, 1913, and the amendments thereto, or as limiting or extending
 7 the time within which actions may be brought or maintained to fore-
 8 close or enforce any real estate mortgage, bond for deed, trust deed,
 9 or contract for the sale or conveyance of real estate under the provi-
 10 sions of section 3447-c of the supplement to the code, 1913, and the
 11 amendments thereto; and, provided further, that this act should in
 12 no case revive or permit an action to be brought or maintained upon
 13 any claim or cause of action which is barred by any statute which is
 14 in force at the time this act takes effect.

1 **SEC. 5. Pending litigation.** Provided, however, that nothing con-
 2 tained in this act shall affect pending litigation.

Approved April 18, A. D. 1919.

CHAPTER 271.

ISSUE AND PAYMENT OF DRAINAGE BONDS.

S. F. 274.

AN ACT to amend section nineteen hundred eighty-nine-a twenty-six (1989-a26) and section nineteen hundred eighty-nine-a twenty-seven (1989-a27) supplement to the code, 1913, relating to length of time for which bonds may be issued and payment made.

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

1 SECTION 1. Special assessments — payment in installments. That
2 section nineteen hundred eighty-nine-a twenty-six (1989-a26) of the
3 supplement to the code, 1913, be amended by striking out of line six-
4 teen thereof the word "ten" and substituting in lieu thereof "not less
5 than ten nor more than twenty".

1 SEC. 2. Drainage bonds — issue and payment. That section nine-
2 teen hundred eighty-nine-a twenty-seven (1989-a27) of the supple-
3 ment to the code, 1913, be amended by striking out of line seventeen
4 thereof the word "fifteen" and inserting in lieu thereof "not more
5 than twenty".

1 SEC. 3. Publication clause. This act being deemed of immediate
2 importance shall take effect and be in force from and after its publi-
3 cation in The Des Moines Register, and The Des Moines Capital,
4 newspapers published in Des Moines, Iowa.

Approved April 18, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April 20, 1919 and in the Des Moines Register April 21, 1919.

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

CHAPTER 272.

NUMBER AND COMPENSATION OF EMPLOYEES IN STATE DEPARTMENTS.

S. F. 541.

AN ACT fixing the number and compensation of employees in the state departments at the seat of government, and the compensation of certain officers.

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

SECTION 1. State employees — number and compensation —
1 requirements — appropriations. Until July 1, 1921, the number of
2 employees and provision for compensation therefor, for the various
3 offices and departments of the state at the seat of government,
4 except where otherwise provided by law, shall not exceed the num-
5 ber herein named, and the compensation to each per annum and for
6 such employment shall be the amounts as hereinafter fixed.

7	FOR THE OFFICE OF ADJUTANT GENERAL.	
8	Adjutant general shall receive a salary of	\$ 3000.00
9	Assistant adjutant general, salary not to exceed	2200.00
10	Property and disbursing officer, salary not to	
11	exceed	1500.00
12	Record clerk, salary not to exceed	1200.00
13	One general clerk, one National Guard clerk, one	
14	file clerk and three stenographers, each at	
15	salaries of from960 to	1200.00
16	All of these salaries shall be paid from the regular appropriation	
17	for the support of the National Guards.	
18	FOR THE OFFICE OF THE ATTORNEY GENERAL.	
19	Attorney general shall receive a salary of	5000.00
20	One assistant attorney general, salary not to exceed	4000.00
21	One assistant attorney general, salary not to exceed	3500.00
22	Two assistant attorney generals, each at a salary	
23	not to exceed	3000.00
24	One secretary, salary not to exceed	1800.00
25	Three stenographers, each at a salary from...960 to	1200.00
26	FOR THE OFFICE OF AUDITOR OF STATE.	
27	Auditor of state shall receive a salary of	4000.00
28	One deputy auditor, salary not to exceed	2400.00
29	One chief clerk of revenue department, salary not	
30	to exceed	2400.00
31	One chief clerk of county accounting department,	
32	salary not to exceed	2400.00
33	One chief clerk municipal accounting and building	
34	and loan department, salary not to exceed.....	2400.00
35	One assistant county accountant, salary not to	
36	exceed	2000.00
37	One general clerk, salary not to exceed	1700.00
38	One warrant clerk, salary not to exceed	1400.00
39	One assistant warrant clerk, salary from ...960 to	1200.00
40	One stenographer and clerk, salary from960 to	1200.00
41	One clerk and janitor, salary from1080 to	1200.00
42	Extra clerical assistance and contingent	800.00
43	The accountants in the municipal accounting department and the	
44	county accounting department shall receive a per diem of \$7.00 to be	
45	paid by the county or municipality, together with actual expenses	
46	while making examinations.	
47	FOR THE OFFICE OF BOARD OF CONTROL.	
48	Three members shall receive a salary, each, of.....	4000.00
49	One secretary, salary not to exceed	3000.00
50	One architect, at a salary not to exceed	3000.00
51	One accountant at a salary not to exceed	2100.00
52	One assistant accountant, salary not to exceed	1600.00
53	One assistant accountant, salary not to exceed	1500.00
54	One purchasing agent, salary not to exceed	2000.00
55	One estimate clerk, salary not to exceed	1400.00
56	One statistician, salary not to exceed	1400.00
57	One parole clerk at a salary not to exceed	1200.00
58	One file clerk at a salary not to exceed	1200.00
59	Five stenographers, each at salaries from ...960 to	1200.00
60	One storekeeper and clerk, salary not to exceed	1200.00

61	One draftsman, salary not to exceed	1500.00
62	Seven state agents, each at salaries from1000 to	1320.00
63	and the necessary expenses of said state agents.	
64	One lecturer on tuberculosis, salary not to exceed	2400.00
65	One stenographer salary from960 to	1200.00
66	FOR THE OFFICE OF BOARD OF PAROLE.	
67	Three members shall receive their expenses and a	
68	per diem of	10.00
69	One secretary at a salary not to exceed	2700.00
70	One parole agent at a salary not to exceed	2000.00
71	One parole agent at a salary not to exceed	2000.00
72	One file clerk at a salary not to exceed	1300.00
73	Two stenographers at salaries from960 to	1200.00
74	FOR THE OFFICE OF CLERK OF SUPREME COURT.	
75	Clerk of supreme court shall receive a salary of....	3000.00
76	One deputy clerk, salary not to exceed	2000.00
77	One brief and file clerk, salary not to exceed	1600.00
78	One general clerk at a salary of from960 to	1200.00
79	One messenger at a salary not to exceed	1080.00
80	FOR THE OFFICE OF CUSTODIAN.	
81	One assistant custodian and engineer salary of	2200.00
82	One first assistant engineer, salary not to exceed....	1500.00
83	One second assistant engineer at a salary not to	
84	exceed	1400.00
85	One machinist and electrician at a salary not to	
86	exceed	1500.00
87	One assistant machinist and electrician, salary not	
88	to exceed	1400.00
89	One carpenter at a salary not to exceed	1500.00
90	Three night watches, each at a salary not to exceed	1080.00
91	One extra engineer at a salary not to exceed	1400.00
92	One boiler tender at a salary not to exceed	1300.00
93	One florist at a salary not to exceed	1400.00
94	Five firemen each at salaries not to exceed	1200.00
95	One painter at a salary not to exceed	1500.00
96	One yard man at a salary not to exceed	1080.00
97	One clerk and janitor in department of agriculture,	
98	at a salary not to exceed	1080.00
99	Twenty janitors each at a salary not to exceed	1080.00
100	One matron at a salary not to exceed	1080.00
101	Two elevator tenders, each at a salary not to exceed	840.00
102	For removal of snow and extra help	500.00
103	For allowance for washing towels	300.00
104	FOR OFFICE OF DOCUMENT EDITOR.	
105	Document editor shall receive a salary of	3000.00
106	One clerk and accountant, salary not to exceed ...	1800.00
107	One janitor and assistant clerk, salary not to	
108	exceed	1080.00
109	One stenographer at a salary of from960 to	1200.00
110	FOR DAIRY AND FOOD DEPARTMENT.	
111	One commissioner shall receive a salary of	3300.00
112	One deputy commissioner at a salary not to exceed	2600.00
113	One chemist at a salary not to exceed	2700.00

114	One chief inspector of weights and measures, salary not to exceed	\$ 2400.00
115	One assistant chemist and bacteriologist, salary not to exceed	2100.00
116	One chief clerk at a salary not to exceed	1800.00
117	One license clerk at a salary not to exceed	1500.00
118	Three stenographers each at salaries from ...960 to	1200.00
119	Six creamery inspectors, one dairy inspector, three dairy and food inspectors, eight food inspectors and two weight and measure inspectors, each at a salary from	1800 to 2100.00
120	Twenty inspectors at salaries from \$3.00 to \$5.00 per day	
121	One janitor at a salary not to exceed	1080.00
122	In the salaries in this department which are on a sliding scale, the inspectors shall receive the sum of \$1800.00 for their first year in the department and shall receive an annual increase of \$100.00 per year until the maximum salary is reached.	
123	FOR THE OFFICE OF EXECUTIVE COUNCIL.	
124	One secretary at a salary not to exceed	2700.00
125	One assistant secretary at a salary not to exceed	2400.00
126	One second assistant, salary not to exceed	1500.00
127	One supply room clerk at a salary not to exceed	1200.00
128	One postmaster, salary not to exceed	1200.00
129	One clerk, salary not to exceed	1200.00
130	One store room janitor, salary not to exceed	1080.00
131	Three clerks, each at salaries from	960 to 1200.00
132	One voucher clerk, salary not to exceed	1400.00
133	One accountant, salary not to exceed	2400.00
134	One assistant accountant, salary not to exceed	1800.00
135	One second assistant accountant, salary not to exceed	1500.00
136	One third assistant accountant at a salary not to exceed	1200.00
137	FOR THE OFFICE OF GEOLOGICAL SURVEY.	
138	One clerk at a salary not to exceed	1400.00
139	FOR THE OFFICE OF GOVERNOR OF STATE.	
140	The governor shall receive a salary of	5000.00
141	As a member of executive council	1200.00
142	House rent	600.00
143	One secretary at a salary not to exceed	2400.00
144	One pardon clerk at a salary not to exceed	1800.00
145	One requisition clerk at a salary not to exceed	1300.00
146	One notarial clerk at a salary from	960 to 1200.00
147	One messenger at a salary not to exceed	1200.00
148	For publication of notices	400.00
149	FOR HISTORICAL DEPARTMENT.	
150	One curator shall receive an annual salary of	3000.00
151	One assistant curator at a salary not to exceed	2100.00
152	One assistant curator at a salary not to exceed	2100.00
153	One assistant curator at a salary not to exceed	1400.00
154	Four assistant curators, each at salaries not to exceed	1300.00
155	Five clerks, each at a salary from	960 to 1200.00

167	Five mechanic-caretakers and six guards each at a	
168	salary not to exceed	\$ 1080.00
169	OFFICE OF INSURANCE COMMISSIONER.	
170	Insurance commissioner shall receive a salary of.....	3600.00
171	One deputy commissioner, salary not to exceed	2400.00
172	One actuary, salary not to exceed	5000.00
173	One security clerk (whose bond shall be paid by the	
174	state), salary not to exceed	2100.00
175	One assistant clerk, salary not to exceed	1400.00
176	One fee clerk at a salary not to exceed	1400.00
177	One general clerk at a salary not to exceed	1400.00
178	One examiner at a salary not to exceed	2600.00
179	Two stenographers, each at a salary from ...960 to	1200.00
180	One clerk and janitor, salary not to exceed	1080.00
181	Nine examiners each at a per diem from ...7.00 to	10.00
182	and their necessary expenses.	
183	FOR OFFICE OF LABOR COMMISSIONER.	
184	Labor commissioner shall receive a salary of	3000.00
185	One deputy commissioner, salary not to exceed	1800.00
186	Three factory inspectors, each at a salary not to	
187	exceed	1500.00
188	One chief clerk, salary not to exceed	1500.00
189	One statistician, salary not to exceed	1500.00
190	One department clerk and one stenographer, each	
191	at a salary from	960 to 1200.00
192	FOR OFFICE OF MINE INSPECTOR.	
193	Three inspectors, each at a salary not to exceed....	2700.00
194	One secretary at a salary not to exceed	2000.00
195	FOR OFFICE OF OIL INSPECTOR.	
196	Chief oil inspector shall receive a salary of	2200.00
197	One deputy oil inspector, salary not to exceed	1200.00
198	Thirteen inspectors, each at a salary not to exceed	1200.00
199	One stenographer at a salary from	960 to 1200.00
200	Five deputy oil inspectors, each at a salary not to	
201	exceed	900.00
202	Two deputy oil inspectors, each at a salary not to	
203	exceed	600.00
204	All inspectors shall receive their actual expenses incurred while	
205	attending their duties.	
206	FOR PHARMACY COMMISSION.	
207	Three members shall receive their actual expenses	
208	and a salary of	1500.00
209	One secretary-treasurer, salary not to exceed	2100.00
210	For extra clerical assistance, not to exceed	400.00
211	FOR SECRETARY OF STATE.	
212	Secretary of state shall receive a salary of	4000.00
213	One deputy, salary not to exceed	2200.00
214	One chief clerk, salary not to exceed	2000.00
215	One clerk in the land office, salary not to exceed....	1600.00
216	One superintendent of bond and investment	
217	department, salary not to exceed	2400.00
218	One clerk at a salary not to exceed	1500.00
219	Two clerks each at a salary from	960 to 1200.00
220	One code clerk, salary not to exceed	1200.00

221	One corporation clerk, salary not to exceed	\$ 1200.00
222	Two stenographers, salary each from960 to	1200.00
223	One janitor, salary not to exceed	1080.00
224	The head of the department under which the motor vehicle department is placed, with the consent of the executive council shall appoint	
225	such necessary help as may be necessary to carry out the provisions	
226	of the motor vehicle law and all salaries of the motor vehicle department shall be paid from that portion of motor vehicle fees which	
227	revert to the state of Iowa for the expense of the motor vehicle	
228	department.	
229		
230		
231	FOR STATE BOARD OF EDUCATION.	
232	Three members of the finance committee shall each	
233	receive a salary of	3600.00
234	One auditor, salary not to exceed	2000.00
235	One chief clerk at a salary not to exceed	1400.00
236	Three stenographers, each at a salary from 960 to	1200.00
237	The members of the board of education shall receive \$10.00 per	
238	day and their actual expenses.	
239	OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION.	
240	Superintendent of public instruction shall receive	
241	a salary of	4000.00
242	One deputy at a salary not to exceed	2700.00
243	One chief clerk, salary not to exceed	1800.00
244	Four inspectors, each at a salary not to exceed ...	2400.00
245	and their actual expenses.	
246	Three stenographers, each at a salary from 960 to	1200.00
247	One janitor at a salary not to exceed	1080.00
248	For extra clerical assistance, not to exceed	800.00
249	BOARD OF EDUCATIONAL EXAMINERS.	
250	One secretary at a salary not to exceed	1800.00
251	All members of the board, other than those drawing	
252	a salary from the state shall receive a per diem	
253	of	4.00
254	and their necessary expenses	
255	Examiners shall receive an hourly wage, not to	
256	exceed50
257	OFFICE OF TREASURER OF STATE.	
258	Treasurer of state shall receive a salary of	4000.00
259	One deputy treasurer shall receive a salary not to	
260	exceed	2400.00
261	Cashier (whose bond shall be paid by the state)	
262	salary not to exceed	1800.00
263	One collateral clerk, salary not to exceed	1500.00
264	One bookkeeper, salary not to exceed	1500.00
265	One general clerk, salary from960 to	1200.00
266	Special clerk, salary from960 to	1200.00
267	One stenographer, salary from960 to	1200.00
268	One watchman, salary not to exceed	1080.00
269	For additional clerical assistance and contingent....	600.00
270	SUPREME COURT.	
271	Seven judges of the supreme court shall each	
272	receive a salary of	6000.00
273	One bailiff. salary not to exceed	1320.00
274	Seven stenographers, each at salaries from 1200 to	1500.00

275	The sum of \$1000.00 is hereby appropriated to the supreme court,	
276	as a contingent fund to be paid out on order of the chief justice.	
277	OFFICE OF STATE VETERINARIAN.	
278	State veterinarian shall receive a salary of	\$ 3000.00
279	Secretary, salary not to exceed	1200.00
280	One clerk, salary of from	960 to 1200.00
281	Assistant veterinarians shall receive their actual	
282	expenses and a per diem of from	5.00 to 7.00
283	OFFICE OF INDUSTRIAL COMMISSIONER.	
284	Industrial commissioner shall receive a salary of	3300.00
285	One deputy, salary not to exceed	2400.00
286	One secretary, salary not to exceed	1800.00
287	One chief clerk, salary not to exceed	1400.00
288	One file clerk, one general clerk and three stenog-	
289	raphers and clerks, each at a salary from 960 to	1200.00
290	There shall also be allowed the department for	
291	medical counsel the sum of	900.00
292	FISH AND GAME DEPARTMENT.	
293	Warden shall receive a salary of	2400.00
294	One assistant warden, salary not to exceed	1500.00
295	Three assistant wardens, each at a salary not to	
296	exceed	1500.00
297	One game farm keeper, salary not to exceed	1800.00
298	One assistant, salary from	960 to 1200.00
299	Special assistants shall receive a per diem of 2.50 to	4.00
300	All employees of the department shall receive their actual expenses,	
301	while away from their homes on duty.	
302	All of the above salaries shall be paid from the fish and game pro-	
303	tection fund.	
304	STATE BOARD OF HEALTH.	
305	Four members shall receive their actual expenses	
306	and a salary of	900.00
307	One secretary, salary not to exceed	3000.00
308	Assistant secretary, salary not to exceed	1500.00
309	One chief clerk salary not to exceed	1500.00
310	One sanitary engineer, salary not to exceed	2500.00
311	One anti-toxin clerk, salary from	960 to 1200.00
312	Two clerks at salaries, each, from	960 to 1200.00
313	One bookkeeper at a salary from	960 to 1200.00
314	Two clerks in vital statistics department each at	
315	a salary from	960 to 1200.00
316	OFFICE OF STATE FIRE MARSHAL.	
317	One fire commissioner, shall receive a salary of....	2500.00
318	One deputy, salary not to exceed	2000.00
319	Two assistant deputies, each at a salary not to	
320	exceed	1600.00
321	One stenographer and clerk at a salary from	
322	1080 to 1300.00
323	OFFICE OF RAILROAD COMMISSIONERS.	
324	Three railroad commissioners, each at a salary of	3600.00
325	One secretary, salary not to exceed	2700.00
326	One chief rate clerk, salary not to exceed	2400.00
327	One reporter, salary not to exceed	2000.00
328	One assistant rate clerk, salary not to exceed	1800.00

329	One chief clerk at a salary not to exceed	\$ 1800.00
330	One assistant rate clerk, salary not to exceed	1600.00
331	One tariff clerk and stenographer, salary not to	
332	exceed	1300.00
333	One statistician, salary not to exceed	1800.00
334	One signal engineer, salary not to exceed	2400.00
335	One electrical engineer, salary not to exceed	2700.00
336	One file clerk, salary from960 to	1200.00
337	Three stenographers, each, at a salary from 960 to	1200.00
338	COMMERCE COUNSEL SHALL RECEIVE A SALARY OF...	5000.00
339	Assistant commerce counsel, salary not to exceed	2400.00
340	Law clerk, salary not to exceed	1800.00
341	One clerk, salary not to exceed	1400.00
342	One stenographer, salary from960 to	1200.00
343	STATE GENERAL LIBRARY.	
344	Librarian shall receive a salary of	3000.00
345	One assistant, salary not to exceed	1500.00
346	One assistant, salary not to exceed	1400.00
347	One cataloguer, salary not to exceed	1400.00
348	One accountant and bookkeeper salary not to	
349	exceed	1400.00
350	Two apprentices, each at a salary not to exceed ...	400.00
351	One janitor, at a salary not to exceed	1080.00
352	One clerk, at a salary not to exceed	1200.00
353	STATE LAW LIBRARY.	
354	One law librarian at a salary of	3000.00
355	One assistant at a salary not to exceed	1400.00
356	One assistant in law department, salary from	
357960 to	1200.00
358	One research assistant, salary not to exceed	1800.00
359	Two janitors, each at a salary not to exceed	1080.00
360	STATE LIBRARY LEGISLATIVE REFERENCE DEPARTMENT.	
361	One reference librarian, at a salary of	1400.00
362	One assistant, salary not to exceed	400.00
363	LIBRARY COMMISSION.	
364	One secretary at a salary not to exceed	1800.00
365	One librarian of the traveling library, salary not to	
366	exceed	1320.00
367	One reference librarian, salary not to exceed	1320.00
368	One organizer, salary from960 to	1200.00
369	One cataloguer at a salary from960 to	1200.00
370	Two clerks and stenographers, each at a salary	
371	from960 to	1200.00
372	One record clerk at a salary from960 to	1200.00
373	Two shipping clerks, each at a salary not to exceed	240.00
374	One apprentice, salary not to exceed	600.00
375	SUPREME COURT REPORTER.	
376	Reporter for the supreme court shall receive a sal-	
377	ary of	3500.00
378	Deputy reporter, salary not to exceed	2000.00
379	Three stenographers, each at salaries from 960 to	1200.00
380	One law clerk, at a salary not to exceed	1500.00

381 IOWA WEATHER AND CROP SERVICE BUREAU.

382 One director, at a salary of\$ 1800.00

383 One stenographer and clerk, at a salary from 960 to 1200.00

384 In all cases where salaries are based upon a sliding scale, it is

385 the instruction of the legislature that the head of the department

386 shall use discretion as to the amount of the salary he shall pay and

387 shall not pay the high salary to new clerks and stenographers but

388 shall place them on a graduated scale commensurate with ability and

389 length of service.

390 All salaries herein named are in lieu of all statutory salaries, for

391 the positions named herein, including such salaries as are contained

392 in any bills passed by the thirty-eighth general assembly.

393 All janitors employed under the provisions of this resolution shall

394 at all times be subject to the orders of the custodian or assistant

395 custodian to perform any additional service, by way of rendering

396 assistance to the state house engineers, carpenters, supply department

397 or any other labor that may be necessary about the capitol

398 grounds, at such hours as they are not necessarily employed in their

399 regular janitor work and it shall be the duty of the custodian or

400 assistant custodian to assign such janitors to any such extra service

401 and he shall discharge any janitor for incompetency, inability, to

402 perform a reasonable amount of service of the character required,

403 neglect of duty or insubordination.

404 All employees provided for in this act shall devote their entire

405 time to the service of the state, except that this requirement shall not

406 be interpreted to prevent the allowance of a reasonable vacation,

407 such vacation to be at the discretion of the head of the department

408 or commission interested, and in no case to exceed two weeks in any

409 one year.

410 All clerks, janitors, and other employees named in this resolution

411 shall be under the control of the head of the department, or deputy

412 acting as such, and may by him be transferred to such work as he

413 shall direct in assisting other clerks or elsewhere in the different

414 branches of the service of the department, and any head of a department

415 may at any time discharge any clerk or other employee in

416 such a department for neglect of duty, insubordination or incapacity.

417 No additional help shall be employed by the head of any department,

418 and no additional pay shall be granted or authorized to any of

419 the employees provided for in this act without first having received

420 the approval of the committee on retrenchment and reform. The

421 employees and extra help provided for the various offices and the

422 additional compensation for service provided in this resolution shall

423 at all times be subject to reduction, limitation or other disposition

424 by the committee on retrenchment and reform, whenever such committee

425 shall find that the number of employees and the amount of

426 additional help and compensation for the purposes named in this

427 resolution should be reduced, eliminated or changed from one office to

428 another and an order made by said committee, and a copy thereof

429 filed with the department whose employees or help or compensation

430 for help shall be reduced or changed and filed with the auditor of

431 state shall be sufficient to prevent further expenditure for such

432 employees, help or service. The retrenchment and reform committee

433 in making an order furnishing any clerical assistance or expending

434 any money for any other state purpose herein provided for, shall

435 enter the same in its records filed in the office of the secretary of
 436 state and file a copy of said order with the department affected, and
 437 with the auditor of state. The provisions of this paragraph shall be
 438 so construed as not to repeal or affect the law as it appears in section
 439 1683-r2, supplement to the code, 1913, nor shall the provisions of
 440 this act be so construed as to repeal or affect the law as it appears in
 441 section twenty-one hundred eleven (2111) of the code, and acts
 442 amendatory thereto.

443 There is hereby appropriated out of any funds in the treasury not
 444 otherwise appropriated sufficient funds to pay the salaries as herein
 445 provided. Provided, however, that nothing in this section shall be
 446 construed as an appropriation of money herein mentioned that is
 447 provided for by existing appropriations for any department.

1 SEC. 2. **Publication clause.** This act being deemed of immediate
 2 importance shall take effect and be in full force from and after its
 3 publication in the Des Moines Register, a newspaper published in Des
 4 Moines, Iowa, and the Des Moines Capital, a newspaper published in
 5 Des Moines, Iowa.

Approved April 21, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April 23, 1919 and in the Des Moines Register April 25, 1919.

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

CHAPTER 273.

APPROPRIATION FOR STATE AND OTHER EXPENSES.

H. F. 573.

AN ACT to make appropriation for the payment of state and other expenses.

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

1 SECTION 1. **Appropriation — unexpended moneys.** There is
 2 hereby appropriated from the state treasury for a term of two years,
 3 ending June 30th, 1921, the following sums, or so much thereof as
 4 shall be necessary, provided that on the first day of July, succeeding
 5 the meeting of the regular session of the general assembly, all moneys
 6 appropriated in this act and remaining unexpended shall be and are
 7 hereby covered into the state treasury.

1 SEC. 2. **Lieutenant governor.** To Ernest R. Moore, lieutenant
 2 governor, as president of the senate, the sum of two thousand dollars
 3 (\$2,000.00).

1 SEC. 3. **Speaker.** To A. W. McFarlane, as speaker of the house
 2 of representatives, the sum of one thousand dollars (\$1,000.00) which
 3 shall be in addition to his regular salary as member of the house.

1 SEC. 4. **Chaplains.** For chaplains of the senate and of the house
 2 of the thirty-eighth general assembly, the sum of eight hundred dol-

3 lars (\$800.00) or so much thereof as may be necessary, warrants
4 therefor to be drawn in favor of the persons entitled thereto, who
5 shall be determined by the auditor of state upon the certified state-
6 ments of the president of the senate and the speaker of the house.

1 **SEC. 5. Permanent school fund — interest.** For the purpose of
2 paying the interest of the state to the permanent school fund, the sum
3 of thirteen hundred twelve and 46-100 dollars (\$1312.46) which is to
4 be in full of such interest on such indebtedness, and the auditor of
5 state shall draw warrants for the above appropriations as said inter-
6 est shall become due.

1 **SEC. 6. Mary McKeown — claim of.** For the purpose of paying the
2 interest on the escheated estate of Michael McKeown which through
3 the order of the district court of Franklin county in satisfaction of
4 claim made by Mary McKeown has been ordered, adjusted and decreed
5 that the auditor of the state of Iowa, shall issue warrant in the sum
6 of seven hundred sixty-seven and 67-100 dollars (\$767.67) which
7 represents interest from time of the institution of this action to
8 February 17, 1919.

1 **SEC. 7. House and senate employees.** To the employees of the
2 house and senate for services required after adjournment, as ordered
3 in concurrent resolution of April 15, the sum of three hundred and
4 fifty-six dollars (\$356.00).

1 **SEC. 8. Executive council.** To the executive council to meet
2 necessary expenses for which no appropriation is made, the sum of
3 three thousand dollars (\$3,000.00), to be disbursed on claims approved
4 by the executive council, and the auditor of state shall draw warrants
5 therefor.

1 **SEC. 9. Pioneer lawmakers' association.** To the pioneer law-
2 makers association, to assist in defraying the expenses of publishing
3 the proceedings of the said association and to be paid to the secretary
4 thereof on the presentation of proper vouchers therefor, a sum not
5 to exceed one hundred dollars (\$100.00).

1 **SEC. 10. State board of education.** To the state board of educa-
2 tion for telephone messages, telegrams, express charges, sten-
3 ographers and other necessary items to be expended by said board
4 during the biennial period ending July 1, 1921, the sum of five hun-
5 dred dollars (\$500.00) which sum is to be paid in accordance with
6 the provision of chapter 5-B, supplement to the code, 1913.

1 **SEC. 11. Executive council — governor's conference.** To the execu-
2 tive council to pay the assessment of the state of Iowa for expense of
3 governor's conference the sum of three hundred dollars (\$300.00).

1 **SEC. 12. Board of control — friendless girls.** There is hereby
2 appropriated to be expended under the direction of the board of con-
3 trol for the purpose of defraying the expenses for medical attention
4 and treatment of friendless girls in maternity cases that are patients
5 in certain homes for friendless women in Iowa, for a period ending
6 June 30, 1921, the sum of five thousand dollars (\$5,000.00).

1 **SEC. 13. Executive council — repairs and improvements.** There
2 is hereby appropriated the sum of eight thousand seven hundred

3 ninety dollars (\$8790.00) to be expended under the direction of the
4 executive council for repairs and improvements as recommended in
5 report of the retrenchment and reform committee under date of
6 April 19th.

1 SEC. 14. Curator's office. Incidental expenses of curator's office.

2 a. To defraying the reasonable expenses of any person cooperat-
3 ing with valuable services or property in furthering the objects of
4 the department, the sum of two hundred and fifty dollars (\$250.00).

5 b. For the actual and necessary expenses of travel on business of
6 the department, one thousand dollars (\$1,000.00).

7 c. For making historic motion picture records of persons and
8 events of value to the state of Iowa, twenty-five hundred dollars
9 (\$2500.00).

10 d. For defraying cost of supplies for archives division, fifteen hun-
11 dred dollars (\$1500.00).

12 e. For acquiring portraits of Iowa citizens who are or have been
13 members of the cabinet or chief executives of the state, fifteen hun-
14 dred dollars (\$1500.00).

15 f. For contingent fund to defray expenses under the provisions
16 of senate file 531, thirty-six hundred dollars (\$3600.00).

1 SEC. 15. Mike Nagl. To Mike Nagl for balance due for horses
2 destroyed on account of dourine, eighty-seven and 50-100 dollars
3 (\$87.50).

1 SEC. 16. Attorney general. For the office of the attorney gen-
2 eral as contingent fund for the period ending June 30, 1921, the sum
3 of twenty thousand dollars (\$20,000.00).

1 SEC. 17. Clerk of supreme court. For the office of the clerk of
2 the supreme court, as contingent fund for the period ending June
3 30, 1921, the sum of two hundred dollars (\$200.00).

1 SEC. 18. Governor — contingent fund, etc. For the office of the
2 governor for the period ending June 30, 1921, for contingent and
3 expense fund, the sum of five thousand dollars (\$5,000.00); for the
4 expense of employing additional counsel when necessary under provi-
5 sions of section sixty-three (63) and sixty-four (64) of the code, the
6 sum of twenty-five hundred dollars (\$2500.00); for the investiga-
7 tion of pardon and parole and for the return of paroled prisoners, the
8 sum of two hundred dollars (\$200.00).

1 SEC. 19. Treasurer of state — contingent fund. For the office of
2 the treasurer of state as contingent fund for the period ending June
3 30, 1921, the sum of ten thousand dollars (\$10,000.00).

1 SEC. 20. State board of control — contingent fund. For the office
2 of the state board of control, as contingent fund for the period end-
3 ing June 30, 1921, the sum of four thousand dollars (\$4,000.00).

1 SEC. 21. State dairy and food commissioner — contingent fund.
2 For the office of the state food and dairy commissioner as contingent
3 fund for the period ending June 30, 1921, the sum of two thousand
3 dollars (\$2,000.00).

1 SEC. 22. Jean Clark. To Jean Clark, for services performed for
2 appropriation committee of the thirty-eighth general assembly, the
3 sum of seventy-five dollars (\$75.00).

1 **SEC. 23. Treasurer of state — motor vehicle department —**
2 authorization as to. The treasurer of state is hereby authorized and
3 empowered to use his best judgment and discretion in the adjustment
4 and settlement of all automobile license fees which were delinquent
5 January 1, 1919, and all unsettled matters relating thereto, and he
6 shall include in his report a separate statement of all license fees
7 adjusted by other than full payment and with the consent of the
8 executive council, he shall employ such temporary assistance as shall
9 be necessary to accomplish the purposes herein set forth, to expedite
10 the work and to systematize and properly organize the motor vehicle
11 department which was recently turned over to him by this general
12 assembly, and the treasurer of state is hereby authorized to use such
13 part of the motor vehicle fund as may be necessary to carry out the
provisions of this section.

1 **SEC. 24. Retrenchment and reform committee — contingent fund.**
2 For the retrenchment and reform committee as a contingent fund for
3 the period ending June 30, 1921, the sum of forty thousand dollars
4 (\$40,000.00).

1 **SEC. 25. Providential contingencies.** For providential con-
2 tingencies to be expended in accordance with section one hundred
3 seventy (170) of the code, the sum of fifty thousand dollars
4 (\$50,000.00), the said amount to be under the control of the execu-
5 tive council, and all payments under this section shall be reported in
6 detail by the auditor of state in his next report and shall receive the
7 approval of all members of the executive council.

1 **SEC. 26. Executive council — furniture, supplies, fuel, etc.** There
2 is hereby appropriated the sum of two hundred fifty thousand dol-
3 lars (\$250,000.00), forty thousand dollars (\$40,000.00) to be available
4 at once, to be expended under the direction of the executive council,
5 under the provisions of section one hundred sixty-five (165) of the
6 code, for furniture, stores and supplies, and the further sum of forty
7 thousand dollars (\$40,000.00) or so much thereof as shall be neces-
8 sary, for the purchase of fuel.

1 **SEC. 27. Capitol building and grounds.** There is hereby appropri-
2 ated the sum of twenty-five thousand dollars (\$25,000.00) to be
3 expended under the direction of the executive council under the pro-
4 visions of section one hundred sixty-four (164) of the code.

1 **SEC. 28. Express, freight, etc.** For the purpose of paying
2 express, freight, and drayage for the period ending June 30, 1921, the
3 sum of ten thousand dollars (\$10,000.00).

1 **SEC. 29. Publication of laws, etc.** For the purpose of advertis-
2 ing laws and publishing census returns, to be expended under section
3 thirty-six (36) of the code, the sum of thirteen hundred dollars
4 (\$1300.00).

1 **SEC. 30. Board of control — inspection.** To the board of control
2 for inspection of institutions in which insane are kept, to July 1, 1919,
3 the sum of one thousand dollars (\$1,000.00).

1 **SEC. 31. Custodian — extra labor.** To custodian for extra carpen-
2 ter, painter, and other extra labor, the sum of three thousand dollars
3 (\$3,000.00).

1 SEC. 32. Weather and Crop Service Bureau. To the Weather
2 and Crop Service Bureau for period ending June 30, 1919, the sum
3 of one hundred fifty dollars, (\$150.00).

1 SEC. 33. State fire marshal — contingent fund. For the office of
2 state fire marshal, as a contingent fund for the period ending June
3 30, 1921, the sum of two thousand dollars (\$2,000.00).

1 SEC. 34. Board of education — material. To the board of edu-
2 cation for material to be used in the manufacture of garments by the
3 women of Iowa City for use in the hospital for crippled children, the
4 sum of five hundred dollars (\$500.00).

SEC. 35. Woodworth Clum — Panama Pacific Exposition Commis-
1 sion — investigation. To the persons named herein and in the
2 amounts named herein, on account of the investigation made against
3 Woodworth Clum and the Panama Pacific Exposition Commission:
4 J. L. Brookhart, telephone.....\$2.20
5 Frank C. Walrath, per diem..... 20.00
6 Frank C. Walrath, transcript..... 50.00
7 Mrs. Izora Dixon, transcript..... 23.40
8 Lucile Forgey, transcript..... 1.50
9 Paul S. Jones, witness fees and mileage..... 1.55
10
11 Total 98.65

1 SEC. 36. Historical building — certain employees. To the follow-
2 ing persons and in the amounts named herein, who are employed in
3 the historical building to place them on an equal basis with men per-
4 forming similar work in the capitol building.
5 E. W. Doolittle.....\$120.00
6 John Miller 120.00
7 John F. Stewart 120.00
8 W. L. Pointer 110.00
9 George Weiney 97.50
10 H. L. Armstrong 92.50
11 F. M. Nichols 100.00
12 Cyrus Weaver 35.00
13 H. M. Wills 67.50

1 SEC. 37. General assembly — certain employees. To the follow-
2 ing persons in the amounts named herein to put them on a parity
3 with other employees of the thirty-eighth general assembly:
4 W. L. Wylie\$145.92
5 W. C. Pugh 110.32
6 Wm. Abrahams 145.92
7 Eligah Manbeck 145.92
8 D. R. Edmunds 145.92
9 Joshua Wilkinson 145.92
10 C. F. White 145.92
11 Hugh King 145.92
12 Voclav Sykora 145.92
13 George Andrews 145.92
14 W. I. Locke 145.92
15 Robert R. Baker 145.92
16 Martha Allen 145.92
17 Mrs. Elizabeth Griffin 145.92

18	Mrs. Fred Greshem	\$145.92
19	B. F. Howe	145.92
20	Andrew B. Allen	145.92
21	James Price	145.92

SEC. 38. Committee on departmental affairs — investigation.

1 To the persons named and in the amounts named herein for expenses
2 and costs in investigations made by the committee on departmental
3 affairs:

4	J. S. Peterson	\$14.66
5	C. W. Spencer	15.72
6	P. C. Holdoegel	30.15
7	Chas. P. Linn	27.50
8	J. P. Blaise	16.65

1 **SEC. 39. Rathbun pardon case — investigation.** To the persons
2 named and in the amounts named in the itemized statement of
3 expenses incurred on account of the investigation of the Rathbun
4 pardon case, as printed in the House Journal of April 19th, the sum
5 of five thousand seven hundred thirty-six and 24-100 dollars
6 (\$5,736.24).

1 **SEC. 40. F. W. Ingersoll — contest.** To F. W. Ingersoll for
2 expenses in contest of Mann vs. Ingersoll, the sum of one hundred
3 dollars (\$100.00).

1 **SEC. 41. T. E. Mann — contest.** To T. E. Mann for expenses in
2 contest of Mann vs. Ingersoll, the sum of one hundred dollars
3 (\$100.00).

1 **SEC. 42. Mrs. Elbert Hall — services.** To Mrs. Elbert Hall for
2 ten days' services and typewriter rent, the sum of forty-five dollars
3 (\$45.00).

1 **SEC. 43. Thomas Watters, Jr. — postage, etc.** To Thomas Wat-
2 ters, Jr., telegrams, postage, express, etc., the sum of twelve and
3 40-100 dollars (\$12.40).

1 **SEC. 44. Des Moines Rubber Stamp Company — badges.** To Des
2 Moines Rubber Stamp Company for badges for general assembly, the
3 sum of eighty-nine and 95-100 dollars (\$89.95).

1 **SEC. 45. A. L. Rule — cablegrams.** To A. L. Rule for cable-
2 grams to Thomas Watters, Jr., in France, the sum of twenty-seven
3 and 98-100 dollars (\$27.98).

1 **SEC. 46. W. C. Ramsay — telegrams, etc.** To W. C. Ramsay,
2 Chief Clerk, for telegrams, postage, etc., the sum of ten and 69-100
3 dollars (\$10.69).

1 **SEC. 47. C. F. Frazer — state automobile.** To C. F. Frazer for
2 expenses paid on state automobile, the sum of eleven dollars (\$11.00).

1 **SEC. 48. Fred Miller — labor.** To Fred Miller for labor per-
2 formed for general assembly, the sum of twelve dollars (\$12.00).

1 **SEC. 49. Chase and West.** To Chase and West, for chair for
2 speaker of the house, the sum of one hundred ten dollars (\$110.00).

1 SEC. 50. A. C. Hanger. To A. C. Hanger for engraving on gavel
2 for speaker of house, not to exceed ten dollars (\$10.00).

1 SEC. 51. Vouchers — officers to furnish. Each of the foregoing
2 officers shall furnish duplicate vouchers therefor, containing the items
3 of such expenditures, to the auditor of state, before any warrant shall
4 issue therefor.

1 SEC. 51½. Des Moines News article — investigation. For the
2 expense of house investigation of Des Moines News article, twenty
3 dollars (\$20.00) or so much thereof as may be necessary to pay
4 witness fees and fees for services of subpoenas to be paid by warrant
5 issued by auditor of state, upon sworn statements furnished him by
6 such witnesses and officers.

1 SEC. 52. Publication clause. This act, being deemed of immedi-
2 ate importance, shall take effect and be in force from and after its
3 publication in the Des Moines Register and the Des Moines Capital,
4 newspapers published in Des Moines, Iowa.

Approved April 21, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April 24, 1919 and in the Des Moines Register April 25, 1919.

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

CHAPTER 274.

REGULATION OF TRAFFIC IN EGGS.

S. F. 329.

AN ACT to provide for the regulation of traffic in and the licensing of dealers in eggs; to prevent fraud and misrepresentation in dealing in, and to prevent the sale of eggs unfit for human food.

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

1 SECTION 1. Eggs — human food — when unfit for. No person,
2 firm or corporation shall sell, offer or expose for sale, or have in his
3 possession, or traffic in, any egg unfit for human food, unless the same
4 is broken in shell and then denatured so that it cannot be used for
5 human food. For the purposes of this act, an egg shall be deemed
6 unfit for human food if it be addled or moldy, a black rot, a white rot,
7 or a blood ring, or if it has an adherent yolk, or a bloody or green
8 white; or if it be incubated beyond the blood ring stage; or if it con-
9 sists in whole or in part of a filthy, decomposed or putrid substance.

1 SEC. 2. Dockage — candling. No person, firm or corporation
2 shall, in buying or selling eggs, take or give a greater or less dockage
3 for eggs unfit for food as defined in section one of this act than the
4 actual dockage which has been determined by the careful candling of
5 the eggs so purchased or sold, and he shall keep such candling records
6 as may be required by the rules and regulations of the dairy and
7 food commissioner. All such records shall be open at all reasonable

8 times for examination by the dairy and food commissioner, or his
9 representatives. The term "candling" as used herein shall be con-
10 strued to mean the careful examination, in a partially dark room or
11 place, of the whole egg by means of a strong light, the apparatus and
12 method employed, to be such as shall be approved by the dairy and
13 food commissioner. Every person, firm or corporation engaged in
14 the business of buying eggs in this state for re-sale or consignment
15 shall provide and maintain an adequate place for the accurate can-
16 dling of eggs and a suitable place for the proper handling of eggs
17 which are intended to be used for human food.

1 SEC. 3. **Candling certificate.** There shall be placed on the top
2 layer of every case of candled eggs, by the person candling same, a
3 candling certificate. Such candling certificate shall be printed on
4 cards or sheets of paper not smaller in size than 2 3-8 x 4 1-4 inches,
5 and shall give the date of candling the eggs contained in the case in
6 which it is placed, the name, initials or number of the person candling
7 the eggs, and the name of this state and the license number of the
8 person, firm or corporation for which the eggs were candled.

1 SEC. 4. **License — fee.** For the purpose of enforcing the provi-
2 sions of this act, it is hereby required that thirty days after this act
3 takes effect, no person, firm or corporation, shall engage in the business
4 of buying, selling, dealing in or trading in eggs, except those retailers
5 who buy direct from licensees and who do not sell in lots greater than
6 one case, without first obtaining from the dairy and food commis-
7 sioner a license to conduct such business. Such commissioner, upon
8 receipt of a proper application upon forms such as he may prescribe,
9 accompanied by an annual license fee of one dollar, (\$1.00) shall
10 thereupon issue to such person, firm or corporation an annual license
11 to engage in such business. Provided, that any person, firm or cor-
12 poration operating more than one place of business where eggs are
13 bought, shall procure a license for each such place of business. All
14 such licenses shall expire March 1st of each year.

1 SEC. 5. **Dairy and food commissioner — powers and duties.** The
2 dairy and food commissioner shall enforce the provisions of this act
3 and shall make suitable rules and regulations for carrying out its
4 provisions. He shall determine the conditions under which eggs
5 previously candled shall be recandled before sale, in order to safeguard
6 the purchaser against buying such eggs as are unfit for human food,
7 which may be contained in such lot.

1 SEC. 6. **Provisions of act — violation — misdemeanor — penalty.** †
2 Any person, firm or corporation failing to comply with the require-
3 ments of, or violating any of the provisions of this act, shall be guilty
4 of a misdemeanor, and shall, upon conviction for the first offense, be
5 fined not less than \$10.00 nor more than \$50.00. For any subsequent
6 offense his license may be suspended or revoked, at the discretion of
7 the dairy and food commissioner.

1 SEC. 7. **Publication clause.** This act being deemed of immediate
2 importance, shall be in force and effect from and after its publication

3 in the Des Moines Register and the Des Moines Capital, papers pub-
4 lished in Des Moines, Iowa.

Approved April 21, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register and the Des Moines Capital April 23, 1919.

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

CHAPTER 275.

LICENSING AND REGULATION OF MOTOR VEHICLES.

H. F. 550.

AN ACT to repeal chapter two-b (2-b) of title VIII of the supplement to the code, 1913, relating to the licensing and regulation of motor vehicles and to enact a substitute therefor and prescribing penalties for the violation thereof.

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

1 SECTION 1. **Repeal and substitute.** That chapter two-B (2-B) of
2 title VIII of the supplement to the code, 1913, be and is hereby repealed
3 and the following enacted in lieu thereof.

1 SEC. 2. **Words and phrases defined.** In all laws of this state regu-
2 lating motor vehicles, the term "motor vehicle", except where other-
3 wise expressly provided, shall include all vehicles propelled by any
4 power other than muscular power, except traction engines, road rollers,
5 fire wagons and engines, police patrols, city or town ambulances, city
6 and government vehicles clearly marked as such, and such vehicles as
7 are run only upon tracks or rails. The term "local authorities" shall
8 include all officers of counties, cities or towns, as well as all boards,
9 committees, or other public officials of such counties, cities or towns.
10 "Motorcycle" shall include all motor vehicles designed to travel on not
11 more than three wheels in contact with the ground, and of not exceed-
12 ing ten horse power, and of not exceeding the weight of five hundred
13 pounds unladen. A trailer shall be deemed to be any vehicle, which is at
14 any time drawn upon the public highway by a motor vehicle excepting
15 any implements of husbandry temporarily drawn, propelled or moved
16 upon such highway. "Highway" shall include any public highway,
17 county road, state highway or state road, public street, avenue, alley,
18 park, parkway, driveway, square or place, bridge, viaduct, trestle, or
19 any other territory or structure, whether public or private designed,
20 intended or used by or for the general public for the passage of vehicles,
21 in any county, or incorporated city or town within the state of Iowa;
22 "local authorities" shall include all boards of supervisors, trustees or
23 councils, commissions, committees, and other public officials of counties,
24 incorporated cities or towns; "chauffeur" shall mean any person who
25 operates an automobile in the transportation of persons or freight and
26 who receives any compensation for such service in wages, commission
27 or otherwise, paid directly or indirectly, or who as owner or employee
28 operates an automobile carrying passengers or freight for hire; pro-
29 vided, however, that this definition shall not include manufacturers'

30 agents, proprietors of garages and dealers, salesmen, mechanics, or
31 demonstrators of automobiles in the ordinary course of their business;
32 "non-residents" shall mean residents of states or countries other than
33 the state of Iowa and of countries other than the United States whose
34 sojourn in this state, or whose occupation or their regular place of
35 abode or business in this state, if any, covers a total period of less
36 than three months in the calendar year; "owner" shall include any
37 person, firm, association, or corporation, having the lawful ownership,
38 use or control, or the right to the use or control, of a motor vehicle,
39 under a lease or otherwise, for a period of ten or more successive days.
40 The term "where a vehicle is kept" shall refer to the county of resi-
41 dence of the owner or to the county where the vehicle is mainly kept
42 if it be different from that of the residence of the owner. The words
43 "license fee" shall have the same meaning as "registration fee" and
44 when a motor vehicle is "licensed" it is also "registered" and vice
45 versa. A dealer shall include "dealers and manufacturers"; "manu-
46 facturer" or "dealer" shall signify a person, firm, association, or cor-
47 poration regularly in the business of having in his, its or their posses-
48 sion motor vehicles for sale or trade and for use and operation pur-
49 suant thereto, and shall be considered owners of motor vehicles manu-
50 factured or dealt in by them for the purposes of this act, prior to sale
51 and delivery thereof, and of all motor vehicles in their possession and
52 operated or driven by them or by their agents or employees; provided,
53 however, that anything to the contrary herein notwithstanding, the
54 determination of the department shall be final and conclusive upon the
55 question whether or not an applicant for registration shall be a manu-
56 facturer or dealer within the meaning and intent of this act; "garage"
57 shall mean every place of business where motor vehicles are received
58 for housing, storage or repair, for compensation; "intersecting high-
59 way" shall mean any highway which joins another at any angle,
60 whether or not it crosses the other; "person" shall include any corpo-
61 ration, association, copartnership, company, firm, or other aggregation
62 of individuals and where the term "person" is used in connection with
63 the registration of a motor vehicle, it shall include any corporation,
64 association, copartnership, company, firm, or other aggregation of
65 individuals which owns or controls such motor vehicle as actual owner,
66 or for the purpose of sale or for renting, whether as agent, salesman,
67 or otherwise; "department" as used in this act shall mean the secre-
68 tary of state; "specially constructed" motor vehicle shall mean a
69 motor vehicle which shall not have been originally constructed under
70 a distinctive name, make, model or type of a generally recognized
71 manufacturer of motor vehicles; provided, that in case of dispute
72 the determination of the department as to the character of construc-
73 tion of any such motor vehicle shall be conclusive; "reconstructed
74 motor vehicle" shall mean a motor vehicle which shall have been
75 assembled or constructed largely by means of essential parts, new or
76 used, derived from other motor vehicles or makes of motor vehicles of
77 various names, models or types, or which, if originally otherwise, con-
78 structed, shall have been materially altered by the removal of essential
79 parts, or by addition or substitution of essential parts, new or used,
80 derived from motor vehicles or makes of motor vehicles, provided, that
81 for the purpose of this act the term "essential parts" shall include, not
82 only integral parts but also body parts such as fenders, hood, cowl,
83 and other parts, the removal, alteration or substitution of which will

84 tend to conceal the identity or substantially alter the appearance of
85 the motor vehicle; and provided, further, that in case of dispute the
86 determination of the department as to the character of such assembly,
87 reconstruction or alteration shall be conclusive; "imported motor
88 vehicle" shall mean any motor vehicle which shall be brought into this
89 state from another country or state otherwise than in the ordinary
90 course of business by or through a manufacturer or dealer and which
91 has not been registered in this state.

1 **SEC. 3. License — number plates — certificate — license fee.** Every
2 motor vehicle kept in this state and whose owner is a resident of this
3 state, and every motor vehicle kept in this state, except temporarily
4 by a nonresident owner and every motor vehicle kept and used in
5 this state a majority of the time, and every motor vehicle used in
6 this state and not properly licensed under the laws of another state
7 shall not be operated by its own power upon any public highway
8 without being licensed and without carrying license number plates
9 and proper license certificate and without having had its license fee
10 duly paid, all as required by law. Any such motor vehicle once
11 licensed in the state and by removal not longer subject to license in
12 this state, shall upon being returned to this state and subject to
13 license be again originally licensed. Every motor vehicle originally
14 licensed as provided by law shall, so long as it is subject to license,
15 within the state, pay an annual license fee in advance.

1 **SEC. 4. Application for registration — filing — blank.** Every
2 owner of motor vehicle which shall be operated or driven upon the
3 public highways shall, except as herein otherwise expressly provided,
4 have filed in the office of the county treasurer of the county in which
5 he resides, a verified application for registration or reregistration on
6 a blank to be furnished by the department for that purpose, contain-
7 ing such information as the department may require for the efficient
8 administration of this act.

1 **SEC. 5. County treasurer — procedure as to motor vehicle and**
2 **trailer — duplicate number plates and certificates.** Upon receipt of
3 the application and license fee for a motor vehicle, as provided in this
4 act, the county treasurer shall file such application in his office and
5 register such motor vehicle with the name, post-office address and
6 business address of the owner, together with the facts stated in such
7 application, in a book or index to be kept for the purpose, under the
8 distinctive number assigned to such motor vehicle by the county
9 treasurer, which book or index shall be open to public inspection dur-
10 ing reasonable business hours, and he shall give to the owner a
11 receipt for the fee paid, and shall forthwith assign to such motor
12 vehicle a distinctive number, and, without expense to the applicant,
13 shall issue and deliver, or forward by mail or express to the owner,
14 a certificate of registration and container for same in such form as
15 the department may prescribe, and duplicate number plates bearing a
16 number corresponding to the number assigned to such motor vehicle.
17 Upon receipt of the application and license fee for a trailer, as pro-
18 vided in this act, the county treasurer shall issue a receipt for the
19 fee paid and shall at once forward the application to the department.
20 The department shall register and assign to the trailer a distinctive
number and shall forward to the owner a certificate of registration

21 and a single number plate bearing the number corresponding to the
 22 number assigned to the trailer. In the event of the loss, mutilation
 23 or destruction of any number plate, the owner of the registered
 24 motor vehicle, or manufacturer, or dealer, as the case may be, may
 25 obtain from the department a duplicate thereof upon filing in the
 26 office of the department an affidavit showing such facts and the pay-
 27 ment of a fee of fifty cents (\$.50) for each plate. Duplicate certi-
 28 ficates of registration may be issued by the county treasurer in like
 29 cases, without the payment of any fee therefor.

SEC. 6. Number plates, etc. — bids and bidders — requirements
 1 — failure — damages, etc. The executive council shall purchase all
 2 number plates, containers and other supplies required by this act
 3 after receiving competitive bids under open specifications. The bid-
 4 ders shall be required to furnish samples of such supplies and in
 5 awarding the contract the council may consider the quality and suit-
 6 ability of the samples submitted as well as the price quoted. A
 7 record of all bids submitted shall be kept and the samples submitted
 8 shall be preserved until the next subsequent letting. The successful
 9 bidder shall be required to execute to the state a good and sufficient
 10 bond in such amount as the executive council shall require, condi-
 11 tioned upon the plates furnished being in accordance with the samples
 12 and specifications, and providing for liquidated damages for failure
 13 to deliver plates at the time specified in the contract. In lieu of
 14 purchasing under competitive bids the council shall have authority
 15 to arrange with the board of control to furnish such supplies as may
 16 be made at the state institutions.

SEC. 7. Number plates, etc. — issue of by department to county
 1 treasurer — material — size — design, etc. On or before the first
 2 day of December of each year, the department shall deliver, or cause
 3 to be delivered to the county treasurer of each county, approximately
 4 as many duplicate number plates and certificate containers as there
 5 are motor vehicles registered in such county during the preceding
 6 year. The plates so delivered to each county treasurer to be in numer-
 7 ical sequence. Thereafter, during the year, the department, upon
 8 requisition of the county treasurer, shall deliver additional number
 9 plates and certificate containers. The department shall keep an accu-
 10 rate record of all number plates issued to each county, and shall also
 11 keep a record showing the assignment thereof by the county treas-
 12 urer to motor vehicles. Such number plates shall be of metal, at
 13 least six (6) inches wide and not less than fifteen (15) inches in
 14 length, on which there shall be the initials "Ia" and numerals indi-
 15 cating the year for which it is issued; and shall be of a distinctively
 16 different color each year, and there shall be at all times a marked
 17 contrast between the colors of the number plates and that of the
 18 numerals or letters thereon; said colors to be designated by the
 19 department. The distinctive number assigned to the vehicle shall
 20 be set forth in numerals four (4) inches long, each stroke of which
 21 shall be at least five-eighths (5-8) of an inch in width. In the case
 22 of a motor vehicle registered by a manufacturer or dealer, there shall
 23 be on such plate, in addition to the foregoing, the letter "D" each
 24 stroke of such letter to be at least four (4) inches long and five-
 25 eighths (5-8) of an inch in width. The number plates for use on a
 26 motor bicycle or a motorcycle shall be one-half ($\frac{1}{2}$) the size above

27 stated. All number plates issued shall be and remain the property
28 of the state of Iowa.

SEC. 8. Renewals — failure to pay fee for previous period —
1 registration withheld for — expiration. Registration shall be
2 renewed annually as provided in section ten (10), to take effect on
3 the first day of January of each year; provided, that the county
4 treasurer shall withhold the registration of any motor vehicle the
5 owner of which shall have failed to register the same under the provi-
6 sions of this act, for any previous period or periods for which it
7 appears that registration should have been made, until the fee for
8 such previous period or periods shall be paid. All certificates of reg-
9 istration issued under provisions of this act shall expire on the last
10 day of the calendar year for which they were issued.

SEC. 9. Dismantled motor vehicle — procedure as to license plates
1 —misdemeanor — penalty. When a motor vehicle is permanently
2 dismantled or no longer used on the public highway, the owner thereof
3 shall detach the license plates and surrender them to the county
4 treasurer, who shall cancel the registration of record and report such
5 cancellation forthwith to the department upon blanks provided for
6 that purpose. Such license plates shall be destroyed by the county
7 treasurer who shall so advise the department. A failure to comply
8 with the provisions of this act shall constitute a misdemeanor and
9 upon conviction shall be punishable by a fine of not less than five
10 dollars (\$5.00) nor more than fifty dollars (\$50.00) or by imprison-
11 ment not exceeding ten days.

SEC. 10. License fee — to whom and when paid — classification
1 — schedule of rates, etc. An annual license fee shall be paid for
2 each motor vehicle operated upon the public highways of this state
3 unless said vehicle is specifically exempted under the provisions of
4 this act. Said license fee shall be paid to the county treasurer at the
5 same time the application is made for the registration or reregistra-
6 tion of said motor vehicle and the county treasurer shall not issue a
7 registration certificate for any motor vehicle until the proper license
8 fee has been paid.

9 The amount of said license fee shall be and is fixed at the following
10 rates:

11 1. For all motor vehicles except motor trucks, motorcycles and
12 motor bicycles, a fee equal to one per cent of the value as fixed by
13 the executive council, plus forty cents for each one hundred pounds
14 or fraction thereof of weight of vehicle, as fixed by the executive
15 council, provided that no motor vehicle regardless of age shall be
16 licensed for less than ten dollars (\$10.00).

17 The executive council shall annually classify all such motor vehicles
18 by value and by weight. The value shall be fixed at the next even
19 one hundred (100) dollars above the retail list price when new F. O. B.
20 the factory, and the weight shall be fixed at the next even one hun-
21 dred (100) pounds above the manufacturers' shipping weight or the
22 actual weight of the vehicle fully equipped.

23 2. After said motor vehicle has been registered five times, that
24 part of the license fee which is based on the value of said vehicle shall
25 be one-half the rate as fixed when new, except as provided in para-
26 graph one (1) above, and the sworn statement of the registrant as

27 to the number of times such motor vehicle has been registered shall
28 be conclusive evidence of that fact.

29 3. For all motorcycles the annual license fee shall be five dollars
30 (\$5.00). When said motorcycle has been registered five (5) times,
31 the annual license fee shall be one-half the rate when new.

32 4. For all motor trucks, the fee shall be fixed in accordance with
33 the following schedule:

34	a. Motor trucks equipped with all pneumatic tires:	
35	For 1 ton or less capacity	\$15.00 per annum
36	“ 1½ tons capacity	22.50 “ “
37	“ 2 “ “	30.00 “ “
38	“ 2½ “ “	45.00 “ “
39	“ 3 “ “	65.00 “ “
40	“ 3½ “ “	90.00 “ “
41	“ 4 “ “	105.00 “ “
42	“ 4½ “ “	120.00 “ “
43	“ 5 “ “	135.00 “ “
44	“ 6 “ “	165.00 “ “
45	b. Motor trucks equipped with two or more solid rubber tires:	
46	For 1 ton or less capacity	\$15.00 per annum
47	“ 1½ tons capacity	22.50 “ “
48	“ 2 “ “	30.00 “ “
49	“ 2½ “ “	55.00 “ “
50	“ 3 “ “	75.00 “ “
51	“ 3½ “ “	100.00 “ “
52	“ 4 “ “	115.00 “ “
53	“ 4½ “ “	130.00 “ “
54	“ 5 “ “	145.00 “ “
55	“ 6 “ “	175.00 “ “

56 Provided that for all trucks having a load capacity above two tons
57 and operated exclusively within the limits of cities and towns, the
58 annual license fee shall be two-thirds the rates fixed above.

59 The license fee for each ton of load capacity above six tons shall
60 be fifty dollars in addition to the six ton rate, provided that no license
61 shall be issued for any motor truck having a greater load capacity
62 than six tons without a specific permit from the municipal authorities
63 for operation entirely within the limits of municipalities and without
64 a specific permit from the state highway department and board of
65 supervisors for operation without the limits of municipalities. Said
66 permit may define and limit the streets and highways over which
67 said heavy trucks may be licensed to operate.

68	c. Motor trucks equipped with iron, steel or hard tires:	
69	1 ton or less capacity	\$40.00
70	1½ ton capacity	50.00
71	No license issued for heavier load capacities.	

72 5. For all trailers, the license fee shall be fixed in accordance with
73 the following schedule:

74	Trailers equipped with all pneumatic tires:	
75	1 ton or less capacity	\$10.00
76	2 “ “	15.00
77	3 “ “	25.00
78	4 “ “	40.00
79	5 “ “	50.00
80	6 “ “	60.00

81	Trailers equipped with two or more solid rubber tires:	
82	1 ton or less capacity	\$10.00
83	2 " "	15.00
84	3 " "	35.00
85	4 " "	50.00
86	5 " "	60.00
87	6 " "	70.00
88	Trailers equipped with iron, steel or hard tires:	
89	1/2 ton capacity	\$3.00
90	1 " "	15.00
91	2 " "	30.00
92	All motor trucks, trailers, and motor vehicles used for other than	
93	the conveyance of passengers shall have attached thereto a conspicu-	
94	ous metal plate giving the actual weight of the vehicle equipped and	
95	weight of loading capacity as specified by the manufacturer or maker	
96	and no license shall be issued until the vehicle is so equipped. Any	
97	person violating any of the provisions of this section shall be deemed	
98	guilty of a misdemeanor, and upon conviction, shall be subject to a	
99	fine of not less than five dollars (\$5.00) nor more than (\$50.00) fifty	
100	dollars for the first and second offenses. Upon a third conviction,	
101	the department shall have authority to cancel the certificate of reg-	
102	istration and call in the number plates and a new license shall not	
103	be issued for any such motor vehicle for a period of one year.	

SEC. 11. **Chauffeur — license — fee — certificate — badge — duplicates—renewals—minors—fictitious names—revocation of license —automobiles, etc.—taking without consent—penalty.** It shall be unlawful for any person, known as a chauffeur, and employed for hire therefor, to operate or drive a motor vehicle upon the public highways, or streets, of cities or towns of this state, unless licensed by the department as herein provided.

Any person desiring a chauffeur's license shall file with the department an application under oath stating his name, residence, business address, if any, age, color, single or married, whether he has ever been convicted of a violation of the motor vehicle laws of this state or any other state, or has been convicted within one year of intoxication, and such other information as the department may require. Such license shall not be issued until the department is satisfied that the applicant is over eighteen (18) years of age and is a fit and proper person to receive such license. The fee for chauffeur's license shall be two dollars (\$2.00) payable annually and shall expire on the last day of the year for which it is issued.

To each person shall be assigned a distinguishing number and the department shall issue to the licensee a certificate containing the distinguishing number assigned to the licensee, his name, age, place of residence, business address, if any, and a brief description of the licensee for purpose of identification, and such other information as the department shall deem necessary. Each person licensed as a chauffeur, shall endorse his usual signature on the license certificate and his license shall not be valid until the certificate is so endorsed.

The department shall also furnish, without extra charge therefor to each chauffeur licensed a suitable metal badge with the number assigned to him stamped thereon, such badge to have stamped thereon the words "Registered Chauffeur No., Iowa," and year of issue.

30 This badge shall thereafter be worn by such chauffeur, affixed to
31 his clothing in a conspicuous place, at all times when he is operating
32 a motor vehicle upon the public highway and the license certificate
33 shall be carried at all times when he is operating a motor vehicle
34 upon the public highway and shall be produced for inspection upon
35 request by any peace officer. In case of the loss of such badge or
36 certificate a duplicate will be issued by the department on the filing of
37 an affidavit showing the fact of loss, and on payment of a fee of one
38 dollar (\$1.00) to the department in the case of a badge, and fifty
39 cents (\$.50) in case of a certificate. Applications for the annual
40 renewal of license by chauffeurs shall be accompanied by the fee
41 required by this section. No chauffeur's license or badge shall be
42 issued to any applicant under the age of eighteen (18) years; pro-
43 vided, that it shall be unlawful for any person to cause or knowingly
44 to permit his or her child, ward or employee to operate a motor
45 vehicle upon the public highway as a chauffeur without first having
46 obtained such license as hereinbefore specified; and the application
47 to the department of a minor to operate a motor vehicle, as chauffeur,
48 shall not be granted by the department unless the parent or parents
49 having custody of such applicant or the guardian of such applicant
50 shall have joined in said application by signing the same; and pro-
51 vided further, that any negligence of a minor, so licensed, in operat-
52 ing a motor vehicle upon the public highway, as chauffeur, shall be
53 imputed to the person, persons or corporation, who shall employ said
54 chauffeur; which person, persons, or corporation shall be jointly and sever-
55 ally liable with such minor for any damage caused by such negligence.

56 Upon the receipt of an application, the department shall register
57 the applicant in a book or on index cards which shall be kept in the
58 same manner as the books or index cards for the registration of
59 motor vehicles.

60 No person shall use a fictitious name in applying for such chauffeur's license, nor shall any chauffeur voluntarily permit any other person to possess or use his license certificate or badge; nor shall any person, while operating a motor vehicle, use or possess any license certificate or badge belonging to another person.

65 No person shall display or cause or permit to be displayed, or have in his possession, any canceled, revoked, altered or fictitious registration number plates, registration certificate, chauffeur's license certificate or chauffeur's badge, as the same are respectively provided for in this act.

70 The official head of the department may, after due hearing, upon not less than five (5) days' notice to be sent by registered letter to the address given by the person seeking a chauffeur's license, which shall constitute a sufficient service of notice, suspend or revoke the chauffeur's license issued to any person under this act, for any cause which he may deem sufficient, or he may, when a chauffeur has been convicted a third time of a violation of any of the provisions of this act, revoke or suspend the license of the chauffeur so convicted and no new license shall be issued to such person for at least one (1) year after the date of revocation of such license nor thereafter except in the discretion of the said officer. Any certificate or license issued to any chauffeur to operate motor vehicles upon an application or statement which is untrue as to any material fact, shall be void from the date of issue.

84 Any chauffeur whose license shall be revoked by the department,
 85 or shall be found to be void, shall forthwith return his license certi-
 86 ficate and badge to the department. If any chauffeur or other person
 87 shall without the consent of the owner take or cause to be taken any
 88 automobile or motor vehicle and operate or drive or cause the same
 89 to be operated or driven, he shall be imprisoned in the penitentiary
 90 not to exceed one year or be imprisoned in the county jail not to
 91 exceed six months, or be fined not to exceed five hundred dollars
 92 (\$500.00).

SEC. 12. Motor vehicle — operator under 15 years of age —
 1 responsibility for damage. No person under fifteen (15) years of
 2 age shall operate or drive a motor vehicle by permission from the
 3 owner of the car unless such person be accompanied by a person of
 4 mature years and in all cases where damage is done by any car driven
 5 by any person under fifteen (15) years of age and in all cases where
 6 damage is done by the car, driven by consent of the owner, by reason
 7 of negligence of the driver, the owner of the car shall be liable for
 8 such damage.

SEC. 13. Manufacturers — models, list price, weight — statement
 1 — filing of with department — rebuilt or foreign cars, etc. Every
 2 manufacturer of a motor vehicle sold or offered for sale within this
 3 state, either by the manufacturer, distributor, dealer or any other
 4 person, shall, on or before the first day of June, 1919, and annually
 5 thereafter, file in the office of the department a sworn statement
 6 showing the various models manufactured by him, and the retail list
 7 price and weight of each model as of June first of that year. No
 8 motor vehicle shall be registered in this state unless the manufac-
 9 turer thereof has furnished to the department the sworn statement
 10 herein provided, giving the list price and weight of the model of the
 11 motor vehicle that is offered for registration, except that the county
 12 treasurer shall have authority to fix the value and weight of any
 13 rebuilt or foreign car or any car on which the list price and weight is
 14 not available, provided the department shall have authority to review
 15 the action of the county treasurer in such cases, establish the correct
 16 value and weight and revoke the findings of the county treasurer, if
 17 found incorrect.

SEC. 14. Motor vehicles — exemption as to fees — penalties —
 1 distinguishing plates — separate records. All motor vehicles owned
 2 and used in the transaction of official business by the representatives
 3 of foreign powers or by officers, boards or departments of the govern-
 4 ment of the United States, and by the state of Iowa, counties, munic-
 5 ipalities and other subdivisions of government, and such self-propelling
 6 vehicles as are used neither for the conveyance of persons for hire,
 7 pleasure or business nor for the transportation of freight, and small
 8 trailers, under one thousand (1000) pounds capacity, equipped with
 9 rubber tires, used with pleasure motor vehicles and used for carrying
 10 personal baggage or effects, are hereby exempted from the payment
 11 of the fees in this act prescribed, but shall not be exempt from the pen-
 12 alties herein provided. The department shall furnish, on application,
 13 free of charge, distinguishing plates for motor vehicles thus exempted
 14 and keep a separate record thereof.

SEC. 15. Department — annual statement — what to include — executive council — requirement of. The department shall prepare, prior to the second day of July, 1919, and annually thereafter, a statement showing all the different makes and models of motor vehicles previously registered in his department, and all the different makes and models of motor vehicles, statements of which have been filed in his office as provided in section thirteen (13) hereof, together with the retail list price and weight of the same, and the executive council shall, on or before the 15th day of July of each year, and at such other times as they may deem necessary, fix the value and weight of each of the different makes and models of motor vehicles so reported to them by the department, or which are sold or offered for sale within the state.

The statement prepared by the department shall also include the load capacities of the various makes and models of motor trucks and trailers and the proper license fee to be paid for the registration of each.

SEC. 16. Motor vehicles — lien against — registration fees as — collection — delinquent fees — procedure of department and county officers, etc. All registration or other fees herein or heretofore provided for in this act shall be and continue a lien against the motor vehicle for which said fees are payable until such time as they are paid as provided by law, with any accrued penalties. The lien of the original registration fee shall attach, at the time the same is first payable, as provided by law, and the lien of all renewals of registration shall attach on January 1st of each year thereafter. The collection of same may be enforced against any motor vehicle or it may be collected by suit against the owner who shall remain personally liable therefor until such time as the transfer thereof shall be reported to the county treasurer or until such time as said vehicle ceases to be in use and all fees and penalties to such date shall be paid. On January 1st of each year, a penalty of one dollar (\$1.00) shall be added to all fees not paid by that date, and one dollar (\$1.00) shall be added to such fees on the first of each month thereafter that the same remains unpaid, until paid.

On April first of the year 1921, and annually thereafter, the department shall forward to the county treasurer of each county, a list of all motor vehicles in said county on which the registration fee has not been paid, showing the amount of the delinquent fee, registration number, make and factory number, together with the name and address of the owner of each car as disclosed by the records. In the first week of May of each year the county treasurer shall cause to be published in each of the official newspapers in his county, a list of all motor vehicles owned within his county upon which the license fee has not been paid for that year. Such list shall show the factory number, make and model of the vehicle together with the name and post-office address of the owner thereof as shown by the records of his office and the amount of the license fee and penalty due upon the vehicle. Immediately after the publication of the list as herein provided, it shall be the duty of the county treasurer to collect the license and penalty.

The county treasurer shall collect from each delinquent, fifty cents (\$.50) on each vehicle on which the fee is delinquent to cover cost of publication. The cost of publication provided for in this section

36 shall be paid as other bills for the maintenance of the department, but
37 shall first be certified by the county treasurer of the county in which
38 the publication was made, and approved by the department. He
39 shall in all cases collect and remit to the department the correct
40 license fee on each motor vehicle registered by him and shall be
41 responsible on his bond for such amount. All fees and penalties col-
42 lected by the county treasurer shall be remitted to the department on
43 or before the fifteenth (15) day of each month following their collec-
44 tions in the same manner as provided by section 1459 of the code.

45 It shall be the duty of the county treasurer to deliver to the sheriff
46 of the county, fifteen (15) days from the date of publication of the
47 delinquent motor list, a certified list of the motor vehicles on which
48 the fees are delinquent, as shown by the record of his office, which
49 list shall show, name and address of owner, make of car, license
50 number, factory and engine number, amount of fees and penalty due.

51 It shall be the duty of the sheriff of the county to forthwith pro-
52 ceed to the collection of the unpaid fees and penalties as certified to
53 him by county treasurer by taking possession of the motor vehicle
54 described in said certified list and proceed to advertise and sell same
55 upon ten (10) days' notice for the purpose of collecting fees, penal-
56 ties and costs. Said certified list shall for all purposes be a sufficient
57 warrant therefore. The procedure of the sale of the motor vehicle
58 for the collection of the license fees, penalties and costs shall be the
59 same as that provided for the collection of the taxes on personal
60 property by distress and sale as set forth in section 1406 of the code.
61 Should a motor vehicle on which the fee is delinquent be removed
62 from the county in which it was originally registered, either by
63 transfer or removal by owner to another county, without having noti-
64 fied the county treasurer or department of such removal and the
65 sheriff knowing to which county same was removed, may forward the
66 warrant to the sheriff of the county where such motor vehicle is at
67 that time, when he shall proceed to collect the same as though the
68 vehicle had been originally registered in his county, and make return
69 to the county treasurer of the county from which he received the
70 warrant.

71 The sheriff shall be entitled to receive as costs, the sum of two
72 dollars (\$2.00) for serving the writ or warrant of seizure and ten
73 cents (\$.10) for each mile actually traveled by him in collecting the
74 fee and penalties, and one dollar (\$1.00) per day for care of the
75 motor vehicle while in his possession, which shall be collected from
76 the owner of such delinquent motor vehicle, such costs and mileage,
77 and costs of care while in his possession, shall be retained by him in
78 full for his services.

79 When the fee and penalties have been collected the same shall forth-
80 with be returned to the county treasurer, together with a report
81 showing the name and address of the owner and description of car
82 upon which such fee was collected. Thereupon the county treasurer
83 shall issue to the owner number plates and a receipt showing payment
84 of fees and penalties.

SEC. 17. Blank books, forms, supplies, etc. — department to fur-
nish county treasurer with — card index (numerical and county) —
1 certificates of registration. It is hereby made the duty of the depart-
2 ment to prepare and furnish the treasurer of each county all blank
3 books, blank forms and all supplies required for the administration

4 of this act, including applications for registration and transfer of
5 vehicles, triplicate receipts, one of which shall be returned to the
6 department on the day the license is issued, one delivered to the owner
7 of the motor vehicle, and one retained by the treasurer of the county,
8 and including duplicate remittance sheets to be used in remitting fees
9 to the department, which shall contain the license number, name and
10 address of owner, weight, price and load capacity of the vehicle, and
11 the fee collected. All receipts for fees paid, certificates of registra-
12 tion, notices of transfer, and other blanks required for the adminis-
13 tration of this act shall contain the license number, and manufac-
14 turer's number, factory number, name of owner, and such other
15 matters as the department may deem necessary for the efficient
16 administration of this act.

17 It shall be the duty of the department to install and maintain a
18 numerical and a county card index, both of which shall contain the
19 following information; viz., name and address of owner, license
20 number, make, factory number, model, style, engine number, date of
21 purchase, registration certificate number, number of cylinders, rated
22 load carrying capacity, weight, list price or value of car fixed by the
23 executive council, fees paid and date of payment.

24 The certificate of registration provided for herein shall contain on
25 its face the name of the owner of the motor vehicle, his postoffice
26 address, date of issue, fee paid, license number, make of car, style
27 of car, model, engine number, factory number, and signature of
28 owner. The reverse side of the certificate of registration shall con-
29 tain notice of sale and transfer of the motor vehicle by the owner to
30 the purchaser with a description of the car as set out in the certificate
31 of registration which shall have blank spaces for the signature of
32 both the owner and purchaser.

**SEC. 18. Registered motor vehicle — transfer of — notice of —
owner and purchaser to join in — duty of purchaser — provisions
applicable.** Upon the transfer of ownership of any registered motor
1 vehicle, the owner shall immediately give notice to the county treas-
2 urer, upon the form on the reverse side of the certificate of registra-
3 tion, stating the date of such transfer, the name and postoffice
4 address, with street number if in a city, of the person to whom trans-
5 ferred, the license number, and such other information as the depart-
6 ment may require. The purchaser of the motor vehicle shall join in
7 the notice of transfer to the county treasurer and shall at the same
8 time make application for the transfer of the motor vehicle and for a
9 new certificate of registration. Upon filing the application for trans-
10 fer, the applicant shall pay a fee of one dollar (\$1.00) for the
11 transfer, thereupon the county treasurer, if satisfied of the genuine-
12 ness and regularity of such transfer, shall register said motor vehicle
13 in the name of the transferee and issue a new certificate of registra-
14 tion as provided in this act. Until said transferee has received said
15 certificate of registration and has written his name upon the face
16 thereof, delivery and title to said motor vehicle shall be deemed not
17 to have been made and passed. The county treasurer shall forthwith
18 notify the department of such transfer and upon receipt of such
19 statement, the department shall file such statement in his office and
20 note upon the registration book or index, such change of ownership.
21

22 The provisions provided for herein for the transfer of motor vehicles
 23 shall apply to the sale and transfer of all motor vehicles to manufac-
 24 turers or dealers.

1 **SEC. 19. Motor vehicles — registration fees in lieu of taxes.** The
 2 registration fees imposed by this act upon motor vehicles, other than
 3 those of manufacturers and dealers, shall be in lieu of all taxes, gen-
 4 eral or local, to which motor vehicles may be subject.

5 **SEC. 20. Secondhand or used automobiles, etc. — vendor and ven-
 6 dee — requirements of — serial or other numbers — defacing or
 7 altering — violation of act — penalty.** It shall be unlawful for any
 8 person, firm, association, or corporation to buy any secondhand or
 9 used automobile, or motor vehicle without requiring and receiving
 10 from the vendor thereof, a certificate of registration and transfer from
 11 the officer whose duty it is to register or license motor vehicles in the
 12 state in which said motor vehicle is registered or licensed, showing
 13 the factory number, license number, description, and ownership of
 14 said motor vehicle or to sell or offer for sale any secondhand or used
 15 motor vehicle without furnishing to the vendee of said motor vehicle,
 16 a certificate of registration and transfer from the officer whose duty
 17 it is to register or license motor vehicles in the state in which said
 18 motor vehicle is registered or licensed, showing the factory number,
 19 description, license number and ownership of said motor vehicle.

20 It shall be unlawful for any person, firm, association or corporation
 21 to deface, or alter any serial number, engine number or assembling
 22 number of a motor vehicle or registration number of certificate of
 23 registration or to have in his or its possession a motor vehicle, the
 24 serial number or engine number of which is defaced, altered or tam-
 25 pered with unless said person, firm, association or corporation has in
 26 his or its possession a certificate of registration and transfer from
 27 the officer whose duty it is to register or license motor vehicles in the
 28 state in which said motor vehicle is registered, showing good and
 29 sufficient reason why numbers are defaced, changed or tampered
 30 with; and also showing the original serial or engine number, and also
 showing the ownership of said motor vehicle.

Any person, firm, association or corporation found guilty, personally
 or by agent, of violating any of the provisions of this section shall be
 imprisoned in the penitentiary not more than five (5) years or be
 fined not more than one thousand dollars (\$1,000) or be imprisoned
 in the county jail not more than one (1) year.

1 **SEC. 21. Motor vehicle — application for registration by vendee
 2 — dealer's registration number — temporary use of — "car in transit"
 3 — cars owned in other states.** Upon the sale of a motor vehicle by a
 4 manufacturer or dealer, the vendee shall at once make application by
 5 mail or otherwise, for registration thereof, after which he may operate
 6 the same upon the public highway without its individual number plate
 7 thereon for a period of not more than fifteen (15) days, provided, that
 8 during such period the motor vehicle shall have attached thereto, in
 9 accordance with the provisions hereof, both on the front and rear of
 10 such vehicle, pasteboard cards bearing the words, "License Applied
 11 For", and the registration number of the dealer from whom the car
 12 was purchased together with the date of purchase plainly stamped or
 stenciled thereon. The letters and figures upon such cards shall not
 be less than one (1) inch in height except that the letters in the words

13 "License Applied For", shall not be less than two (2) inches in
14 height, provided, that no manufacturer or dealer shall issue or per-
15 mit the use of such card until an application for a license has been
16 made, as herein provided, by the person to whom it is issued. The
17 department shall, upon the application of any manufacturer or
18 dealer, furnish such cards free of charge with the words "License
19 Applied For" printed thereon and sufficient blank space to permit the
20 printing, stamping or stenciling thereon of the dealers' number and
21 the date. Provided further, that a motor vehicle that is being
22 brought into this state from another state either for use or for sale
23 herein, may be driven upon the public highway for a period of not to
24 exceed ten (10) days provided it shall carry, both on the front and
25 rear a pasteboard card bearing the words "Car in Transit", and the
26 date of purchase. The words, letters and figures upon said car shall
27 be of the same size and general character as those required in this
28 section for the cards showing that application has been made for a
29 license. Nothing in this section, however, shall be construed so as
30 to interfere with the use of motor vehicles upon the highways of this
31 state that are owned by persons living in another state, regulation of
32 which is provided for elsewhere in this act.

SEC. 22. **Number plates — display of — certificate of registration — container — license numbers, certificate colors, etc. — change of — misdemeanor — penalty.** Every motor vehicle required to be licensed shall have conspicuously displayed the number plates furnished, one on the front end and one on the rear end of such vehicle, each securely fastened, so as to prevent the same from swinging and each so placed that the same shall not become habitually obscured by dust and mud. The number plates of a junked or dismembered vehicle shall not thereafter be used, and no number plate shall be detached from the vehicle for which it is issued and to which it belongs for the purpose of using the same upon any other vehicle, and any such plates shall not be used upon any vehicle, other than that for which it was issued. The certificate of registration issued by the county treasurer shall also be displayed in a proper holder that will protect the same, of a kind approved by the executive council and placed in plain view in such place on or in the vehicle where the same can be easily seen by any peace officer or other person desiring to ascertain when the license fee was paid, and whether the car bears the proper certificate of registration. The department may prescribe the exact location of such certificate container. The executive council may at its discretion approve devices for holding and displaying the certificate of registration, and may require such devices to receive and hold such certificate so that when the certificate is removed from the holder the certificate will be destroyed or mutilated so it cannot be used on other vehicles. It shall be unlawful to change the license numbers assigned by the county treasurer to any motor vehicle, unless for some cause a new number may be assigned according to law or to change the colors or make any counterfeit of certificate of registration, or to use or display on any motor vehicle any other than the certificate of registration licensing such vehicle or to intentionally use or display any such certificate on which the names, numbers, or data stated are not true, or do not correspond to the vehicle licensed, such certificate of registration shall be of a distinctively different color each year and shall

32 have date thereon that shall identify only the car on which same is
33 carried.

34 Any violation of this section shall constitute a misdemeanor, and
35 upon conviction shall be punishable by a fine of not less than ten dol-
36 lars (\$10.00) nor more than one hundred dollars (\$100.00), or by
37 imprisonment not exceeding thirty (30) days.

SEC. 23. **Manufacturers, etc. — general distinctive number —**
1 **certificate — number plates — duplicates, etc.** Every person, firm,
2 association or corporation manufacturing or dealing in motor vehicles,
3 may instead of registering each motor vehicle, make an application for
4 a general distinctive number for all the motor vehicles owned or con-
5 trolled by such manufacturer or dealer. On the payment of a regis-
6 tration fee of twenty-five dollars (\$25.00), such application shall be
7 registered in the office of the department. The department shall
8 thereupon assign and issue to such manufacturer or dealer a general
9 distinctive number, and without expense to the applicant, issue and
10 promptly deliver to such manufacturer or dealer, a certificate of regis-
11 tration and two number plates with a number corresponding to the
12 number of such certificate.

13 Such number plates shall be displayed by each motor vehicle of
14 such manufacturer or dealer when the same is operated or driven on
15 the public highways. Such manufacturer or dealer may obtain as
16 many duplicates of such number plates as may be desired upon the
17 payment to the department of fifteen dollars (\$15.00) for each dupli-
18 cate set, provided that if a manufacturer or dealer has an established
19 place of business in more than one city or town, such manufacturer or
20 dealer shall secure a separate and distinct certificate of registration
21 and number plates for each such place of business. Nothing in this
22 section shall be construed to apply to a motor vehicle operated by a
23 manufacturer or dealer for private use or for hire, which said motor
24 vehicle shall be individually registered as provided in this act.

SEC. 24. **Nonresidents — registration, display of numbers, etc.**
1 The provisions of the foregoing sections relative to registration and
2 display of registration numbers shall not apply to a motor vehicle
3 owned by a nonresident of this state, other than a foreign corpora-
4 tion, manufacturer or dealer doing business in this state, provided
5 that the owner shall have complied with the provisions of the law of
6 the foreign country, state, territory or federal district of his resi-
7 dence relative to registration of motor vehicles and the display of
8 registration numbers thereon and shall conspicuously display his reg-
9 istration numbers as required thereby. The provisions of this sec-
10 tion shall be operative as to a motor vehicle owned by a nonresident
11 of this state to the extent that under the laws of the foreign country,
12 state, territory or federal district of his residence like exemptions and
13 privileges are granted to motor vehicles duly registered under the
14 laws, and owned by the residents of this state.

SEC. 25. **Motor vehicles — (a) brakes — (b) signalling device —**
1 **(c) lights — (d) cut-out device and muffler — enforcement of pro-**
2 **visions.** (a) Every motor vehicle, while in use on the public high-
3 ways of this state, shall be provided with adequate brakes. (b)
4 Every motor vehicle shall be equipped with a suitable bell, horn, or
5 other signalling device producing an abrupt sound sufficiently loud to
serve as an adequate warning of danger, but no persons operating any

6 motor vehicle shall make or cause to be made any unnecessary noise
7 with such bell, horn or signalling device, or use the same except as a
8 warning of danger. Loud signalling devices shall not be used during
9 the period of from one hour after sunset to one hour before sunrise,
10 unless absolutely necessary to avoid accidents. An adequate signal-
11 ling device shall in all cases be sounded on approaching curves, tops
12 of hills, and the intersecting highways in the country where the
13 operator's view is obscured. (c) All motor vehicles in use on the
14 public highways excepting motorcycles, motor bicycles, and such
15 motor vehicles as are properly equipped with one light in the for-
16 ward center of such motor vehicle, shall, during the period of from
17 one-half hour after sunset to one-half hour before sunrise, display
18 two or more white or tinted lights, other than red, on the forward
19 part of said vehicle, so placed as to be seen from the front, and of
20 sufficient illuminating power to be visible at a distance of five hundred
21 (500) feet in the direction in which displayed, and to reveal any per-
22 sons, vehicle or substantial object seventy-five (75) feet ahead of the
23 lamps. Such motor vehicle when in use shall also display on the
24 rear a lamp so constructed and placed as to show a red light from the
25 rear and throw a white light directed upon the rear registration
26 marker and render the numerals thereon visible for at least fifty (50)
27 feet in the direction from which the vehicle is proceeding. Motor-
28 cycles, motor bicycles and motor vehicles equipped with one light as
29 herein provided, shall display on the forward part one white or tinted
30 light, as aforesaid, and a red light to the rear, so constructed and
31 placed as to throw a white light directly upon the registration marker
32 as prescribed in the case of any other motor vehicle, provided that the
33 operator of any motor vehicle may proceed in a cautious and careful
34 manner, in the event of a failure of one or more of his lights to operate,
35 toward his destination, but he shall take the first reasonable oppor-
36 tunity to put his lights in order, otherwise to be deemed guilty of
37 violation of this provision. The provision as to the rear light shall
38 also apply to vehicles which are trailed or towed by motor vehicles.
39 It shall be unlawful to use on a vehicle of any kind operated on the
40 public highways of this state, including motorcycles, any lighting
41 device of over four (4) candle power, equipped with a reflector, unless
42 the same shall be so designed, or arranged that the directly reflected
43 and undiffused beam of such light when measured seventy-five (75)
44 feet or more ahead of the light shall not rise above forty-two (42)
45 inches from the level surface on which the vehicle stands under all
46 conditions of load. If, in addition to headlights, any such vehicle is
47 equipped with any auxiliary light, projecting lights, or devices other
48 than the rear lamp, such auxiliary light or lights shall be subject to
49 all the restrictions of this section, regarding direction of the beam.
50 If a spotlight is used on a motor vehicle it shall be unlawful for any
51 person to direct its rays toward the eyes of the driver or occupants
52 of an approaching vehicle, or to the left of the center of the traveled
53 way when meeting another vehicle. No person shall operate a motor
54 vehicle on any highway of this state equipped with an electric bulb or
55 other lighting device of a greater capacity than thirty-two (32)
56 candle power, no matter how the same may be shaded, covered or
57 obscured. Any person who shall turn all or any of his motor vehicle's
58 lights off for the purpose of avoiding arrest or identification, shall be
59 deemed guilty of a misdemeanor and, upon conviction, subject to a

60 fine of one hundred dollars (\$100.00) or imprisonment for a period of
61 not to exceed thirty (30) days, or both fine and imprisonment. (d)
62 It shall be unlawful for any operator of any motor car, taxicab, auto-
63 mobile, motor truck or motorcycle, while on the public highway, to
64 use any cut-out fitting or other apparatus or device which will allow
65 the exhaust gases from the engine of the motor vehicle to escape into
66 the atmosphere without first passing through a silencer, expansion
67 chamber, or other contrivance suitable and sufficient for reducing as
68 far as may be reasonably practicable, the noise which would other-
69 wise be caused by the escape of the said gases, provided further, that
70 it shall be unlawful for any person to drive or to permit to be driven
71 on the streets of any city or town, any motor vehicle at any time with
72 the muffler cut out or not in operation. Any violation of this section
73 shall constitute a misdemeanor, and upon conviction, shall be pun-
74 ished by a fine of not less than five dollars (\$5.00) nor more than
75 twenty-five dollars (\$25.00) for the first and second offense, provided
76 further that for the third conviction the department shall revoke the
77 license and certificate of registration of the person so convicted and
78 no new license or certificate shall be granted to the person for a
79 period of one (1) year.

80 It shall be the duty of the mayor of cities and towns, the police,
81 sheriff, and all peace officers to enforce provisions of this act.

SEC. 26. Motor vehicles — control — street car passengers — requirement for safety of — operator — specific duties set forth

1 (a—o). Upon approaching any person walking in the traveled por-
2 tion of any public highway or a horse or any animal being led, ridden
3 or driven thereon, or a crossing or intersection of public highways,
4 or a bridge, or a sharp turn, or a curve, or a steep descent, and also
5 in passing such person or such horse or other animal, and in travers-
6 ing such crossing, bridge, turn, curve or descent, the person operat-
7 ing a motor vehicle or motorcycle shall have the same under control
8 and shall reduce the speed to a reasonable and proper rate.

9 Except where safety zones are provided, and the highway is of
10 sufficient width to admit of safe passage, the driver or operator of
11 every vehicle shall bring the same to a full stop not less than five
12 (5) feet from the rear of any street car headed in the same direc-
13 tion which has stopped for the purpose of taking on and discharging
14 passengers, and remain standing until such car has taken on or dis-
15 charged its passengers. Any person violating any requirement of
16 this section shall be deemed guilty of a misdemeanor and subject
17 upon conviction to a fine of not less than five dollars (\$5.00) nor
18 more than one hundred dollars (\$100.00) for the first offense, and
19 double said penalties for any subsequent offense. The provisions of
20 this section shall apply to the operator who causes his motor vehicle
21 to be operated in violation of this section.

22 (a) The operator of a motor vehicle shall turn to the right when
23 meeting another vehicle, and in cities and towns shall at all times
24 travel on the right-hand side of the center of the street.

25 (b) The operator of a motor vehicle, when overtaking and pass-
26 ing another vehicle, shall pass to the left when the surface of the
27 ground will permit and shall not drive to the right until clear of
28 such vehicle.

29 (c) The operator of a motor vehicle shall, before stopping, turn-
30 ing or changing the course of such vehicle, first see that there is

31 sufficient space to make such movement in safety and shall give a
32 visible or audible signal to the crossing officer, if there be such, or
33 to the drivers of vehicles following, of his intention to make such
34 movement, by raising and extending the hand and indicating with
35 it the direction in which he wishes to turn.

36 (d) The operator of a motor vehicle, in turning to the right
37 from one street or highway into another, shall turn the corner as
38 near the right-hand as practicable, and, in turning to the left from
39 one street or highway into another, shall pass to the right of and
40 beyond the center before turning.

41 (e) The operator of a motor vehicle, in crossing from one side of
42 the street, or highway, to the other side thereof, shall turn to the
43 left, so as to head in the direction in which vehicles are moving.

44 (f) In cities and towns it shall be unlawful to stop a motor
45 vehicle on the street unless the right side thereof is next to and
46 parallel with the curb and as near thereto as the condition of the
47 street will permit; provided, however, that cities and towns shall
48 have the power to designate by ordinance suitable areas within which
49 automobiles may be parked or left standing (without being parallel
50 to the curb), and to prescribe rules governing the use of such areas
51 for such purpose; provided, that this rule shall not apply in cases of
52 emergency, when the stop is made to avoid accident or to allow
53 pedestrians or vehicles to cross in front of such motor vehicle, or
54 when made in obedience to the signal of a police officer.

55 (g) In cities and towns it shall be unlawful for the operator of
56 any motor vehicle to overtake and pass another vehicle at street
57 intersections in the business districts.

58 (h) It shall be unlawful for the operator of a motor vehicle to
59 permit the motor of same to operate in such a manner as to visibly
60 emit an unduly great amount of steam, smoke or products of com-
61 bustion from exhaust pipes or openings.

62 (i) Where two vehicles are approaching on any public street or
63 highway so that their paths will intersect and there is danger of
64 collision, the vehicle approaching the other from the right shall have
65 the right of way.

66 (j) In cities and towns, it shall be unlawful for the operator of
67 any motor vehicle to leave any such vehicle standing upon any
68 street in the business district thereof within fifteen (15) feet of the
69 corner or within fifteen (15) feet of any hydrant.

70 (k) In cities and towns no motor vehicle shall be left standing
71 in front of or within fifteen (15) feet of either side of the entrance
72 of any theatre, auditorium or other building where large assem-
73 blages of people are being held, except in taking on or discharging
74 passengers or freight, and then only for such length of time as is
75 necessary for such purpose.

76 (l) At theatres and public gatherings in cities or towns, or under
77 unusual circumstances, motor vehicles shall stand or move as directed
78 by the police.

79 (m) It shall be unlawful for the operator of any motor vehicle
80 or person in charge thereof to leave unattended upon any street or
81 highway a motor vehicle with the engine running.

82 (n) The driver of any vehicle driven or propelled upon the public
83 highways shall, when overtaken by a faster moving vehicle proceed-
84 ing in the same direction, upon a signal, either by the sounding of a

85 bell, horn or other signalling device, given by the driver of the over-
 86 taking vehicle, cause his vehicle to be driven to the right of the
 87 center of the traveled way if he can do so with safety and remain
 88 to the right of the center of such traveled way until the overtaking
 89 vehicle shall have safely passed. Any driver of a vehicle that is
 90 overtaken by a faster moving vehicle who fails to heed the signal
 91 of the overtaking vehicle when it is given under such circumstances
 92 that he could, by the exercise of ordinary care and observation and
 93 precaution, hear such signal and who fails to yield that part of the
 94 traveled way as herein provided, shall be guilty of a misdemeanor
 95 and upon conviction shall be punished by a fine of not to exceed
 96 twenty-five dollars (\$25.00) or by imprisonment not exceeding ten
 97 (10) days and if upon the trial of the case the person charged with
 98 the violation of this provision shall claim that he did not hear the
 99 signal of the overtaking vehicle, the burden of proof shall rest upon
 100 him to show that he did not hear such signal provided that it shall
 101 first be proven that the overtaking vehicle gave a signal by the use
 102 of a bell, horn or other signalling device.

103 (o) It shall be unlawful for the operator of any motor vehicle to
 104 leave it standing, while showing a red light, parallel to, and within
 105 twenty-five (25) feet of the tracks of any railroad in cities and
 106 towns.

SEC. 27. Motor vehicle—speed schedule—load on wheel—maxi-
 1 mum width—wood or metal projections on tires. Every person
 2 operating a motor vehicle on the public highway of this state shall
 3 drive the same in a careful and prudent manner, and at a rate of
 4 speed that will not endanger the property of another, or the life or
 5 limb of any person, and shall in no event drive the same at a greater
 6 rate than as follows:

7 (a) Thirty (30) miles per hour if the weight of vehicle and load
 8 is less than three (3) tons and the vehicle is equipped with pneumatic
 9 tires, and twenty-five (25) miles per hour if such vehicle is equipped
 10 with solid rubber tires.

11 (b) Twenty-five (25) miles per hour if the weight of the vehicle
 12 and load is more than three (3) tons and less than six (6) tons and
 13 the vehicle is equipped with pneumatic tires, and twenty (20) miles
 14 per hour if such vehicle is equipped with solid rubber tires.

15 (c) Sixteen (16) miles per hour if the weight of the vehicle and
 16 load is more than six (6) tons and the vehicle is equipped with pneu-
 17 matic tires, and twelve (12) miles per hour if such vehicle is equipped
 18 with solid tires.

19 (d) Ten (10) miles per hour if the vehicle or any trailer is
 20 equipped with two (2) or more metal tires.

21 Provided, that the local authorities of any city or town may estab-
 22 lish a suburban district in which the maximum speed of any vehicle
 23 shall not exceed twenty (20) miles per hour, and a business district
 24 in which the maximum speed of any vehicle shall not exceed fifteen
 25 (15) miles per hour, provided that such city or town shall have placed
 26 conspicuously on every main highway where the rate of speed
 27 changes, signs of sufficient size to be easily readable by a person
 28 using the highway, bearing the words: "City of"
 29 "Town of". "Slow down to miles"
 30 (the rate being inserted), and also an arrow pointing in the direction

31 where the speed is to be reduced or changed, and also on further con-
32 dition that such ordinance, rule or regulation shall fix the punish-
33 ment for violation thereof, not to exceed twenty-five dollars, or (5)
34 five days in jail, which punishment shall, during the existence of such
35 ordinance, rule or regulation, supersede those otherwise specified in
36 this act.

37 The total maximum load on any one wheel of any motor vehicle
38 including the weight of the vehicle and the load it carries, shall be
39 four tons, provided the total maximum weight of the vehicle and
40 load shall not in any event exceed fourteen tons. The total load on
41 any wheel of any vehicle shall be limited to eight hundred pounds per
42 inch width of tire in actual contact with the road surface, measured
43 at the narrowest point of the tire, on all highways improved with a
44 rigid surface such as concrete, brick or bituminous pavements on a
45 concrete base; and, four hundred pounds per inch width of tire in
46 actual contact with the surface, measured at the narrowest point of
47 the tire, on all highways having earth, gravel or similar surfaces.

48 The maximum width of any motor vehicle and its load shall be lim-
49 ited to eight feet, excepting loads of loose hay, straw and similar farm
50 products.

51 No motor vehicle shall operate over any highway, improved with a
52 gravel or paved surface, which has projections of metal or wood
53 beyond the tread of traffic surface of the tire excepting vehicle
54 equipped with caterpillar tread; provided that tractors, traction
55 engines or similar motor vehicles may be operated which have "V"
56 shaped or diagonal cleats arranged in such a manner that two or more
57 cleats are continuously in contact with the road surface and that the
58 weight per inch width of such cleats in continuous contact with the
59 road surface measured in the direction of the movement of the vehicle
60 does not exceed eight hundred pounds per inch width of tire.

SEC. 28. Rate of speed herein fixed — enactments in conflict —
1 local authorities — powers of under exceptions (1) and (2). Limita-
2 tions as to the rate of speed herein fixed shall be exclusive of all other
3 limitations fixed by law of this state or any political subdivision
4 thereof. Local authorities shall have no power to enact, enforce or
5 maintain any ordinance, rule or regulation in any way in conflict with,
6 contrary to or inconsistent with the provisions of this act, or of any
7 section or other subdivision thereof, and no such ordinance, rule or
8 regulation of said local authorities heretofore, or hereafter enacted
9 shall have any force or effect, excepting, however, that (1) such
10 powers as are now or may hereafter be vested in local authorities to
11 enact ordinances and regulations, applicable equally and generally to
12 all vehicles and other users of the highways, and providing for traffic
13 or crossing officers or semaphores, to bring about the orderly passage
14 of vehicles and other users of the public highways on certain portions
15 thereof, where the traffic is heavy and continuous, as well as (2) the
16 powers now or hereafter vested in local authorities to license and to
17 regulate the operation of vehicles offered to the public for hire, and
18 to regulate the use of the highways for processions or assemblages,
19 shall remain in full force and effect, and all ordinances, rules and
20 regulations which may have been or which may be hereafter enacted
21 in pursuance of such powers, shall remain in full force and effect; and
22 provided, further, that local authorities may by general rule, ordinance
23 or regulation, exclude vehicles from any cemetery or ground used for

24 the burial of the dead, or exclude vehicles used solely or principally
25 for commercial purposes, from any park or part of a park system
26 where such general rule, ordinance, or regulation is applicable equally
27 and generally to all other vehicles used for the same purpose; pro-
28 vided, that at the entrance, or at each entrance if there be more than
29 one, to such cemetery or park from which vehicles are so excluded,
30 there shall have been posted a sign plainly legible from the middle of
31 the public highway on which such cemetery or park opens, plainly
32 indicating such exclusion and prohibition; and provided, further, that
33 the local authorities of any city, town, or city and county may impose
34 additional restrictions to those herein contained applicable to vehicles
35 exclusively used in the carrying of merchandise or articles of freight
36 and of a capacity in excess of one ton in weight and may designate
37 certain streets whereon heavy laden vehicles may be excluded or
38 declared to be "one way" streets, may further, restrict, or prohibit,
39 the use of trailers. Provided, further, that where local authorities of
40 other states shall, by adoption of rules and regulations or otherwise,
41 prohibit motor vehicles from operating upon highways in any sub-
42 division of such other state which motor vehicles are duly licensed
43 under the laws of this state, then in such cases the local authorities
44 of this state may, by ordinance or otherwise, require the motor
45 vehicles of the subdivisions of such other state while operating by
46 their own power in this state to be licensed under the laws of this
47 state.

1 **SEC. 29. Provisions of act — violation of — misdemeanor — pen-**
2 **alty.** The violation of any of the provisions herein shall constitute
3 a misdemeanor punishable by a fine of not to exceed one hundred dol-
4 lars, except as otherwise provided in this act.

1 **SEC. 30. Motor vehicle — operator of — intoxication — misde-**
2 **meanor; culpability for accident — felony; conviction — procedure by**
3 **department and trial court.** Whoever operates a motor vehicle while
4 in an intoxicated condition shall be guilty of a misdemeanor, and shall
5 be punished as provided by section 4906 of the code. Any person
6 operating a motor vehicle, who, knowing that injury has been caused
7 to a person, due to the culpability of said operator, or to accident,
8 leaves the place of said injury or accident without stopping and giv-
9 ing his name, postoffice address, including street number, and regis-
10 tration number of said motor vehicle, to the injured party, and give
11 such aid to the injured person as the circumstances may require, shall
12 be guilty of a felony punishable by fine of not more than five hundred
13 dollars (\$500.00) or by imprisonment for a term not exceeding two
14 (2) years, or by both such fine and imprisonment; and if any person
15 be convicted the second time of either of the foregoing offenses, he
16 shall be guilty of a felony punishable by imprisonment for a term of
17 not less than one (1) year and not more than five (5) years, or by a
18 fine not exceeding one thousand dollars (\$1,000.00). A conviction of
19 a violation of this section shall be reported forthwith by the trial
20 court or the clerk thereof, to the department, who shall, upon recom-
21 mendation of the trial court, suspend the certificate of registration
22 of the motor vehicle operated by the person violating this section, or
23 if he be an owner, the certificate of registration of his motor vehicle;
and if no appeal therefrom is taken, or if an appeal duly taken be dis-
missed or the judgment affirmed, and upon notice thereof by said

24 clerk, the department shall revoke the certificate of registration of
 25 said motor vehicle, and shall order the certificate of registration deliv-
 26 ered to the department, and shall not reissue said certificate of regis-
 27 tration or any other certificate of registration to such person unless
 28 the department, in its discretion, after an investigation, or upon
 29 rehearing, decides to reissue or issue a certificate.

1 **SEC. 31. Certificate of registration — suspension, etc., of — mis-**
 2 **demeanor to operate motor vehicle under.** Any person who operates
 3 any motor vehicle while a certificate of registration of a motor vehicle
 4 issued to him is suspended or revoked, shall be guilty of a misde-

1 **SEC. 32. Application for registration — false statement in — mis-**
 2 **demeanor.** Any person making a false statement in the verified
 3 application for registration shall be guilty of a misdemeanor.

1 **SEC. 33. Violation of act — conviction for — procedure by court;**
 2 **reversal on appeal — duty of department.** Upon conviction of any
 3 person for the violation of any of the provisions of this act, the trial
 4 court or clerk thereof shall immediately certify the facts of the case,
 5 including the name and address of the offender, the judgment of the
 6 court and the sentence imposed, to the department, who shall enter
 7 the same in a book or index kept for that purpose, and in case of any
 8 other person in a book or index of offenders, to be kept for such pur-
 9 pose. If any conviction shall be reversed upon appeal therefrom, the
 10 person whose conviction has been reversed may serve on the depart-
 11 ment, a certified copy of the order of reversal, whereupon, the depart-
 12 ment shall enter the same in the proper book or index in connection
 with the record of such conviction.

1 **SEC. 34. Assault or homicide — prosecution for — conviction not**
 2 **bar to.** A conviction of the violation of any of the provisions of this
 3 act shall not be a bar to a prosecution for an assault or for a homicide
 committed by any person in operating motor vehicles.

1 **SEC. 35. Moneys paid into state treasury — apportionment; unex-**
 2 **pendent balances — biennial apportionment to counties.** Ninety-four
 3 (94) per cent of all moneys paid into the state treasury pursuant to
 4 the provisions of this act, except as otherwise provided by law and
 5 section 39 hereof, shall be apportioned among the several counties in
 6 the same ratio that the area of each county bears to the total area
 7 of the state, said apportionment to be made by the treasurer of state.
 8 Two and one-half (2½) per cent of all moneys paid into the state
 9 treasury on and after the taking effect of this act pursuant to its
 10 provisions, shall be set aside and shall constitute a maintenance fund
 11 for the state highway commission, and three and one-half (3½) per
 12 cent of all of said money paid to the treasurer of state shall consti-
 13 tute a fund for the payment of salaries as provided by law for the
 14 motor vehicle department, the expenses for plates, certificate con-
 15 tainers, blanks, etc., and maintenance of the automobile department.
 16 The maintenance fund for said state highway commission, shall be
 17 drawn out only on warrants drawn by the auditor of state on itemized
 18 vouchers approved by the state highway commission, the expendi-
 19 tures of which commission shall be audited by the state board of audit,
 and a full and complete report of all said expenditures shall be pub-

20 lished in the annual report under the act creating the state highway
21 commission.

22 Biennially, at the close of the calendar year, any unexpended bal-
23 ances remaining in the funds provided for the maintenance of the
24 state highway department and the motor vehicle department which
25 have accrued from the motor license fees paid in for that period, shall
26 be apportioned among the several counties in the same manner as the
27 ninety-four per cent of said funds is apportioned.

SEC. 36. Public garage — record — what to contain — evidence of
1 larceny — duty of proprietor, etc. — violation of act — penalty. It
2 is hereby made the duty of each and every person, firm, association,
3 corporation, copartnership operating a public garage in this state to
4 keep for public inspection a record of the license number and engine
5 or factory serial number of all motor vehicles taken in or held in
6 charge by said garage for the purpose of selling, rental, livery, stor-
7 age or repair. Said record shall contain the name and address of the
8 owner of the motor vehicle, the name and address of the person deliver-
9 ing or taking the motor vehicle to the garage, and the license num-
10 ber and the engine number thereof. The alteration or obliteration of
11 said engine number shall be prima facie evidence of larceny of said
12 motor vehicle, and the proprietor, agents, servants or employes,
13 immediately upon the discovery of such obliteration or alteration,
14 shall notify the sheriff and police officers of the proper county, and
15 shall hold the said motor vehicle for a period of twenty-four (24)
16 hours or until investigation shall have been made by the sheriff or
17 police officers. Provided, however, such record need not be made
18 when a motor vehicle is taken in or held in charge a second time,
19 when the owner or driver is personally known to the proprietor of
20 such garage, his agent or employee.

21 Any person, firm, association, corporation or copartnership found
22 guilty, personally or by agent, of violating any of the provisions of
23 this section shall be fined in a sum not to exceed one hundred dollars
24 (\$100.00).

SEC. 37. Department — issue of act, etc., by — authority on rules
1 and instructions — assistants — authorization. The department
2 shall issue this act in pamphlet form, together with such rules,
3 instruction and explanatory matter as may seem advisable, copies of
4 such pamphlet shall be given as wide distribution as the department
5 shall determine and a supply shall be furnished each county treas-
6 urer.

7 The department shall have full authority to make such rules and
8 issue such instructions as may be necessary to insure and obtain uni-
9 formity in the administration and full enforcement of the provisions
10 of this act. All local officials charged with the administration and
11 enforcement of this act shall act and be governed in their official acts
12 herein required by the rules promulgated by the department.

13 The department is authorized and directed to employ such assistants
14 and clerks as may be required by the department in the administra-
15 tion of this act, provided, the salaries and number of any such assist-
16 ants and clerks shall be authorized by the executive council.

1 SEC. 38. Acts inconsistent — repeal of. All acts or parts of acts
2 inconsistent with this act or contrary thereto are hereby repealed.

SEC. 39. Motor vehicle fund — department — additional for use
 1 of. The department may use in addition to the portion of the motor
 2 vehicle fund set apart as a maintenance fund, such further part of
 3 the motor vehicle fund as may be necessary to carry out the provi-
 4 sions of this act. The provisions of this section shall go into effect
 5 July 4, 1919.

SEC. 40. Act — date of taking effect — provisions — transfer of
 1 department. This act shall take effect December first, nineteen hun-
 2 dred nineteen, except that application for registration may be had
 3 and number plates and licenses issued at any time within thirty (30)
 4 days prior to said date, to be effective thereafter. Provided further,
 5 that those parts of this act relating to the filing of price lists and
 6 weights of motor vehicles and capacity of trucks and trailers by the
 7 manufacturers of motor vehicles, fixing a valuation upon the different
 8 kinds, makes and models of motor vehicles by the executive council as
 9 a basis for fixing a license fee, the preparation of blanks, books,
 10 indexes, the letting of contracts for number plates, containers, chauff-
 11 feur's badges, providing for necessary clerks, the transferring of the
 12 department to the secretary of state, and all preparations for putting
 13 into effect this act not inconsistent with the existing law shall become
 14 effective July 1, 1919.

Approved April 21, A. D. 1919.

CHAPTER 276.

ELECTION EXPENSES AT MILITARY CAMPS IN 1918, ETC.

S. F. 137.

AN ACT to appropriate money to pay the salaries of certain persons who acted as judges and clerks of election in the year 1918 at the various military camps throughout the United States in taking the vote of persons in the military service, and to meet extraordinary expenses of the various commissioners who were appointed to take such vote, including a per diem for certain commissioners who made a survey at certain camps preliminary to the election.

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

SECTION 1. Military camps — election in 1918 — judges and
 1 clerks — salaries. There is hereby appropriated out of any money
 2 in the state treasury not otherwise appropriated the sum of twelve
 3 hundred dollars (\$1200.00) to pay the salaries of persons who acted
 4 as judges and clerks of election in the year 1918 at the various mili-
 5 tary camps throughout the United States in taking the vote of citi-
 6 zens of Iowa who were in the military service.

SEC. 2. Commissioners — expenses. There is hereby appropri-
 2 ated out of any money in the state treasury not otherwise appropriated
 3 the sum of thirteen hundred ninety-eight dollars (1398.00) to pay
 4 necessary traveling expenses to each of certain commissioners who
 5 were directed by the governor of the state to make a preliminary
 6 investigation with reference to taking the soldier vote at certain mili-

7 tary camps and to pay expenses incurred by the various commissioners
8 in attending a meeting of such commissioners at Des Moines, Iowa,
9 for the purpose of receiving instructions preliminary to taking the
10 vote, and extraordinary expenses including telephone, telegraph, post-
11 age, express, and carriage hire incurred while acting as commis-
12 sioners.

1 SEC. 3. **Appropriation — itemized claims.** All money appropri-
2 ated by this act shall be paid out upon itemized claims filed the same
3 as other claims against the state after being approved by the gov-
4 ernor and audited by the board of audit.

1 SEC. 4. **Publication clause.** This act being deemed of immediate
2 importance shall be in full force and effect after its passage and pub-
3 lication in the Des Moines Register and the Des Moines Capital, news-
4 papers published in Des Moines, Iowa.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register and Des Moines Capital April 23, 1919.

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

CHAPTER 277.

CONSOLIDATED SCHOOL DISTRICTS, ETC.

S. F. 530.

AN ACT to amend the law as it appears in Senate File two hundred and ninety-six (296), as enacted by the thirty-eighth (38) general assembly and approved April 5th 1919, relating to consolidated school districts, and to legalize the formation and organization of certain consolidated independent school districts.

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

1 SECTION 1. **Consolidated school districts — formation and organ-**
2 **ization legalized.** That the law as it appears in senate file number
3 two hundred and ninety-six (296), as enacted by the thirty-eighth
4 (38) general assembly and approved April 5th 1919, be and the same
5 is hereby amended by adding to section one (1) thereof the follow-
6 ing:

7 "In all cases in which, at the time of the taking effect of this act,
8 proceedings for the formation of a consolidated independent school dis-
9 trict had been commenced but not completed, the formation of such
10 districts may be completed under the provisions of the law in force
11 prior to the passage of this act, except, that all elections hereafter
12 held in such cases shall be held under the provisions of this act".

13 And in all cases in which proceedings have been instituted to organ-
14 ize a consolidated independent school district under the provisions of
15 section twenty seven hundred ninety-four-a (2794-a), supplemental
16 supplement to the code, 1915, as amended by chapter four hundred
17 and thirty-two (432) of the acts of the thirty-seventh (37) general
assembly, and an election has been held at which there has been sub-

18 mitted the question of forming a consolidated independent school
 19 district, and a majority of the votes cast have been in favor of the
 20 formation of such district, and such district has been organized by
 21 the election of a board of directors, the formation and organization
 22 of such district is hereby legalized.

1 SEC. 2. Pending litigation. Nothing in this act shall affect pend-
 2 ing litigation.

1 SEC. 3. Publication clause. This act being deemed of immediate
 2 importance shall be in force and effect from and after its publication
 3 in the Des Moines Register and the Des Moines Capital, newspapers
 4 published at Des Moines, Iowa.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital
 April 23, 1919 and in the Des Moines Register April 25, 1919.

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

CHAPTER 278.

APPOINTMENT AND COMPENSATION OF DEPUTY COUNTY OFFICERS.

S. F. 308.

AN ACT to repeal section two hundred ninety-eight (298), supplemental supplement to the code, 1915, as amended by chapter seventy-seven (77) of the acts of the thirty-seventh general assembly; and section four hundred eighty-one (481), supplemental supplement to the code, 1915, as amended by chapter seventy-seven (77) of the acts of the thirty-seventh general assembly; and section four hundred ninety-one (491), supplemental supplement to the code, 1915 as amended by chapter seventy-seven (77) of the acts of the thirty-seventh general assembly; and section four hundred ninety-six (496), supplement to the code, 1913, as amended by chapter seventy-seven (77) of the acts of the thirty-seventh general assembly; and section five hundred ten-b (510-b), supplemental supplement to the code, 1915, and enacting substitutes therefor, relating to the appointment and compensation of deputy county officers.

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

1 SECTION 1. Repeal and substitute — deputy clerks of district
 2 court — duties — bond — salary. That the law as it appears in sec-
 3 tion two hundred ninety-eight (298), supplemental supplement to the
 4 code, 1915, as amended by chapter seventy-seven (77) of the acts of
 5 the thirty-seventh general assembly, be and the same is hereby
 6 repealed and the following enacted in lieu thereof:

7 "Each clerk of the district court may, in writing, with the consent
 8 of the board of supervisors, appoint one or more deputies not holding
 9 a county office, for whose acts he shall be responsible, and from whom
 10 he shall require a bond, which bond shall be approved by the officer
 11 who has the approval of the principal's bond. Such appointment may
 12 be revoked in writing, which appointment and revocation shall be filed
 13 in the auditor's office. The person or persons thus appointed shall
 14 qualify by taking the same oath as his principal, endorsed upon the
 certificate of appointment. The deputy, in the absence or disability

15 of his principal, may perform all the duties of the principal pertain-
16 ing to his office.

17 He shall receive a salary of not less than 50% of that of his princi-
18 pal, nor more than \$1500 per year, to be fixed by the board of super-
19 visors, and in case additional deputies and clerks are needed, the board
20 of supervisors may make such allowance therefor as they deem rea-
21 sonable. Provided that in counties having a population of fifty thou-
22 sand or over the salary of the first deputy shall be not less than 50%
23 of that of his principal nor more than \$1750 per year to be fixed by
24 the board of supervisors and the salary of the second deputy shall be
25 not less than 50% of that of his principal nor more than \$1500 per
26 year and the salary of the third deputy shall be 50% of that of his
27 principal. Provided that in counties having within their limits a city
28 of sixty thousand or over the salary of the first deputy and second
29 deputy shall be sixty-five per cent of that of the principal and the
30 salary of the third and fourth deputies shall be 50% of that of the
31 principal and in case additional or clerks are needed the salary of such
32 deputies or clerks shall be fixed by the board of supervisors.

33 Provided further that in counties in which the district court is held
34 in two places, the deputy in charge at the place other than the county
35 seat shall receive the same salary as the first deputy in said county.

SEC. 2. Repeal and substitute — deputy county auditors — bond
1 — duties — salary. That the law as it appears in section 481, sup-
2 plemental supplement to the code, 1915, as amended by chapter 77 of
3 the acts of the thirty-seventh general assembly be and the same is
4 hereby repealed and the following enacted in lieu thereof:

5 "Each county auditor may in writing, with the consent of the board
6 of supervisors, appoint one or more deputies not holding a county
7 office, for whose actions he shall be responsible and from whom he
8 shall require bond, which bond shall be approved by the officer who
9 has the approval of the principal's bond, and such appointment may
10 be revoked in writing; which appointment and revocation shall be filed
11 and kept in the auditor's office. The person thus appointed shall
12 qualify by taking the same oath as his principal, endorsed upon the
13 certificate of the appointment. The deputy, in the absence or dis-
14 ability of his principal, may perform all the duties of the principal
15 pertaining to his office. He shall receive a salary of not less than
16 50% of that of his principal, nor more than \$1500 per year, to be fixed
17 by the board of supervisors. In case no deputy shall be appointed,
18 but on account of the pressure of business in his office, the auditor is
19 compelled temporarily to employ an assistant, he shall file the bill for
20 such services with the board of supervisors at their next regular
21 meeting and the board of supervisors shall make a reasonable allow-
22 ance therefor.

23 Provided that in counties having a population of fifty thousand
24 (50,000) or over the salary of the first deputy shall be not less than
25 50% of that of his principal nor more than \$1750 per year to be fixed
26 by the board of supervisors and the salary of the second deputy shall
27 be not less than 50% of that of his principal nor more than \$1500 per
28 year and the salary of the third deputy shall be 50% of that of his
29 principal.

30 Provided that in counties having within their limits a city of sixty
31 thousand or over the salary of the first and second deputies shall be
32 65% of that of the principal and the salary of the third and fourth

33 deputies shall be 50% of that of the principal and in case additional
 34 deputies or clerks are needed the salary of such deputies or clerks
 35 shall be fixed by the board of supervisors.

**SEC. 3. Repeal and substitute — deputy county treasurers — bond
 1 — duties — salary.** That the law as it appears in section four hun-
 2 dred ninety-one (491), supplemental supplement to the code, 1915, as
 3 amended by chapter seventy-seven (77) of the acts of the thirty-
 4 seventh general assembly, be and the same is hereby repealed and the
 5 following enacted in lieu thereof:

6 “Each county treasurer may, in writing, with the consent of the
 7 board of supervisors, appoint one or more deputies, not holding a
 8 county office, for whose acts he shall be responsible, and from whom
 9 he shall require a bond, which bond shall be approved by the officer
 10 who has the approval of the principal’s bond. Such appointment may
 11 be revoked in writing; which appointment and revocation shall be filed
 12 and kept in the auditor’s office. The person or persons thus
 13 appointed shall qualify by taking the same oath as his principal,
 14 endorsed upon the certificate of appointment. The deputy, in the
 15 absence or disability of his principal may perform all the duties of
 16 the principal pertaining to his office.”

17 He shall receive a salary of not less than 50% of that of his princi-
 18 pal, nor more than \$1500.00 per year, to be fixed by the board of
 19 supervisors, and in case additional deputies and clerks are needed, the
 20 board of supervisors may make such allowance therefor as they deem
 21 reasonable.

22 Provided that in counties having a population of 50,000 or over the
 23 salary of the first deputy shall be not less than 50% of that of his
 24 principal nor more than \$1750.00 per year to be fixed by the board
 25 of supervisors and the salary of the second deputy shall be not less
 26 than 50% of that of his principal nor more than \$1500.00 per year
 27 and the salary of the third deputy shall be not more than 50% of that
 28 of his principal, to be fixed by the board of supervisors.

29 Provided that in counties having within their limits a city of 60,000
 30 or over the salary of the first and second deputy shall be 65% of that
 31 of the principal and the salary of the third and fourth deputy shall be
 32 50% of that of the principal and in case additional deputies and clerks
 33 are needed the salary of such additional deputies and clerks shall be
 34 fixed by the board of supervisors.

**SEC. 4. Repeal and substitute — deputy county recorders — bond
 1 — duties — salary.** That the law as it appears in section four (4)
 2 of chapter seventy-seven (77) of the acts of the 37th general assembly
 3 be and the same is hereby repealed and the following enacted in lieu
 4 thereof:

5 “Each county recorder may, in writing, with the consent of the
 6 board of supervisor’s, appoint one or more deputies not holding a
 7 county office, for whose acts he shall be responsible and from whom
 8 he shall require a bond, which bond shall be approved by the officer
 9 who has the approval of the principal’s bond. Such appointment may
 10 be revoked in writing, such appointment and revocation shall be filed
 11 and kept in the auditor’s office. The person or persons thus bonded
 12 shall qualify by taking the same oath as his principal, endorsed upon
 13 the certificate of appointment. The deputy, in the absence or dis-
 14 ability of his principal may perform all of the duties of the principal
 15 pertaining to his office.

16 He shall receive a salary of not less than 50% of that of his princi-
 17 pal, nor more than \$1500.00 per year, to be fixed by the board of
 18 supervisors, and in case additional deputies and clerks are needed, the
 19 board of supervisors may make such allowance therefor as they deem
 20 reasonable.

21 Provided that in counties having a population of 50,000 or over the
 22 salary of the first deputy shall be not less than 50% of that of his
 23 principal nor more than \$1750.00 per year to be fixed by the board
 24 of supervisors and the salary of the second deputy shall be not less
 25 than 50% of that of his principal nor more than \$1500.00 per year and
 26 the salary of the third deputy shall be not more than 50% of that of
 27 his principal, to be fixed by the board of supervisors.

28 Provided that in counties having within their limits a city of 60,000
 29 or over the salary of the first and second deputy shall be 65% of that
 30 of the principal and the salary of the third and fourth deputy shall be
 31 50% of that of the principal and in case additional deputies and
 32 clerks are needed the salary of such additional deputies and clerks
 33 shall be fixed by the board of supervisors.

SEC. 5. **Repeal and substitute — deputy sheriffs — bond — duties**
 1 — salary. That the law as it appears in section five hundred ten-b
 2 (510-b), supplemental supplement to the code, 1915, be and the same
 3 is hereby repealed and the following enacted in lieu thereof:

4 "In all counties the sheriff shall in writing appoint one or more per-
 5 sons, not holding a county office, as deputy or deputies, for whose acts
 6 he shall be responsible and from whom he shall require a bond, which
 7 appointment and bond shall be approved by the officer having the
 8 approval of the principal's bond; and such appointment may be
 9 revoked in writing, which appointment and revocation shall be filed
 10 in the auditor's office. In all cases the board of supervisors shall fix
 11 the number of deputies. The salary of the chief deputy shall be
 12 sixty-five (65%) per cent of that of his principal but not to exceed
 13 \$1800.00 the other deputies to be fixed by the board of supervisors.
 14 In counties in which district court is held in two places the first
 15 deputy shall receive sixty-five per cent of the salary received by the
 16 sheriff. Provided, further that the deputy in charge of the office other
 17 than at the county seat shall receive the same salary as that received
 18 by the first deputy at the county seat. All deputies shall be paid by
 19 the county.

1 SEC. 6. **Salary increase — termination.** All increases of salary
 2 granted by this act shall cease and determine on June first 1921.

1 SEC. 7. **Publication clause.** This act being deemed of immediate
 2 importance shall take effect and be in force from and after its publi-
 3 cation in the Des Moines Capital, and the Plain Talk, newspapers pub-
 4 lished in Des Moines, Iowa.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital
 April 27, 1919 and in the Plain Talk May 1, 1919.

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

CHAPTER 279.

STATE AID FOR POULTRY ASSOCIATIONS.

S. F. 278.

AN ACT to amend the law as it appears in chapter three hundred sixty-three (363), acts of the thirty-seventh (37th) general assembly, relating to aid for poultry associations.

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

SECTION 1. Poultry associations — annual appropriation — provisions for 1918 and 1919. That section two (2) of chapter three hundred sixty-three (363), of the acts of the thirty-seventh (37th) general assembly be, and the same is, hereby amended by inserting after the word "appropriated" in line twelve (12) of said section, the word "annually", and by inserting after the figures "\$100.00" in line fourteen (14) of said section the following:
 "in any one year, including bills for poultry shows held in 1918 and 1919, under provisions of chapter three hundred sixty-three (363), of the acts of the thirty-seventh (37th) general assembly."

SEC. 2. State poultry show — annual appropriation — provisions for 1918 and 1919. That section five (5) of chapter three hundred sixty-three (363), of the acts of the thirty-seventh (37th) general assembly be, and the same is, hereby amended by inserting after the word "appropriated" in line two (2) of said section, the word "annually" and by striking the period at the close of said section five (5) and by inserting in lieu thereof a comma (",") and by adding after such comma the words:
 "in any one year, including bills for poultry shows held in 1918 and 1919, under the provisions of chapter three hundred sixty-three (363), of the acts of the thirty-seventh (37th) general assembly."

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

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April 25, 1919 and in the Des Moines Register April 26, 1919.

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

CHAPTER 280.

CERTIFICATION OF TEACHERS.

S. F. 425.

AN ACT to amend the law as it appears in section twenty-six hundred twenty-nine (2629), supplement to the code, 1913, relating to certification of teachers.

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

SECTION 1. **Teachers — examinations — certificates, etc. — qualifications.** That the law, as it appears in section twenty-six hundred twenty-nine (2629), supplement to the code, 1913, be and the same is hereby amended by striking out the period following the word "require" in line twelve (12) and inserting a comma in lieu thereof, and by adding thereto the following:
 "or to those possessing satisfactory qualifications by reason of training and teaching experience of not less than fifteen years as the board in its discretion may determine."

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

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register and the Des Moines Capital April 25, 1919.

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

CHAPTER 281.

INSTITUTION FOR FEEBLE-MINDED CHILDREN.

S. F. 394.

AN ACT to provide for the detention of inmates of the institution for feeble-minded children and for their return in case they leave such institution in violation of the provisions of this act.

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

SECTION 1. **Inmate — ward of state — removal.** That when any person becomes an inmate of the institution for feeble-minded children, such person shall thereupon be a ward of the state, and shall not be removed from such institution without an order in writing from the board of control of state institutions.

SEC. 2. **Inmate — leaving or removed — procedure for return — custody and restraint — expense, etc.** If any inmate of the institution for feeble-minded children shall leave such institution or be removed therefrom without complying with the provisions of section

4 1 of this act, the superintendent of such institution shall cause imme-
 5 diate search to be made for him, and if he cannot be found, shall cause
 6 notice of the fact that he has left said institution to be given forth-
 7 with to the clerk of the district court of the county where he belongs
 8 and if found to be in that county the clerk shall at once notify the
 9 superintendent of the place where the patient can be found, and when
 10 so notified or when otherwise informed of the place in which the
 11 inmate may be taken the superintendent shall send an employe of the
 12 institution or other person for him and cause him to be returned to
 13 the institution unless for good reasons a different course be deemed
 14 advisable by the superintendent, and is approved by the board of
 15 control. In case of apparent necessity the inmate may be taken into
 16 custody and restrained by the local authorities until he is taken by
 17 the representative of the institution. All actual and necessary
 18 expenses incurred in the capture, restraint and return to the hospital
 19 of the inmate shall be paid on itemized vouchers, sworn to by the
 20 claimants and approved by the superintendent and the board of con-
 21 trol of state institutions, from any money in the state treasury not
 22 otherwise appropriated.

Approved April 22, A. D. 1919.

CHAPTER 282.

INDEPENDENT SCHOOL DISTRICT OF BOUTON.

H. F. 31.

AN ACT authorizing the independent school district of Bouton in Dallas county, Iowa, to issue its warrants in excess of the funds available and authorizing a tax levy to pay the same.

WHEREAS, the board of school directors of the Independent School District of Bouton in Dallas county, Iowa, did in 1918 estimate the amount required for the general fund of said district and certify the same to the board of supervisors of Dallas county, and

WHEREAS, the amount required of said general fund and certified as aforesaid was in excess of the amount which might be levied as provided by law and

WHEREAS, the amount to be raised by the levy made by the board of supervisors is insufficient to keep the schools in said district in operation and enable the board of directors thereof to perform its contracts with teachers and other employees, and

WHEREAS, the additional amount required is the sum of two thousand two hundred fifty dollars and fifty cents (\$2250.50); now therefore

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

1 SECTION 1. Warrants authorized — tax levy. That said Inde-
 2 pendent School District of Bouton is authorized to issue its warrants
 3 for the payment of the necessary expenses of the operation of the
 4 schools in said district, not exceeding in total amount the sum of two

5 thousand two hundred fifty dollars and fifty cents, (\$2250.50), and
 6 that the board of directors of said district shall certify to the board
 7 of supervisors of Dallas county at the same time and in the same
 8 manner that it next certifies the amount required for the general
 9 fund, the total amount required to pay the warrants issued or to be
 10 issued as hereinbefore provided; and that the said board of super-
 11 visors shall, at the time of levying taxes as provided by law, levy upon
 12 the property within said school district and cause to be entered upon
 13 the tax list a tax sufficient to raise the amount so certified, which
 14 levy shall be in addition to the levy for the general fund and shall not
 15 be considered in determining the amount authorized by law to be
 16 raised for the general fund.

1 **SEC. 2. Publication clause.** This act, being deemed of immediate
 2 importance shall take effect and be in force from and after its publi-
 3 cation in the Des Moines Register, a newspaper published in Des
 4 Moines, Iowa, and the Bouton Press, a newspaper published in Bouton,
 5 Dallas county, Iowa. Publication expense to be borne by school cor-
 6 poration.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register
 April 28, 1919 and the Bouton Press May 1, 1919.

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

CHAPTER 283.

DRAINAGE DISTRICTS, PUMPING STATIONS, ETC.

H. F. 500.

AN ACT to amend chapter two-a (2-a) title ten (X) of the supplement to the code, 1913, relating to drainage districts and to provide for the establishment of additional pumping stations and to provide for the division of districts in which pumping plants have been established and the creation of new districts by such division and to provide for the manner of such division and the payment of the obligations of the original district and to provide for the establishing of subdrainage districts as independent districts and to provide for the construction of settling basins and the condemnation of lands for the purpose of constructing settling basins and inlets thereto.

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

1 **SECTION 1. Drainage districts — additional pumping stations —**
 2 **cost, etc.** After the establishment of a drainage district, including a
 3 pumping plant, and before the completion of the drainage improve-
 4 ment therein, the board or boards of supervisors may, if deemed
 5 necessary to more effectually drain the lands in said district and fully
 6 accomplish the purposes of said improvement, by resolution, author-
 7 ize the establishment and maintenance of such additional pumping
 8 station or stations as the engineer may recommend, and if a petition
 9 shall be filed by one-third (1-3) of the owners of land within such
 10 district asking the establishment of such additional pumping plant or
 11 plants the board or boards must direct the engineer to investigate the
 advisability of the establishment thereof and upon the report of said

12 engineers the board or boards shall proceed to determine whether
13 such additional pumping plant or plants shall be established. If the
14 board or boards determine that additional pumping plant or plants
15 shall be established and maintained a pump or pumps may be removed
16 from any pumping station already established and may be installed
17 in any such additional plant, if such removal can be made without
18 injuring the efficient operation of the plant from which removed. The
19 cost of the establishment of such additional pumping plant or plants
20 shall be paid in the same manner and upon the same basis as is pro-
21 vided for the cost of the original improvement.

1 **SEC. 2. Division of districts — engineer — recommendations of —**
2 **jurisdiction of board.** Whenever a drainage district has been created
3 and more than one pumping plant is established therein, the board or
4 boards of supervisors may and upon petition of one-third (1-3) of the
5 owners of land within said district shall appoint an engineer to deter-
6 mine the advisability of dividing said district into two or more dis-
7 tricts so as to include at least one pumping plant in each of such dis-
8 tricts. If the engineer recommends such division, the board of super-
9 visors shall fix a time for hearing upon the question of such division
10 and shall publish notice directed to all whom it may concern of the
11 time and place of such hearing, which notice shall be published for
12 the time and in the manner as is required for the publication of notice
13 of the establishment of said district, except that said notice need not
14 name the owners and lien holders but shall be sufficient if directed as
15 above provided. At the time fixed, the board shall determine the
16 advisability of such division and shall make such order with refer-
17 ence thereto as shall be deemed proper, having consideration for the
18 interests of all concerned. If such division is made, the board or
19 boards having jurisdiction of the original district shall retain juris-
20 diction of the new districts created by such division for the purpose
21 of collecting assessments theretofore made and for the purpose of
22 making such additional assessments as are necessary to pay the obli-
23 gations theretofore contracted and for paying debts theretofore con-
24 tracted. For all other purposes, each division shall be under the
25 jurisdiction of the board or boards of supervisors which would have
26 had jurisdiction thereof if originally established as an independent
27 district, the same as though originally established by such board or
boards.

1 **SEC. 3. Division of district — boards or commissioners — assess-**
2 **ments — maintenance tax, etc.** Whenever any levee or drainage
3 district operating a pumping plant shall have been established and
4 the improvement constructed and accepted, the board or boards of
5 supervisors, or commissioners (if they have been appointed) and it
6 shall become apparent that the lands can be more effectually drained,
7 managed or controlled by a division thereof, then the said board or
8 boards, or commissioners, may divide said district, and if the district
9 is divided by a stream and subdivided into subdistricts, they shall
10 divide the district and, thereafter, said district shall be carried on as
11 though established originally as a district, except nothing herein shall
12 affect the legality or collection of any assessments levied before the
13 division, except that the maintenance tax, if any, shall be divided in
14 accordance with the amount paid in by each district, and provided
further, that if said district before division was under the control and

15 management of commissioners, then each commissioner shall continue
 16 to serve in the district in which his lands are situated, and other com-
 17 missioners shall be elected in each new district and the election of
 18 said new commissioners shall be called by the old board of commis-
 19 sioners in each district, which said election shall be called within ten
 20 (10) days after said division is made and shall be carried on as now
 21 provided for the election of commissioners.

SEC. 4. **Settling basin — channel to — board empowered to provide.** If before a district operating a pumping plant is completed or if after such district shall have been completed and accepted, it develops or appears that portions of the lands within said district are caused to be wet or nonproductive by reason of the floods or overflow waters from some stream running into, through or along said district and that said district or some other district of which this district shall have formed a part, shall have constructed or provided a settling basin to care for the said floods and overflow waters of said stream or water course, but no channel to said settling basin has been provided, said board or boards of supervisors may and are hereby empowered to lease, buy or condemn the necessary lands within or without the district to provide said channel to said settling basin and if necessary to condemn the said lands to provide said channel the proceedings shall be as provided by chapter two-A (2-A) of title ten (X) of the supplement to the code, 1913, and amendments thereto.

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

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register April 26, 1919 and in the Des Moines Capital April 30, 1919.

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

CHAPTER 284.

DAIRY AND FOOD DEPARTMENT, COMMISSIONER, ETC.

H. F. 222.

AN ACT to amend the law as it appears in section four thousand nine hundred ninety-nine-a eighteen (4999-a18) of the supplement to the code, 1913, relating to duties and powers of commissioner; and to amend the law as it appears in section four thousand nine hundred ninety-nine-a thirty-one b (4999-a31b) of the supplement to the code, 1913, relating to salaries of assistants; and to amend the law as it appears in section four thousand nine hundred ninety-nine-a thirty-one c (4999-a31c) of the supplemental supplement to the code, 1915, relating to labeling of foods; and to amend section four thousand nine hundred ninety-nine-a thirty-one f (4999-a31f) of the supplemental supplement to the code, 1915, relating to the appropriation of the dairy and food department.

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

SECTION 1. **Commissioner — food standards — examination of food.** That section four thousand nine hundred ninety-nine-a eight-

2 een (4999-a18) of the supplement to the code, 1913, be and the same
3 is hereby amended by adding thereto the following, "The commissioner
4 may with the approval of the executive council make and issue stan-
5 dards for foods, standards for which are not fixed by law which
6 standards shall conform with those proclaimed by the Secretary of
7 Agriculture of the United States." so that section four thousand nine
8 hundred ninety-nine-a eighteen (4999-a18) as amended shall read as
9 follows:

10 "The commissioner shall, with the approval of the executive council
11 make all necessary rules and regulations for carrying out the provi-
12 sions of this act, under which the commissioner shall procure from
13 time to time or whenever he has occasion to believe any of its provi-
14 sions are being violated, or cause to be procured, for examination
15 chemically, microscopically or otherwise, samples of food shipped into
16 this state or offered for sale in this state. The chemist making the
17 examination shall certify the results of his work to the commissioner.
18 The commissioner may with the approval of the executive council
19 make and issue standards for foods, standards for which are not fixed
20 by law which standards shall conform with those proclaimed by the
21 Secretary of Agriculture of the United States."

SEC. 2. Commissioner — powers; assistants — duties — salaries
1 and expenses. That the law as it appears in section four thousand
2 nine hundred ninety-nine-a thirty-one b (4999-a31b) supplement to
3 the code, 1913, be and the same is hereby amended by striking out of
4 lines eight and nine thereof the words "sixteen hundred dollars per
5 annum" and inserting in lieu thereof the following; "the following;
6 eighteen hundred dollars for the first year of service, nineteen hun-
7 dred dollars for the second year of service, two thousand dollars for
8 the third year of service, twenty-one hundred dollars for the fourth
9 year of service, and twenty-two hundred dollars for the fifth and each
10 succeeding year of service" so that section four thousand nine
11 hundred ninety-nine a thirty-one b (4999-a31b) as amended shall read as
12 follows:

13 "The state food and dairy commissioner shall be charged with the
14 duty of carrying into effect the provisions of this act and shall have
15 an official seal. He may, with the approval of the executive council,
16 appoint such assistants as he may deem necessary, who may exercise
17 the powers now provided by law in the case of milk inspectors together
18 with those conferred by this act, and they shall perform such duties
19 as may be assigned to them by the state food and dairy commissioner.
20 They shall be paid a salary of not to exceed the following; eighteen
21 hundred dollars for the first year of service, nineteen hundred dollars
22 for the second year of service, two thousand dollars for the third year
23 of service, twenty-one hundred dollars for the fourth year of service,
24 and twenty-two hundred dollars for the fifth and each succeeding year
25 of service, said salary to be paid in the same manner as the salaries
26 of other state officers and they shall be allowed the expenses neces-
27 sarily incurred by them in the discharge of their duties. Their accounts
28 shall be itemized and sworn to, and when approved by the commis-
29 sioner and the executive council, shall be paid by warrant of the audi-
30 tor upon the treasurer out of a sum hereinafter appropriated for
31 carrying out the provisions of this act.

1 SEC. 3. **Food in package form.** That the law as it appears in
 2 section four thousand nine hundred ninety-nine-a thirty-one c
 3 (4999-a31c) supplemental supplement to the code, 1915, be and the
 4 same is hereby amended by inserting therein after paragraph "Fifth."
 5 thereof the following "Sixth. If it be offered for sale in package or
 6 wrapped form and the name of the article be not plainly stated on
 7 the outside of the package or wrapper."

1 SEC. 4. **Appropriation.** That the law as it appears in section
 2 four thousand nine hundred ninety-nine-a thirty-one f (4999-a31f),
 3 supplemental supplement to the code, 1915, be and the same is hereby
 4 amended by striking out of line seven thereof the words "thirty-four"
 5 and inserting in lieu thereof the word "forty".

1 SEC. 5. **Publication clause.** This act being deemed of immediate
 2 importance, shall be in force and effect from and after its publica-
 3 tion in the Des Moines Register and the Des Moines Capital, papers
 4 published at Des Moines, Iowa.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register
 April 26, 1919 and the Des Moines Capital April 30, 1919.

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

CHAPTER 285.

PROTECTION OF CITIES FROM DAMAGE BY FLOODS, ETC.

H. F. 228.

AN ACT to repeal chapter 8-A of title V of the supplement to the code, 1913, and to enact a substitute therefor authorizing cities to protect property within their limits from danger and damage from floods and high water, by deepening, widening, straightening, altering, diverting, changing or otherwise improving water courses within their limits, by constructing levees, embankments, or conduits therefor, and to provide for the levy of special assessments and other taxes to defray the expenses of such improvements, and the issuance of bonds and certificates in anticipation of such taxes and special assessments. Additional to chapters seven (7) and eight (8) of title V of the code.

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

1 SECTION 1. **Repeal.** That the law as it appears in chapter 8-A of
 2 title V, supplement to the code, 1913, be and the same is hereby
 3 repealed.

1 SEC. 2. **Cities — powers to protect lands — levees, etc. — assess-**
 2 **ments — bonds.** That in addition to the powers they now have,
 3 cities, including cities under special charter and under commission
 4 form of government, shall have the power, in accordance with the
 5 provisions of this act, to protect lots, lands, and property within their
 6 limits from danger and damage from floods and high water, by deep-
 7 ening, widening, straightening, altering, changing, diverting or other-
 wise improving water courses within their limits, by constructing

8 levees, embankments, or conduits therefor, and to provide for levy of
9 special assessments and other taxes to defray the expenses of such
10 improvements, and the issuance of bonds and certificates in anticipa-
11 tion of such taxes and special assessments.

1 **SEC. 3. City engineer — surveys — plans — estimates, etc.** Upon
2 the filing of a petition requesting the exercise of the powers men-
3 tioned in the preceding section, signed by one hundred resident tax-
4 payers of such city, or on its own motion, the city council may direct
5 the city engineer to make necessary surveys, to prepare plans and
6 specifications for doing the work, to furnish the council with an esti-
7 mate of the cost thereof, including an estimate of the damages to
8 property, if any, and a map or plat showing the boundaries of the ter-
9 ritory or district which will be specially benefited by such improve-
10 ment, a schedule showing as nearly as may be the ownership and
11 value of each lot or parcel of land, and other property therein, as
12 shown by the last assessment roll, and an estimate of the benefit to
13 each lot or parcel of land, and to any railway or street railway within
14 such improvement district. The plans, specifications, estimates,
15 maps, plats, and schedules so prepared shall be filed with the city
16 clerk.

1 **SEC. 4. Council — approval of plans, etc., by — procedure.** If the
2 council upon receiving the said plans, specifications, estimates, maps,
3 plats and schedules, shall approve, or modify and approve, the same,
4 it shall in a proposed resolution, of which the plat and schedule is
5 made a part by reference, declare the necessity and advisability of
6 such improvement, describing the same in general terms, stating the
7 estimated cost thereof, and fixing the boundaries of the territory or
8 district specially benefited, and shall cause fourteen days' notice of
9 the time when said resolution will be considered for passage to be given
10 by two publications in some newspaper of general circulation published
11 in the city, the last of which shall be not less than two, nor more than
12 four weeks prior to the time fixed for its consideration, at which time
13 the owners of the property affected by such improvement may appear
14 and make objections in writing to the contemplated improvement, to
15 the assessment district, or to their assessments, as shown by the plat
16 and schedule, or to the passage of such proposed resolution, at which
17 hearing the district, or the assessments, may be changed, and the
18 resolution be amended and passed, or passed as proposed.

1 **SEC. 5. Bids — contract for labor and materials.** When the mak-
2 ing of any such improvement is ordered, the council shall advertise for
3 bids and may enter into a contract or contracts for furnishing the
4 labor and materials for doing the work.

1 **SEC. 6. Contracts — city to let — certified check.** All contracts
2 for such improvement shall be let in the name of the city to the lowest
3 bidder, by sealed proposals, upon giving notice for at least ten (10)
4 days by two publications in a newspaper published in said city, which
5 notice shall state as nearly as practicable the extent of the work, the
6 one or more kinds of material for which bids will be received, when
7 the work shall be done, the terms of payment, and whether a mainte-
8 nance fund shall be required and the time the proposals will be
9 received and acted upon. All bids must be accompanied, in a separate
10 envelope, with a certified check payable to the order of the city treas-

11 urer, in the sum named in the notice for bids, as security that the
 12 bidder will, if his bid is accepted, enter into a contract for the doing
 13 of the work, and will give bond as required by this act. All such
 14 checks, where the bid has not been accepted, shall be returned to the
 15 respective bidders. All bids may be rejected and new bids invited.

SEC. 7. Contract — provision as to repairs — bond to conform.

1 All contracts for making such improvement may contain a provision
 2 obligating the contractor and his bondsmen to keep the improvement
 3 in good repair for one year after the acceptance of the same by the
 4 city, and bond shall be so conditioned as to conform to such provision.

1 **SEC. 8. Contractor — bond.** Each contractor for such improve-
 2 ment, or part thereof, shall give bond to the city, with sureties to be
 3 approved by the council, for the faithful performance of the contract,
 4 and suit on such bond may be brought in the county in which the
 5 council holds its sessions.

1 **SEC. 9. Improvement district — assessment — limit of.** When
 2 the work is contracted for, as herein provided, the council shall assess
 3 the lands and other property, included within the improvement dis-
 4 trict, for such proportion of the cost of the improvement, including
 5 the cost of filling the old channel if it is proposed to divert a stream
 6 from its course and conduct it through a new channel or conduit, as
 7 shall be equal and in proportion to the benefit conferred by the
 8 improvement, but not in excess of twenty-five per cent of the actual
 9 value of the lot or tract at the time of the levy, and the last preced-
 10 ing assessment roll shall be taken as prima facie evidence of such
 11 value.

1 **SEC. 10. Assessment levy, certificate, etc.** The levy of the assess-
 2 ment, the filing of the certificate of assessment, the payment of inter-
 3 est on installments, the payment of the installments of assessment,
 4 and the sale of property for unpaid assessments shall all be in con-
 5 formity with sections eight hundred twenty-five (825), eight hun-
 6 dred twenty-six (826), eight hundred twenty-seven (827), eight
 7 hundred twenty-eight (828) and eight hundred twenty-nine (829),
 8 of the code, and the acts amendatory thereof.

1 **SEC. 11. Assessments — aggrieved persons — appeal, etc.** Any
 2 person aggrieved by the action of the council in making any of the
 3 assessments herein provided for, may appeal therefrom to the district
 4 court of the county in which it is made, within 20 days of the date of
 5 the assessment, and have the right to review the action of the council
 6 in the said court, in the manner now provided by law. All objections
 7 to errors, irregularities, or inequalities in the making of said special
 8 assessments, or in any of the prior proceedings or notices not made
 9 before the council at the time and in the manner herein provided,
 10 shall be waived.

1 **SEC. 12. Right of way — notice — maps and plats — duty of rail-
 2 road, etc.** If the improvement contracted for is to cross the right of
 3 way of a railroad, or street railway, company, the city clerk shall
 4 cause to be served upon such company, in the manner for the service
 5 of original notices, a notice in writing stating the nature of the
 improvement, the place where it will cross the right of way of such

6 company, and full requirements for its complete construction across
 7 such right of way as shown by the plans, specifications, maps and
 8 plats of the engineer, and directing such company to construct, within
 9 a time fixed by the city council, not exceeding six months from the
 10 date of the service of the notice, in such manner as not to interfere
 11 with the construction of the diverted channel, and in such manner as
 12 not to obstruct, impede, or interfere with the free flow of water, the
 13 necessary bridge, or bridges, where the diverted channel crosses the
 14 right of way. Upon receiving such notice it shall be the duty of such
 15 railroad, or street railway, company, to provide the necessary
 16 temporary structure to carry its tracks during the constructing of
 17 the channel, and to construct the necessary permanent bridge, or
 18 bridges, within the time specified in said notice. If such company
 19 shall fail, neglect, or refuse to comply with the notice, within the time
 20 fixed, the temporary structure may be provided, and the bridge, or
 21 bridges, may be built, under the supervision of the engineer in
 22 charge of the channel improvement, and such railroad, or street rail-
 23 way, company, shall be liable for the cost of the construction of such
 24 structures, in addition to its liability for assessment for special bene-
 25 fits as other property is assessed, and the cost of such structures may
 26 be collected by the city from the company in any court having juris-
 27 diction.

1 **SEC. 13. Private property — city may condemn — costs.** Such
 2 cities may purchase or condemn, and appropriate, such private prop-
 3 erty, including railroad right of way, and property, as may be neces-
 4 sary to carry into effect the provisions of this act, and the costs of
 5 such property shall be included in the cost of the improvement.

1 **SEC. 14. Street or alley — expense of filling.** A street or alley
 2 intersecting the stream or old channel may be projected across it so
 3 as to make a continuous street or alley, and the expense of filling all
 4 such streets or alleys shall be included in and paid as a part of the
 5 costs of such improvements.

SEC. 15. Improvements — cost of — procedure by council, etc.
 1 After the contract, or contracts, for making such improvement has
 2 been entered into, as herein provided, the council shall ascertain the
 3 cost of the work, including the cost of property purchased, or con-
 4 demned and appropriated, for the purpose of carrying into effect the
 5 provisions of this act, and the cost of filling the old channel where it
 6 is to be abandoned, and the cost of surveys, plans and specifications,
 7 estimates, notices, inspection, and supervision, and the preparing of
 8 plats, and schedules of assessments, and shall thereupon by resolu-
 9 tion, levy the whole of the said cost remaining, after deducting the
 10 amount of the special assessments for benefits conferred upon the
 11 lands and other property within the improvement district, at one time
 12 as a special tax, which levy shall not exceed in the aggregate five (5)
 13 mills for all improvements made under this act in any one year, upon
 14 all the taxable property of the city, including that within the improve-
 15 ment district, excepting moneys and credits. A certificate of such
 16 levies and of the special assessments for benefits conferred upon lands
 17 and property within the improvement district, shall then be filed by
 18 the city clerk with the auditor of the county in which the city is
 19 located, and thereupon such taxes and assessments shall be placed
 20 upon the tax lists. The proceeds of such taxes and assessments shall

21 be kept as a separate fund and shall be used for the purpose of paying
 22 the cost of such improvement, or in paying bonds and certificates with
 23 interest issued in anticipation thereof, and for no other purpose.

1 **SEC. 16. Bonds and certificates — issue and sale.** Any city con-
 2 structing an improvement authorized by this act may issue bonds and
 3 assessment certificates in anticipation of any special tax or special
 4 assessment; said bonds and certificates shall be issued and sold in
 5 accordance with the provisions of title V, chapter 8 of the code and
 6 acts amendatory thereof.

1 **SEC. 17. Cost of construction — certificates — how paid.** The
 2 entire cost of constructing any improvement authorized by this act,
 3 and any bonds or certificates issued in anticipation thereof, shall be
 4 paid out of the special taxes and special assessments authorized by
 5 this act, and no part of said cost, and no part of any such bonds or
 6 certificates, shall ever be a charge upon or paid out of any other fund
 7 or the proceeds of any other assessment, tax, or levy.

1 **SEC. 18. Cities — indebtedness — authorization to contract —**
 2 **bonds, etc.** Cities, including cities acting under commission form of
 3 government, having fifty thousand (50,000) population, or more, are
 4 hereby authorized to contract indebtedness and to issue bonds for the
 5 purpose of paying for improvements contemplated by this act. Such
 6 bonds shall be payable in not to exceed twenty-five equal annual install-
 7 ments, shall bear interest not to exceed five per cent per annum, pay-
 8 able semi-annually, and shall be made payable at such place, and be
 9 of such form as the city council, by ordinance, designate. For the
 10 purpose of this act a city may become so indebted in an amount which
 11 with all other municipal indebtedness for general purposes may equal,
 12 but not exceed, five per centum of the actual value of the taxable
 property of said city as shown by the last preceding assessment roll.

1 **SEC. 19. Cities — powers of, as to improvements.** This act shall
 2 be construed as granting additional powers, without limiting the
 3 power already existing in cities, including cities acting under the com-
 4 mission form of government, and without affecting the validity of
 5 preliminary steps already taken under the existing law, so far as
 6 applicable, for the purpose of making improvements contemplated by
 7 this act, all of which steps shall have the same effect as if taken under
 8 the provisions hereof.

1 **SEC. 20. Publication clause.** This act being deemed of immediate
 2 importance shall take effect and be in force from and after its publi-
 3 cation in the Des Moines Capital and Des Moines Register, newspapers
 4 published in Des Moines, Iowa.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April
 25, 1919 and in the Des Moines Register April 26, 1919.

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

CHAPTER 286.

MUTUAL INSURANCE CORPORATIONS FOR PHYSICIANS, DRUGGISTS, ETC.

H. F. 197.

AN ACT providing for the organizing, admitting from other states, licensing and regulating of mutual insurance corporations, organized among physicians, druggists, dentists and graduate nurses for their protection against loss in actions for alleged error, mistake or negligence; requiring such organizations to be incorporated; providing for fees, taxes, licenses, reports, cancellations, supervision and other regulations thereof and repealing all acts and parts of acts in conflict therewith.

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

SECTION 1. Insurance corporations for physicians, etc.—plan—policies — provisions. Any number of physicians, druggists, dentists and graduate nurses, licensed to practice their profession in the state of Iowa, may, by complying with the provisions of this chapter and without regard to other statutory provisions, enter into contracts with each other for the purpose of protecting themselves by insurance against loss by reason of actions at law on account of their alleged error, mistake, negligence or carelessness in the treatment and care of patients, including the performance of surgical operations, or in the prescribing and dispensing of drugs and medicines, or for loss by reason of damages in other respects, and to reimburse any member in case of such loss. All corporations, organized for the purpose of transacting such insurance business under the provisions of this act, shall incorporate under the provisions of chapter 1, title IX of the code, as amended, and be known as mutual corporations; and are hereby empowered to collect such assessments, or premium payments, provided for in their articles of incorporation or by-laws, as are required to pay losses and expenses incurred in the conduct of their business. Such mutual insurance corporations may issue certificates of membership, or policies; and may provide that all assessments, or premium payments, payable thereunder, be made in cash, or on the installment, or assessment plan.

Any policy issued by any such company shall contain a provision so that said policy shall inure to the benefit of any person obtaining a judgment against the insured to the extent of the insurance carried and for the purpose for which the insurance was issued.

SEC. 2. Articles — approval — certificate — requirements of commissioner. The articles of such mutual insurance corporations shall be submitted to, and approved by, the attorney general and the commissioner of insurance before being filed with the secretary of state, and no such mutual insurance corporation shall issue membership certificates, or policies, until its form of certificate, or policy, shall have been submitted to, and approved by, the commissioner of insurance and until it has secured from such commissioner of insurance a certificate authorizing it to transact such an insurance business. No such certificate shall be issued by the commissioner of insurance until two hundred fifty (250) applications have been received, representing, in the aggregate, one million (\$1,000,000) dollars of insurance, nor until the commissioner of insurance has satisfied himself that such mutual insurance corporation has bona-fide applications repre-

14 sending the number of applicants and the amount of insurance herein
15 required, and that there is in the possession of such mutual insurance
16 corporation cash assets amounting to not less than ten thousand
17 (\$10,000) dollars.

1 **SEC. 3. Annual report to commissioner of insurance.** Such mutual
2 insurance corporations doing business under the provision of this
3 chapter shall, annually, in the month of January, report to the com-
4 missioner of insurance, upon blanks furnished by him, the same facts,
5 so far as applicable, as are required to be furnished by mutual insur-
6 ance associations under the statute of Iowa, which report shall be
7 tabulated by the commissioner of insurance and published by him in
8 the annual report on insurance.

1 **SEC. 4. Reinsurance reserve — use and restoration.** Such mutual
2 insurance corporations shall, annually, set aside and maintain as a
3 reinsurance reserve, an amount equal to ten per cent of the receipts
4 from assessments, or premium payments, during the year until the
5 total amount thus accumulated shall equal forty per cent, but not to
6 exceed fifty per cent of the amount of the annual assessment, or pre-
7 mium payment, at the rate charged for such insurance on all policies
8 in force. The reserve thus accumulated may be used for the payment
9 of losses and expenses, and when so used shall be restored and main-
10 tained in like manner as originally accumulated.

1 **SEC. 5. Certificate or policy — cancellation.** Any certificate of
2 membership, or policy, issued by such a mutual insurance corporation
3 may be cancelled by the corporation by giving five days' written notice
4 thereof to the insured; or such cancellation may be upon demand of
5 the insured; and such cancellation, when so made, either by the corpo-
6 ration or by the insured, shall be upon a pro-rata basis, and the cancel-
7 lation of such certificate or policy shall release the member from all
8 other future obligations to such corporation.

1 **SEC. 6. Admission into state — fees — expiration of certificate —**
2 **control by commissioner, etc.** Such a mutual insurance corporation
3 shall pay the same fees for admission into the state, for annual reports
4 and for annual certificates of authority as are required to be paid by
5 domestic mutual companies organized and doing business under chap-
6 ter 4, title IX of the code of Iowa, as amended; such certificate shall
7 expire March first of the year following the date of its issue. The
8 commissioner of insurance shall have and exercise the same control
9 over such corporations as he now has over mutual assessment insur-
10 ance associations organized and doing business under the provisions
11 of chapter 5, title IX of the code of Iowa. The provisions as to maxi-
12 mum liability of members to assessments when assets are insufficient
13 and to assessments when the corporation is insolvent, found in sec-
14 tions 1759-j, 1759-k and 1759-l, supplement to the code, 1913, shall
15 apply to all mutual insurance corporations organized under the pro-
visions of this act.

1 **SEC. 7. Corporations of other states — requirements.** Any mutual
2 insurance association organized under the laws of any other state, for
3 the purpose of transacting the kind of business described in section
4 1 of this act, and which has been in business not less than one year,
5 and has on hand cash assets in an amount of not less than ten thousand
6 (\$10,000) dollars, and has not less than three hundred (300) mem-

7 bers, shall upon application, be admitted to do business in this state;
 8 and shall thereafter make all reports and be subject to taxation, exam-
 9 ination and supervision by the commissioner of insurance to the same
 10 extent and in the same manner as are domestic corporations organ-
 11 ized under the provisions of this act.

1 SEC. 8. **Acts in conflict.** All acts, or parts of acts, in conflict here-
 2 with shall be so construed as not to include corporations regulated by
 3 this act.

1 SEC. 9. **Publication clause.** This act being deemed of immediate
 2 importance shall be in full force and effect on and after its passage
 3 and publication in The Des Moines Register, and the Des Moines Capi-
 4 tal, newspapers published in the city of Des Moines, Iowa, all without
 5 expense to the state.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register
 April 28, 1919 and in the Des Moines Capital April 30, 1919.

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

CHAPTER 287.

CONTAGIOUS AND INFECTIOUS DISEASES OF DOMESTIC ANIMALS.

H. F. 335.

AN ACT to provide for the control and suppression of dangerous, contagious and infec-
 tious diseases of domestic animals, and for the inspection of live stock imported into
 the state of Iowa for breeding, work or dairy purposes; also to provide for the payment
 of indemnity in co-operation with the federal government, and making an appropria-
 tion therefor.

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

SECTION 1. **Domestic animals — diseases — commission of animal**
 1 **health — duties.** That it shall be the duty of the Commission of
 2 Animal Health to protect the health of the domestic animals of the
 3 state; to determine and employ the most efficient and practical means
 4 for the prevention, suppression, control and eradication of dangerous,
 5 contagious or infectious diseases among the domestic animals; and
 6 for these purposes it is hereby authorized and empowered to estab-
 7 lish, maintain, enforce and regulate such quarantine and other meas-
 8 ures relating to the movements and care of animals and their
 9 products, the disinfection of suspected yards, buildings and articles
 10 and the destruction of animals, as it may deem necessary; and to
 11 adopt, from time to time, all such regulations as may be necessary
 12 and proper for carrying out the purposes of this act, provided that
 13 the Commission of Animal Health shall enact such rules and regula-
 14 tions only regarding interstate shipments of live stock as are in har-
 15 mony with the rules and regulations of the Federal Bureau of Animal
 16 Industry, except in case there shall be an outbreak of a malignant or

17 contagious disease in any locality, state or territory, in which event
18 the board shall have the right to place an embargo on such locality,
19 state or territory.

1 **SEC. 2. State veterinarian — salary and expenses.** The state
2 veterinarian, who shall be the secretary and executive officer of the
3 commission, shall receive an annual salary to be fixed by the com-
4 mission, not to exceed three thousand six hundred dollars (\$3,600)
5 per year, to be paid from the state treasury. He shall furthermore
6 receive actual traveling and hotel expenses necessarily incurred and
7 paid by him in the discharge of his duties, and such amount shall be
8 paid out of the funds appropriated for the work of the Commission of
9 Animal Health.

1 **SEC. 3. Diseases among domestic animals — control of — local**
2 **health boards to assist.** All local boards of health shall assist the
3 Commission of Animal Health in the prevention, suppression, control
4 and eradication of contagious and infectious diseases among domestic
5 animals, whenever requested so to do by the secretary or any member
6 thereof.

1 **SEC. 4. Commission of Animal Health — quarantine — rules and**
2 **regulations.** The Commission of Animal Health or its executive offi-
3 cer may quarantine or kill any domestic animal infected with any
4 such disease referred to in section 3. Said commission may regulate
5 or prohibit the arrival in and departure from the state of animals so
6 infected or exposed to any highly contagious disease, and in case of
7 violation of any such regulation or prohibition, may detain any animal
8 at its owner's cost. The Commission of Animal Health may regu-
9 late or prohibit the bringing of domestic animals into the state, which,
10 in its opinion, for any reason may injure the health of live stock
11 therein. All rules and regulations adopted by the commission under
12 authority of this act shall be recorded in its minutes, and one week's
13 published notice thereof shall be given by publication of said rules
14 and regulations of the commission in at least two daily papers with a
15 wide circulation published in Iowa, except in such cases as the commis-
sion may deem immediate action necessary.

1 **SEC. 5. Glanders — animals affected with — destruction — misde-**
2 **meanor — fine.** The commission shall have full authority to cause
3 the prompt destruction of any horses, mules or asses affected with
4 glanders. Every owner or person having care and control of a horse
5 or other animal having the glanders, who shall knowingly permit such
6 animal to run at large or be driven upon any highway, or who shall
7 sell or in any manner dispose of the same to any person, and every
8 keeper of a public barn, who shall knowingly permit any horse or
9 other animals having such disease to be stabled in such barn, shall
10 be guilty of a misdemeanor and be punished by a fine of not less than
11 twenty-five dollars (\$25) or not more than one hundred dollars (\$100)
12 or by imprisonment in the county jail for not less than ten or more
than thirty days.

1 **SEC. 6. Health officer, etc. — legal duty — obstructing of, a mis-**
2 **demeanor.** Every person, who shall wilfully oppose or obstruct a
3 health officer, physician or veterinarian charged with the enforcement
4 of the health laws in performing any legal duty, shall be guilty of a
misdemeanor.

SEC. 7. Animal with contagious disease — sale of, etc., punishable. Every owner or person having charge of any animal, knowing the same to have any infectious or contagious disease, who shall sell or barter the same for breeding or dairy purposes or knowingly permit such animal to run at large or come into contact with any other animal or animals of another person, shall be punished by imprisonment in the county jail for not less than ten nor more than thirty days, or by a fine of not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100), and the seller or owner of such animal under the conditions stated shall be liable to the purchaser to the extent of the purchase price.

SEC. 8. Examination of premises — duty of commission or agents. The Commission of Animal Health, or any member thereof, or any of their duly authorized agents, shall at all times have the right to enter any premises, farms, fields, pens, abattoirs, slaughterhouses, buildings, cars or vessels where any domestic animal is at the time, or has been quartered, or wherever the carcass of one may be, for the purpose of examining the animal carcass or premises in any way that may be necessary to determine whether they are or were the subjects of any contagious or infectious disease.

SEC. 9. Assistants — veterinarians — appointment — salaries — powers. The Commission of Animal Health is hereby empowered to appoint such assistants as may be required and fix the compensation thereof and to purchase such supplies and materials as may be necessary from the funds provided in this act. The commission is further empowered to appoint one or more veterinarians in each county as assistants and fix the compensation thereof which may be collected of and paid by the owner of the stock inspected by said veterinarians. Said veterinarians are hereby authorized to perform the work provided for in this act under the direction of the Commission of Animal Health and shall be furnished by said commission with the necessary supplies and materials to carry out the provisions of this act and the commission and assistants herein provided for are empowered to administer oaths or affirmations to any appraisers appointed under this act.

SEC. 10. Testing of herds for tuberculosis — procedure. That owners of herds who desire to have their herds examined and tested with a view to detecting the presence of tuberculosis, and with a further view of freeing their herds from such disease, may apply to the commission for testing and examination. A blank for such application shall be furnished by the commission and shall include such an agreement on the part of the person making the said application that he will conform to and abide by the rules and regulations laid down by said commission and follow the instructions of said commission designated to prevent the reinfection of the herd and to suppress the disease or prevent the spread thereof. Upon receiving such application, or if herds or animals are examined on the commission's own motion, the commission shall, as soon as practicable, cause such test or an examination to be made. If, after such an examination, tubercular animals are found therein, the said commission shall have authority to order such disposition of them as it considers most desirable and economical. Before being tested, such animals shall be appraised at their cash value for breeding, dairy or beef purposes by

19 a representative of the commission or a representative of the United
20 States Bureau of Animal Industry or both together with the owner.
21 If these cannot agree as to the amount of the appraisal, there shall be
22 appointed three competent and disinterested men, one appointed by
23 the commission, one by the owner, and the third by the first two, to
24 appraise such animals, which appraisal shall be final. The expense
25 of such appraisal shall be borne by the state. In the case of pure
26 bred cattle, the pedigree shall be proved by certificate of registry
27 from the herd books where registered. If it is deemed advisable to
28 slaughter an animal reacting to the tuberculin test, the owner shall
29 be paid from the funds of the state treasury not otherwise appropri-
30 ated, a sum equal to one-third of the difference between the proceeds
31 from the sale of the salvage, which the owner receives, and the
32 appraised breeding value of the animal, provided the state does not
33 pay to the owner a sum in excess of eighty dollars for any pure bred
34 animal and forty dollars for any grade. In all cases, it is provided
35 the animal has been owned at least six months, in the state, by the
36 applicant, prior to the condemnation thereof.

1 **SEC. 11. Quarantine, etc.** If, after examination, an animal is, in
2 the judgment of the officer or agent of the commission making the
3 examination, affected with tuberculosis, and if the commission deems
4 that a due regard for the public health warrants it, said commission
5 may enter into a written agreement with the owner subject to such
6 conditions as the commission may prescribe, for the separation and
7 quarantine of such diseased animal or animals. Subject to the regu-
8 lations of the commission, such diseased animal or animals may con-
9 tinue to be used for breeding purposes.

1 **SEC. 12. Voluntary application for herd test.** When the com-
2 mission deems that the conditions warrant it, said commission may
3 make provisions for accrediting such herds as have their approval.
4 When voluntary application has been made to the said commission
5 for the testing of either dairy or pure bred herds, as provided in this
6 act, the party making the application, after agreeing to the rules and
7 regulations of the commission, shall not be required to pay the
8 expenses of said test or examination.

1 **SEC. 13. Tuberculin — distribution and use — authorization.** The
2 commission shall have control of the sale, distribution and use of all
3 tuberculin used in the state, and shall formulate regulations for its
4 distribution and use. Only such persons as are authorized by the
5 commission and any regular practicing veterinary surgeon of the state
6 shall be entitled to administer tuberculin to any animal included under
7 this act.

1 **SEC. 14. Transportation of animals — specific diseases — certifi-**
2 **cate of health.** That it shall be unlawful for any person or trans-
3 portation company to bring into the state of Iowa, except to public
4 live stock markets within the state of Iowa, under the jurisdiction of
5 the Federal Bureau of Animal Industry, or to take from any such
6 live stock market in the state of Iowa any horses, mules, asses, cattle,
7 sheep or swine, for work, breeding or dairy purposes, unless such ani-
8 mals have been examined and found free from the following con-
9 tagious diseases: Glanders, farcy, tuberculosis, hog cholera, scabies,
maladie du coit. or any other contagious or infectious diseases, which

10 freedom from disease shall be established by a certificate of health
11 signed by a veterinarian acting under the jurisdiction of the Federal
12 Bureau of Animal Industry, or by a state veterinarian, or assistant
13 state veterinarian, acting under the approval, order, or discretion of
14 the commission. A copy of such certificate shall be attached to the
15 bill of lading accompanying the shipment, and a copy thereof shall be
16 mailed to the secretary of the Commission of Animal Health.

SEC. 15. Provisions of act — violation of — misdemeanor — punishment. Any person, transportation company, corporation or agent thereof violating any of the provisions of this act, shall be guilty of a gross misdemeanor, and upon conviction thereof, shall be fined for each offense not less than five hundred dollars, nor more than one thousand dollars, or be imprisoned for not more than one year. Such transportation company, corporation or agent shall be liable in a civil action to any person injured for the full amount of damages that may result from the violation of this act. Action may be brought in any county in the state in which said animals are sold, offered for sale, or delivered to purchaser, or anywhere they may be detained in transit.

SEC. 16. Provisions as to tuberculosis — when not applicable. Provided, however, that no provision of this act pertaining to tuberculosis shall be applicable to cattle to be kept or sold for feeding purposes only, nor to transportation of same.

SEC. 17. Annual appropriation. It is hereby declared that the carrying out of the provisions of this act is necessary for the public health and public welfare, and there is hereby appropriated out of any money in the state treasury, not otherwise appropriated, the sum of one hundred thousand dollars (\$100,000.00) annually, to become available on the taking effect of this act.

SEC. 18. Co-operation of commission and U. S. Department of Agriculture — infected cattle — indemnity. The commission is hereby authorized to co-operate with and arrange for such assistance from the United States Department of Agriculture in carrying out the provisions of this act as they may deem wise and just. No cattle infected with tuberculosis shall be killed without the owner's consent under the provisions of this act unless there shall be funds in the treasury, remaining from the aforesaid appropriation after all prior claims are paid.

SEC. 19. Provisions of act — violation — misdemeanor — penalty. Any person or persons violating any of the provisions of this act, or any of the rules and regulations adopted under the authority of this act, except as otherwise stated, shall be guilty of a misdemeanor and shall be punished by fine of not less than one hundred dollars (\$100.00) or not more than five hundred dollars (\$500.00), or by imprisonment in the county jail for not less than thirty days, nor more than six months.

SEC. 20. Specific sections and acts in conflict repealed. Sections two thousand five hundred thirty-three (2533), two thousand five hundred thirty-four (2534) and two thousand five hundred thirty-seven (2537), of the code, sections two thousand five hundred thirty (2530), two thousand five hundred thirty-three (2533), two thousand

6 five hundred thirty-four (2534), two thousand five hundred thirty-
 7 six (2536), two thousand five hundred thirty-eight (2538), two thou-
 8 sand five hundred thirty-eight-d (2538-d), two thousand five hun-
 9 dred thirty-eight-q (2538-q) of the supplement to the code, 1913,
 10 and all other acts or parts of acts in conflict with this act are hereby
 11 repealed.

1 **SEC. 21. Publication clause.** This act, being deemed of immediate
 2 importance, shall take effect and be in force, from and after its passage
 3 and publication in the Cedar Rapids Republican and the Des Moines
 4 Capital, newspapers published at Cedar Rapids and Des Moines, Iowa,
 5 respectively.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Cedar Rapids Republican
 April 26, 1919 and in the Des Moines Capital April 29, 1919.

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

CHAPTER 288.

POWERS OF CITIES RELATING TO WATERWORKS.

H. F. 526.

AN ACT to confer additional powers on cities now or hereafter having a population of
 one hundred thousand (100,000) inhabitants or over, including cities acting under the
 commission plan of government, relating to waterworks.

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

1 **SECTION 1. Waterworks — power of cities to own, lease, etc. —**
 2 **election, etc.** That all cities now or hereafter having a population of
 3 one hundred thousand (100,000) inhabitants or over, including cities
 4 acting under the commission plan of government, shall have the power
 5 to own, construct, erect, establish, acquire, purchase, maintain and
 6 operate a waterworks within their corporate limits, and extensions
 7 thereto for not more than ten miles beyond such limits, with all of
 8 the necessary appurtenances, real estate, buildings, galleries, mains,
 9 pipes, power plants, or systems, and lease as lessor or sell the same
 10 or any part thereof, and such city shall also have power to acquire,
 11 own and sell the negotiable bonds or other evidences of indebtedness
 12 of such waterworks; provided, however, no such waterworks shall be
 13 constructed or purchased, nor when once acquired be leased or sold
 14 until the construction, purchase, leasing or selling of such water-
 15 works shall have been approved by a majority of the legal voters of
 16 such city voting thereon at a general election, city election, or at a
 17 special election called for that purpose, and in no event shall such
 18 waterworks when once acquired be leased by such city, as lessor, for
 a period longer than twenty-five (25) years.

1 **SEC. 2. Franchises, contracts, etc. — powers of city.** In the exer-
 2 cise of any of the powers herein granted any such city is given the
 3 power to acquire, take and hold any or all necessary property of the

4 character specified in the preceding section, including existing fran-
5 chises or contracts, either by purchase or condemnation proceedings
6 in accordance with the provisions of chapter 10, title V, of the code,
7 and amendments thereto, except that in such condemnation proceed-
8 ings the value of the property shall be determined as provided in chap-
9 45, acts of the 33rd general assembly, and amendments thereto.

SEC. 3. Acquisition of waterworks — special tax levy — limit of
1 indebtedness. For the purpose of acquiring such waterworks either
2 by purchase, condemnation or construction, and from time to time
3 making permanent extensions thereof, additions to and betterments
4 of the same and of the power plants and equipment, including the
5 acquisition of additional real estate, any such city may borrow money
6 and may issue its negotiable bonds therefor. It shall have the power
7 to levy upon all the taxable property within the corporate limits of
8 said city for said purposes in addition to all other taxes now provided
9 by law a special tax not exceeding in any one year five (5) mills on
10 the dollar, for a period of years not exceeding fifty (50), and such
11 cities may for the purpose of purchasing, erecting, maintaining and
12 operating waterworks incur an indebtedness not exceeding in the
13 aggregate added to all other indebtedness five (5) per centum of the
14 actual value of the taxable property within such city. The amount
15 of such taxable property to be ascertained by the last state and
16 county tax lists previous to the incurring of such indebtedness.

SEC. 4. Public service bonds — when due and payable, etc. Any
2 such city desiring to own, construct, erect, acquire, purchase, estab-
3 lish and maintain such waterworks may issue bonds in anticipation
4 of the special tax authorized in the preceding section. Such bonds
5 shall be known as public service bonds, and said bonds and interest
6 thereon shall be secured by said assessment and levy and (unless
7 otherwise paid out of the surplus income derived from the operation
8 of the waterworks) shall be payable only out of the proceeds thereof
9 pledged to the payment of the same, and shall be issued and sold in
10 accordance with the provisions of chapter 12, title V, of the code and
11 acts amendatory thereto, including chapter 7 of the acts of the 37th
12 general assembly, except as herein otherwise provided. In issuing
13 such bonds, the city council may cause portions of the same to become
14 due at different definite periods, but none of such bonds so issued shall
15 be payable more than fifty (50) years from their date. It shall be
16 the duty of the city treasurer to collect and receive said tax and to
17 hold the same separate and apart in trust for the payment of said
18 bonds and interest, and to apply the proceeds of said tax pledged for
19 that purpose to the payment of said bonds and interest. Said bonds
20 shall be issued in sums of not less than one hundred (\$100.00) dollars
21 nor more than one thousand (\$1000) dollars, each running not more
22 than fifty (50) years, and bearing interest not exceeding five (5) per
23 cent per annum, payable semi-annually.

SEC. 5. Public service certificates — city may issue — ordinance,
1 etc. Every such city may issue interest bearing public service cer-
2 tificates to provide for the acquisition, extension or improvement of
3 any waterworks property or equipment. Such certificates shall in no
4 case become an obligation of the city or be payable out of any general
5 fund, but shall be payable solely out of a sinking fund representing a
6 specific portion of the income derived from the waterworks on account

7 of which they were issued, and such certificates may be issued as
 8 aforesaid to an amount ten per cent (10%) in excess of the cost of any
 9 such extensions, improvements, waterworks property, or equipment,
 10 on account of which such certificates are issued. No ordinance pro-
 11 viding for the issuance of such certificates shall be effective until
 12 there be filed with the city clerk, prior to the adoption of such ordi-
 13 nance, the recommendation of the waterworks trustees for the issu-
 14 ance of such certificates.

1 **SEC. 6. Sinking fund — power of city to provide.** Every such
 2 city shall have the additional power to provide, by ordinance, for a
 3 sinking fund to be derived from the earnings of any waterworks
 4 acquired by it pursuant to the terms of any ordinance, contract, or
 5 other regulation.

1 **SEC. 7. City as owner — duty of council — waterworks trustees**
 2 **— term — salary.** Whenever any such city becomes the owner of a
 3 waterworks it shall be the duty of the city council, unless the same
 4 has already been done by prior action of the council, to forthwith by
 5 ordinance on the nomination of the mayor, elect and appoint a board
 6 of waterworks trustees for such waterworks consisting of five resident
 7 voters who shall hold office: one until the first Monday in April of the
 8 second year after his oppointment; two until the first Monday in
 9 April of the fourth year after their appointment; and, two until the
 10 first Monday in April of the sixth year after their appointment; pro-
 11 vided, such waterworks has not been sooner leased or sold as provided
 12 in section one hereof, in which event the term of office of each of the
 13 members of said board shall be held to have expired. In case said
 14 property is neither leased nor sold, then each succeeding council shall
 15 as soon as practicable after organizing appoint a member or members
 16 of the board, as the case may be, for a term of six years, who shall
 17 take the place of the members of the board whose term of office
 18 expires. The chairman of said board shall be selected and named by
 19 a majority vote of the members thereof, and for such term as the
 20 board may determine. No person shall be eligible for appointment
 21 on the board while he holds or is a candidate for, or has within one
 22 year held any other salaried federal, state, county or city office, or
 23 salaried federal or municipal position. This shall not apply to any
 24 officer or soldier in the United States Army, or to any officer or sailor
 25 of the United States Navy. Three of said members shall constitute
 26 a quorum to transact business. The council may, after a hearing and
 27 upon ten days' written notice, remove any of the members of said
 28 board during their term of office for cause by a vote of four members
 29 of the council in favor of such removal, and shall fill any vacancy that
 30 may occur in such board for the unexpired term, and each member
 thereof shall receive such salary as the council may determine.

1 **SEC. 8. Trustees — oath — bond, etc.** Each member of the board
 2 of waterworks trustees shall qualify by taking the oath as provided
 3 by section one hundred seventy-nine (179) of the code. An official
 4 bond in the sum of five thousand (\$5,000) dollars shall be required of
 5 each member of said board before he enters upon the duties of his
 6 office, conditioned as provided by law, signed by sureties to be approved
 7 by the council, and when so approved said bond shall be filed in the

8 office of the city clerk. No member of said board shall be eligible to
9 any lucrative office in the city or state during his term of service.

1 **SEC. 9. Trustees — supervision and responsibility.** The board of
2 waterworks trustees shall have supervision over and be responsible
3 to the city council for all details of administration and operation of
4 said waterworks, the board to determine all questions of engineering,
5 mechanical and operating details, and report to the council, at such
6 stated periods as the council may determine, all information necessary
7 for its guidance in deciding questions of public policy pertaining to
8 the service.

SEC. 10. Board of trustees — duties as to records, accounts, etc.
1 The board shall immediately after its organization make and prescribe
2 all the necessary rules for the government of the waterworks, and
3 prescribe the form of records and the kind of accounts to be made and
4 kept in the operation of such waterworks. It shall institute and
5 require the keeping of a uniform and perfected system of accounts
6 and requisitions showing the purchase, storing and use of materials
7 for operation, construction and other purposes. Said accounts shall
8 be kept distinct and separate from other city accounts, and in such
9 manner as to show the true and complete financial results of the
10 operation of said waterworks. The board shall at least twice a year
11 cause to be prepared and printed for public distribution a full and
12 complete financial report. The account of such waterworks shall be
13 examined at least once a year by an expert accountant selected by the
14 city council.

1 **SEC. 11. Board of trustees — determination of rates.** The board
2 of waterworks trustees in all such cities owning and operating a
3 waterworks under this act shall determine the rates to be charged for
4 water. Such rates shall be fixed so as to produce sufficient amount
5 to cover:

- 6 1. Interest on the entire investment at the rate paid by the city
7 on its waterworks bonded debt.
- 8 2. The cost of insurance against loss by accidents of all kinds.
- 9 3. The cost of impairment of investment by reason of deprecia-
10 tion.
- 11 4. The cost of all material used.
- 12 5. The cost of all operating expenses, including salaries and wages
13 paid.
- 14 6. All other expenses.
- 15 7. A sufficient annual provision for a sinking fund to fully pay at
16 maturity all bonds and certificates which by their terms are payable
17 out of the special tax provided for in section one, or out of the earn-
18 ings of the property purchased under the powers herein granted.

1 **SEC. 12. Waterworks bonds — power of cities — interest.** In
2 addition to all the powers hereinbefore granted such cities shall have
3 the right to mortgage or bond such waterworks and pledge the net
4 revenues thereof to secure the payment of the purchase price, and
5 the extension and improvement thereof, but no part of the general
6 fund of such cities shall be applied upon such contracts, bonds or
7 mortgages. In the payment of the securities authorized to be issued
8 by this section the city and holders thereof shall be restricted to the

9 property mortgaged and the net revenues thereof, and such contract
10 or bonds and all other bonds or certificates issued under this act shall
11 not bear a higher rate of interest than five (5) per cent per annum
12 payable semi-annually.

1 **SEC. 13. Water service — free or favored rate prohibited — pen-**
2 **alty.** It shall be unlawful for the board or any person to give or
3 receive free water service, or to give or receive water service at a
4 more favorable rate than that accorded to the general public. Any
5 person or persons violating, either directly or indirectly, the provi-
6 sions of this section shall upon conviction be punished by a fine of not
7 less than three hundred (\$300.00) dollars or sixty (60) days in jail
for each and every offense.

1 **SEC. 14. Rules as to extension of mains — power to lease water-**
2 **works.** The board of waterworks trustees shall establish such rules
3 regarding the extension of mains as in its belief will inure to the
4 greatest benefit of the city, and shall avoid granting special favors
5 in the extension of mains by requiring property owners when neces-
6 sary to make certain guarantees or to pay certain sums to cover the
7 cost of unprofitable extensions. The power to lease the waterworks
8 or any part thereof shall be exercised by the city council only upon
approval of the board of waterworks trustees.

1 **SEC. 15. Political or other influence prohibited — violation — mis-**
2 **demeanor.** Any member of said board of waterworks trustees or any
3 employe of such city who is employed in any of the departments of
4 said waterworks who by solicitation or otherwise, shall exert his influ-
5 ence, directly or indirectly, to influence other officers or employes of
6 such city to adopt his political views or to favor any particular person
7 or candidate for office, or who shall in any manner contribute money,
8 time, labor, or other valuable thing to any person for election pur-
9 poses, and any member of the city council who shall, by solicitation
10 or otherwise, exert his influence directly or indirectly to influence
11 said board or any member thereof, in the hiring or discharging of any
12 employe or employes of said waterworks shall be guilty of a misde-
13 meanor and upon conviction shall be punished by a fine not exceeding
14 one thousand (\$1,000) dollars, or by imprisonment in the county jail
not exceeding six (6) months.

1 **SEC. 16. Diverting income — embezzlement — punishment.** Any
2 member of the board of waterworks trustees or any member of the
3 city council, or any other person who shall while there are outstand-
4 ing obligations against said waterworks, divert or attempt to divert
5 any of the income derived from the operation of the said waterworks
6 by the city for any purpose than that of maintaining, improving,
7 extending or paying the obligations of said waterworks, shall be held
8 to be guilty of embezzlement and punished accordingly.

1 **SEC. 17. Bonds, etc., exempt from taxation.** All bonds and cer-
2 tificates issued under this act shall be exempt from taxation as pro-
3 vided in section thirteen hundred and four (1304) of the supplement
4 to the code, 1907, as amended by chapter eighty-one (81) acts of the
5 thirty-third general assembly.

1 **SEC. 18. Rate-making power — construction of act.** Nothing
2 herein shall be held to repeal sections 724 and 725 of the 1913 sup-

3 plement to the code, said sections, however, so far as the rate making
 4 power is concerned, shall not apply to the operation of waterworks
 5 constructed or purchased under the provisions of this act. In all
 6 other respects this act shall be construed as granting additional power
 7 without limiting the power already existing in cities of the first class
 8 with a population of one hundred (100,000) thousand or over.

1 . SEC. 19. **Publication clause.** This act being deemed of immediate
 2 importance shall be in full force and effect from and after its passage
 3 and publication as provided by law in the Plain Talk and The Des
 4 Moines Register newspapers published at Des Moines, Iowa, said pub-
 5 lication to be without expense to the state.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register April
 26, 1919 and in the Plain Talk May 1, 1919.

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

CHAPTER 289.

CARE AND COMFORT OF IOWA'S SOLDIERS, SAILORS AND MARINES.

H. F. 347.

AN ACT making an appropriation for the care and comfort of Iowa's returning soldiers
 and sailors.

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

1 SECTION 1. **Iowa's returning soldiers, etc. — appropriation.** There
 2 is hereby appropriated out of any unexpended balance of the fund
 3 appropriated by chapter two hundred seven (207) of the laws of the
 4 thirty-seventh general assembly for war purposes, the sum of twenty-
 5 five thousand dollars (\$25,000.00) for the use and benefit of Iowa's
 6 returning soldiers, sailors and marines, who are ill and temporarily
 7 being cared for in hospitals in New York City or other port cities, and
 8 for such returning soldiers, sailors and marines who may be dis-
 9 charged on landing in New York City or other coast cities or Chicago,
 10 and who may be temporarily detained in said cities on the way home
 11 and may be in need of assistance, and for the expense of the estab-
 12 lishment of temporary headquarters for such soldiers, sailors and
 13 marines in New York City.

1 SEC. 2. **Commission — appointment by governor.** Immediately
 2 upon the passage and publication of this act it shall be the duty of the
 3 governor to appoint a commission of three persons, including the adju-
 4 tant general of the state who shall act as chairman, who shall dis-
 5 burse and account for the funds by this act appropriated, and who
 6 shall act without any compensation, but with an allowance of actual
 7 expenses. Two members of said commission may be nonresidents of
 8 the state one of whom shall be a resident of New York and one a resi-
 9 dent of Chicago.

1 **SEC. 3. Expenditures — requisition in detail.** That all sums
 2 drawn on the appropriation herein made shall be drawn by a warrant
 3 of the auditor of state on the treasurer of state upon a requisition
 4 made by the commission provided for in the preceding section, and
 5 endorsed by the governor, and such requisition shall set forth in detail
 6 the purpose for which the sum therein named has been expended or is
 7 to be used, and such expenditures shall be audited as other expendi-
 8 tures are audited.

1 **SEC. 4. Publication clause.** This act being deemed of immediate
 2 importance shall take effect and be in full force from and after its
 3 passage and publication in the Des Moines Register and Des Moines
 4 Capital, newspapers published in the city of Des Moines, Iowa.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register
 April 25, 1919 and in the Des Moines Capital April 29, 1919.

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

CHAPTER 290.

VISITING OR PUBLIC HEALTH NURSES.

H. F. 557.

AN ACT giving boards of supervisors, city and town councils, and school boards the
 authority and power to employ visiting or public health nurses and to pay the salary
 and expenses thereof.

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

1 **SECTION 1. Public health nurses — authority to employ — sal-**
 2 **aries and expenses.** That the boards of supervisors, the city and
 3 town councils, and the school boards in this state shall have the power
 4 and authority to employ visiting or public health nurses at such
 5 periods each year and in such numbers as they may deem advisable
 6 and to pay the salaries and expenses thereof from the funds in the
 7 treasuries of said boards and councils.

1 **SEC. 2. Co-operation in employment — apportionment of salaries,**
 2 **etc.** That the said board of supervisors, the city and town councils,
 3 and the school boards in any county in the state may co-operate in the
 4 employment of said visiting or public health nurses and may appor-
 5 tion the salaries and expenses thereof to the various territories repre-
 6 sented by them.

1 **SEC. 3. Duties prescribed.** That the said boards of supervisors,
 2 the city and town councils, and the school boards shall at the time of
 3 the employment of visiting or public health nurses prescribe the duties
 4 thereof which shall in a general way be for the promotion and con-
 5 servation of the public health.

1 **SEC. 4. Publication clause.** This act being deemed of immediate
 2 importance, shall take effect and be in force from and after its passage

3 and publication in the Des Moines Register and the Des Moines Capital,
4 tal, newspapers published in the city of Des Moines, Iowa.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register April 25, 1919 and in the Des Moines Capital April 29, 1919.

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

CHAPTER 291.

STATE AID TO CONSOLIDATED SCHOOLS.

H. F. 342.

AN ACT to amend section twenty-seven hundred ninety-four-g (2794-g) supplemental supplement to the code, 1915, relating to annual appropriation for state aid to consolidated schools.

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

1 SECTION 1. Appropriation. That section twenty-seven hundred
2 ninety-four-g (2794-g), supplemental supplement to the code, 1915,
3 be and the same is hereby amended by inserting after the words "one
4 hundred" in line seven (7) the word "fifty".

1 SEC. 2. Publication clause. This act being deemed of immediate
2 importance shall take effect and be in full force from and after the
3 time of its passage and publication in the Des Moines Register, and in
4 the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April 25, 1919 and in the Des Moines Register April 28, 1919.

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

CHAPTER 292.

COUNTY FAIR SOCIETIES AND AGRICULTURAL ASSOCIATIONS.

H. F. 317.

AN ACT to amend chapter four (4) title ten (X) of the code relating to taking private property for works of internal improvement and providing that incorporated county fair societies or county agricultural associations or district agricultural associations shall have the power of eminent domain.

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

SECTION 1. County fair societies, etc. — real estate — acquisition
1 of. Any incorporated county fair society, county agricultural asso-
2 ciation, or district agricultural associations shall have the power to

3 acquire real estate for the necessary and convenient use of such soci-
 4 ety or association in the same manner as is provided by law for taking
 5 private property for works of internal improvement by chapter four
 6 (4), title ten (X) of the code.

1 **SEC. 2. Publication clause.** This act being deemed of immediate
 2 importance, shall be in force and effect on and after its passage and
 3 publication in the Des Moines Register, a newspaper published in Des
 4 Moines, Iowa, and the Fayette County Union, published in West
 5 Union, Iowa, all without expense to the state.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register
 April 25, 1919 and in the Fayette County Union May 1, 1919.

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

CHAPTER 293.

COMPENSATION OF COUNTY OFFICERS.

S. F. 124.

An ACT to repeal the law as it appears in sections four hundred seventy-nine (479),
 four hundred ninety (490), four hundred ninety-five (495) and five hundred ten a
 (510-a) supplemental supplement to the code, 1915, and section one (1) of chapter
 four hundred twenty-six (426) of the acts of the thirty-seventh general assembly,
 and section two thousand seven hundred forty-two (2742) supplement to the code,
 1913, and to enact substitutes in lieu thereof, relating to the duties and compensation
 of county officers.

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

1 **SECTION 1. Repeal and substitute — county auditor — compensa-**
 2 **tion schedule.** That section four hundred seventy-nine (479), sup-
 3 plemental supplement to the code, 1915, be and the same is hereby
 4 repealed and the following enacted in lieu thereof:
 5 “Each county auditor shall receive for his services the following com-
 6 pensation: In counties having a population of less than ten thou-
 7 sand, seventeen hundred dollars; in counties having a population of
 8 ten thousand and less than fifteen thousand, eighteen hundred dol-
 9 lars; in counties having a population of fifteen thousand and less than
 10 twenty thousand, nineteen hundred dollars; in counties having a popu-
 11 lation of twenty thousand and less than twenty-five thousand, two
 12 thousand dollars; in counties having a population of twenty-five thou-
 13 sand and less than thirty thousand, twenty-one hundred dollars; in
 14 counties having a population of thirty thousand and less than thirty-
 15 five thousand, twenty-two hundred dollars; in counties having a popu-
 16 lation of thirty-five thousand and less than forty thousand, twenty-
 17 four hundred dollars; in counties having a population of forty thou-
 18 sand and less than fifty thousand, twenty-eight hundred dollars; in
 19 counties having a population of fifty thousand and less than sixty
 20 thousand, three thousand fifty dollars; in counties having a popula-
 tion of sixty thousand and less than sixty-five thousand, thirty-three

21 hundred dollars; and in all counties having a population of sixty-five
22 thousand or over, thirty-four hundred dollars.

23 Provided, however, that in counties having a population of over
24 twenty-five thousand having a special charter city where the county
25 auditor prepares and makes up the city tax books for such special
26 charter city, the county auditor shall receive three hundred dollars
27 in addition to the compensation as fixed by the above schedule in this
28 act. And in counties having two places at which the district court
29 is held, he shall receive as additional compensation the sum of five
30 hundred dollars.

SEC. 2. Repeal and substitute — county treasurer — compensa-
1 tion schedule. That section four hundred ninety (490) supplemental
2 supplement to the code, 1915, be and the same is hereby repealed, and
3 the following enacted in lieu thereof:

4 "Each county treasurer shall receive for his services the following
5 compensation: in counties having a population of less than ten thou-
6 sand, seventeen hundred dollars; in counties having a population of
7 ten thousand and less than fifteen thousand, eighteen hundred dol-
8 lars; in counties having a population of fifteen thousand and less than
9 twenty thousand, nineteen hundred dollars; in counties having a popu-
10 lation of twenty thousand and less than twenty-five thousand, two
11 thousand dollars; in counties having a population of twenty-five thou-
12 sand and less than thirty thousand, twenty-one hundred dollars; in
13 counties having a population of thirty thousand and less than thirty-
14 five thousand, twenty-two hundred dollars; in counties having a popula-
15 tion of thirty-five thousand and less than forty thousand, twenty-four
16 hundred dollars; in counties having a population of forty thousand
17 and less than fifty thousand, twenty-eight hundred dollars; in coun-
18 ties having a population of fifty thousand and less than sixty thou-
19 sand, three thousand fifty dollars; in counties having a population
20 sixty thousand and less than sixty-five thousand, thirty-three hun-
21 dred dollars; and in all counties having a population of sixty-five
22 thousand and over, thirty-four hundred dollars.

23 Provided, however, that in counties having a population of over
24 twenty-five thousand, having a special charter city where the taxes
25 are collected by the county treasurer, three hundred dollars in addi-
26 tion to the compensation as fixed by the above schedule in this act;
27 and in counties where the district court is held at two different places
28 the county treasurer shall receive five hundred dollars in addition to
29 the compensation as fixed by the above schedule in this act.

SEC. 3. County recorder — compensation schedule. That sec-
1 tion four hundred ninety-five (495), supplemental supplement to the
2 code, 1915, be amended by striking from said section all after the
3 period (.) in the ninth (9) line thereof and inserting in lieu thereof
4 the following:
5

6 "Each county recorder shall receive for his services the following
7 compensation: in counties having a population of less than fifteen
8 thousand, sixteen hundred dollars; in counties having a population of
9 fifteen thousand and less than twenty thousand, seventeen hundred
10 dollars; in counties having a population of twenty thousand and less
11 than twenty-five thousand, eighteen hundred dollars; in counties hav-
12 ing a population of twenty-five thousand and less than thirty thou-
13 sand, nineteen hundred dollars; in counties having a population of

14 thirty thousand and less than thirty-five thousand, two thousand dol-
 15 lars; in counties having a population of thirty-five thousand and less
 16 than forty thousand, twenty-one hundred dollars; in counties having
 17 a population of forty thousand and less than fifty thousand, twenty-
 18 two hundred dollars; in counties having a population of fifty thou-
 19 sand and less than sixty thousand, twenty-three hundred dollars; in
 20 counties having a population of sixty thousand and less than seventy
 21 thousand, twenty-four hundred dollars; in counties having a popula-
 22 tion of seventy thousand and less than ninety thousand, twenty-five
 23 hundred dollars; in counties having a population of ninety thousand
 24 and over, thirty-one hundred dollars.

25 Provided, however, that in counties where a recorder's office is kept
 26 in two different places the county recorder shall receive five hundred
 27 (\$500) dollars in addition to the compensation as fixed by the above
 28 schedule in this act."

SEC. 4. Repeal and substitute — county sheriff — compensation schedule — fees — allowance.

1 That section five hundred ten-a
 2 (510-a) supplemental supplement to the code 1915, be and the same
 3 is hereby repealed, and the following enacted in lieu thereof:

4 "Each county sheriff shall receive for his services the following
 5 compensation: in counties having a population of less than fifteen
 6 thousand, seventeen hundred dollars; in counties having a popula-
 7 tion of fifteen thousand and less than twenty thousand, eighteen hun-
 8 dred dollars; in counties having a population of twenty thousand and
 9 less than twenty-five thousand, nineteen hundred dollars; in counties
 10 having a population of twenty-five thousand and less than thirty-five
 11 thousand, twenty hundred dollars; in counties having a population of
 12 thirty-five thousand and less than forty thousand, twenty-one hun-
 13 dred dollars; in counties having a population of forty thousand and
 14 less than fifty thousand, twenty-two hundred dollars; in counties hav-
 15 ing a population of fifty thousand and less than sixty thousand,
 16 twenty-four hundred dollars; in counties having a population of sixty
 17 thousand and less than sixty-five thousand, twenty-six hundred dol-
 18 lars; in counties having a population of sixty-five thousand and over,
 19 twenty-eight hundred dollars.

20 All fees collected, except mileage, shall be paid to the clerk of the
 21 district court for the use of the county and all fees earned, except
 22 mileage, and uncollected at the end of each year shall belong to the
 23 county and when paid shall be reported to the board of supervisors
 24 by the clerk of the district court and paid into the county treasurer.
 25 In counties where the sheriff is not furnished a residence by the county
 26 an additional sum of three hundred (\$300.00) dollars per annum shall
 27 be allowed."

SEC. 5. Repeal and substitute — clerk of district court — compensation schedule.

1 That section one (1) of chapter four hundred
 2 twenty-six (426) of the acts of the thirty-seventh general assembly,
 3 be and the same is hereby repealed, and the following enacted in lieu
 4 thereof:

5 "Each clerk of the district court shall receive for his services the
 6 following compensation: in counties having a population of less than
 7 ten thousand, seventeen-hundred dollars; in counties having a popula-
 8 tion of ten thousand and less than fifteen thousand, eighteen-hundred
 9 dollars; in counties having a population of fifteen thousand and less

10 than twenty thousand, nineteen-hundred dollars; in counties having
 11 a population of twenty thousand and less than twenty-five thousand,
 12 two thousand dollars; in counties having a population of twenty-five
 13 thousand and less than thirty thousand, twenty-one hundred dollars;
 14 in counties having a population of thirty thousand and less than
 15 thirty-five thousand, twenty-two hundred dollars; in counties having
 16 a population of thirty-five thousand and less than forty thousand,
 17 twenty-four hundred dollars; in counties having a population of forty
 18 thousand and less than fifty thousand, twenty-eight hundred dollars;
 19 in counties having a population of fifty thousand and less than sixty
 20 thousand, three thousand fifty dollars; in counties having a popula-
 21 tion of sixty thousand and less than sixty-five thousand, thirty-three
 22 hundred dollars; in counties having a population of sixty-five thou-
 23 sand and over, thirty-four hundred dollars. Provided, however, that
 24 in counties where the district court is held in two places he shall
 25 receive as additional compensation the sum of four hundred dollars.

SEC. 6. Repeal and substitute — county superintendent of schools
 1 — compensation schedule. That section twenty-seven hundred
 2 forty-two (2742), supplement to the code, 1913, be and the same is
 3 hereby repealed and the following enacted in lieu thereof:
 4 “Each county superintendent of schools shall receive for his services
 5 the following compensation: In counties having a population of less
 6 than ten thousand (10,000), \$1,600.00; in counties having a popula-
 7 tion of ten thousand (10,000) and less than twenty thousand (20,000),
 8 \$1,700.00; in counties having a population of twenty thousand
 9 (20,000) and less than thirty thousand (30,000), \$1,800.00; in coun-
 10 ties having a population of thirty thousand (30,000) and less than
 11 forty thousand (40,000), \$1,900.00; in counties having a population
 12 of forty thousand (40,000) and less than fifty thousand (50,000),
 13 \$2,000.00; in counties having a population of fifty thousand (50,000)
 14 or more the sum of \$2,500.00; and in all cases such superintendent
 15 shall receive the expenses of necessary office stationery and postage
 16 and those incurred in attending upon meetings called by the superin-
 17 tendent of public instruction; claims therefor to be made by verified
 18 statement filed with the county auditor who shall draw his warrant
 19 upon the county treasurer therefor; Provided, that, where county
 20 superintendents are now receiving by action of the board of super-
 21 visors a sum greater than the amount fixed herein, this law shall not
 22 be construed so as to reduce said sum.”
 23 “Any increase in salaries provided for in this act shall not apply
 24 after June 30th, 1921.”

1 SEC. 7. County officers — salaries — how paid. The salaries of
 2 all county officers included in this act shall be paid out of the county
 3 treasury in equal monthly installments.

1 SEC. 8. Publication clause. This act being deemed of immediate
 2 importance shall take effect and be in full force from and after its
 3 publication in the Des Moines Register and the Des Moines Capital,
 4 newspapers published in Des Moines, Iowa.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register
 April 25, 1919 and in the Des Moines Capital April 27, 1919.

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

CHAPTER 294.

AUTHORIZING SPUR TRACK TO IOWA SOLDIERS' HOME.

S. F. 516.

AN ACT to authorize the construction of a spur track by the state of Iowa, to the Iowa Soldiers' Home at Marshalltown, Iowa, and to make an appropriation therefor.

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

SECTION 1. Iowa Soldiers' Home — spur track — authorization.

1 The board of control of state institutions of Iowa is hereby authorized
 2 to construct or have constructed a spur track beginning at a point on
 3 the Minneapolis and St. Louis railroad company track, heretofore
 4 called the Iowa Central railroad company, where same is crossed by
 5 South Twelfth street in the city of Marshalltown, Iowa; running
 6 thence west and north to South Thirteenth street; thence north on
 7 South Thirteenth street to the intersection of South Thirteenth street
 8 with West Main street; there to connect with the Iowa Railway and
 9 Light Company track. Then commencing with the north end of said
 10 railroad track at the intersection of North Thirteenth street and Sum-
 11 mit street and continuing through the grounds of the Iowa Soldiers'
 12 Home to the power house of said institution. The said spur track
 13 through said grounds to be located as the board of control of state
 14 institutions may direct.

1 SEC. 2. Appropriation. There is hereby appropriated for the
 2 cost of said improvement the sum of twenty-three thousand dollars
 3 (\$23,000.00) or so much thereof as may be necessary, which sum
 4 shall be paid out of any money in the state treasury not otherwise
 5 appropriated.

1 SEC. 3. Publication clause. This act being deemed of immediate
 2 importance, the same shall become effective upon its publication in
 3 the Des Moines Capital, a newspaper published at Des Moines, Iowa;
 4 and in the Evening Times-Republican, a newspaper published at Mar-
 5 shalltown, Iowa.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April 25, 1919 and in the Evening Times-Republican April 26, 1919.

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

CHAPTER 295.

TOWN OF OAKLAND.

S. F. 527.

AN ACT to legalize the proceedings of the town council of the town of Oakland, Pottawattamie county, Iowa, and an election held thereunder for the purpose of authorizing the construction of a waterworks system in said town and the issuance of bonds to pay the cost of constructing the same.

WHEREAS, the town council of the town of Oakland, Pottawattamie county, Iowa, a town with a population of less than 3500, upon a petition signed by a majority of the qualified voters of said town reciting that it was "necessary to construct a waterworks system and water supply" and asking that an election be called to "submit to the voters of said town the proposition of issuing bonds of said town in the sum of \$25,000.00, the money derived from the sale of the bonds to be used only for the purpose of constructing a waterworks system and water supply within said town", did by a resolution duly adopted order said election; and

WHEREAS, it was provided in said resolution that the form of ballot to be used at said election should be in the following form:

"For the issuance of bonds in the sum of \$25,000.00 for the construction of a waterworks system and water supply" and also in the negative form—"Against the issuance" etc., with space for voting "for" or "against"; and

WHEREAS, the mayor of said town issued his notice and proclamation giving full notice of all of said proceedings and of a special election to be held on the 14th day of February, 1919, and reciting in said notice—"this notice is given by order of the council of said town pursuant to Section 720 et seq. Supplement to the Code of Iowa, 1913, as amended, and pursuant to Sections 1306-b et seq., Supplement to the Code of Iowa, 1913"; and

WHEREAS, said proceedings were had and said notice given with reference to and in substantial compliance with sections 720 and 721 and sections 1306-b, 1306-c, 1306-d and 1306-e, supplement to the code of Iowa, 1913; and

WHEREAS, doubts have arisen concerning the legality of said proceedings and said election; now therefore,

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

SECTION 1. Town of Oakland — waterworks system — acts of
 1 council legalized. That all of the acts of the town council of the town
 2 of Oakland, Pottawattamie county, Iowa, with reference to the finding
 3 of the sufficiency of the petition of the voters filed, the resolution
 4 adopted providing for an election, the form of ballot to be used, the
 5 notice of the election given, and the manner and form of it, and the
 6 holding of said election and the return of the result thereof and all
 7 proceedings had and done in connection with providing for the con-
 8 struction of a waterworks system and water supply for the town of
 9 Oakland, Iowa, and issuing bonds in the sum of \$25,000.00, the money
 10 derived from the sale of them to be used for the payment for the con-
 11 struction of said waterworks system are hereby legalized and vali-
 12 dated as fully and completely as if the law in all of said proceedings

13 had been strictly and literally complied with and as if there had been
 14 separate elections legally held under sections 720 and 721 and sections
 15 1306-b and 1306-c, supplement to the code, 1913, both inclusive, and
 16 the bonds to be issued under said proceedings and election had shall
 17 be valid and binding obligations of the town of Oakland, Iowa.

1 SEC. 2. **Publication clause.** This act being deemed of immediate
 2 importance shall take effect and be in force from and after its publi-
 3 cation in the Des Moines Capital, a newspaper published in Des Moines,
 4 Iowa, and in the Oakland Acorn, a newspaper published in Oakland,
 5 Iowa, without expense to the state.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April 25, 1919 and in the Oakland Acorn May 1, 1919.

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

CHAPTER 296.

TOWN OF NEW RIPPEY.

S. F. 518.

AN ACT to legalize certain conveyances heretofore made, purporting to convey real property situated within the incorporated town of New Rippey, in Greene county, Iowa, and to correct errors in the title thereto.

WHEREAS, the town of New Rippey, in Greene county, Iowa, was duly incorporated on the 7th day of June, 1870, under the name of "New Rippey, Iowa," and

WHEREAS, numerous conveyances of real estate situated within the corporate limits of said town have heretofore been made and the description therein written as "New Rippey, Iowa," "Town of Rippey, Iowa," "Village of Rippey, Iowa," and "Rippey, Iowa," and

WHEREAS, confusion has arisen by reason thereof in regard to the title to said properties, and

WHEREAS, the plat book and records of Greene county, Iowa, show that said properties were in fact located within the corporate limits of said town of New Rippey, Iowa, and the recorded additions thereto, and in the numerous lots and blocks therein contained, therefore,

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

1 SECTION 1. **Town of New Rippey — conveyances legalized.** That
 2 all conveyances of lots, blocks and sub-divisions thereof made subse-
 3 quent to June seventh, eighteen hundred and seventy, and recorded
 4 in the office of the county recorder of Greene county, Iowa, wherein
 5 the property purported to be conveyed is described as situated within
 6 the "Town of New Rippey, Iowa," "Town of Rippey, Iowa," or "Village
 7 of Rippey," or any of the recorded additions thereto, in all cases
 8 where the same purports to sustain the record chain of title thereto
 9 shall be presumed to apply to and describe lots, blocks and sub-divi-

10 sions of said town of "New Rippey, Iowa," of the corresponding num-
 11 ber and description shown upon the original plat of the town of New
 12 Rippey, Iowa, and of the recorded additions thereto, notwithstanding
 13 the difference in the names above stated, providing corresponding
 14 numbers of a given lot in a given block in said town, or in any of its
 15 recorded additions, do in fact exist therein.

1 SEC. 2. Pending litigation. This act shall not affect pending liti-
 2 gation.

1 SEC. 3. Publication clause. This act being deemed of immediate
 2 importance, shall take effect and be in force from and after its pub-
 3 lication in "The Rippey Booster," a newspaper published at Rippey,
 4 Iowa, and The Des Moines Capital, a newspaper published in Des
 5 Moines, Iowa, without expense to the state.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital
 April 30, 1919 and in The Rippey Booster May 1, 1919.

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

CHAPTER 297.

PRINTING AND PUBLISHING OF THE CODE, ETC.

S. F. 524.

AN ACT to amend senate file two hundred and ten (210) as enacted by the thirty-
 eighth (38) general assembly and approved March 14, 1919, relating to a codification
 of the laws and the printing and publishing of the code and the reports of the code
 commission.

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

SECTION 1. Amendment — printing and binding — contracts.
 1 That the law as it appears in senate file two hundred and ten (210) as
 2 enacted by the thirty-eighth (38) general assembly and approved
 3 March 14, 1919, be and the same is hereby amended by adding thereto
 4 the following:

5 "The board of public printing and binding shall make all contracts
 6 for the printing and binding required to enable the commission to
 7 carry out the provisions of this act."

1 SEC. 2. Publication clause. This act being deemed of immediate
 2 importance shall be in force and effect from and after its publication
 3 in the Des Moines Register and the Des Moines Capital, newspapers
 4 published at Des Moines, Iowa.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register
 and the Des Moines Capital April 26, 1919.

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

CHAPTER 298.

SUPERINTENDENT OF PUBLIC INSTRUCTION.

S. F. 522.

AN ACT to amend section twenty-six hundred twenty-seven-c (2627-c), supplement to the code, 1913, for the purpose of extending the duties of the superintendent of public instruction, relating to the furnishing of information relative to regulating teaching and vacancies in teachers' positions, and prescribing the manner of performing the same.

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

SECTION 1. **Teachers — placement — enrollment — vacancies — rules and regulations — appropriation.** That section twenty-six hundred twenty-seven-c (2627-c), supplement to the code, 1913, be amended by adding thereto the following, to wit:

“12. (a) He shall assist in the placement or employment of teachers in public schools as hereinafter provided.

(b) Any person having a certificate to teach in this state and who is deemed by this department to be a suitable person for teaching, shall on written application be entitled to enroll with the Superintendent of Public Instruction under such regulations as he may prescribe.

(c) Upon request he shall furnish information to boards of education, superintendents, principals, and other proper authorities of public schools, desiring to employ teachers, and under such regulations as he may prescribe, furnish teachers enrolled with the information relative to vacancies in public schools; but no person connected with the office of the Superintendent of Public Instruction shall be held responsible or be understood to vouch for the fitness or success of any teacher who may secure a position through the agencies herein provided.

(d) The Superintendent of Public Instruction may employ such additional clerical help as may be necessary to carry out the provisions of this act, and shall make and publish the necessary rules and regulations for carrying out said provisions, and for obtaining information as to the experience, qualifications and character of persons enrolled or seeking enrollment.

(e) There is hereby appropriated from any funds in the state treasury not otherwise appropriated, the sum of two thousand five-hundred dollars (\$2500.00) annually, for the purpose of carrying out the provisions of this act.”

1 SEC. 2. **Publication clause.** This act being deemed of immediate
2 importance, shall take effect and be in force on and after publication
3 in the Des Moines Register and the Des Moines Capital, newspapers
4 published at Des Moines, Iowa.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register April 26, 1919 and in the Des Moines Capital April 29, 1919.

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

CHAPTER 299.

THE PUBLIC HEALTH.

S. F. 94.

AN ACT relating to the public health, making and providing penalties for the violations of the provisions thereof, and repealing all acts in conflict herewith.

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

1 SECTION 1. The public health — venereal diseases. Syphilis,
2 gonorrhoea and chancroid, hereafter designated venereal diseases,
3 are hereby recognized and declared to be contagious, infectious, com-
4 municable and dangerous to the public health.

SEC. 2. Local boards of health — diseased persons — physicians
1 to report. It shall be the duty of every licensed physician, of every
2 superintendent or manager of a hospital or dispensary and of every
3 person who gives treatment for a venereal disease, to mail to the local
4 board of health of the city, town, or township located in the state of
5 Iowa, and where the disease occurs, a card or report blank supplied
6 by the state board of health, stating the age, sex, color, marital con-
7 dition and occupation of such diseased person, the nature and previous
8 duration of such disease and its probable origin; such card or report
9 blank to be mailed immediately after the first examination or treat-
10 ment of such diseased person, provided, that except as hereinafter
11 required, the name and address of such diseased person shall not be
12 reported to the local board of health.

SEC. 3. Circular of information and copy of act — duty of physi-
1 cian. It shall be the duty of every licensed physician and of every
2 other person who treats a person afflicted with any venereal disease
3 to give to such person at the first examination a circular of informa-
4 tion and advice concerning venereal diseases, furnished by the state
5 board of health; and in addition to give to such diseased person a
6 copy of this act, furnished by said board, and to report to the local
7 board of health that such diseased person has received the two docu-
8 ments herein specified.

SEC. 4. Physician and applicant for treatment — duties of. When
2 a person applies to a physician or other person for treatment of a
3 venereal disease, it shall be the duty of the physician or person con-
4 sulted to inquire of and ascertain from the person seeking treatment
5 whether such person has heretofore, or previously, consulted with or
6 been treated by any other physician, person or persons, for said dis-
7 eases, and if so, to ascertain the name and address of the physician,
8 person or persons last consulted. It shall be the duty of the applicant
9 for treatment to furnish this information and a refusal to do so, or
10 falsely stating the name and address of such physician, person or
11 persons consulted, shall be deemed a violation of this act. It shall be
12 the duty of the physician, person or persons whom the applicant seeks
13 to and does consult or employ to notify the physician, person or per-
14 sons last consulted or employed, of the change of advisors, such noti-
15 fication to be made upon a form furnished for that purpose by the
16 state board of health. Should the physician, person or persons prev-

17 iously consulted fail to receive any such notice within ten days after
18 the appearance of such venereally diseased person, it shall be the duty
19 of such physician, person or persons to report to the local board of
20 health the name and address of such venereally diseased person.

SEC. 5. Protection against infection — duty of local board of
1 health. Upon receipt of a report of a case of venereal disease, it
2 shall be the duty of the local board of health to institute, for the pro-
3 tection of other persons from infection by such venereally diseased
4 person, such measures as said local board of health is already empow-
5 ered to use to prevent the spread of other contagious, infectious, or
6 communicable diseases.

SEC. 6. Reports of cases confidential, etc. All information and
2 reports concerning persons infected with venereal diseases shall be
3 confidential and shall be inaccessible to the public, except in so far as
4 publicity may attend the performance of the duty imposed upon the
5 local board of health and the laws of the state of Iowa, and to those
6 injured by contracting said disease from said diseased person, and to
7 public officers in the performance of their official duties.

SEC. 7. Minors — legal responsibility of parents. The parents
2 of minors acquiring venereal diseases and living with said parents
3 shall be legally responsible for the compliance of such minors with the
4 requirements, or provisions of this act.

SEC. 8. Suspected cases — investigation — powers of local board
1 of health. In all suspected cases of venereal diseases in the infectious
2 stages, the local board of health shall immediately use every available
3 means to determine whether the person or persons suspected of being
4 infected or suffering from said diseases or any of them, and when-
5 ever any of said diseases are found to exist, the local board of health
6 shall whenever possible ascertain the sources of such infection. In
7 such investigations the local board of health and its health officer are
8 hereby vested with full powers of inspection, examination, isolation,
9 internment or quarantine, if necessary, and disinfection of all persons,
10 places and things as provided herein, and as may be required by the
11 state board of health or local board of health, except, in cases of per-
12 sons known to the local board of health to be of good character and
13 reputation, who are under treatment by a qualified and reputable
14 physician, and are taking recognized precautionary measures to pre-
15 vent the infection of others, these powers shall not be exercised.

SEC. 9. Health officer — powers and duties — consulting physician
1 — compensation, etc. It is hereby made the duty of the health officer,*
2 for the county, municipality or community where he is appointed and
3 for which he is to serve, and he is hereby directed and empowered:
4 (a) To make examinations of persons reasonably suspected of hav-
5 ing syphilis in the infectious stages, gonococcus infection or chan-
6 croid, except as provided in section eight (8), and if any evidence of
7 such disease is disclosed by said examination the local board of health
8 is hereby empowered to isolate, intern or quarantine such person a
9 reasonable length of time in order to fully determine the extent of
10 such disease.

*"Officer" in original bill.

11 (a-1) Any person, subjected to examination under this act may
 12 demand that another physician shall also make an examination, and
 13 when this is done, the president of the local board of health shall
 14 name such physician, and, in case of disagreement, the health officer
 15 and this physician shall agree upon a third physician to make an
 16 examination, and the decision of two shall determine the action to be
 17 taken as to isolation, internment, quarantine, or release.

18 (a-2) The compensation of physicians, other than health officers,
 19 for making examinations under this act, shall be five dollars (\$5), to
 20 be paid in accordance with the usual procedure for the payment of
 21 quarantine bills.

22 (b) Under the order of the local board of health, to isolate, intern
 23 or quarantine, if necessary, persons infected with any of said diseases
 24 whenever isolation, internment or quarantine is essential to protect
 25 the public health. In establishing isolation, internment or quaran-
 26 tine, the health officer, under the direction of the local board of health,
 27 shall define the limits of the area in which the persons reasonably
 28 suspected or known to have syphilis, gonococcus infections or chan-
 29 croid, are to be isolated, interned or quarantined, as the case may
 30 require, and no persons, other than the persons attending the treat-
 31 ment of such case shall enter or leave the area of isolation, intern-
 32 ment or quarantine without the permission of the local board of health
 33 and the health officer.

34 (b-1) In case the person isolated, interned or quarantined is
 35 unable to meet the expenses incident thereto, such expenses, including
 36 medical and surgical services, nursing and care, shall be provided as
 37 in cases of quarantine for other diseases, and the president of the
 38 local board of health shall name a physician to render the necessary
 39 medical and surgical services, unless the board of supervisors have
 40 previously made provision for the same.

41 (c) In making examinations and inspections of women for the
 42 purpose of ascertaining the existence of syphilis, gonococcus infection
 43 or chancroid, to appoint women physicians for said purposes where
 44 the services of a woman physician are requested or demanded by the
 45 woman to be examined.

1 SEC. 10. **Quarantine — termination of.** In cases of isolation,
 2 internment or quarantine, the local board of health and the health
 3 officer shall not terminate said isolation, internment or quarantine,
 4 until the cases have become noninfectious,—the same to be deter-
 5 mined as provided for examinations in section 9 (a-1), if the isolated,
 6 interned or quarantined person shall so elect,—or until permission has
 7 been given by the state board of health or its secretary-executive
 8 officer.

9 Cases of gonococcus infection are to be regarded as infectious until
 10 at least two successive smears, taken not less than forty-eight hours
 11 apart, fail to show gonococci.

1 SEC. 11. **Prostitution — suppression of, etc.** The local board of
 2 health, its health officer, and all other officers enforcing the provisions
 3 of this act shall use all proper means of suppressing prostitution, and
 4 all such officers are hereby prohibited from issuing certificates or
 5 other evidence of freedom from venereal diseases.

1 SEC. 12. **Inspection of records.** The local board of health and the
 2 health officer shall withhold from public inspection all records of

3 inspections and examinations made under the provisions of this act,
 4 and shall make every reasonable effort to keep secret the identity of
 5 those affected by measures adopted to control venereal disease, as far
 6 as may be consistent with the protection of the public health; pro-
 7 vided that all records shall be open to inspection by law enforcing
 8 officers, and to such persons as are injured by one who is infected with
 9 such disease.

SEC. 13. Detention hospital — equipment, medical attendance, etc.

1 When in the judgment of the board of supervisors of any county, or
 2 when advised or notified by the state board of health acting with the
 3 United States public health service, it is necessary to provide a deten-
 4 tion hospital in a county for the isolation, internment or quarantine
 5 of venereal diseases, said board of supervisors may contract for the
 6 erection, erect, purchase or rent, equip and maintain a detention hos-
 7 pital, which shall be erected, purchased, rented or equipped, in accord-
 8 ance with plans and specifications provided in advance by the state
 9 board of health, and it is hereby made the duty of the health officer
 10 and the local board of health to use only such building or buildings
 11 for detention, isolation, internment or quarantine of persons afflicted
 12 with venereal diseases as shall be provided and established under the
 13 provisions of this act, and under suitable administrative rules pre-
 14 scribed by the state board of health for the conduct thereof.

15 (a) The board of supervisors shall appoint and fix the compen-
 16 sation of a qualified physician and surgeon and such nurses and other
 17 attendants as may be necessary to provide proper treatment and care
 18 for persons interned, from time to time, in such detention hospital.

1 **SEC. 14. Hospital fund — special tax levy — authorization.** The
 2 board of supervisors shall have the power to levy a tax upon all the
 3 property in said county subject to taxation, in addition to all of the
 4 taxes now provided by law, a special tax not exceeding in any one
 5 year two (2) mills on the dollar for a period of years not exceeding
 6 fifty (50), for the purchase of real estate for hospital purposes, and
 7 for the construction, purchasing or renting of such hospital and for
 8 equipping, and maintaining the same, for either or all of such pur-
 9 poses. The tax so authorized shall be collected and paid over to the
 10 treasurer of such county in the same manner as other taxes are col-
 11 lected. The proceeds of such tax shall be known as the hospital
 12 fund, and shall be paid out on the order of the board of supervisors
 13 for the purposes authorized by this act, and for no other purpose
 14 whatever.

1 **SEC. 15. Hospital bonds — issue authorized — when due.** Any
 2 county may anticipate the collection of the tax herein authorized to
 3 be levied, and for that purpose may issue interest bearing bonds at
 4 a rate of interest not to exceed five (5) per cent per annum, to be
 5 denominated hospital bonds, and the said bonds and the interest
 6 thereon shall be secured by said assessment and levy, and shall be
 7 payable only out of the proceeds of the special tax provided for in the
 8 preceding section, and no bonds shall be issued in excess of taxes
 9 authorized to be levied to secure the payment of the same. It shall
 10 be the duty of the treasurer of such county to collect said tax and to
 11 hold the same separate and apart in trust for the payment of said
 12 bonds and interest, and to apply the proceeds of said special tax

13 pledged for that purpose to the payment of said bonds and interest.
14 Such bonds shall be issued and sold in accordance with the provisions
15 of existing statutes relating to the issuance and sale of bonds by
16 counties. In issuing such bonds the board of supervisors may cause
17 portions of the same to become due at different definite periods, but
18 none of such bonds so issued shall be due and payable in less than
19 three (3) or more than fifty (50) years from date.

1 **SEC. 16. Quarantine and treatment.** Whenever it is necessary, in
2 the judgment of the local board of health and the health officer, for
3 the protection of the public health that persons infected with venereal
4 diseases be quarantined, the health officer and the mayor or township
5 clerk, as the case may be, shall quarantine such diseased persons in
6 said detention hospitals and cause to be administered to such persons
7 a proper course of treatment.

1 **SEC. 17. Release on bond in lieu of quarantine — procedure.** In
2 lieu of isolation, internment or quarantine, any person, except a prosti-
3 tute, infected with any of said venereal diseases may be released
4 upon bond as herein provided. Such person shall make written appli-
5 cation therefor to the local board of health, which application must
6 be made under oath and must state that the applicant is not a prosti-
7 tute. Such application shall be accompanied by a certificate signed
8 by either the mayor, the chief of police or peace officer or the munici-
9 pal judge or justice of the peace of the city or town where the case
10 occurs, or in township by the township clerk or township trustees,
11 stating that the applicant is not a prostitute. The applicant shall then
12 file with the county auditor a bond in the penal sum of one thousand
13 dollars (\$1,000.00) conditioned that the applicant will not permit or
14 perform any act which might or would infect or expose to infection
15 any other person, and will continue treatment until cured and will
16 faithfully observe all rules, regulations and requirements of the state
17 board of health, local board of health and the health officer to protect
18 the public against infection or contagion. Said bond shall run to and
19 for the benefit of the county wherein the venereal disease occurs, and
20 shall be signed by one or more freeholders as sureties, to be approved
21 by the county auditor, provided, however, that a cash guaranty in a
22 like amount may be accepted in lieu of such bond. Before any per-
23 son is released from any such bond as cured, a final examination and
24 approval of the health officer must be secured, and permission from
25 the state board of health or its secretary-executive officer obtained,
26 except, that in securing the approval of the health officer, the same
27 procedure, provided for examinations in section 9 (a-1), may be taken.

SEC. 18. Disease transmission — misdemeanor — punishment.
1 Any person afflicted with any of the diseases named in this act, who
2 shall transmit, or assume the risk of transmitting the same by inter-
3 course, to another person shall be guilty of a misdemeanor, and upon
4 conviction thereof be fined in the sum of not to exceed five hundred
5 dollars (\$500.00) or imprisoned in the county jail not to exceed six
6 months, or both such fine and imprisonment; and in addition thereto,
7 shall be liable to the party injured for all damages sustained by rea-
8 son of said injury.

1 **SEC. 19. Sale of specifics — record of — copy to health officer.** Any
2 druggist or other person who sells any drug, compound, alleged speci-

3 fic or preparation of any kind used for the cure of any of said venereal
4 diseases shall keep a record of the name, address, and sex of the per-
5 son making such purchase. A copy of said record shall be mailed
6 each week to the health officer of the county, city, town or village
7 wherein the drug, compound, specific or preparation for the treatment
8 of these venereal diseases was sold.

1 **SEC. 20. Order of health boards — neglect of, unlawful.** It shall
2 be unlawful for any person to neglect or refuse to obey any order of
3 the state or local board of health, authorized by this act, or to inter-
4 fere with or obstruct said state board of health or local board of
5 health, or the representative of either, in the discharge of any of their
6 duties under this act.

1 **SEC. 21. Provisions of act — violation of — punishment for.** Any
2 person violating any of the provisions of this act shall be punished by
3 a fine of not more than five hundred dollars (\$500.00) or by imprison-
4 ment in the county jail for a period not to exceed six months or by
5 both such fine and imprisonment.

6 Any physician or surgeon who shall be called upon to treat profes-
7 sionally anyone afflicted with syphilis, gonorrhea, or chancroid, except
8 as provided in section eight (8), who shall fail to report the same to
9 the local board of health immediately after the first examination of
10 such diseased person, and as provided for in section 2 of this act,
11 shall be guilty of a misdemeanor, and upon conviction thereof shall be
12 punished by a fine of not more than five hundred dollars (\$500.00) or
13 by imprisonment in the county jail for a period not to exceed six
14 months or by both such fine and imprisonment, and upon conviction
15 the state board of medical examiners may revoke his license or cer-
16 tificate authorizing him to practice medicine, surgery and obstetrics
17 in the state of Iowa.

1 **SEC. 22. Appropriation.** The sum of fifteen thousand dollars
2 (\$15,000.00) or so much thereof as may be necessary, is hereby annu-
3 ally, for the years 1919 and 1920, appropriated to carry out the pro-
4 visions of this act, and such requirements as shall be made by the
5 United States public health service in eliminating the venereal dis-
6 eases, syphilis, gonorrhea, chancroid and ophthalmia neonatorum from
7 the state.

1 **SEC. 23. Acts in conflict repealed.** All acts or parts of acts in so
2 far as they are in conflict herewith are hereby repealed.

1 **SEC. 24. Publication clause.** This act being deemed of immediate
2 importance shall take effect and be in force from and after its publi-
3 cation in the Des Moines Capital and in the Des Moines Register,
4 newspapers published in Des Moines, Iowa.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital
April 25, 1919 and in the Des Moines Register April 26, 1919.

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

CHAPTER 300.

DELINQUENT COLLATERAL INHERITANCE TAX.

S. F. 537.

AN ACT to provide for the collection of the collateral inheritance tax and making appropriation therefor.

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

SECTION 1. Enforcement of collection — assistants — salaries and expenses — appropriation. It shall be the duty of the treasurer of state to enforce the collection of the delinquent collateral inheritance tax, and the provisions of law with reference thereto, and to that end he is authorized and empowered, with the consent of the executive council, to employ such assistance and at such salaries as may be necessary; and there is hereby appropriated from the funds thus collected, an amount sufficient to pay the salaries and actual expenses of such assistants, but not to exceed fifteen thousand dollars annually.

SEC. 2. Publication clause. 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 in the Des Moines Register, newspapers published at Des Moines, Iowa.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register April 26, 1919 and in the Des Moines Capital April 26, 1919.

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

CHAPTER 301.

MUNICIPAL ACCOUNTING.

S. F. 271.

AN ACT to amend the law as it appears in section ten hundred fifty-six-a eleven (1056-a11) and section ten hundred fifty-six-a twelve (1056-a12) supplement to the code, 1913, relating to municipal accounting.

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

SECTION 1. Examiners — powers and duties — compensation. That section ten hundred fifty-six-a eleven (1056-a11) of the supplement to the code, 1913, be, and the same is hereby amended by striking from line four (4) thereof the word "five" and inserting in lieu thereof the word "three". Also by striking from line twelve (12) of said section the word "five" and inserting in lieu thereof the word "six".

SEC. 2. City or town — population. That section ten hundred fifty-six-a twelve (1056-a12) supplement to the code, 1913, be and

3 the same is hereby amended by striking from line two (2) of said
4 section the word "five" and inserting in lieu thereof the word "three".

1 SEC. 3. **Publication clause.** This act being deemed of immediate
2 importance shall be in full force and effect from and after its publi-
3 cation in the Des Moines Daily News and Des Moines Capital, news-
4 papers published in the city of Des Moines, Iowa.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital
April 26, 1919 and in the Des Moines Daily News May 11, 1919.

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

CHAPTER 302.

REINCORPORATION OF FRATERNAL BENEFICIARY SOCIETIES.

S. F. 497.

AN ACT relating to fraternal beneficiary societies, and providing a method whereby
such fraternal beneficiary societies may be reincorporated as a legal reserve level
premium life insurance company.

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

SECTION 1. **Fraternal beneficiary societies — reincorporation —**
1 **procedure.** Any existing fraternal beneficiary society may amend
2 its articles of incorporation and by-laws in such a manner as to trans-
3 form itself into a legal reserve level premium company doing busi-
4 ness either as a mutual or stock company, but only after complying
5 with the following provisions:
6 Whenever any such society shall propose to transform itself into a
7 legal reserve level premium company as herein provided, it shall file
8 with the commissioner of insurance, its proposed articles and by-laws,
9 its plan of transformation, setting forth in detail the terms and con-
10 ditions of such transformation and also the method by which it pro-
11 poses to protect the interests of its membership. The commissioner
12 may proceed to hear and determine such petition without notice, or, if
13 he deems it necessary that such notice should be given in order to
14 conserve the interests of the membership, he shall require the society
15 to first notify, by mail, all of the members of such society of the
16 pendency of such petition, the contents of such notice to be determined
17 by the commissioner. When notice shall have been given, as above
18 provided, any member of said society shall have the right to appear
19 before said commissioner and be heard with reference to said petition.
20 The commissioner may also make such examination into the affairs
21 and conditions of the society as he deems proper, and shall have power
22 to summon and compel the attendance and testimony of witnesses,
23 and the production of books and papers, and may administer oaths.
24 If satisfied that the interests of the membership of said society are
25 properly protected and that no reasonable objection to said petition
26 exists, the commissioner may authorize in writing, such transforma-
27 tion, or may first require such modification thereof as may seem to

28 him necessary for the best interests of such membership; and the
29 said commissioner shall make such order and disposition of the assets
30 of any such society as in his judgment may be just and equitable.

SEC. 2. Plan of transformation — requirements by commissioner.

1 The commissioner shall require the plan of transformation to be sub-
2 mitted to the supreme governing body of such society, to be voted
3 upon. When submitted, it shall be either at a regular meeting of
4 said supreme governing body or at a special meeting of same called
5 for that purpose. A notice of said special meeting, in the form
6 approved by the insurance commissioner, shall be given in accordance
7 with the requirement of the by-laws of such society. When so sub-
8 mitted, a majority vote of the said supreme governing body present
9 and voting, as authorized by its articles of incorporation and by-laws,
10 shall be necessary to an approval of such plan of transformation; and
11 no proxies shall in any case be voted.

12 If the supreme governing body approves the plan of transformation,
13 the board of directors or other managing body of such society shall
14 submit the plan to a referendum vote of the members of such society
15 under such regulations as may be prescribed by the commissioner of
16 insurance and if the result of such vote shall show that the majority
17 of the members of such society has voted to repeal the action of the
18 supreme governing body, then the same shall be considered as repealed
19 by such society and shall be null and of no effect. Any such plan of
20 transformation submitted to the supreme governing body as herein
21 contemplated, must first have been approved by the commissioner of
22 insurance; and the result of said vote must be filed with such com-
23 missioner and be by him determined before any transformation shall
24 be so effective. No such transformation shall take place until after
25 its plan has been approved by the commissioner, either with or with-
26 out a hearing as herein provided, nor until such approved plan has
27 been adopted by a majority vote of the board of directors or board of
28 trustees of such society; nor, if submitted to the supreme governing
29 body, until such approved plan has also been adopted by a majority
30 vote of the said supreme governing body present and voting.

1 **SEC. 3. Obligations and benefits.** Any such society so trans-
2 formed, shall incur the obligations and enjoy the benefits thereof the
3 same as though originally thus incorporated, and such corporation,
4 under its charter as thus amended, shall be continuation of such orig-
5 inal corporation, and the officers thereof shall serve through their
6 respective terms as provided in the original charter, but their succes-
7 sors shall be elected and serve as in such amended articles provided;
8 but such amendment or re-incorporation shall not affect existing suits,
9 claim or contracts. Any such fraternal beneficiary society taking
10 advantage of this section, to reorganize into a stock company shall
11 offer to each member of said society the privilege of subscribing for
12 and purchasing his or her proportionate amount of capital stock.

1 **SEC. 4. Existing certificates of membership — value — reserve as**
2 **liability.** The existing certificates of membership of any fraternal
3 beneficiary society which shall have transformed itself into a legal
4 reserve level premium life insurance company, in conformity with the
5 provisions of this section shall be valued as follows:

5 (a) Certificates on which rates of contribution are not on the
6 basis of any table of mortality, valued as yearly renewable term poli-
7 cies according to the standard of valuation of life insurance policies
8 prescribed by the laws of this state.

9 (b) Certificates on which the rates of contribution are based upon
10 a standard table of mortality and specified rate of interest, valued in
11 accordance with such standard.

12 The reserve so ascertained shall be held as a liability by the com-
13 pany in its annual statement rendered to the insurance department.

1 **SEC. 5. Publication clause.** This act being deemed of immediate
2 importance shall take effect and be in full force from and after its
3 passage and publication, according to law, in the Des Moines Capital,
4 a newspaper published in the city of Des Moines, Iowa, and the Cedar
5 Rapids Gazette, a newspaper published in the city of Cedar Rapids,
6 Iowa.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Cedar Rapids Gazette
April 29, 1919 and in the Des Moines Capital April 30, 1919.

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

CHAPTER 303.

COUNTY SUPERINTENDENT OF SCHOOLS.

S. F. 77.

AN ACT to amend section 2734-b of the supplemental supplement to the code, 1915,
relating to the expenses of the county superintendent of schools for visiting
schools.

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

SECTION 1. County superintendent — visiting schools — expenses.
1 That section 2734-b of the supplemental supplement to the code, 1915,
2 be and the same is hereby amended by striking out all of said section
3 after the word "of" in line twenty-eight (28) of said section and
4 inserting in lieu thereof the words "four hundred dollars".

1 **SEC. 2. Publication clause.** This act being deemed of immediate
2 importance, shall take effect and be in force after its publication in
3 the Des Moines Register and the Des Moines Capital, newspapers pub-
4 lished in Des Moines, Iowa.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register
April 25, 1919 and in the Des Moines Capital April 26, 1919.

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

CHAPTER 304.

LIFE INSURANCE COMPANIES AS TRUSTEES.

S. F. 436.

AN ACT authorizing life insurance companies to act as trustee of the proceeds of certain insurance policies. (This act is additional to chapter six (6), title nine (IX) of the supplement to the code, 1913).

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

SECTION 1. Proceeds of life policy — powers of company — etc.

1 Any life insurance company organized under the provisions of chap-
2 ter six, title nine of the code, and acts amendatory thereof, and doing
3 business in this state, shall have the power to hold in trust the pro-
4 ceeds of any life insurance policy issued by it, upon such terms and
5 subject to such limitations as to revocation by the policyholder and
6 control by the beneficiary thereunder, as shall have been agreed to
7 in writing by such company and the policyholder. Provided, that the
8 trust provisions herein contemplated shall in no manner subject said
9 corporation to any of the provisions of the laws of Iowa relating to
10 banks or trust companies; and provided further, that the forms of
11 such trust agreements shall be first submitted to and approved by
12 the commissioner of insurance of Iowa.

1 SEC. 2. Publication clause. This act being deemed of immediate
2 importance shall take effect from and after publication in the Des
3 Moines Capital and the Des Moines Register, newspapers published
4 in the city of Des Moines, Iowa.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register April 26, 1919 and in the Des Moines Capital April 29, 1919.

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

CHAPTER 305.

STATE ENTOMOLOGIST.

S. F. 534.

AN ACT to amend chapter sixteen-f (16-f) of title twelve (12) of the supplement to the code, 1913, relating to the powers and duties of the state entomologist and authorizing the purchase of equipment by him.

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

SECTION 1. State entomologist — supplies and equipment — author-
1 ization. That chapter sixteen-F (16-F) of title twelve (12) of the
2 supplement to the code, 1913, be and the same is hereby amended by
3 adding thereto the following: "The state entomologist, with the con-
4 sent of the executive council, is authorized to purchase all supplies

5 and equipment, (including automobile, to cost not to exceed eight
6 hundred dollars (\$800.00) necessary to enable him to carry out the
7 duties imposed upon him by law".

1 **SEC. 2. Publication clause.** This act being deemed of immediate
2 importance shall be in force and effect from and after its publication
3 in the Des Moines Register and the Des Moines Capital, newspapers
4 published at Des Moines, Iowa.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register
April 25, 1919 and in the Des Moines Capital April 26, 1919.

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

CHAPTER 306.

BOUNDARIES OF CAPITOL EXTENSION.

S. F. 495.

AN ACT to amend section 1400-t1 of the supplement to the code, 1913, relating to
boundaries of capitol extension.

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

1 **SECTION 1. Capitol extension — boundaries — amendment.** That
2 section 1400 T 1 of the supplement to the code 1913 be and the same
3 is hereby amended by adding to said section the following:

4 Also beginning at the point of the intersection of the north line of
5 Vine Street and the east line of section three (3), township seventy-
6 eight (78), range twenty-four (24), Polk county, Iowa; thence in a
7 southerly direction along the said east line of said section three (3),
8 to the north line of the right-of-way of the Des Moines Western
9 Railway; thence in a north-westerly direction along the north line of
10 said right-of-way to the west line of the alley between Thirteenth
11 Street Court and South East Thirteenth Street; thence in a northerly
12 direction along the west line of said alley to the north line of Vine
13 Street; thence easterly along the north line of Vine Street to the
14 place of beginning as shown by the recorded plat of the city of Des
15 Moines, Iowa.

1 **SEC. 2. Publication clause.** This act being deemed of immediate
2 importance shall be in full force and effect from and after its publi-
3 cation in the Des Moines Register and Des Moines Capital, news-
4 papers published in the city of Des Moines, Iowa.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register
April 26, 1919 and in the Des Moines Capital April 29, 1919.

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

CHAPTER 307.

COMMANDANT OF SOLDIERS' HOME.

S. F. 294.

AN ACT to amend section two thousand six hundred four (2604), supplemental supplement to the code, 1915, relating to salary of commandant of the soldiers' home.

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

1 SECTION 1. Commandant — salary. Amend section two thou-
2 sand six hundred four (2604), supplemental supplement to the code,
3 1915, by striking out of lines four and five, the words "two thousand"
4 and inserting in lieu thereof the words "twenty-eight hundred."

1 SEC. 2. Publication clause. This act being deemed of immediate
2 importance shall take effect and be in force from and after its passage
3 and publication in the Des Moines Register and Des Moines Capital,
4 newspapers published in Des Moines, Iowa.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital April 25, 1919 and in the Des Moines Register April 26, 1919.

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

CHAPTER 308.

STATE INSTITUTIONS FOR THE INSANE.

H. F. 528.

AN ACT to amend section thirty-two hundred sixty-n (3260-n) of the supplement to the code, 1913, increasing the annual appropriation for paying the expenses of inspecting institutions in which insane persons are kept.

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

1 SECTION 1. Inspection — expenses — appropriation. That section
2 thirty-two hundred sixty-n (3260-n) of the supplement to the code
3 1913, be and the same is hereby amended by striking out the word
4 "two" in line three of said section and by inserting in lieu thereof the
5 word "three".

Approved April 22, A. D. 1919.

CHAPTER 309.

INSANE PATIENTS AT PRIVATE HOSPITALS.

H. F. 416.

AN ACT to amend section twenty-two hundred ninety-seven (2297), code, providing for liability of estates for the keeping of insane patients at private hospitals.

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

SECTION 1. Insane at private hospitals, etc. — keeping of — liability. That section twenty-two hundred ninety-seven (2297), code of Iowa, be amended by adding after the word "poor-house" in the sixteenth line of said section, the words "or in any private hospital or sanitarium".

Approved April 22, A. D. 1919.

CHAPTER 310.

CONTRACTS WITH TEACHERS.

H. F. 410.

AN ACT to amend section 2778, supplemental supplement to the code, 1915, relating to contracts with teachers.

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

SECTION 1. Teachers — contract — when invalidated. That section 2778, supplemental supplement to the code of 1915 be and hereby is amended by striking the period at the end of line ten (10) of said section and substituting a comma therefor and adding the following: "but no contract entered into by a board of school directors with a teacher who is then under contract to teach with another board of school directors in the state of Iowa covering the same period of time shall be of any validity until such former contract shall have been released or cancelled."

SEC. 2. Future contracts — what to contain. All teachers' contracts hereafter entered into shall contain a reference to this act and recite the section in said amendment after the word "but".

Approved April 22, A. D. 1919.

CHAPTER 311.

DEPUTY COUNTY SUPERINTENDENTS.

H. F. 275.

AN ACT to amend the law as it appears in section 2734-b, supplemental supplement to the code, 1915, as amended by chapter 317, acts of the thirty-seventh general assembly, relating to deputy county superintendents.

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

1 SECTION 1. Appointment — duties — salary. That the law as it
2 appears in section 2734-b, supplemental supplement to the code 1915
3 and amended by chapter 317, acts of the thirty-seventh general
4 assembly be and the same is hereby amended by striking out the fol-
5 lowing as it appears in lines nineteen, twenty, twenty-one and twenty-
6 two:

7 "He may appoint a deputy, with the approval of the board of super-
8 visors entered of record, for whose acts he shall be responsible and
9 who may act in his stead except in visiting schools and trying appeals,
10 the salary of such deputy to be fixed by the representatives in conven-
11 tion assembled."

12 and enact in lieu thereof the following:

13 "He may appoint a deputy with the approval of the board of super-
14 visors entered of record for whose acts he shall be responsible and
15 who may act in his stead except in visiting schools and trying appeals,
16 the salary of such deputy to be fixed by the board of supervisors, but
17 the said salary shall not be less than seven hundred fifty dollars."

Approved April 22, A. D. 1919.

CHAPTER 312.

IMPROVEMENT OF PARKS.

H. F. 251.

AN ACT to amend title five (V), chapter nine (9), of the code, relating to park commissioners and board of public works, by repealing section eight hundred fifty-c (850-c) and eight hundred fifty-f (850-f), supplement to the code, 1913, and enacting substitutes therefor, providing for additional funds for parks, with provisions for borrowing money and issuing bonds therefor, and for acquisitions of real estate and the permanent improvement thereof.

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

1 SECTION 1. Repeal and substitute — parks — tax levy — bonds —
2 proceeds — purpose. That sections eight hundred fifty-c (850-c) and
3 eight hundred fifty-f (850-f), supplement to the code, 1913, be and
4 are hereby repealed and the following enacted in lieu thereof:

5 The board shall, on or before the first day of each year, determine
6 and fix the amount or rate not exceeding two and one-half mills on
the dollar in all cities and towns including cities under special charter

7 and commission form of government on the taxable valuation of such
8 city or town to be levied, collected and appropriated for the ensuing
9 year, for general park purposes, and shall cause the same to be certi-
10 fied to the city council, which shall levy such tax or so much thereof
11 as it may deem necessary to promote park interests, and certify the
12 per cent thereof to the county auditor, with the other taxes for said
13 year.

14 2. In all cities where said board shall have, prior to January first,
15 1919, acquired property for park purposes, the said board is further
16 authorized to certify to the county auditor in all succeeding years and
17 cause to be collected an additional tax of one mill each year up to and
18 including 1949, to be used for the sole and only purpose of grading,
19 road-building, building retaining walls, or riprap along water-courses
20 and otherwise permanently improving any and all lands theretofore
21 acquired for park purposes or improving any driveway or boulevard
22 connecting one park with another.

23 3. In cities having a population of over twenty-five thousand, said
24 board is further authorized to submit to the electors of any such city,
25 voting at a city or special election, called for that purpose, the ques-
26 tion of the levy of a further additional tax for park purposes, not to
27 exceed 5 mills on the dollar on all taxable property of the city over
28 any term of years not exceeding thirty, to be used for the sole and
29 only purpose of purchasing and paying for real estate and permanently
30 improving the same for park purposes.

31 4. When a majority of the electors of said city at any such elec-
32 tion shall have declared in favor thereof, said board shall certify to the
33 county auditor in each year and cause to be collected such additional
34 tax during all of the years in which the same has been approved and
35 ordered by the voters.

36 5. The board may anticipate the collection of said additional tax
37 authorized to be levied for the purchase of real estate for park pur-
38 poses and permanently improving the same and for that purpose may
39 issue park certificates or bonds with interest coupons and the provi-
40 sions of chapter twelve, title five of the code shall be operative as to
41 such certificates, bonds and coupons, in so far as they may be
42 applicable. The proceeds of such tax shall be kept as a separate
43 fund and shall be used for the purpose of such acquisition of real
44 estate and the permanent improvement thereof and for no other pur-
45 pose whatsoever.

SEC. 2. Powers of board — bonds — lien, maturity, interest, etc.

1 Bonds issued under the provisions of this chapter shall be a lien upon
2 all of the real estate acquired by the commissioners therewith or with
3 the proceeds thereof and such bonds or proceeds shall be used for the
4 purchase of real estate or the permanent betterment and improve-
5 ment thereof. The board shall have the power to mortgage any real
6 estate purchased or controlled by it for park purposes to a trustee,
7 for the purpose of securing the payment of said bonds and after the
8 issuance, there shall be pledged for the payment of the interest
9 thereon such amount of the annual tax levied by virtue of this chapter
10 as shall be necessary to make such payment, and the residue of said
11 tax may be used by the board for the payment of such bonds, for the
12 purchase of real estate or the permanent improvement of the park
13 and pleasure grounds of the city.

14 2. Such bonds to be issued by the board shall mature in not less
 15 than fifteen nor more than thirty years from date and may be made
 16 payable in annual series; shall be in sums of not less than \$100 nor
 17 more than \$1000, bearing interest at a rate not exceeding 6% per
 18 annum, payable annually or semi-annually; said board, after the issu-
 19 ance of any such bonds, shall annually, in the year of the serial
 20 maturity of each thereof, set aside a sufficient sum to pay such annual
 21 serial maturity out of the tax levied by it under the provisions of this
 22 chapter, which sum shall be applied in payment of the principal of
 23 said serially maturing bonds respectively and not otherwise.

Approved April 22, A. D. 1919.

CHAPTER 313.

SELLING OR CONCEALING MORTGAGED PROPERTY, ETC.

S. F. 464.

AN ACT to repeal section forty-eight hundred fifty-two (4852) of the code, and to enact a substitute therefor, relating to the selling or concealing of mortgaged personal property or property sold under a conditional bill of sale.

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

SECTION 1. Repeal and substitute — mortgaged property, etc. —
 1 willful disposal of — larceny — punishment. That section forty-
 2 eight hundred fifty-two (4852) of the code be and the same is hereby
 3 repealed and the following enacted in lieu thereof:
 4 If any mortgagor of personal property or purchaser under a condi-
 5 tional bill of sale, while the mortgage or conditional bill of sale upon
 6 it remains unsatisfied, willfully and with intent to defraud, destroys,
 7 conceals, sells, or in any manner disposes of the property covered by
 8 such mortgage or conditional bill of sale without the written consent
 9 of the then holder of such mortgage or conditional bill of sale, he shall
 10 be guilty of larceny and punished accordingly.

Approved April 22, A. D. 1919.

CHAPTER 314.

AUTHORIZED INDEBTEDNESS OF INDEPENDENT SCHOOL DISTRICTS.

S. F. 477.

AN ACT to repeal section two thousand eight hundred twenty-d1 (2820-d1) supplement to the code, 1913, relating to the limitation of indebtedness of independent school districts and to enact a substitute therefor.

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

SECTION 1. Repeal and substitute — indebtedness of school corpo-
 1 rations — limitation of. That section two-thousand eight hundred
 2 twenty d1 (2820 d1) supplement to the code, 1913, be and the same

3 is hereby repealed and the following enacted in lieu thereof: "Any
 4 school corporation shall be allowed to become indebted for the purpose
 5 of building and furnishing a school house, or school houses and addi-
 6 tions thereto, gymnasium, teachers' or superintendents' home or
 7 homes; and procuring a site or sites therefor, or for the purpose of
 8 purchasing land to add to a site already owned, to an amount not to
 9 exceed in the aggregate, including all other indebtedness, five per
 10 centum of the actual value of the taxable property within such school
 11 corporation, such value to be ascertained by the last county tax list
 12 previous to the incurring of such indebtedness, anything contained in
 13 section thirteen hundred six-b (1306-b) supplement to the code, 1913,
 14 to the contrary notwithstanding.

Approved April 22, A. D. 1919.

CHAPTER 315.

JOINT ACTION OF COUNTIES, CITIES AND TOWNS FOR STREET AND HIGHWAY IMPROVEMENT.

S. F. 322.

AN ACT to empower and authorize the grading, paving and curbing of certain streets
 and highways by the joint action of counties, cities and towns.

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

SECTION 1. State or federal institution — thoroughfare from
 1 county seat to — authorization to improve, etc. That in all counties
 2 in which there is located a permanent federal or state institution
 3 within a distance of five miles from the corporate limits of the county
 4 seat, to which institution there is a main traveled thoroughfare lead-
 5 ing from said county seat to said institution through another city or
 6 town in the county, such counties, cities or towns shall have the power
 7 to improve said thoroughfare to said institution by grading, paving
 8 and curbing the same by the joint action of said counties, cities and
 9 towns, and shall have the power and authority to maintain and keep
 10 said thoroughfare in repair.

SEC. 2. City or town desiring joint action — procedure. When-
 2 ever such city or town located as above indicated desires joint action
 3 in the improvement, maintenance and repair of any such thorough-
 4 fare the council of such city or town shall fix the time and place for
 5 a joint meeting of the board of supervisors and the councils of any
 6 city or town through which any such thoroughfare runs, and give
 7 ten (10) days' written notice of such meeting. On the day fixed for
 8 such joint meeting the several bodies above referred to shall organize
 9 themselves into a joint board with the mayor of the city initiating
 10 the proceedings presiding, and shall then by resolution determine the
 11 necessity for the grading, paving and curbing of such thoroughfare,
 12 the character and extent thereof, the method of construction, the one
 13 or more kinds and size thereof, the property to be assessed therefor,

14 the location and terminal points thereof, and the percentage of the
15 total cost thereof to be borne by the county, and by said city and
16 town, or each of them if there be more than one, and cause twenty
17 (20) days' notice of the time when said resolution will be considered
18 by such joint board for passage to be given by four publications in
19 each of said cities and towns in some newspaper of general circula-
20 tion published therein the last of which shall be not less than two nor
21 more than four weeks prior to the time fixed for its consideration, at
22 which time the owners of the property subject to assessment for the
23 same may appear and make objection to the contemplated improve-
24 ment and the passage of said proposed resolution, at which hearing
25 the same may be amended and passed, or passed as proposed. If
26 within the limits of either of such corporations no such newspaper is
27 published, then such notice may be given by posting copies thereof
28 in three public places within the limits of the corporation in which no
29 such newspaper is published, two of which places shall be the post-
30 office and the mayor's office of such city or town. After the adop-
31 tion of the resolution of necessity herein provided for by the joint
32 board, then the board of supervisors and the council of each of said
33 cities and towns shall proceed to carry out the terms thereof by initi-
34 ating and prosecuting to a completion the necessary proceedings in
35 each of said corporations, except that the proposals for bids and the
36 making of the contract for the improvement shall be left with the
37 city or town initiating the proceedings.

SEC. 3. **Benefited districts — proportionate assessment of cost, etc.** Such counties, cities and towns shall have power to establish
1 benefited districts to embrace all or such portions of said counties,
2 cities and towns as in the judgment of the board of supervisors and
3 the city council thereof will receive special benefits from the grading,
4 paving and curbing of such thoroughfare, to change the boundaries
5 of same from time to time as may become in the judgment of such
6 board of supervisors and city council just and equitable, and to assess
7 so much of the cost of such grading, paving and curbing against all
8 lots or tracts of land contained in the benefited district within which
9 such improvements are made as shall equal and be in proportion to
10 the special benefits conferred by said improvement and not in excess
11 thereof. In no case shall such assessment exceed twenty-five per
12 centum of the actual value of said lots or tracts at the time of levy
13 thereof.
14

SEC. 4. **Order for construction — what record shall show.** When-
1 ever the resolution of necessity herein above provided for has been
2 adopted and the provisions of the preceding sections complied with,
3 the council initiating the proceedings hereunder may by ordinance or
4 resolution order the construction of said grading, paving and curbing
5 upon a yea and nay vote entered of record, which record shall also
6 show whether such improvement was petitioned for or made on the
7 motion of the council, and whether the improvement was the result of
8 the joint action of the counties cities and towns interested.
9

SEC. 5. **Annual tax — power of counties, etc., to levy.** Such coun-
1 ties, cities or towns, as the case may be, shall have power after the
2 completion of any improvement contemplated in this act to levy upon
3 all taxable property, excepting moneys and credits in said counties,
4 cities and towns, an annual tax for the purpose of paying that por-
5

6 tion of the cost of such improvement not borne by the special assess-
7 ments levied against the lots or tracts of land embraced in the improve-
8 ment district established therefor, but such levy shall not exceed one
9 mill for any one year.

SEC. 6. Tax levy — limitation — bonds and coupons — issue of.
1 In no event shall such counties, cities or towns, as the case may be, be
2 authorized and empowered to pay more than fifty per centum of the
3 total cost of any improvement contemplated in this act out of the fund
4 raised by the levy provided for in the preceding section, nor out of any
5 other county, city or town fund, but any such county, city or town
6 may anticipate the collection of taxes authorized to be levied by the
7 preceding section, and for that purpose may issue paving certificates
8 or bonds with interest coupons, and the provisions of chapters 7 and
9 12, title V, of the code, and chapter 7 of the laws of the thirty-seventh
10 general assembly shall be operative as to such certificates, bonds and
11 coupons insofar as they may be applicable.

SEC. 7. Certificates or bonds — limit of issue — payment of. Said
2 certificates, bonds and interest thereon shall be secured by said levy
3 and shall be payable only out of the funds derived therefrom and
4 pledged to the payment of the same, and no certificates or bonds shall
5 be issued in excess of taxes authorized and levied to secure the pay-
6 ment of the same. It shall be the duty of such counties, cities and
7 towns to collect such funds with interest thereon and to hold the same
8 separate and apart in trust for the payment of said certificates, bonds
9 and interest, and to apply the proceeds of said funds pledged for that
10 purpose to the payment of said certificates, bonds and interest.

SEC. 8. Additional power granted. This act shall be construed
2 as granting additional power without limiting the power already exist-
3 ing in counties, cities and towns, and all the provisions of chapters 7
4 and 12, title V, of the code, and amendments thereto, so far as the
5 same are additional and not in conflict with this act and applicable
6 thereto, shall be and remain in full force and effect and may be
7 resorted to whenever necessary to carry out the spirit and purpose of
8 this act.

SEC. 9. Publication clause. This act being deemed of immediate
2 importance shall take effect and be in force from and after its passage
3 and publication in the Des Moines Register and Des Moines Capital,
4 newspapers published in the city of Des Moines, Iowa.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital
April 25, 1919 and in the Des Moines Register April 26, 1919.

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

CHAPTER 316.

CITIES AND TOWNS MAINTAINING SANITARY SEWERS.

S. F. 456.

AN ACT granting additional powers to cities and municipalities and to the board of health in cities and municipalities.

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

SECTION 1. **Water closets, etc. — powers of cities and towns maintaining sanitary sewers.** That cities and towns, including cities under the commission plan and those under special charter shall have the power to compel the removal, abandonment and disuse of all outside water-closets, privys and privy vaults where there is a sanitary sewer in the street or where a sanitary sewer may hereafter be placed in a street abutting upon property that has an outside water-closet, privy or privy vault and shall have the power to compel and cause to be installed sanitary toilet and toilet facilities to be connected with the sanitary sewer.

SEC. 2. **Board of health — powers of.** That the board of health of any city or town, whenever they deem it necessary that any outside water-closet, privy or privy vault be abandoned and removed where there is a sanitary sewer in the street or a sanitary sewer may hereafter be placed in a street abutting upon property upon which an outside water-closet, privy or privy vault is located, may order that said outside water-closet, privy or privy vault be abandoned and removed and that a sanitary toilet and toilet facilities be installed and connected with the sanitary sewer.

SEC. 3. **Owners unable to install — assessment against property.** That, in any case, where the board of health of any city or town shall order the removal and disuse of any outside water-closet, privy or privy vault and shall order that a sanitary toilet and toilet facilities be installed and connected with the sanitary sewer and the city council or board of commissioners shall determine that any property owner or owners are unable to pay for the installing of the sanitary toilet and toilet facilities and for connecting them to the sanitary sewer, then the city council or board of commissioners may have the necessary toilet installed and assess the cost against the property and the cost shall be a special assessment against the property. The assessment and collection of this cost shall be made according to the provisions in title V chapter 7 of the code of 1897 and the amendments thereto.

Approved April 22, A. D. 1919.

CHAPTER 317.

RECORDS OF MEETINGS OF BOARDS OF SUPERVISORS.

S. F. 173.

AN ACT to repeal paragraph one (1) of section four hundred forty-two (442) of the code and enact a substitute therefor, and to add to said section a paragraph to be known as five (5), all relative to record of meetings of board of supervisors.

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

SECTION 1. Repeal and substitute — boards of supervisors —
 1 “minute book” — alphabetical index. That the law as it appears in
 2 section four hundred forty-two (442), paragraph one (1), be and the
 3 same is hereby repealed, and the following enacted as a substitute
 4 therefor:

5 A book to be known as the “minute book”, in which shall be recorded
 6 all orders and decisions made by it except those relating to highways
 7 and drainage districts, and in which book, or in a separate book kept
 8 for that purpose, there shall be an alphabetical index of the proceed-
 9 ings of said board as shown by the minutes.

1 SEC. 2. “Claim register” — purpose. That there shall be added
 2 to said section four hundred forty-two (442) a paragraph to be known
 3 as five (5), as follows:

4 A book to be known as a “claim register”, in which shall be entered
 5 a minute of all claims filed for allowance of money from the county
 6 treasury. Claims filed shall be numbered consecutively in the order
 7 of filing, and shall be entered on the claim register alphabetically, so
 8 as to show the date of filing, the number of the claim and its general
 9 nature, the name of the claimant and the action of the board thereon,
 10 stating, if allowed, the fund upon which allowance is made. A record
 11 of the allowance of claims at each session of the board shall be entered
 12 on the minute book by reference to the number of the claims as entered
 13 on the claim register.

Approved April 22, A. D. 1919.

CHAPTER 318.

COMBINATION BY INSURANCE COMPANIES.

S. F. 7.

AN ACT to amend the law as it appears in section seventeen hundred fifty-four (1754), of the code, relating to combination by insurance companies.

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

1 SECTION 1. Insurance companies — combination. That the law
 2 as it appears in section seventeen hundred fifty-four (1754), of the
 3 code, be and the same is hereby amended by striking from the first
 4 and sixth lines thereof the word “fire”.

Approved April 22, A. D. 1919.

CHAPTER 319.

MEMBERSHIP IN FEDERAL RESERVE BANK SYSTEM.

S. F. 261.

AN ACT to amend section eighteen hundred sixty (1860), chapter ten (10), title IX, supplemental supplement to the code, 1915, as amended by section one (1), chapter one hundred eighty-nine (189) of the acts of the thirty-seventh (37) general assembly, relating to reserves of savings banks; and to amend section eighteen hundred sixty-seven (1867), chapter eleven (11), title IX, of the code, as amended by section two (2), chapter one hundred eighty-nine (189), of the acts of the thirty-seventh (37) general assembly, relating to reserves of state banks, and to provide cash reserve requirements for state banks, savings banks and trust companies, which are or may hereafter become members of the federal reserve bank system of the United States of America.

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

SECTION 1. Federal Reserve Bank System — membership in —
 1 cash reserve requirements. That any state bank, savings bank or
 2 trust company incorporated under the laws of this state, which is or
 3 hereafter may become a member of the Federal Reserve Bank System
 4 of the United States of America, shall be required to carry during the
 5 period of such membership only such cash reserve funds as may be
 6 required from time to time to be maintained by national bank mem-
 7 bers of said Federal Reserve Bank System.

Approved April 22, A. D. 1919.

CHAPTER 320.

DECIDING POWER OF STATE HIGHWAY COMMISSION.

H. F. 202.

AN ACT to provide for the determination of location, plans and specifications and division of cost for highway improvements by the state highway commission, on or across boundary lines of adjoining counties where said counties are unable to agree.

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

SECTION 1. State highway commission — deciding power as to
 1 boundaries, costs, etc. In all matters involving road, bridge or cul-
 2 vert construction, reconstruction or repair upon or across county
 3 lines, or in determining continuous routes between, or along, the bound-
 4 aries of counties, the state highway commission is authorized and
 5 directed to confer with and, if possible, to bring about an agreement
 6 between local authorities or the counties involved as to the proper
 7 plans and specifications, division of costs or connections.
 8 In the event that an agreement cannot be reached between adjoining
 9 counties on the location, plans and specifications, or division of costs
 10 for the construction, reconstruction or repair of such highway

11 improvements, any county interested may appeal in writing to the
 12 state highway commission. The commission on receipt of such appeal
 13 shall give notice in writing, directed to the auditor of counties inter-
 14 ested, of the day and place of hearing thereon, to be held not less than
 15 ten days from the date of such service. On said date and after a full
 16 hearing of all the facts offered by the counties interested, the state
 17 highway commission shall have full power to determine the location,
 18 plans and specifications, or division costs for the construction, recon-
 19 struction or repair of such highway improvements between the coun-
 20 ties directly benefited; and shall certify their decision to said county
 21 auditors. Such counties shall forthwith jointly proceed with the
 22 improvement under the provisions governing like improvements
 23 wholly within the counties.

1 SEC. 2. **Publication clause.** This act, being deemed of immediate
 2 importance, shall be in full force after the date of its publication in
 3 the Des Moines Register and the Oskaloosa Herald, newspapers pub-
 4 lished in Des Moines, Iowa and Oskaloosa, Iowa.

Approved April 23, A. D. 1919.

I hereby certify that the foregoing act was published in the Oskaloosa Herald April 25, 1919 and in the Des Moines Register April 28, 1919.

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

CHAPTER 321.

CITY OF OELWEIN.

H. F. 570.

AN ACT to legalize an ordinance of the incorporated city of Oelwein, Iowa, granting a franchise to the Oelwein light, heat and power company, a corporation, its successors or assigns, to acquire, construct, reconstruct, maintain and operate an electric light and power plant in said city.

WHEREAS, an ordinance entitled:

"A franchise authorizing the Oelwein Light, Heat and Power Company, their successors or assigns, within the City of Oelwein, Iowa to construct, reconstruct, maintain and operate a power plant or plants for the generation of electricity, systems for the transmission, distribution and use of electricity, to furnish electric light, electric power, electric heat and electric current for any uses to which it may be adapted to the public and industries and inhabitants of Oelwein, Iowa," was passed and adopted by the city council of Oelwein, Iowa, on September 10, 1914, and was passed and adopted by the legal electors of Oelwein, Iowa, at a special election held on November 18, 1913, and

WHEREAS, the said ordinance and the rights conferred thereunder have been assigned to and are now held by the Interstate Power Company, a corporation, and

WHEREAS, doubts have arisen as to whether or not all of the provisions of law relating to the granting of franchises were strictly complied with, now therefore:

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

1 SECTION 1. City of Oelwein — franchise legalized. That an ordi-
 2 nance of the incorporated city of Oelwein, Iowa, passed September
 3 10, 1914, and entitled:
 4 "A franchise authorizing the Oelwein Light, Heat and Power Com-
 5 pany, their successors or assigns, within the City of Oelwein, Iowa, to
 6 construct, reconstruct, maintain and operate a power plant or plants
 7 for the generation of electricity, systems for the transmission, dis-
 8 tribution and use of electricity, to furnish electric light, electric
 9 power, electric heat and electric current for any uses to which it may
 10 be adapted to the public and industries and inhabitants of Oelwein,
 11 Iowa,"
 12 be and the same is hereby declared legal and valid, the same as if all
 13 of the provisions of law relating to the granting of franchises had in
 14 all respects been strictly complied with.

1 SEC. 2. Pending litigation. This act shall in no wise affect pend-
 2 ing litigation.

1 SEC. 3. Publication clause. This act being deemed of immediate
 2 importance shall be in force and effect from and after its publication
 3 in the Des Moines Register, a newspaper published in Des Moines,
 4 Iowa, and the Oelwein Register, a newspaper published in Oelwein,
 5 Iowa, and without expense to the state.

Approved April 23, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register
 April 26, 1919 and in the Oelwein Register April 30, 1919.

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

CHAPTER 322.

MECHANICAL SYSTEM OF VOTE REGISTRATION FOR GENERAL ASSEMBLY.

H. F. 325.

AN ACT to authorize the executive council to contract for and cause to be installed an
 electrical and mechanical system for registration of votes of members of the
 assembly.

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

1 SECTION 1. General assembly — registration of votes — mechan-
 2 ical system. The executive council may contract for and cause to be
 3 installed an electrical and mechanical system for the instantaneous
 4 registration of the votes of the members of the house of representa-
 5 tives of the general assembly on all questions requiring a roll call.
 6 The cost of the above system, completely installed, shall not exceed
 7 the sum of eighteen thousand (\$18,000.00) dollars, the vendor of same
 8 to keep the said system in repair, due to any mechanical defects, or
 9 defects in material, workmanship or method of construction and

9 installation, free of charge to the state for five years. The vendor
 10 shall file bond in the sum of three thousand (\$3,000.00) dollars, of
 11 good and sufficient security with the executive council conditioned for
 12 the faithful repair of the said system as above provided. No part of
 13 the contract price shall be paid until a committee composed of the
 14 executive council and three (3) members of the house of representa-
 15 tives of the general assembly, to be named by the speaker, shall
 16 approve of the system after it is completely installed.

1 SEC. 2. **Installation — date of completion.** In case the above
 2 system is installed under the provisions of this act, the same shall be
 3 completed on or before January first 1920.

1 SEC. 3. **Appropriation.** For the purpose of carrying out this act,
 2 there is hereby appropriated out of any moneys in the state treasury
 3 not otherwise appropriated the sum of eighteen thousand (\$18,000.00)
 4 dollars, or any portion of which might be necessary to comply with
 5 the provisions in sections (1) and (2).

1 SEC. 4. **Publication clause.** This act being deemed of immediate
 2 importance shall be in full force and effect from and after its publi-
 3 cation in the Des Moines Register and the Des Moines Capital, news-
 4 papers published in Des Moines, Iowa.

Approved April 23, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register
 April 26, 1919 and in the Des Moines Capital April 29, 1919.

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

CHAPTER 323.

LAND PATENT TO RANSOM L. HOGATE.

H. F. 372.

AN ACT for the purpose of having a patent issue in the name of Ransom L. Hogate
 for a certain tract of land.

WHEREAS, it appears that Ransom L. Hogate is the owner of all the land
 and accretions thereto as surveyed and lotted to lots seven and eight (7
 and 8) of government lot eight (8), which lies north of the center line of
 Cedar Creek and the accretions to government lots seven and nine (7 and
 9) together with the accretions to government lots six and ten (6 and 10)
 and the accretions to government lots five and eleven (5 and 11) all of
 said accretions being the resurveys of said government lots, all in the
 south half of section twenty-nine (29), also the accretions to government
 lots four and five (4 and 5) as resurveyed in the southwest quarter of sec-
 tion twenty-eight (28), and the accretions to government lot one (1) in
 the west half of the southwest quarter in section twenty-seven (27), also
 all the accretions known as lot eight (8), which lies between the south bank
 of the present channel of the Des Moines River and the south line of Cedar
 Creek in section thirty-three (33), and the accretions to government lot
 three (3) as resurveyed in said section thirty-three (33) and the accre-

tions to government lot two (2) as resurveyed of the east half of the northwest quarter of section thirty-three and the accretions to government lot one (1) as resurveyed in the west half of the northwest quarter of said section thirty-three (33) also the accretions to government lot three (3) in the east half of the northeast quarter of section thirty-two (32) and the accretions to government lot one (1) as resurveyed in the northeast quarter of northwest quarter of said section thirty-two and also the accretions to resurvey of government lot two (2) of west half of northeast quarter of section thirty-two (32), township seventy-five (75) north, range seventeen (17) west of 5th P. M., Mahaska county, Iowa.

That the said Ransom L. Hogate has an unbroken chain of title from the United States to himself; and

WHEREAS, it appears that the present channel of the Des Moines River has changed that the said Ransom L. Hogate owns nearly all the land on both sides of said river within the sections and descriptions hereinbefore set forth, so that nearly an equal amount of land obtained by the accretions has been lost to the said Ransom L. Hogate by the present channel of the river and its continual washings which takes a large tract of land being washings in addition to the present channel of the river, and

WHEREAS, said Ransom L. Hogate with his grantors have been in actual, open and adverse possession of said real estate for more than forty years last past, exercising all the rights of ownership thereto and over the same, under claim of right and color of title, and that the said accretions are of less value than the land through which the present channel of the river runs.

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. Ransom L. Hogate — authorization of land patent to.

- 1 That the governor and the secretary of state of Iowa, be and they
- 2 are hereby authorized, empowered and directed to issue to the said
- 3 Ransom L. Hogate a patent for all of the land described, and which
- 4 shall constitute an absolute conveyance of all right, title and interest,
- 5 which the state of Iowa may have in and to said premises, and when
- 6 said patent is issued to be delivered to the said Ransom L. Hogate.

- 1 **SEC. 2. Publication clause.** This act being deemed of immediate
- 2 importance shall take effect and be in force from and after its publi-
- 3 cation in the Des Moines Register and the Des Moines Capital, news-
- 4 papers published in Des Moines, said publication and issuance of said
- 5 patent to be without expense to the state of Iowa.

Approved April 23, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register April 26, 1919 and in the Des Moines Capital April 30, 1919.

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

CHAPTER 324.

INDEPENDENT SCHOOL DISTRICT OF FAIRBANK.

H. F. 567.

AN ACT to legalize certain warrants of the independent school district of Fairbank, Buchanan, Fayette, Black Hawk and Bremer counties, Iowa.

WHEREAS, the Independent School District of the counties of Buchanan, Fayette, Black Hawk and Bremer and the state of Iowa, have made certain expenditures from the building fund of the said school district in the amount of \$4000.00 and issued warrants in conformity with resolutions of the Independent School Board of said district as follows:

Resolution and warrant, dated July 26, 1917, No. 6 in amount of \$1500.	
Resolution and warrant, dated Aug. 3, 1917, No. 11, in amount of \$1000.	
Resolution and warrant, dated Aug. 22, 1917, No. 16, in amount of \$1500.	
Total	\$4000.00

That each of said warrants were drawn on the building fund and bear interest from their respective dates and all of said warrants are now outstanding.

WHEREAS, the total indebtedness of said Independent School District does not now, including said warrants, and did not at the time of the issuance of said warrants, including said warrants, or at the time of the incurring of the indebtedness evidenced by said warrants, including said indebtedness, exceed the constitutional limitation of indebtedness; and,

WHEREAS, said expenditures were all made by said school district for general and lasting utility authorized by law; and, said Independent School District has enjoyed the use and benefit of said expenditures; and, the result of said expenditures was well worth the price which said Independent School District 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 Independent School District of Fairbank's authorized annual revenue; said expenditures were not provided for in the school's annual appropriation; said expenditures were incurred and contracted for in excess of the statutory limitation on indebtedness; the indebtedness incurred, for which the warrants were issued should have been advertised for bids and was not so advertised; said indebtedness should have been authorized by the voters of said school district and was not in fact so authorized.

WHEREAS, it is deemed advisable to put said doubts and all other doubts which may arise concerning the legality or validity of said warrants forever at rest; now, therefore

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

SECTION 1. Independent School District of Fairbank — acts and
 1 warrants legalized. That the acts of the corporate authorities of
 2 the Independent School District of Fairbank, in the counties of
 3 Buchanan, Fayette, Black Hawk and Bremer, in the state of Iowa, in
 4 making expenditures for said school district, as set forth in the pre-
 5 amble hereto, and incurring indebtedness thereby and therefor, and
 6 issuing warrants in the sum of \$4000.00 plus the interest accrued and

7 accruing on the said several warrants of indebtedness be, and the
8 same are hereby legalized and held valid, as though the law had in
9 all respects been complied with.

1 SEC. 2. Pending litigation. Nothing in this act shall affect any
2 pending litigation.

1 SEC. 3. Publication clause. This act being deemed of immediate
2 importance, shall take effect and be in force from and after its publica-
3 tion in the Des Moines Register, a newspaper published in Des Moines,
4 Iowa, and the Fairbank View, a newspaper published at Fairbank,
5 Iowa, without expense to the state.

Approved April 23, A. D. 1919.

I hereby certify that the foregoing act was published in the Fairbank View April 24, 1919 and in the Des Moines Register April 26, 1919.

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

CHAPTER 325.

TOWN OF HAZLETON.

H. F. 569.

AN ACT to legalize an ordinance of the incorporated town of Hazleton, Iowa, granting a franchise to the Fayette County Utilities Company, its successors and assigns, to maintain and operate an electric light, heat and power plant in said town.

WHEREAS, an ordinance entitled:

"A franchise authorizing Fayette County Utilities Company, its successors or assigns, within the Village of Hazleton, Buchanan county, Iowa, to acquire, construct, reconstruct, maintain and operate a power plant or plants for the generation of electricity, systems for the transmission, distribution and use of electricity, and to furnish electric light, electric power, electric heat and electric current for any uses to which it may be adapted to the public and industries and inhabitants of Hazleton, Iowa," was passed and adopted by the town council of Hazleton, Iowa, on June 3, 1915, and was passed and adopted by the legal electors of Hazleton, Iowa at a special election held on June 3, 1915, and

WHEREAS, said franchise and the rights conferred thereby have been assigned to and are now held by the Interstate Power Company, a corporation, and

WHEREAS, doubts have arisen as to whether or not all of the provisions of law relating to the granting of franchises were strictly complied with, now therefore:

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

SECTION 1. Town of Hazleton — franchise to Fayette County
1 Utilities Company — legalization of. That an ordinance of the incor-
2 porated Town of Hazleton, Iowa, passed June 3, 1915, and entitled:

3 "A franchise authorizing Fayette County Utilities Company, its suc-
 4 cessors or assigns, within the Village of Hazleton, Buchanan County,
 5 Iowa, to acquire, construct, reconstruct, maintain and operate a power
 6 plant or plants for the generation of electricity, systems for the
 7 transmission, distribution and use of electricity, and to furnish elec-
 8 tric light, electric power, electric heat and electric current for any
 9 uses to which it may be adapted to the public and industries and inhab-
 10 itants of Hazleton, Iowa,"
 11 be and the same is hereby declared legal and valid, the same as if all
 12 of the provisions of law relating to the granting of franchises had
 13 in all respects been strictly complied with.

1 SEC. 2. Pending litigation. This act shall in no wise affect pend-
 2 ing litigation.

1 SEC. 3. Publication clause. This act being deemed of immediate
 2 importance shall be in force and effect from and after its publication
 3 in the Des Moines Register, a newspaper published in Des Moines,
 4 Iowa, and the Oelwein Register, a newspaper published in Oelwein,
 5 Iowa, and without expense to the state.

Approved April 23, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register April 25, 1919 and in the Oelwein Register April 30, 1919.

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

CHAPTER 326.

GRANTING CERTAIN CITIES RIGHT TO UTILIZE EXCESS POWER, ETC.

H. F. 565.

AN ACT to amend section seven hundred twenty (720), supplement to the code, 1913, granting cities under ten thousand (10,000) population owning their own water plant the right to utilize the exhaust steam and excess power in the manufacture of artificial ice.

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

SECTION 1. Artificial ice — manufacture of — use of exhaust
 1 steam, etc., by certain cities. That section seven hundred twenty
 2 (720), supplement to the code, 1913, be and the same is hereby
 3 amended by adding after the period at the end of said section the fol-
 4 lowing:
 5 And such plant so established and erected may utilize steam and
 6 excess power in the manufacture of artificial ice and may install the
 7 necessary machinery and equipment therefor. Provided, however,
 8 that this shall only apply to cities, including cities under special char-
 9 ter or commission plan of government under ten thousand (10,000)
 10 population.

1 SEC. 2. Publication clause. This act being deemed of immediate
 2 importance, shall take effect and be in force from and after its publi-

3 cation in the Des Moines Register, and the Des Moines Capital, news-
4 papers published in Des Moines, Iowa.

Approved April 23, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register April 26, 1919 and in the Des Moines Capital April 29, 1919.

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

CHAPTER 327.

PEACE OFFICERS APPOINTED BY THE GOVERNOR OR ATTORNEY GENERAL.

H. F. 122.

AN ACT to amend chapter two hundred thirty-one (231) acts of the thirty-seventh general assembly, relating to peace officers appointed by the governor or attorney general and requiring them to give bond.

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

SECTION 1. Peace officers appointed by governor or attorney general — compensation and expenses. That chapter two hundred
2 thirty-one (231), acts of the thirty-seventh general assembly be and
3 the same is hereby amended by striking out the words and figures
4 "twenty-five thousand (\$25,000) dollars" in the twelfth (12th) line
5 thereof and inserting in lieu thereof the words and figures "thirty-
6 seven thousand five hundred (\$37,500) dollars".

1 SEC. 2. Bond required. Any person or persons, other than peace
2 officers already under bond, so selected or appointed by the governor
3 or attorney general, shall be required to give bond to the state of Iowa
4 in the sum of five thousand (\$5,000.00) dollars.

1 SEC. 3. Publication clause. This act being deemed of immediate
2 importance shall take effect and be in force from and after its passage
3 and publication in the Des Moines Register and Des Moines Capital,
4 newspapers published at Des Moines, Iowa.

Approved April 23, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register April 25, 1919 and in the Des Moines Capital April 29, 1919.

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

CHAPTER 328.

TAX LEVY FOR RECONSTRUCTION, ETC., OF ABANDONED RAILROADS.

H. F. 566.

AN ACT to authorize the voting and levying of a tax upon real estate contiguous to a railroad which has been heretofore constructed and the operation of which has been abandoned to aid in the reconstruction, improvement, repair or maintenance of such railroad.

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

SECTION 1. **Abandoned railroads — reconstruction, etc. — tax levy — authorization.** Taxes not exceeding five per cent (5%) on the assessed value of the property within the district hereinafter provided may be voted to aid in the reconstruction, improvement, repair or maintenance of any railroad heretofore constructed, the operation of which has been abandoned.

SEC. 2. **Petition — procedure by county board — special election, etc.** When a petition definitely describing any district contiguous within two and one-half (2½) miles of the line of any railroad described in section one (1) of this act, signed by a majority of the resident freehold taxpayers of such district or territory, asking that the question of aiding in the reconstruction, improvement, repair or maintenance of any such railroad be submitted to the voters of such district or territory, is presented to the board of supervisors of the county having the largest proportion of the area of said proposed district or territory the said board of supervisors shall immediately call a special election in said district or territory. Notice of the time and place of the holding of such election shall be published in the official papers of each county in which any of said proposed district or territory is situated once each week for three consecutive weeks preceding the election; such notice shall contain the time and place of the election and the proposition to be submitted to the voters of the proposed district or territory, which shall be described in such 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, 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, of each county wherein any of said district or territory is situated. 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. The taxes shall be collected in the same manner as other taxes, except as otherwise provided. The stipulations and conditions in the notice prescribed in this section must conform to those set forth in the petition

35 asking for the election, and the aggregate amount of taxes voted in
 36 any such district or territory shall not exceed five per cent (5%) of
 37 the assessed value of the real property therein. When such certifi-
 38 cate has been made and recorded, the board of supervisors of each
 39 county shall annually thereafter, so long as said railway is operated,
 40 not exceeding five years levy one-fifth (1-5) of the tax so voted upon
 41 the real estate within the territory or district in said county voting
 42 such tax.

1 **SEC. 3. Tax levy — provisions applicable.** The provisions of sec-
 2 tion two thousand and eighty-seven (2087), two thousand and ninety
 3 (2090) and two thousand and ninety-one (2091) of the code, are
 4 hereby made applicable to all taxes levied under the provisions of this
 5 act.

SEC. 4. Real property — limit of tax levy — period of exemption.
 1 The real property upon which such tax shall have been levied shall
 2 not be subjected to taxes in aid of railroads, including such tax, to
 3 exceed five per centum (5%) of the assessed value of said real prop-
 4 erty, for a period of ten (10) years after said levy.

1 **SEC. 5. Publication clause.** This act being deemed of immediate
 2 importance shall be in force and effect from and after its publication
 3 in the Des Moines Register and the Des Moines Capital, newspapers
 4 published at Des Moines, Iowa.

Approved April 23, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register
 April 25, 1919 and in the Des Moines Capital April 30, 1919.

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

CHAPTER 329.

INSPECTION OF PETROLEUM PRODUCTS.

H. F. 417.

AN ACT to amend section 2507 of the supplemental supplement to the code, and
 making an appropriation to pay the expenses and salaries provided for in said
 section.

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

1 **SECTION 1. Inspector and other officials — salary and expenses —**
 2 **appropriation.** That section twenty-five hundred seven (2507) of
 3 the supplemental supplement to the code be, and the same is hereby
 4 amended by striking out the word "thirty-two" in lines ten (10) and
 5 eleven (11) of said section and inserting in lieu thereof the word
 "thirty-eight".

1 SEC. 2. Publication clause. This act being deemed of immediate
 2 importance shall take effect from and after its publication in the Des
 3 Moines Register and the Des Moines Capital, both newspapers being
 4 published in Des Moines, Iowa.

Approved April 23, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register
 April 25, 1919 and in the Des Moines Capital April 30, 1919.

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

CHAPTER 330.

INSURANCE COVERING NEGLIGENCE IN PRACTICE OF MEDICINE, ETC., AND IN DISPENSING OF DRUGS.

H. F. 523.

AN ACT to amend the law as it appears in section two (2), chapter four hundred
 twenty-eight (428), acts of the thirty-seventh general assembly of Iowa, authorizing
 certain insurance companies to insure against loss or damage resulting from personal
 injury or death caused by error or negligence of the insured in the practice of
 medicine, surgery or dentistry, or in the prescribing or dispensing of drugs or
 medicines.

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

SECTION 1. Medicine, dentistry, dispensing of drugs, etc. — negli-
 1 gence causing injury or death — insurance against loss. That the
 2 law as it appears in section two (2), chapter four hundred twenty-
 3 eight (428), acts of the thirty-seventh general assembly of Iowa be,
 4 and the same is hereby amended by adding thereto, between lines
 5 seven (7) and eight (8) thereof, and as paragraph (b), the following:
 6 (b) Insure against liability for loss, damage or expense resulting
 7 from personal injury or death caused by error or negligence of the
 8 insured in the practice of medicine, surgery or dentistry, including the
 9 performance of surgical operations, or in the prescribing or dispens-
 10 ing of drugs or medicines, or for loss by reason of damages in other
 11 respects, for which loss, damage or expense the insured is legally
 12 liable; provided, however, that any policy issued by any such company
 13 shall contain a provision so that said policy shall inure to the benefit
 14 of any person obtaining a judgment against the insured to the extent
 15 of the insurance carried and for the purpose for which the insurance
 16 was issued.

1 SEC. 2. Renumbering paragraphs. That the law as it appears in
 2 section two (2), chapter four hundred twenty-eight (428), acts of
 3 thirty-seventh general assembly of Iowa be, and the same is
 4 hereby further amended by renumbering paragraphs (b), (c) and
 5 (d) as paragraphs (c), (d) and (e), respectively.

1 SEC. 3. Publication clause. This act being deemed of immediate
 2. importance shall take effect and be in full force from and after its

3 passage and publication, according to law, in the Des Moines Capital
4 and the Des Moines Register, newspaper* published in the city of Des
5 Moines, Iowa.

Approved April 23, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register
April 26, 1919 and in the Des Moines Capital April 30, 1919.

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

[Note.—*“newspapers” in the original bill.]

CHAPTER 331.

IOWA WAR ROSTER COMMISSION.

H. F. 362.

AN ACT providing for the compilation of a roster of Iowa soldiers, sailors and marines
in the Mexican border service of 1916 and 1917; and the World's War of 1917, 1918,
and 1919; and other historical data in connection with the World's War of 1917, 1918,
and 1919, and providing for the manner of its publication, distribution and sale;
creating a commission to perform said compilation and making an appropriation
therefor.

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

SECTION 1. Roster of soldiers, etc. — authorization to prepare and
1 publish. That the governor and adjutant general shall constitute a
2 board authorized to gather and prepare in form for publication from
3 all available sources, a complete roster of all soldiers, sailors and
4 marines of all grades who served in the Army, Navy or Marine Corps
5 in the Mexican Border service of 1916, and 1917, and World's War of
6 1917, 1918 and 1919.

1 SEC. 2. Compilation — what to include. Said compilation and
2 publication shall contain the main item of record of each soldier,
3 sailor and marine who enlisted or was selected for service from Iowa,
4 so far as the same is obtainable from the records of the Adjutant
5 General's office, the War Department at Washington, the Navy
6 Department at Washington and from any other official and reliable
7 sources. It shall include appropriate historical sketches of the
8 organizations in which any considerable number of these Iowa men
9 served; it shall contain summaries of casualties, lists of Iowa soldiers,
10 sailors and marines captured by the enemy, those buried in the
11 national or foreign cemeteries, and those who have been decorated or
12 cited for any cause by the United States government or any of the
13 allied governments; also sketches of the selective service work in
14 Iowa, with reference to the work of state headquarters, district, local,
15 medical, and legal advisory boards, and government appeal agents.

1 SEC. 3. Iowa War Roster Commission — authorization to purchase
2 films, photographs, etc. Said commission shall be known as the Iowa
3 War Roster Commission, and it is further authorized to purchase for
4 the Historical Department of Iowa, moving picture films of Iowa mili-
tary organizations which participated in the World's War, and photo-

5 graphs of officers and men who distinguished themselves in said war,
6 where they are not obtainable free of cost.

SEC. 4. **Compilation — appropriation — director of work, clerks,
1 etc.** Said compilation shall be under the direction of the adjutant
2 general, and the sum of \$20,000 or as much thereof as may be neces-
3 sary is hereby appropriated from any moneys not otherwise appropri-
4 ated in the treasury of the state for the employment of a director of
5 said work, and for the employment of clerical help and other neces-
6 sary expenses in making said compilation. The pay for said direc-
7 tor and clerks shall be fixed by said commission consisting of the gov-
8 ernor and adjutant general. An itemized account shall be kept for
9 the expenditures and vouchers filed to be audited by the executive
10 council and warrants drawn by the state auditor to pay expenses pro-
11 vided by this act.

SEC. 5. **Volumes—number—free distribution—sale.** The com-
2 pilation shall be divided into volumes of proper size and shall be
3 printed under the existing laws of the state of Iowa, providing for the
4 publication of state documents, and shall be paid for as other state
5 printing and binding. The edition shall be 10,000 of each volume and
6 shall be disposed of as follows: 12 sets to the state library, 12 sets to
7 the historical library, 12 sets to the state historical society, one set to
8 each public library in the state and one set to each nationally recog-
9 nized organization of world's war soldiers, sailors, or marines when so
10 organized. The foregoing sets shall be distributed free of cost. The
11 other sets and volumes shall be sold by the adjutant general at cost,
12 to be determined by the executive council and the proceeds paid into
13 the state treasury.

SEC. 6. **Publication clause.** This act being deemed of immediate
2 importance, it shall take effect and be in force upon and after its pub-
3 lication in the Des Moines Register and the Des Moines Capital, daily
4 newspapers published in the city of Des Moines, Polk county, Iowa.

Approved April 23, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register
April 25, 1919 and in the Des Moines Capital April 30, 1919.

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

CHAPTER 332.

DRAINAGE DISTRICTS.

H. F. 430.

AN ACT to provide that an upper levee or drainage district shall pay its proportional share of the cost of enlarging, deepening, widening or cleaning out any ditch, drain, watercourse or stream of a lower levee or drainage district into or through which the waters of the upper levee or drainage district flow; and that such upper levee or drainage district shall pay its proportional share of the cost of extending any ditch, drain, watercourse or stream of a lower levee or drainage district, when such extension becomes necessary for a better outlet for the waters of the several districts flowing into or through the same.

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

SECTION 1. Drainage districts — upper and lower levees — combined outlet — proportionate assessment of costs. When it shall become necessary hereafter to clean out, enlarge, deepen or widen any ditch or drain of any levee or drainage district; which ditch or drain has heretofore been established and constructed or which shall hereafter be established or constructed, and into or through which any of the waters of any other levee or drainage district shall flow, each levee or drainage district flowing annually into or through such other levee or drainage district, including the levee or drainage district carrying the combined discharge of water, shall be assessed for the cost of such work in the same ratio to such total cost as the discharge of waters of such district bears to the combined discharge of waters of the several districts flowing into or through such a ditch or drain. And when it shall become necessary hereafter to extend any ditch or drain of any levee or drainage district for a better outlet for the waters flowing annually into or through such a ditch or drain so extended for a better outlet, each district, including the district carrying the combined discharge of water, shall be assessed for the cost of such work in the same ratio to the total cost as hereinbefore provided.

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

Approved April 23, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register April 26, 1919 and in the Des Moines Capital April 29, 1919.

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

CHAPTER 333.

GRANT OF BOARD OF SUPERVISORS OF BUCHANAN COUNTY LEGALIZED.

H. F. 568.

AN ACT legalizing a grant of the board of supervisors of Buchanan county, Iowa, pursuant to resolution of said board of January 10, 1916, granting to the Fayette County Utilities Company, a corporation, its successors and assigns, the right to construct, operate and maintain a transmission line for the purpose of conducting electricity for light, heat and power purposes over and along that part of a certain public highway commonly known as the Oelwein-Independence highway, from the north line of Buchanan county to the north corporate line of the town of Hazelton, lying wholly within the said county of Buchanan.

WHEREAS, on January 10, 1916, the board of supervisors of the county of Buchanan, Iowa, passed a resolution granting to the Fayette County Utilities Company, a corporation, its successors and assigns, the right to construct, maintain and operate a transmission line for the purpose of conducting electricity for light, heat and power purposes over and along that part of a certain public highway commonly known as the Oelwein-Independence Highway, from the north line of said county of Buchanan to the north corporate line of the town of Hazelton, Iowa, lying wholly within said county of Buchanan, and

WHEREAS, the rights granted by said resolution have been assigned to and are now held by the Interstate Power Company, a corporation, and

WHEREAS, doubts have arisen as to whether or not all of the provisions of law relating to such grants were strictly complied with, now therefore:

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

SECTION 1. Fayette County Utilities Company — transmission line — grant of board of supervisors legalized. That a grant of the board of supervisors of Buchanan county, Iowa, pursuant to resolution passed January 10, 1916, and granting to the Fayette County Utilities Company, a corporation, its successors and assigns, the right to construct, operate and maintain a transmission line for the purpose of conducting electricity for light, heat and power purposes over and along that part of a certain public highway commonly known as the Oelwein-Independence Highway, from the north line of said county of Buchanan to the north corporate line of the town of Hazelton, over and along said highway, be and the same is hereby declared legal and valid, the same as if all the provisions of law relating to such grants had in all respects been strictly complied with.

SEC. 2. Pending litigation. This act shall in no wise affect pending litigation.

SEC. 3. Publication clause. This act being deemed of immediate importance shall be in force and effect from and after its publication in the Des Moines Register, a newspaper published in Des Moines, Iowa, and the Oelwein Register, a newspaper published in Oelwein, Iowa, and without expense to the state.

Approved April 23, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register April 26, 1919 and in the Oelwein Register April 30, 1919.

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

CHAPTER 334.

ESTABLISHMENT OF LEVEE AND DRAINAGE DISTRICTS, ETC., FOLLOWING FORMER FAILURE.

H. F. 313.

AN ACT providing for the establishment of levee and drainage districts and improvements in cases where the board of supervisors have heretofore attempted to establish the same under title X chapter 2, McClain's code of 1888, as amended and where said establishment has failed by reason of the unconstitutionality of said provision, and to provide for the district established under the provisions of this act, taking over and establishing as the improvement of this district and ditch, levee or drain all ready in whole or in part constructed, under said attempted establishment and to assess benefits therefor and to allow damages and to make such ditch, dike or drain, the improvement or a part of the improvement established under this act; and to provide for the levy and collection of taxes to be assessed against the benefited area affected by said improvements for both the cost of construction and any subsequent work done thereon as repairs and for maintenance thereof.

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

SECTION 1. Levee or drainage district — establishment of, following former failure — powers of board. Where a petition has been filed asking for the establishment of a levee or drainage district, and the board of supervisors have attempted to establish said district, under the provisions of title X, chapter 2, McClain's Code 1888, or as amended, and said establishment has failed on account of said provision being unconstitutional and the work and improvement petitioned for shall have been in whole or part completed whether the original construction work, or repairs and maintenance work thereto, the board of supervisors shall have power and shall proceed to establish a district, as provided by chapter 2-A, supplement to the code, 1913, in the same manner as though a petition and bond had been filed therefor, and shall have power to establish any new improvement work in connection with that already constructed as may be recommended by the report of the engineer therein appointed, and all sections of said chapter 2-A, of the supplement to the code, 1913, shall be applicable thereto, and shall govern all proceedings in the matter of said establishment and the levy of taxes thereunder.

SEC. 2. Improvements — board empowered to take over — apportionment of benefits. In all proceedings under this act, where the improvement originally recommended has been in whole or in part constructed, or where certain repair or maintenance shall have been in whole or in part constructed, the board of supervisors shall and they are hereby empowered to take over and establish the same as the improvement work of the district established under this act, and in apportioning the benefits to the land in said district, use as a basis for the amount to be raised in the district for the improvement all ready constructed and the repair and maintenance work that may have been completed, the actual cost of said work and that amount together cost of and additional improvement or repair work and expenses shall be assessed as benefits as by the provisions of chapter 2-A, supplement to code, 1913, provided and in all cases where an assessment and levy of taxes has heretofore been attempted to have been made and taxes paid thereunder, the commissioners appointed to

16 apportion the benefits shall be governed by section 1989-a17 of said
17 chapter.

1 SEC. 3. **Damages.** In all proceedings under this act, the commis-
2 sion appointed to fix the amount of damages, and the board of super-
3 visors in determining the same, where damages have been heretofore
4 attempted to have been fixed for the improvement or repair and main-
5 tenance work, constructed, and the same have been paid to the owner
6 of lands affected by the improvement, shall deduct from the amount
7 of damages now found and determined upon the amount heretofore
8 paid, if there be any.

1 SEC. 4. **Publication clause.** This act being deemed of immediate
2 importance, shall take effect and be in force from and after its pub-
3 lication in the Des Moines Capital and in the Des Moines Register,
4 newspapers published in Des Moines, Iowa.

Approved April 23, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register
April 25, 1919 and in the Des Moines Capital April 28, 1919.

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

CHAPTER 335.

BANK EXAMINERS, DEPUTY SUPERINTENDENT OF BANKING, CLERKS, ETC.

S. F. 265.

AN ACT to repeal section five (5), chapter forty (40), of the acts of the 37th general
assembly of the state of Iowa, and to enact a substitute therefor, relating to the
appointment, qualifications and salary of bank examiners, and to department assist-
ants and expenses; to repeal section eighteen hundred seventy-five (1875), supple-
mental supplement to the code, 1915, and as amended by section five (5), chapter
forty (40) of the acts of the 37th general assembly of the state of Iowa, and to enact
a substitute therefor, relating to fees.

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

SECTION 1. **Repeal and substitute — bank examiners, deputy
superintendent, clerks, etc. — appointment — salaries — expenses.**
1 That section five (5), chapter forty (40), of the acts of the thirty-
2 seventh general assembly of the state of Iowa, be, and the same is
3 hereby repealed, and the following enacted in lieu thereof: "The
4 superintendent of banking may appoint such examiners, to hold office
5 for a term of two (2) years, but not to exceed one examiner for each
6 one hundred (100) banks, or major fraction thereof, under his supervi-
7 sion; and may also appoint a deputy superintendent of banking, who
8 shall perform the duties attached to the office of the superintendent
9 of banking during the absence or the inability of the superintendent,
10 and as directed by him, and may also appoint such clerks, steno-
11 graphers, and special assistants as he may need to discharge in a
12 proper manner the duties imposed on him by law; but the total in
13 number, including the deputy superintendent, shall not exceed one for

14 each two hundred (200) banks and trust companies, or major fraction
 15 thereof, under his supervision; all such appointees shall be removable
 16 at the pleasure of the said superintendent. Said examiners shall
 17 give a corporate surety bond to the state, conditioned for the faithful
 18 discharge of his duties, for the sum of three thousand (\$3000) dol-
 19 lars each, which shall be filed with said superintendent and approved
 20 by him. Said examiners shall have had at least three (3) years
 21 experience in practical bank work or as bank examiners. The deputy
 22 superintendent and bank examiners shall receive a salary to be fixed
 23 by the superintendent, commensurate with the work done by said
 24 examiners, but in no case to exceed the sum of three thousand (\$3000)
 25 dollars, per annum. Said superintendent of banking shall fix the sal-
 26 aries of his clerks, stenographers, special assistants and any other
 27 employees whom he may engage and he shall be held responsible for
 28 all work done by his department and salaries paid all of his employees
 29 based on a strictly business basis, namely, efficiency and economy as
 30 to time and expense accounts. The deputy superintendent and all
 31 such clerks, stenographers, special assistants and other employees
 32 shall give bond to the state in such sum as shall be fixed by the
 33 executive council. The superintendent shall furnish to the auditor
 34 from time to time a list of salaries as fixed by him, and all salaries
 35 shall be paid monthly by the treasurer of state on warrants drawn
 36 by the auditor of state. The superintendent of banking and exam-
 37 iners shall be entitled to actual and necessary expense incurred in the
 38 examination of banks and trust companies, and the actual and neces-
 39 sary expenses within the state of special assistants and other
 40 employees, who may be designated by the superintendent to aid in
 41 the official work of this department, shall be allowed. The superin-
 42 tendent of banking shall also be entitled to actual and necessary
 43 expenses incurred in attending the district or group meetings and
 44 state convention of the Iowa Bankers Association; the annual con-
 45 vention of the American Bankers Association; any meetings that may
 46 be called by the Federal Reserve Bank of Chicago, and the annual
 47 session, if any, or any conference of state supervisors of banking or
 48 banking commissioners, that may be called by said state supervisors
 49 of banking, or banking commissioners, or their organization, if any;
 50 not to exceed five hundred (\$500) dollars in any one year, as shall be
 51 approved by the state board of audit, as provided in section one hun-
 52 dred seventy-s (170-s), supplemental supplement to the code, 1915,
 53 and such expenses shall be paid by the treasurer of state on warrants
 54 drawn by the auditor of state, but the total amount of expense and
 55 salaries shall not, in any one year, exceed the amount of fees col-
 56 lected from banks and trust companies."

SEC. 2. Repeal and substitute — examination fee — delinquency —
 1 etc. That section eighteen hundred seventy-five (1875), supple-
 2 mental supplement to the code, 1915, and as amended by section five
 3 (5), chapter forty (40), of the acts of the thirty-seventh general
 4 assembly of the state of Iowa, be and the same is hereby repealed, and
 5 the following enacted in lieu thereof: "Every bank and trust com-
 6 pany shall pay to the superintendent of banking within ten (10) days
 7 after the date of each examination a fee as based on the assets of said
 8 bank or trust company, as of the date for the close of business for
 9 which such examination is made, as follows: At the rate of one
 10 (\$1) dollar per one thousand (\$1000) dollars of assets on the first

11 twenty-five thousand (\$25,000) dollars of assets, and at the rate of
 12 two (2c) cents per one thousand (\$1000) dollars of assets on all
 13 assets over and above twenty-five thousand (\$25,000) dollars of
 14 assets, provided that no examination shall be made for less than
 15 twenty (\$20) dollars. Upon completion of each examination the bank
 16 examiner in charge of said examination shall render a bill for such
 17 fee, in triplicate, and shall deliver one copy thereof to the bank, and
 18 shall forward one copy to the treasurer of state, and one copy to the
 19 superintendent of banking at his office in Des Moines. Failure to
 20 place the amount of said fee in the hands of the superintendent of
 21 banking within ten (10) days, as hereinbefore provided, shall subject
 22 the bank to an additional fee, equal to five (5) per centum of the
 23 amount of such fee for each day same shall be delinquent. The super-
 24 intendent shall account for and pay over said fees to the treasurer of
 25 state at the time and in the manner as now provided for by law. No
 26 bank examiner shall be assigned by the superintendent of banking to
 27 examine a bank or trust company in a county in which he is interested
 28 in the business of a bank or trust company."

SEC. 3. **Banking department — salaries and expenses — income**
 1 **as fund.** No payments of any kind shall be made by the state treas-
 2 urer to cover expenses and salaries of the banking department or any
 3 part thereof, unless there shall be on hand in the office of the treasurer
 4 of state sufficient funds, received as income from said department, to
 5 pay the same.

SEC. 4. **Acts in conflict repealed.** All acts or parts of acts in con-
 2 flict herewith are hereby repealed.

SEC. 5. **Publication clause.** This act, being deemed of immediate
 2 importance, shall take effect and be in force from and after its publi-
 3 cation in the Des Moines Capital and the Des Moines News, news-
 4 papers published at Des Moines, Iowa.

Approved April 23, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Daily News
 April 25, 1919 and in the Des Moines Capital April 26, 1919.

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

CHAPTER 336.

APPROPRIATIONS FOR CONSTRUCTION OF BRIDGES.

H. F. 312.

AN ACT to repeal section four hundred twenty-four (424) of the code and to enact a sub-
 stitute therefor relating to appropriations which may be made by the board of super-
 visors for the construction of bridges.

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

SECTION 1. **Repeal and substitute — construction of bridges —**
 1 **appropriation — authorization.** That section four hundred twenty-
 2 four (424) of the code be and the same is hereby repealed and the fol-
 3 lowing enacted in lieu thereof:

4 The board of supervisors of any county having a population of fif-
 5 teen thousand or less may appropriate for the construction of any one
 6 bridge within the limits of such county, a sum not to exceed twenty-
 7 five thousand dollars (\$25,000), and may appropriate for the con-
 8 struction of any one bridge on the line between such county and
 9 another county of this state or between such county and another state,
 10 a sum not to exceed fifteen thousand dollars (\$15,000).

11 In any county having a population of fifteen thousand or more, said
 12 board may appropriate as aforesaid, not to exceed thirty-five thousand
 13 dollars (\$35,000) for any one bridge within such county, and not to
 14 exceed twenty thousand dollars (\$20,000) for the construction of any
 15 one bridge on the line between such county and another county within
 16 this state or on the line between such county and another state.

17 The term "bridge", as used in this section, shall be held to include
 18 substructure, superstructure and approaches.

Approved April 23, A. D. 1919.

CHAPTER 337.

STATE AID FOR VOCATIONAL EDUCATION, ETC.

H. F. 12.

AN ACT to amend chapter two hundred ninety (290) of the laws of the thirty-seventh general assembly relating to vocational education, to appropriate funds for state aid in affording such education and to provide for the expense of administration thereof.

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

1 SECTION 1. Repeal and substitute. That section five (5) of chap-
 2 ter two hundred ninety (290) of the laws of the thirty-seventh gen-
 3 eral assembly be and the same is hereby repealed and the following
 4 sections five (5) and five-a (5-a) enacted in lieu thereof:

5 "SEC. 5. Vocational education — state to meet federal aid, etc.
 6 That, in order to meet the requirements, that for each dollar of fed-
 7 eral money expended for the salaries of teachers in approved schools,
 8 departments and classes, the state or local community, or both, must
 9 expend an equal amount for the maintenance of such instruction, the
 10 state shall pay for the salaries of teachers of vocational subjects in
 11 such approved schools, departments and classes, an amount equal to
 12 the amount of federal money which they receive for the same pur-
 13 pose for the same year. Such state board for vocational education
 14 shall recommend to each session of the general assembly the amount
 15 of money which should be appropriated by the general assembly for
 16 such approved schools, departments and classes for each succeeding
 17 biennium; whenever in any year the federal and state funds avail-
 18 able shall not be sufficient to meet the requirements of the schools,
 19 departments or classes thus formulated, the state board of vocational
 20 education shall as nearly as practicable prorate the moneys available
 21 for such purpose.

22 "SEC. 5-a. *Appropriation.* For the purpose of carrying out the
 23 provisions of this act, there is hereby appropriated out of any moneys
 24 in the state treasury, not otherwise appropriated, the sum of forty
 25 thousand dollars for the year ending June 30, 1920, and the sum of
 26 fifty thousand dollars for the year ending June 30, 1921."

1 SEC. 2. *Appropriation for expenses of state board.* That section
 2 ten (10) of chapter two hundred ninety (290) of the laws of the
 3 thirty-seventh general assembly be and the same is hereby amended
 4 by striking out of the next to the last line of said section, the char-
 5 acters and figures "\$2500" and inserting in lieu thereof the characters
 6 and figures, "\$9000".

Approved April 23, A. D. 1919.

CHAPTER 338.

RELEASE OF ATTACHMENTS.

H. F. 345.

AN ACT to repeal section thirty-nine hundred thirty (3930), of the code, relating to the release of attachments, and to enact a substitute therefor.

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

SECTION 1. *Repeal and substitute — attachments — conditions releasing — duty of clerk.* That section thirty-nine hundred thirty (3930) of the code, be and the same is hereby repealed and the following enacted in lieu thereof:
 4 .If the judgment is rendered in the action for the defendant, or, if
 5 the action is dismissed by the court, by the plaintiff, or, by agreement
 6 of the parties, or, if judgment has been entered for the plaintiff and
 7 has been satisfied of record, the attachment shall, subject to the right
 8 of appeal, automatically be discharged and the property attached, or
 9 its proceeds shall be returned to the defendant. And if the attach-
 10 ment has been entered on the encumbrance book, it shall be the duty
 11 of the clerk to cancel such attachment, and in his entry of cancella-
 12 tion, he shall refer to the entry in the case showing his authority to
 13 cancel said attachment.

Approved April 23, A. D. 1919.

CHAPTER 339.

ISSUANCE OF WARRANTS IN SPECIAL CHARTER CITIES.

H. F. 419.

AN ACT to amend section ten hundred and nine (1009), code, relating to the issuance of warrants in special charter cities.

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

1 SECTION 1. Warrants. That section ten hundred and nine (1009)
2 of the code be and the same is hereby amended by striking out the
3 words and figures "five hundred (500)" from the third line thereof
4 and inserting in lieu thereof the words and figures "one thousand
5 (1000)".

Approved April 23, A. D. 1919.

CHAPTER 340.

DUTIES OF COUNTY SUPERINTENDENTS.

H. F. 392.

AN ACT to amend the law as it appears in section twenty-seven hundred forty (2740) of the code, relating to the duties of county superintendents.

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

1 SECTION 1. County superintendents — enforcing laws. That the
2 law as it appears in section twenty-seven hundred forty (2740) of the
3 code be amended by inserting after the comma at the end of line six
4 of said section the following: "and those relating to compulsory
5 attendance of pupils within the ages prescribed therein, and those
6 relating to the exclusive use of the English language in the schools of
7 his county as prescribed by law.

Approved April 23, A. D. 1919.

CHAPTER 341.

CARE OF PERSONS AFFLICTED WITH TUBERCULOSIS.

H. F. 536.

AN ACT to amend the law as it appears in section four hundred nine-t3 (409-t3), supplemental supplement to the code, 1915, relating to care of persons afflicted with tuberculosis.

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

SECTION 1. Repeal and substitute — tuberculosis — persons
1 afflicted with — care, treatment, etc. That section four hundred and

2 nine-t3 (409-t3), supplemental supplement to the code, 1915, be and
 3 the same is hereby repealed and the following enacted in lieu thereof.
 4 That in compliance with the provisions of section four hundred and
 5 nine-t1 (409-t1) and section four hundred and nine-t2 (409-t2), sup-
 6 plemental supplement to the code, 1915, the board of supervisors may
 7 arrange in said county, or elsewhere in the state, with any institution
 8 maintained for the treatment of tuberculosis, or with a county public
 9 hospital, or any other hospital not maintained for pecuniary profit,
 10 where suitable treatment may be provided; and said board of super-
 11 visors is authorized to construct or otherwise provide and equip suit-
 12 able buildings in connection with such institution, or hospital, if in
 13 the county, for the proper segregation and maintenance of such des-
 14 ignated persons. Provided, however, that no institution, or hospital,
 15 or building for the care and treatment of persons afflicted with tuber-
 16 culosis shall be established at any county home in this state. And
 17 it is further provided that any institution, hospital or place for the
 18 treatment of persons afflicted with tuberculosis now established or
 19 which may be established in the future, shall be approved by the
 20 board of control and inspected by said board. And said board shall
 21 have the power to require any alterations in building or equipment or
 22 changes in treatment as may be necessary to make such institution
 23 conform to the modern and accepted methods for the treatment of
 24 tuberculosis.

Approved April 23, A. D. 1919.

CHAPTER 342.

REVERSION OF SCHOOL SITES.

H. F. 431.

AN ACT to repeal section twenty-eight hundred sixteen (2816), supplement to the code, 1913, and enact a substitute in lieu thereof, relating to the reversion of school sites.

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

SECTION 1. Repeal and substitute — school sites — nonuser —
 1 right of reversion, etc. That section twenty-eight hundred sixteen
 2 (2816), supplement to the code, 1913, is hereby repealed and the fol-
 3 lowing enacted in lieu thereof:
 4 In school districts wholly outside any city or incorporated town,
 5 in case of nonuser for school purposes continuously for two years of
 6 any real estate acquired for a school house site, it shall revert, with
 7 improvements thereon, to the owner of the tract from which it was
 8 taken, upon payment of the market value thereof, together with the
 9 value of the improvements thereon, to be determined by arbitration,
 10 and upon such payment the school corporation shall make a convey-
 11 ance to such owner. If such owner refuses to accept the property
 12 at its appraised value, the school corporation may sell the same to any
 13 other person upon the payment of the appraised value, or at public
 14 auction to the highest bidder. In either of the above cases the site
 15 and the improvements thereon may be sold separately.

16 School houses and school sites no longer necessary for school pur-
 17 poses, because of being located in consolidated school districts, may
 18 be sold immediately after the organization of such consolidated
 19 school district, in the manner above provided. During its use no
 20 person owning a right of reversion shall have any interest in or con-
 21 trol over the premises.

22 This law shall not apply to districts in which schools have been
 23 temporarily closed by law on account of small attendance.

Approved April 24, A. D. 1919.

CHAPTER 343.

FRATERNAL BENEFICIARY SOCIETIES, ORDERS, ETC.

H. F. 553.

AN ACT to amend the law as it appears in section eighteen hundred twenty-two (1822), supplement to the code, 1913, relating to the matter of fraternal beneficiary societies, orders and associations, and the issuance of certificates by said associations.

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

SECTION 1. Fraternal beneficiary societies — certificates — legal
 1 reserve, etc. That the law as it appears in section eighteen hundred
 2 twenty-two (1822), supplement to the code, 1913, be and the same is
 3 hereby amended by adding thereto at the end thereof the following:
 4 "Any fraternal beneficiary society issuing certificates, based upon
 5 rates not lower than those required by the mortality table set forth
 6 in section eighteen hundred thirty-nine-j (1839-j), may issue certi-
 7 ficates providing for death benefits upon the term, whole life or lim-
 8 ited payment plan, in which event it shall maintain the required legal
 9 reserve on all such certificates, based on the standard adopted for the
 10 issuing of such certificates, which said reserve shall be set aside and
 11 held as a special reserve fund for the exclusive benefit of the members
 12 contributing thereto. Any such society may grant to its members
 13 extended and paid-up protection or such withdrawal equities as its
 14 constitution and laws may permit, provided that such grants shall in
 15 no case exceed in value the portion of the reserve to the credit of the
 16 members to whom they are made."

Approved April 24, A. D. 1919.

CHAPTER 344.

POLICEMAN SERVING AS CITY MARSHAL.

H. F. 494.

AN ACT to amend chapter thirteen-B (13-B), title V, supplement to the code, 1913, relating to pensions for disabled and retired policemen.

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

SECTION 1. City marshal — policeman serving as — benefits and liabilities, etc. That the law as it appears in chapter thirteen-B (13-B), title V, supplement to the code, 1913, be amended by adding thereto, as an additional section, the following:

“When any member of the police department has been, or shall be hereafter appointed to the office of city marshal, he shall, while serving as city marshal, be considered as continuing a member of the police department within the provisions of chapter thirteen-B (13-B), title V, supplement to the code, 1913, and acts amendatory thereof, and as such shall be entitled to all benefits and be subject to all liabilities thereof. In any matter in which the said city marshal shall be individually interested, and which requires the action of the board of trustees of the policemen’s pension fund, the said city marshal shall not act as a member of said board, but the mayor of the city shall act with the other two trustees of the board with respect thereto. Upon the termination of his term as city marshal, such member of the police department shall regain the rank he held in such department at the time of his appointment as city marshal.”

Approved April 24, A. D. 1919.

CHAPTER 345.

PURCHASE OF SCHOOL BOOKS, SUPPLIES, ETC.

H. F. 484.

AN ACT to amend section two thousand seven hundred and eighty-three (2783), supplement to the code, 1913, as amended by section seven (7) of chapter three hundred eighty-six (386), acts of the thirty-seventh general assembly, relating to the use of the general fund for the purchase of school supplies.

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

SECTION 1. Contingent fund — use of for supplies, etc. That section two thousand seven hundred and eighty-three (2783), supplement to the code, 1913, be and the same is hereby amended by striking out of the sixth line thereof the words “twenty-five” and inserting in lieu thereof the words “two hundred”, and by striking from said line six the word “schoolroom” and insert in lieu thereof the words “school building”.

Approved April 24, A. D. 1919.

CHAPTER 346.

LIVE STOCK INSURANCE COMPANIES.

H. F. 148.

AN ACT amending section number eighteen (18) of chapter number four hundred twenty-nine (429) of the laws of the thirty-seventh general assembly, providing for the organizing, admitting, licensing and regulating of insurance companies other than life, by prescribing the amount of capital required for companies insuring live stock exclusively.

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

SECTION 1. Companies insuring live stock — capital required.

- 1 That the law as it appears in section number eighteen (18) of chapter
- 2 number four hundred twenty-nine (429) of the laws of the thirty-
- 3 seventh general assembly be amended by adding in the twelfth (12)
- 4 line thereof, after the word "glass" the following: ", or live stock".

Approved April 24, A. D. 1919.

CHAPTER 347.

REQUIREMENTS FOR PUBLIC CONTRACTORS.

H. F. 224.

AN ACT requiring public contractors to file a bond for the protection of the parties contracting therewith and for the benefit of those furnishing such contractor with materials used or labor performed in the carrying out of such contract; fixing the terms and conditions of such bonds; requiring the same to be filed with the clerk of the district court; providing for suit to be brought thereon, and fixing the time within which such suit may be instituted; and making the furnishing of such bond a condition precedent to the validity of such public contracts, and providing the time within which claims shall be filed.

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

SECTION 1. Public contractor — bond — conditions of obligation.

- 1 That whenever any public body, board, committee, officer or other
- 2 public representative now or hereafter empowered by law to enter
- 3 into a contract, for and on behalf of the public, for the purpose of con-
- 4 structing any public building, or for the purpose of making any public
- 5 improvement, or for the making of any additions thereto, or for the
- 6 finishing, furnishing or repairing of any such buildings or public
- 7 work, such body, board, committee, officer or other public representa-
- 8 tive, whenever the contract price is in excess of one thousand (\$1,000)
- 9 dollars, shall require as a condition precedent to the making of such
- 10 contract that the person, firm or corporation to whom the contract is
- 11 awarded furnish and file a bond, as hereinafter provided, in a sum of
- 12 not less than the contract price, the amount to be determined by
- 13 those representing the public, signed by the contractor and a
- 14 responsible surety company authorized to do business in Iowa, which

15 bond shall run to said body, board, committee, or other public repre-
 16 sentative, for its use and benefit and for the use and benefit of all per-
 17 sons, firms and corporations who shall perform any labor or furnish
 18 any material, including fuel, in the carrying out of such public con-
 19 tract, and shall have as one of its conditions, the following paragraph:

20 Now, therefore, the condition of this obligation is such that if the
 21 principal shall faithfully perform the contract on his part, and satisfy
 22 all claims and demands, incurred for the same, and shall fully indem-
 23 nify and save harmless the owner from all cost and damage which he
 24 may suffer by reason of failure so to do, and shall fully reimburse and
 25 repay the owner all outlay and expense which the owner may incur in
 26 making good any such default, and shall pay all persons who have
 27 contracts directly with the principal for sub-contractors for labor or
 28 materials, then this obligation shall be null and void; otherwise it
 29 shall remain in full force and effect.

30 The foregoing condition shall at all times be additional to those
 31 conditions and requirements now or hereafter required by statute to
 32 be a part of such bonds. The provisions and requirements of this
 33 act shall not be modified or annulled by contrary provisions in any
 34 such bond or contract.

1 **SEC. 2. Bond — how executed — action on, etc.** Such bond shall
 2 be executed in duplicate, one copy of which shall be filed in the office
 3 of the clerk of the district court of the county in which such public
 4 work is to be performed; and any person for whose benefit the bond
 5 is given, or his assigns, may bring an action on such bond for the
 6 recovery of such indebtedness; provided, that no such action shall be
 7 brought on said bond after six (6) months of the completion of any
 8 public improvement or building, and provided that a verified, itemized
 9 statement of the claim shall be filed with the city clerk, county auditor
 10 or secretary of the school board, as the case may be, within sixty days
 11 after the last item of material is furnished or labor performed.

1 **SEC. 3. Public contracts — requirement to validate — bond —**
 2 **form and conditions of.** No public contract coming within the pro-
 3 visions of this chapter shall be of any validity until the bond men-
 4 tioned herein has been executed and filed in the form and bearing the
 5 conditions as provided by this chapter, and until there is endorsed on
 6 said contract the written endorsement of the clerk of the district
 7 court of the county in which such public work is to be performed that
 such a bond, properly executed, is now on file in his office.

1 **SEC. 4. Claimants — additional security for.** This act shall be
 2 construed as affording additional security to that now provided such
 3 claimants under existing statutes and not so as to affect existing
 4 mechanic's lien laws or other statutes providing for the filing of simi-
 5 lar claims, and so as not to apply to bonds furnished under the require-
 6 ments of chapter 2-A title X, supplement to the code, 1913.

1 **SEC. 5. Acts in conflict repealed.** All acts, or parts of acts, in
 2 conflict herewith are, to the extent of such conflict, hereby repealed.

Approved April 24, A. D. 1919.

CHAPTER 348.

ALL KINDS OF INSURANCE COMPANIES TRANSACTING BUSINESS
IN THE STATE.

H. F. 547.

AN ACT to amend the law as it appears in section 4, chapter 428, acts of the 37th general assembly of Iowa, and section 5, chapter 428, acts of the 37th general assembly of Iowa, and section 2, chapter 412, acts of the 37th general assembly of Iowa, and section 1744, supplement to the code, 1913, and section 1745, supplement to the code, 1913, and section 1783-d, supplement to the code, 1913, and section 1783-e, supplement to the code, 1913, and section 1790 of the code, and section 1813 of the code; also to repeal the law as it appears in subdivision 1, section 1709, supplement to the code, 1913, as amended by section 1, chapter 428, acts of the 37th general assembly of Iowa, and to enact a substitute therefor; also to enact a law regulating the investment of the assets of insurance companies and associations, and to provide for the compensation of special insurance examiners; all relating to and providing for certain regulations of all kinds of insurance companies authorized to transact business in the state of Iowa.

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

SECTION 1. Repeal and substitute section — all properties — insurance of. That the law as it appears in subdivision 1, section 1709, supplement to the code, 1913, as amended by section 1, chapter 428, acts of the 37th general assembly of Iowa, be and the same is hereby repealed, and the following subdivision enacted in lieu thereof:

1. Insure houses, buildings, and all other kinds of property against loss or damage by fire, lightning, sprinkler, leakage, or other casualty incident to or connected with fire, lightning, cyclone, tornado, or wind-storm hazards and to insure growing crops against destruction by hail; and make all kinds of insurance on goods, merchandise, moneys and securities or other property in the course of transportation, whether on land or water or any vessel or boat wherever the same may be; and insure against loss of rents or use of buildings when such loss or use is caused by fire, lightning, windstorms, cyclone or tornadoes; and also insure glass against breakage.

SEC. 2. Kinds of insurance. That the law as it appears in section 4, chapter 428, acts of the 37th general assembly of Iowa, be and the same is hereby amended by inserting immediately preceding the word "insurance" in the ninth line of said section the word "make".

SEC. 3. Risks — limitation. That the law as it appears in section 5, chapter 428, acts of the 37th general assembly of Iowa, be and the same is hereby amended by striking the word "stock" from the ninth and fourteenth lines of the said section.

SEC. 4. Reinsurance reserve — exceptions. That the law as it appears in section 2, chapter 412, acts of the 37th general assembly of Iowa, be and the same is hereby amended by striking out all of that part of the section following the semi-colon in the fifth line thereof, and by substituting a period for such semi-colon.

SEC. 5. Amendment — provision of contract. That the law as it appears in section 1744, supplement to the code, 1913, be and the same is hereby amended by substituting a semi-colon for the period at the

4 end thereof and by adding thereto immediately following such semi-
5 colon the provision: provided, however, that nothing contained in this
6 section or in section 1742-a, supplement to the code, 1913, shall be so
7 construed as to prohibit any insurance company not required by the
8 statutes of Iowa to issue a standard form of policy, from embodying,
9 with the approval of the commissioner of insurance, in any insurance
10 contract issued by it, provisions or conditions which are more favor-
11 able to the insured than those authorized in said statutes.

1 **SEC. 6. Forms of policies.** That the law as it appears in section
2 1745, supplement to the code, 1913, be and the same is hereby amended
3 by striking from the fourth line thereof the words "auditor of state
4 (who)", and by substituting in lieu thereof the following: "commis-
5 sioner of insurance. Such commissioner".

1 **SEC. 7. Policy forms — approval by commissioner.** That the law
2 as it appears in section 1783-a, supplement to the code, 1913, be and
3 the same is hereby amended by striking therefrom the last four lines
4 thereof, and by substituting for the lines so stricken the words, "has
5 been filed with and approved by the commissioner of insurance."

1 **SEC. 8. Life insurance companies — writing of other classes —**
2 **policy.** That the law as it appears in section 1783-d, supplement to
3 the code, 1913, be and the same is hereby amended by adding thereto,
4 at the end thereof, the following: "Every life insurance company
5 issuing a separate policy, or maintaining a separate department, for
6 the purpose of writing any of the classes of insurance authorized by
7 this section shall also be subject to all of the provisions applicable to
8 companies authorized to write a similar kind of insurance under the
9 provisions of chapter 4, title IX of the code."

1 **SEC. 9. Report — examination — fees.** That the law as it appears
2 in section 1790 of the code, be and the same is hereby amended by
3 striking from the eleventh line thereof the words "ten dollars" and
4 by substituting therefor the following "three dollars, and such other
5 fees as are required by the provisions of section 1818 of the code."

1 **SEC. 10. Examination — expenses.** That the law as it appears
2 in section 1790 of the code be and the same is hereby further amended
3 by striking therefrom the seventeenth line thereof and by substitut-
4 ing therefor the following: "exceeding ten dollars per day for the time
5 required and actual expenses; but the examination herein provided for
6 shall be in addition to those authorized by the provisions of section
7 1821-a, supplement to the code, 1913.

1 **SEC. 11. Misrepresentation of age.** That the law as it appears
2 in section 1813 of the code, be and the same is hereby repealed, and
3 the following enacted in lieu thereof: "In all cases where it shall
4 appear that the age of the person insured has been understated in
5 the proposal, declaration or other instrument upon which a policy of
6 life insurance has been founded or issued, then the amount payable
7 under the policy shall be such as the premium paid would have pur-
8 chased at the correct age; provided, however, that one who, by mis-
9 stating his age, obtains life insurance not otherwise obtainable shall
10 be entitled to recover from the insurer on account of such policy only
11 the aggregate premiums paid."

1 **SEC. 12. Examination — assistants — compensation.** That the
 2 law as it appears in section 1839-b, supplement to the code, 1913, be
 3 and the same is hereby amended by substituting for the word "five",
 4 in the last line thereof, the word: "ten".

SEC. 13. Capital, surplus funds, etc. — investment — loans, etc.
 1 From and after the taking effect of this act, no insurance company or
 2 association organized under the statutes of Iowa to transact an insur-
 3 ance business, shall invest its capital, surplus funds or other assets
 4 in, or loan the same on, property owned by any officer or director of
 5 such company or by any of the immediate members of the family of
 6 any such officer or director; neither shall any such officer or director
 7 gain through the investment of funds of any such company.

1 **SEC. 14. Expert assistant examiner — compensation.** That the
 2 law as it appears in section 1821-c supplement to the code, 1913, be
 3 and the same is hereby amended by adding thereto, immediately fol-
 4 lowing the period in the sixteenth line thereof, the following: "If in
 5 making any examination a situation develops which, in the judgment
 6 of the commissioner of insurance, requires the services of an expert
 7 examiner having special training and knowledge not possessed by the
 8 regular examiners of the department, he may also employ such an
 9 expert assistant examiner, who shall receive as full compensation for
 10 such services the sum of not to exceed twenty-five dollars per day."

Approved April 24, A. D. 1919.

CHAPTER 349.

JUDICIARY AND LIBRARY BUILDING

"THE TEMPLE OF JUSTICE"

S. F. 73.

AN ACT authorizing the erection of a judiciary and library building for the housing of the library and judicial and other departments of the state and providing for a joint committee to provide plans and contracts, fixing the approximate cost, providing for the erection of the same under section fourteen hundred-t two (1400-t 2) of the supplement to the code, 1913, and providing for payment of cost of same from funds provided by section fourteen hundred-t (1400-t) of the supplement to the code, 1913, and chapter 207 of the laws of the thirty-seventh general assembly, and providing for compensation of committee.

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

1 **SECTION 1. "The Temple of Justice" — what to contain.** There
 2 shall be erected on the capitol grounds a fireproof building to be known
 3 as "The Temple of Justice"; that said building shall contain suitable
 4 rooms for the housing of the state law library, the state general
 5 library, the supreme court of Iowa, the clerk of the supreme court,
 6 the reporter of the supreme court, the attorney general, the railroad
 7 commission, the commerce counsel and the board of parole.

1 **SEC. 2. Joint committee — chairman — plans, etc.** A joint com-
 2 mittee is hereby provided consisting of two members selected from

3 the senate, to be named by the president of the senate and two mem-
 4 bers of the house of representatives, to be named by the speaker of
 5 the house, the present chief justice of the supreme court and the
 6 executive council, and the chief justice shall be chairman thereof.
 7 This committee shall obtain plans and specifications for such building,
 8 approve and adopt the same, let contracts for the erection of said
 9 building, and superintend the erection thereof.

1 **SEC. 3. Building committee — powers — maximum cost.** The said
 2 building committee shall, upon the approval of said plans, proceed
 3 to let contracts for the construction of the said building upon competi-
 4 tive bids under such regulations as the committee may adopt, and
 5 cause the said building to be erected under the plans and contracts
 6 at an approximate cost of seven hundred fifty thousand dollars
 7 (\$750,000). And the said building committee may, if necessary to
 8 provide such suitable building, increase the said cost of the same, but
 9 not beyond the amount provided by the funds hereinafter referred to,
 10 and in no case to exceed the sum of one million dollars (\$1,000,000).

SEC. 4. Committee — service — vacancies — compensation, etc.
 1 The members selected from the respective houses of the general
 2 assembly shall continue to serve upon said committee until the com-
 3 pletion of their duties in connection with said building, and any
 4 vacancy among the members so appointed from the general assembly
 5 shall be filled in the same manner as the original appointment. The
 6 present chief justice of the supreme court shall serve on said com-
 7 mittee so long as he is a member of said court, whether as chief jus-
 8 tice or otherwise, but in case his membership in said court should
 9 terminate, then the supreme court shall appoint from the members
 10 of said court his successor on said committee.

11 The members of said committee shall serve without compensation,
 12 but the members thereof appointed from the general assembly shall
 13 be entitled to receive their actual expenses incurred in attendance
 14 upon the meetings of said committee and in the performance of their
 15 duties when the general assembly is not in session.

1 **SEC. 5. Building — cost, plans, etc. — funds for.** The cost of
 2 said temple or building, the plans therefor, and all expenses incidental
 3 thereto, shall be paid for out of the proceeds provided by section four-
 4 teen hundred-t (1400-t), supplement to the code, 1913, and out of the
 5 proceeds remaining unexpended July 1, 1919, of the fund provided by
 6 chapter two hundred seven (207) of the laws of the thirty-seventh
 7 general assembly, including all reimbursements made to such fund by
 8 the federal government, if any.

1 **SEC. 6. "Temple" — first authorized, etc., under provisions.** Said
 2 building shall be the first authorized and constructed under the pro-
 3 visions of fourteen hundred-t two (1400-t2), supplement to the code,
 4 1913.

1 **SEC. 7. Judiciary and library building.** Section fourteen hun-
 2 dred-t (1400-t), supplement to the code, 1913, is hereby amended by
 3 inserting after the word "same" in the third (3) line, the words "and
 4 for a building within which to house the state law library, the state

5 general library, the supreme court of Iowa, the clerk of the supreme
6 court, the reporter of the supreme court, the attorney general, the
7 railroad commission, the commerce counsel and the board of parole.

Approved April 25, A. D. 1919.

CHAPTER 350.

DAIRY, BEEF CATTLE, CORN AND SMALL GRAIN GROWING INDUSTRIES.

S. F. 523.

AN ACT to amend the law relating to the Iowa State Dairy Association, the Iowa Beef Cattle Producers' Association and the Iowa Corn and Small Grain Growers' Association, as the same appears in chapter thirteen-a (13-a), title twelve (XII), supplemental supplement to the code, 1915, and in chapter one hundred eighty-seven (187), of the acts of the thirty-seventh general assembly, and to make an appropriation for said associations.

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

1 SECTION 1. **Repeal.** That the law as it appears in chapter thir-
2 teen-A (13-A), title twelve (XII), supplemental supplement to the
3 code, 1915, and in sections eight (8), and fourteen (14), of chapter
4 one hundred eighty-seven (187), of the acts of the thirty-seventh
5 general assembly of the state of Iowa, be and the same is hereby
6 repealed.

1 SEC. 2. **Dairy association — inspectors — salaries.** That section
2 three (3) of chapter one hundred eighty-seven (187) of the laws of
3 the thirty-seventh general assembly of the state of Iowa be and the
4 same is hereby amended by striking out of line six (6) thereof the
5 words and figures "eighteen hundred dollars (\$1800.00)" and insert-
6 ing in lieu thereof the words and figures "two thousand dollars
7 (\$2000.00)".

1 SEC. 3. **Beef cattle, etc., association — inspectors — salaries.** That
2 section seven (7) of chapter one hundred-eighty-seven (187) of the
3 laws of the thirty-seventh general assembly of the state of Iowa, be
4 and the same is hereby amended by striking out of line nine (9)
5 thereof the figures "\$1800.00" and inserting in lieu thereof the figures
6 "\$2,000.00".

1 SEC. 4. **Corn and small grain growing association — inspectors —**
2 **expenses.** That section twelve (12) of chapter one hundred eighty-
3 seven (187) of the laws of the thirty-seventh general assembly of the
4 state of Iowa, be and the same is amended by striking out the period
5 at the end of said section and inserting in lieu thereof a comma and
6 adding the words "including premiums".

1 SEC. 5. **Appropriation.** For the purpose of carrying into effect
2 the provisions of this act, there is hereby appropriated out of any
3 funds in the treasury not otherwise appropriated, the sum of thirty-
4 two thousand five hundred dollars (\$32,500.00), of which sum twelve
5 thousand five hundred dollars (\$12,500.00) shall be available for the

6 use of the Iowa State Dairy Association; and the sum of twelve thou-
 7 sand five hundred dollars (\$12,500.00) for the use of the Iowa Beef
 8 Cattle Producers' Association; and the sum of seven thousand five
 9 hundred dollars (\$7,500.00) for the use of the Iowa Corn and Small
 10 Grain Growers' Association.

Approved April 25, A. D. 1919.

CHAPTER 351.

MINIMUM SALARIES FOR TEACHERS.

S. F. 300.

AN ACT to repeal the law as it appears in section twenty-seven hundred seventy-eight-b (2778-b), supplement to the code, 1913, and to amend the law as it appears in section twenty-seven hundred seventy-eight-c (2778-c), supplement to the code, 1913, and to repeal the law as it appears in section twenty-seven hundred seventy-eight-a (2778-a), supplement to the code, 1913, relating to minimum salaries for teachers and to enact a substitute therefor.

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

SECTION 1. Repeals and amendment — public school teachers —

1 **minimum wage.** That the law as it appears in section twenty-seven
 2 hundred seventy-eight-b (2778-b), supplement to the code, 1913, be
 3 and the same is hereby repealed, and that the law as it appears in
 4 section twenty-seven hundred seventy-eight-c (2778-c), supplement
 5 to the code, 1913, be and the same is hereby amended by inserting a
 6 period in the third line thereof after the word "fixed" and by striking
 7 from said section after the word "fixed" the following: "for the grade
 8 certificate held by such public school teachers," and that the law as it
 9 appears in section twenty-seven hundred and seventy-eight-a (2778-a),
 10 supplement to the code, 1913, is hereby repealed and the following
 11 enacted in lieu thereof:

12 All teachers in the public schools of this state, shall be paid for
 13 their services a minimum wage of not less than the amounts herein-
 14 after set forth:

15 1. A teacher who has completed a four-year college course and
 16 received a degree from an approved college and who is the holder of a
 17 state certificate or a state diploma shall receive a minimum wage of
 18 one hundred dollars (\$100.00) per month until a successful teaching
 19 experience of two years in the public schools shall have been estab-
 20 lished. Thereafter, the minimum wage shall be one hundred and
 21 twenty dollars (\$120.00) per month.

22 2. A teacher who has completed a two-year course in education
 23 in a state normal school or other school whose diploma is recognized
 24 as an equivalent diploma by the state board of educational examiners
 25 and who shall be the holder of a state certificate, or who shall be the
 26 holder of state certificate issued upon examination, shall receive a
 27 minimum wage of eighty dollars (\$80.00) per month, until a success-
 28 ful teaching experience of two years in the public schools shall have
 29 been established. Thereafter, the minimum wage shall be one hun-
 30 dred dollars (\$100.00) per month.

31 3. A teacher who has completed a normal course in a normal
 32 training high school and who has had less than one year of successful
 33 teaching experience shall receive a minimum wage of sixty-five
 34 (\$65.00) per month. A teacher who has completed a normal course
 35 in a normal training high school and who shall have had one year of
 36 successful teaching experience, and a teacher holding a first grade
 37 uniform county certificate, shall receive a minimum wage of seventy-
 38 five (\$75.00) per month until a successful experience of two years in
 39 the public schools shall have been established; thereafter, the mini-
 40 mum wage shall be eighty dollars (\$80.00) per month.

41 4. A teacher who is the holder of a second grade uniform county
 42 certificate shall receive a minimum wage of sixty dollars (\$60.00)
 43 per month until a successful experience of one year's duration in the
 44 public schools shall have been established. Thereafter, the minimum
 45 wage shall be sixty-five dollars (\$65.00) per month.

46 5. A teacher holding a third grade uniform county certificate shall
 47 receive a minimum wage of fifty dollars (\$50.00) per month.

1 SEC. 2. Certificate holder — salary increase. The holder of any
 2 certificate in order to become entitled to the increase in salary pro-
 3 vided by this act because of successful teaching experience must file
 4 with the county superintendent his certificate, also proofs of one or
 5 two years of teaching experience as the law requires. If in the opin-
 6 ion of the county superintendent the proofs are satisfactory he shall
 7 endorse such findings on the back of said certificate and return the
 8 same to the holder thereof, and any certificate properly endorsed by
 9 the county superintendent shall be evidence of qualification for the
 10 increase of salary provided by this act for such teaching experience.

Approved April 25, A. D. 1919.

CHAPTER 352.

FILING OF MORTGAGES, ETC.

S. F. 162.

AN ACT to amend the law as it appears in chapter 154 of the acts of the 37th general assembly of Iowa, and to repeal section twenty-nine hundred six (2906), of the code, enacting a substitute therefor, relative to the filing of chattel mortgages, bills of sale or other instruments affecting the title to or incumbrance of personal property and providing fees to be paid therefor, and repealing all laws or parts of laws in conflict herewith.

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

1 SECTION 1. Repeal and substitute. That the law as it appears
 2 in section 2906 of the code is hereby repealed, and the following
 3 enacted in lieu thereof.

1 SEC. 2. Mortgages. No sale or mortgage of personal property,
 2 where the vendor or mortgagor retains actual possession thereof, is
 3 valid against existing creditors or subsequent purchasers, without
 4 notice, unless a written instrument conveying the same is executed,

5 acknowledged like conveyances of real estate, and such instrument,
6 or a true copy thereof, is duly recorded or filed and deposited with
7 the recorder of the county where the property shall then be situated,
8 or if the mortgagor be a resident of this state, then of the county
9 where the holder of the property resides. No incumbrance of personal
10 property which may be held exempt from execution by the head
11 of a family, if a resident of this state, under the provisions of law,
12 shall be of any validity as to such exempt property only, unless the
13 same be by written instrument, and unless the husband and wife, if
14 both be living, concur in and sign the same joint instrument. But
15 incumbrances on the property sold, given to secure the purchase price,
16 need only be signed and acknowledged by the purchaser.

1 **SEC. 3. Filing of instrument — receipt.** Upon receipt of any
2 such instrument, the recorder shall indorse thereon the time of receiving
3 it, and shall file the same in his office for the inspection of all persons,
4 and such filing shall have the same force and effect as if recorded
5 at length; upon request of person presenting instrument for filing, the
6 county recorder shall issue a receipt therefor, and such receipt shall
7 describe instrument as to grantor, grantee, date, consideration and
8 date filed.

1 **SEC. 4. Extension agreement.** Every mortgage so filed shall be
2 void as against the creditors of the person making the same, or as
3 against subsequent purchasers or mortgagees in good faith, after the
4 expiration of five years after the maturity of the debt thereby secured,
5 unless an extension agreement, duly executed by the mortgagor shall
6 be filed with the instrument to which it relates, and such extension
7 agreement shall operate to continue the lien in the same manner as
8 the original instrument.

1 **SEC. 5. Duplicate — certification.** A duplicate or copy of such
2 mortgage, bill of sale, or other instrument filed under the provision
3 of this act, shall be supplied by the county recorder upon request of
4 any party in interest, and the payment of fees therefor, as hereinafter
5 stipulated. Such duplicate or copy shall be duly certified by the county
6 recorder and may be filed in other counties of the state in the same
7 manner as herein provided.

1 **SEC. 6. Copy in evidence.** A copy of such original instrument,
2 duly certified by the county recorder in whose office the same shall
3 have been filed, shall be received in evidence in all suits or actions to
4 which it may be applicable; and if in any suit or action, the due execution
5 of such instrument or its genuineness be questioned in such manner
6 as to render the production of the original instrument desirable
7 or necessary, then the same may be produced by the recorder of the
8 county in obedience to a proper judicial process or court order.

1 **SEC. 7. Index book.** The county recorder shall keep an index
2 book in which shall be entered a list of mortgages of personal property,
3 or extensions thereof, bills of sale, and other instruments affecting
4 title to or incumbrance of personal property, which may be filed
5 under this act. Such book shall be ruled into separate columns with
6 appropriate heads, and shall set out, the time of reception, the name
7 of mortgagor, the name of mortgagee, the date of instrument, the
8 amount secured, when due, the nature of the property mortgaged,

9 where located, extension, when released, and remarks, and the proper
10 entry shall be made under each such heads. Under the head of
11 "Property mortgaged", it will be sufficient to enter a general descrip-
12 tion of the kind or nature of the property.

1 **SEC. 8. Release of mortgage.** Any mortgage or pledge of per-
2 sonal property may be released of record, by filing with the original
3 instrument, a duly executed satisfaction piece or release of mortgage;
4 or by the mortgagee or his authorized agent indorsing a satisfaction
5 of said mortgage on the index book under the head of "Remarks" in
6 the same manner as mortgages are now released by marginal satis-
7 fication, and when so released on index book, the recorder shall enter
8 a memoranda thereof on the original instrument.

1 **SEC. 9. Satisfaction of mortgage — duty of recorder.** When any
2 chattel mortgage or other instrument of writing or indebtedness
3 which may have been filed as herein provided shall have been satis-
4 fied, it shall be the duty of the recorder, after making a proper entry
5 of such satisfaction in the index book or record where the original
6 instrument is recorded, to return the original instrument, with any
7 extension, or release, thereto attached, to the mortgagor or person
8 executing the same, upon request therefor.

1 **SEC. 10. Destruction of mortgage — date of, recorded.** In case
2 such instrument, with the extension or release thereof, if any, be not
3 returned as hereinbefore provided within five years from the maturity
4 thereof, or the maturity of any extension thereof, the recorder shall
5 destroy such chattel mortgages with the extension or releases thereto
6 attached, or other instruments or writing relating thereto, by burning
7 the same in the presence of the board of county supervisors, or a com-
8 mittee appointed by the board of supervisors from their own number,
9 to superintend the same, and when so destroyed the date shall be
10 entered on the index record under "Remarks".

1 **SEC. 11. Fees for filing, etc.** The fees to be collected by the
2 county recorder under this act shall be as follows: For filing any
3 mortgage, bill of sale, extension agreement, release of mortgage or
4 other instrument affecting the title to or incumbrance of personal
5 property twenty-five cents each. For certified copies of such instru-
6 ments, fifty cents for the first four hundred words and ten cents for
7 each one hundred additional words or fraction thereof.

1 **SEC. 12. Amendment.** That chapter 154 of the acts of the 37th
2 general assembly be amended by inserting in the tenth line thereof
3 after the word "recorded" the words "or filed and deposited."

1 **SEC. 13. Inconsistent acts repealed.** All acts and parts of acts
2 inconsistent herewith are hereby repealed.

Approved April 25, A. D. 1919.

CHAPTER 353.

ELECTION OF PRESIDENTIAL ELECTORS, ETC.

S. F. 431.

AN ACT to amend the law as it appears in section eleven hundred six (1106) of the code as amended by Senate File No. 21 of the acts of the thirty-eighth general assembly, section eleven hundred thirty-one (1131) of the code, section ten hundred seventy-seven (1077), supplement to the code, 1913, and section eleven hundred seventy-three (1173); supplement to the code, 1913, relating to the election of presidential electors, registration of voters, and to provide that the right to vote for presidential electors shall not be abridged on account of sex.

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

SECTION 1. Presidential electors — women entitled to vote for.

1 That section eleven hundred seventy-three (1173), supplement to the
 2 code, 1913, as amended by the thirty-eighth general assembly be and
 3 the same is hereby amended by adding thereto the following:

4 "Provided, however, that the right to vote for presidential electors
 5 shall not be denied or abridged on account of sex, and that every
 6 woman who has attained the age of twenty-one (21) years and who
 7 possesses all other qualifications requisite to a male voter, shall be
 8 entitled to vote, the same as men, at any election held for the purpose
 9 of electing presidential electors."

SEC. 2. Separate ballot for women — form. That section eleven
 2 hundred six (1106) of the code as amended by the acts of the thirty-
 3 eighth general assembly be and is hereby amended by adding thereto
 4 the following:

5 "At any general election hereafter held for the election of presi-
 6 dential electors a separate ballot shall be provided for women, sub-
 7 stantially in the following form:

8 9 10 11 12 13 14 15	○ Republican { For President A.... B.... of Ohio For Vice- President C.... D.... of New York	○ Democratic { For President N.... O.... of Virginia For Vice- President P.... Q.... of Indiana	○ Prohibition { For President A.... B.... of Maine For Vice- President C.... D.... of Illinois	○ Union Labor { For President N.... O.... of Idaho For Vice- President P.... Q.... of Ohio
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16 "And said ballot may be voted by them in the manner provided for
 17 the government of elections of said officers and shall be counted the
 18 same as other ballots cast at such elections."

SEC. 3. Women required to register — when — ballot box. That

2 section eleven hundred thirty-one (1131) of the code, be and the same
 3 is hereby amended in the sixth line thereof by adding after the word
 4 "vote" a semi-colon instead of the period and the following: "except
 5 that in elections for president, vice president and presidential elec-
 6 tors, women shall be required to register as provided in chapter two
 7 (2) of this title, and acts amendatory thereto, and separate ballot
 8 box shall not be used for women's ballots at such elections."

1 **SEC. 4. Registration.** That section ten hundred seventy-seven
 2 (1077), supplement to the code, 1913, be and the same is hereby
 3 amended by inserting in the seventh line, after the word "day", the
 4 following: "including women entitled to vote for president, vice-
 5 president and presidential electors."

Approved April 25, A. D. 1919.

CHAPTER 354.

AGRICULTURAL TRAINING, ETC., FOR SCHOOL CHILDREN.

S. F. 510.

AN ACT to encourage boards to provide the school children of their respective districts with agricultural training work and recreation in the manner contemplated by chapter 14-E, title XIII, supplemental supplement to the code, 1915, providing state aid to all such school districts, fixing the terms and conditions under which such state aid shall be granted, and appropriating the sum of two thousand dollars (\$2,000.00) to carry out the purpose of this act.

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

1 **SECTION 1. Agricultural training in schools — state aid.** That
 2 whenever a school board, acting under and in accordance with the
 3 provisions of chapter 14-E, title XIII, supplemental supplement to the
 4 code, 1915, shall provide agricultural training, work and recreation
 5 of a practical character upon suitable grounds easily accessible to the
 6 school children of that district for at least three consecutive years for
 7 not less than six nor more than ten weeks duration during each year,
 8 and with a bona fide enrollment of at least fifty (50) pupils during
 9 each year of said period and shall make an exhibit showing a success-
 10 ful experience in carrying out such enterprise or activities over a
 11 period of at least two years (2), the school district providing such
 12 training shall be paid annually, commencing with the third year (3),
 13 out of the state school fund, not otherwise appropriated, a sum equal
 14 to two dollars (\$2.00) per capita per week for each pupil who pur-
 15 sues such wholesome and voluntary activities during at least two-
 16 thirds of the period during which such opportunity is provided.

1 **SEC. 2. Nature study, etc. — provisions for — state aid.** That
 2 whenever a school board, acting under and in accordance with the
 3 provisions of chapter 14-E, title XIII, supplemental supplement to
 4 the code, 1915, shall provide the necessary grounds, equipment and
 5 instruction for the training of teachers and young people in nature
 6 study and experimentation in forestry, gardening, fish culture and the
 7 fostering of fruit life and animal life, correlating the same with regu-
 8 lar school work of the district, the school district providing such
 9 training shall be paid annually out of the state school fund, not other-
 10 wise appropriated, an amount equal to one-half the sum annually
 11 appropriated by said school board and actually expended by it in car-
 12 rying out the purpose contemplated by this act.

1 **SEC. 3. Apparatus, etc. — use of, by board.** That the school
2 board of any district carrying out any of the provisions of chapter
3 14-E, title XIII, supplemental supplement to the code, 1915, may, at its
4 option, in carrying out of any such enterprise use its apparatus, school
5 furnishing or other necessary equipment.

1 **SEC. 4. Voucher and certificate — warrant to district — state fund.**
2 The secretary of any school board acting under the provisions of said
3 chapter 14-E, title XIII, supplemental supplement to the code, 1915,
4 shall, if such district is entitled to state funds under the provision of
5 this act, prepare a voucher for the amount due his school district by
6 the state of Iowa, which voucher shall be fully itemized, verified by the
7 secretary of said school board and have attached thereto the certificate
8 of the superintendent of said school board certifying to what such
9 school district has actually done during the preceding year in carrying
10 out the purpose of the said chapter 14-E, title XIII, supplemental sup-
11 plement to the code, 1915; and when such voucher so prepared is pre-
12 sented to the auditor of state, he is hereby authorized and directed to
13 thereupon draw a state warrant, payable to said school district, for the
14 amount called for in said voucher upon the school funds of the state;
15 and the treasurer of state is hereby authorized and directed, when pre-
16 sented with such warrant properly endorsed, to pay the amount of such
17 warrant to the school district named as payee therein out of said state
school fund not otherwise appropriated.

1 **SEC. 5. Appropriation.** There is hereby appropriated out of any
2 money in the state school fund, not otherwise appropriated, the sum of
3 two thousand dollars (\$2,000.00) for the purpose of carrying out the
4 provisions of this act.

Approved April 25, A. D. 1919.

CHAPTER 355.

LEVY OF TAXES FOR BRIDGE PURPOSES.

S. F. 285.

AN ACT to amend section one thousand three hundred three (1303), supplemental supplement to the code, 1915, relating to the levy of taxes for bridge purposes.

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

1 **SECTION 1. Tax levy.** That section one thousand three hundred
2 three (1303), supplemental supplement to the code, 1915, be and the
3 same is hereby amended by adding to said section at the end of sub-
4 division four thereof the following: "provided that in counties having
5 a bonded indebtedness of ten thousand dollars or over, the county board
6 of supervisors may levy not to exceed seven mills."

Approved April 25, A. D. 1919.

CHAPTER 356.

CARE AND DETENTION OF FEEBLE-MINDED PERSONS.

S. F. 525.

AN ACT to better provide for the care and detention of feeble-minded persons.

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

1 SECTION 1. "Feeble-minded person" — words defined. The words
 2 "feeble-minded person" in this act shall be construed to mean any per-
 3 son afflicted with mental defectiveness from birth or from any early
 4 age, so pronounced that he is incapable of managing himself and his
 5 affairs, or of being taught to do so, and requires supervision, control
 6 and care for his own welfare, or for the welfare of others, or for the
 7 welfare of the community, who is not classifiable as an "insane person"
 8 within the meaning of the provisions of chapter 2, title 12, of the code
 9 of 1897, and amendments thereto.

1 SEC. 2. Petition — what to set forth — affidavit. When any person
 2 residing in this state shall be supposed to be feeble-minded, and by
 3 reason of such mental condition of feeble-mindedness and of social con-
 4 ditions, such as want of proper supervision, control, care and support,
 5 or other causes, it is unsafe and dangerous to the welfare of the com-
 6 munity, for him to be at large without supervision, control and care,
 7 any relative, guardian, or any reputable citizen of the county in which
 8 supposed feeble-minded person resides or is found, may, by leave of
 9 court first had and obtained, file with the clerk of either the district
 10 court of the county or in the superior or municipal court of the city in
 11 which such feeble-minded person resides or is found, a petition in writ-
 12 ing, setting forth that the person therein named is feeble-minded, the
 13 fact and circumstances of the social conditions, such as want of proper
 14 supervision, control, care and support, or other causes making it unsafe
 15 or dangerous to the welfare of the community for such person to be at
 16 large without supervision, control or care; also the name and residence,
 17 or that such name or residence is unknown to the petitioner, of some
 18 person, if any there be, actually supervising, caring for or supporting
 19 such person, and of at least one person if any there be, legally charge-
 20 able with such supervision, care or support, and also the names and
 21 residences, or that same are unknown, of the parents or guardians.

22 The petition shall also allege whether or not such person has been
 23 examined by a qualified physician having personal knowledge of the
 24 condition of such alleged feeble-minded person. There shall be endorsed
 25 on such petition the names and residences of witnesses known to peti-
 26 tioner by whom the truth of the allegations of the petition may be
 27 proved, as well as the name and the residence of a qualified physician,
 28 if any is known to the petitioner, having personal knowledge of the
 29 case. All persons named in such petition shall be made defendants
 30 by name and shall be notified of such proceedings by notice, if resi-
 31 dence of this state, in the same manner as is now or may hereafter be
 32 required by law in chancery in this state, except only as herein other-
 33 wise provided. All persons whose names are stated in the petition
 34 to be unknown to the petitioner shall be deemed and taken as defend-
 35 ants by the name and designation of "all whom it may concern". The

36 petition shall be verified by affidavit, which shall be sufficient if it states
 37 that it is based upon information and belief. Process shall be issued
 38 against all persons made parties by the designation of "all whom it may
 39 concern", by such description and notice given by publication as
 40 required in this act, shall be sufficient to authorize the court to hear
 41 and determine the suit as though the parties had been sued by their
 42 proper names.

1 **SEC. 3. Notice to appear — defendants — publication — form.** The
 2 notice shall require all defendants to personally appear at the time and
 3 place stated therein, and to bring into court the alleged feeble-minded
 4 person. No written answer shall be required to the petition, but the
 5 cause shall stand for trial upon the petition on the return day of the
 6 notice. The notice shall be made returnable at any time within ten
 7 days after the date thereof, and may be served the same as a notice
 8 in civil actions is served. No service of process shall be necessary
 9 upon any of the defendants named, if they appear or are brought before
 10 the court personally without service of notice.

11 Whenever it shall appear from the petition or from affidavit filed in
 12 the cause that any named defendant, other than the alleged feeble-
 13 minded person, resides or has gone out of the state, or on due inquiry
 14 cannot be found, or is concealed within this state, or that his place of
 15 residence is unknown, so that process cannot be served upon him, and
 16 whenever any person is made a defendant under the name and designa-
 17 tion of "all whom it may concern", the clerk of the court shall cause
 18 publication to be made once in some newspaper of general circulation
 19 published in his county, and if there be none published in his county,
 20 then in a newspaper of general circulation published in the nearest
 21 place to his county in this state, which publication shall be substantially
 22 as follows:

23 (Give names of such defendants and) To all whom it may concern
 24 (if there be any defendant under such designation):

25 TAKE NOTICE—That on the day of
 26 A. D.,, a petition was filed by in the
 27 court of to have a person named
 28 declared feeble-minded and to
 29 have the court provide for the care and the detention of such person.

30 Now unless you appear within ten days after the date of this notice
 31 and resist the granting of the prayer of such petition, the petition will
 32 be taken for confessed and a decree entered.

33
 34 Clerk.

35 Dated
 36 and the clerk shall also within ten days after the publication of such
 37 notice send a copy thereof by mail, addressed to such defendants whose
 38 place of residence is stated in the petition and who cannot be served
 39 with notice. Notice given by such publication shall be as effectual
 40 for every purpose as if such person or persons were duly served with
 41 notice personally. The certificate of the clerk that he has sent such
 42 notice pursuant to this section, shall be conclusive evidence thereof.
 43 Every defendant who shall be duly notified shall be held to appear and
 44 answer either in writing or orally in open court, on the return day of
 45 the notice, and if the notice be served less than one day prior to the
 46 return day thereof, then on the following day. Every defendant who
 47 shall be notified by publication as herein provided, shall be held to

48 appear and answer, either in writing or orally, within ten days after
49 the date of the publication notice. The answer shall have no greater
50 weight as evidence than the petition.

51 In default of an answer at the time herein specified or at such further
52 time as by order of court may be granted to the defendant, the petition
53 may be taken as confessed against all defendants, except the alleged
54 feeble-minded persons.

1 **SEC. 4. Custody — order of court — guardianship — etc.** Upon
2 the filing of the petition, or upon motion at any time thereafter, if it
3 shall be made to appear to the court by evidence given under oath that
4 it is for the best interests of the alleged feeble-minded person and
5 the community that such person be at once taken into custody, or that
6 the service of a notice will be ineffectual to secure the presence of such
7 person, a warrant may issue in the order of the court, directing that
8 such person be taken into custody and brought before the court forth-
9 with or at such time and place as the judge may appoint, and pending
10 the hearing of the petition, the court may make any order for the
11 detention of such feeble-minded person, or the placing of such feeble-
12 minded person under temporary guardianship of some suitable person,
13 on such person entering into a recognizance for his appearance, as the
14 court shall deem proper. But no such alleged feeble-minded person
15 shall, during the pendency of the hearing of the petition, be detained
16 in any place provided for the detention of persons charged with or
17 convicted of any criminal or quasi criminal offense.

1 **SEC. 5. Examination by physician, etc.** At any time after the fil-
2 ing of the petition and pending the final disposition of the case, the
3 court may continue the hearing from time to time, and may order such
4 alleged feeble-minded person to submit to the examination of some
5 qualified physician or psychologist, and the court may also require by
6 rule or order that the petitioner answer under oath such interroga-
7 tories as may be propounded, in a form to be prescribed by the board
8 of control.

1 **SEC. 6. Commission — appointment — recommendations.** The hear-
2 ing on the petition shall be by the court, and a commission to be
3 appointed by the court, of two qualified physicians or one qualified
4 physician and one qualified psychologist, residents of the county, to
5 be selected by the judge on account of known competency and integ-
6 rity, and evidence shall be heard and proceedings had as in any other
7 civil proceedings.

8 Evidence shall also be heard and inquiry made into the social condi-
9 tions, such as want of proper supervision, control, care or support, and
10 other causes making it unsafe or dangerous to the welfare of the com-
11 munity for such person to be at large, without supervision, control or
12 care. The commission shall also make a personal examination touch-
13 ing the mental condition of the alleged feeble bodied person. Upon the
14 conclusion of a hearing, inquiry and examination, the commission shall
15 file with the clerk of the court a report in writing, showing the result
16 of their examination of the mental condition and social conditions
17 aforesaid setting forth their conclusions and recommendations, and
18 shall also file with such report their sworn answers to such interroga-
19 tories as may be propounded in a form to be prescribed by the board
20 of control. Such answers may be based upon their knowledge and
21 belief.

1 **SEC. 7. Report — objections and exceptions — power of court.** The
2 report shall have the same effect as the reports of masters in chancery,
3 and shall be subject to be set aside or overruled by the court the same
4 as reports of masters in chancery: Provided, however, that there
5 shall be no need of making objections and taking exceptions to same
6 and the court shall have the power to dismiss the proceedings, order a
7 new hearing by the same or a new commission, or make such findings
8 of fact in lieu of the findings in such report as may be justified by the
9 evidence heard, and on the review of the court of the findings and rec-
10 ommendations of the commission, the court may hear such further evi-
11 dence as it thinks fit.

1 **SEC. 8. Findings of court — decree — guardianship by person or**
2 **institution.** If the court shall find such alleged feeble-minded person
3 not to be feeble-minded as defined in this act, he shall order the peti-
4 tion dismissed and the person discharged. If the court shall find such
5 alleged feeble-minded person to be feeble-minded, and subject to be
6 dealt with under this act, having due regard to all the circumstances
7 appearing on the hearing, the guiding and controlling thought of the
8 court throughout the proceedings to be the welfare of the feeble-
9 minded person and the welfare of the community, it shall enter a
10 decree, appointing a suitable person to be the guardian of the person
11 of such feeble-minded person, or directing that such feeble-minded
12 person be sent to a private institution, qualified and licensed under the
13 laws of the state to receive such person whose managers are willing
14 to receive him, or may direct that he be placed in a public institution
15 for the feeble-minded and such decree so entered shall stand and con-
16 tinue binding upon all persons whom it may concern until rescinded
17 or otherwise regularly superseded or set aside. Provided, however,
18 that any guardian appointed under this act shall be subordinate to any
19 guardian previously or subsequently appointed under section 3219 of
the code of 1897.

1 **SEC. 9. Guardian — powers.** On order that the feeble-minded
2 person be placed under guardianship, shall confer on the person named
3 in the order as guardian such powers, subject to the regulations of
4 the board of control, as would have been exercisable if he had been
5 the father of the feeble-minded, and the feeble-minded person had
6 been under the age of fourteen.

1 **SEC. 10. Guardian or institution — power of court.** Where an
2 order has been made that a feeble-minded person be placed under
3 guardianship, the guardian may be removed by the court that
4 appointed him, on the application of the feeble-minded person, or of
5 any relative or friend of the feeble-minded person, or of any repu-
6 table citizen, or of the board of control; and when the guardian dies,
7 resigns or is removed, the court may, on a like application, appoint a
8 suitable person to act in his stead. And on application of the
9 guardian, or of the feeble-minded person, or of any relative or friend
10 of the feeble-minded person, or of any reputable citizen, or of the
11 board of control, the court that appointed the guardian, on being
12 satisfied that the case is, or has become one unsuitable for guardian-
13 ship, may order that the feeble-minded person be discharged from
14 guardianship and set free, or be sent to a private institution quali-
15 fied, and licensed under the laws of the state to receive him, whose

16 managers are willing to receive him or be sent to a public institution
17 for the feeble-minded, as seems best to the court, having regard to
18 the circumstances appearing on the hearing. No order shall be made
19 discharging or varying a prior order placing the feeble-minded person
20 under guardianship without giving one or more of the relatives or a
21 friend of the feeble-minded person, his guardian or the board of con-
22 trol, notice and an opportunity to be heard.

1 **SEC. 11. Institution — duty of superintendent.** Upon the entry
2 of an order directing that a feeble-minded person be sent to an insti-
3 tution for feeble-minded persons, the clerk of the court shall send a
4 copy of the order to the superintendent of the institution to which
5 such feeble-minded person is ordered to be sent, and such superin-
6 tendent shall receive such feeble-minded person as a charge in such
7 institution: Provided that if on account of the crowded condition
8 of a public institution it is impossible to accommodate such feeble-
9 minded person, the superintendent will inform the court with the
10 promise that the court be notified at once when the next vacancy
11 occurs and that such feeble-minded person be then received as a
12 charge in such public institution.

1 **SEC. 12. Institution — conveyance to — warrant — assistant, etc.**
2 For the conveyance of any feeble-minded person to any public or
3 private institution for the feeble-minded, admission thereto having
4 been ordered by the court as herein provided, the clerk shall issue a
5 warrant and duplicate directed to the petitioner, or to some suitable
6 reputable person, as the judge may select, commanding him to take
7 such feeble-minded person and deliver him to the superintendent of
8 the institution. And if the judge thinks necessary he may direct
9 the clerk to authorize the employment of one or more assistants, but
10 no feeble-minded female shall be taken to the institution by any male
11 person not her husband, father, brother or son, without the attend-
12 ance of some woman of good character and mature age chosen for the
13 purpose by the judge. Upon receiving the feeble-minded person the
14 superintendent of the institution shall endorse upon the warrant his
15 receipt, naming the person or persons from whom the feeble-minded
16 person is received, and one copy of the warrant so endorsed, shall be
17 returned to the clerk of the court to be filed with the other papers in
18 the case, and the other shall be left with the superintendent and the
19 person delivering the feeble-minded person shall endorse thereon that
20 he has so delivered him, and said duplicate warrant shall be prima
facie evidence of that fact set forth therein, and in said endorsement.

1 **SEC. 13. Discharge — right of petition for — causes — notice to**
2 **superintendent, etc.** No feeble-minded person admitted to an insti-
3 tution for the feeble-minded pursuant to an order of the court as
4 herein provided, shall be discharged therefrom, except as herein pro-
5 vided, except that nothing herein contained shall abridge the right
6 of petition for a writ of habeas corpus. At any time after the admis-
7 sion of the feeble-minded person to an institution for the feeble-
8 minded, pursuant to an order of court as herein provided, the feeble-
9 minded person or any of the relatives or friends of the feeble-minded
10 person or any reputable citizen or the superintendent of the institu-
11 tion having the feeble-minded person in charge, or the board of con-
12 trol, may petition the court that entered the order of admission to
discharge the feeble-minded person or to vary the order of the court,

13 sending the feeble-minded person to an institution. If on the hear-
14 ing of the petition, the court is satisfied that the welfare of the
15 feeble-minded person or the welfare of others, or the welfare of the
16 community required his discharge, or a modification of the order, the
17 court may enter such order of discharge or modification, as the court
18 thinks proper. Discharges and modifications of orders may be made
19 for either of the following causes: Because the person adjudged to
20 be feeble-minded is not feeble minded; because he has so far improved
21 as to be capable of caring for himself; because the relatives or friends
22 of the feeble-minded person are able and willing to support, care for
23 him and request his discharge and in the judgment of the superin-
24 tendent of the institution having the person in charge, no evil conse-
25 quences are likely to follow such discharge; but the enumeration of
26 grounds of discharge or modification herein shall not exclude other
27 grounds of discharge or modification which the court, in its discre-
28 tion, may deem adequate, having due regard for the welfare of the
29 person concerned, or the welfare of others, or the welfare of the com-
30 munity, on any petition of discharge or variation, the court may dis-
31 charge the feeble-minded person from all supervision, control and
32 care, or may place him under guardianship, or may transfer him from
33 a public institution to a private institution, or from a private institu-
34 tion to a public institution, as the court thinks fit under all the cir-
35 cumstances appearing on the hearing of the petition. The superin-
36 tendent of the institution having the feeble-minded person in charge,
37 must be notified of the time and place of hearing on any petition for
38 discharge or variation, as the court shall direct, and no order of dis-
39 charge or variation, shall be entered without giving such superin-
40 tendent a reasonable opportunity to be heard; and the court may
41 notify such other persons, relatives and friends of the feeble-minded
42 person as the court may think proper of the time and place of the
43 hearing on any petition for discharge or variation of prior order. The
44 denial of one petition for discharge or modification shall be no bar to
45 another on the same or different grounds within a reasonable time
46 thereafter, such reasonable time to be determined by the court in its
47 discretion, discouraging frequent, repeated, frivolous, or ill-founded
48 petitions for discharge or modification of a prior order. On reception
49 of a feeble-minded person in an institution pursuant to an order of
50 court under this act, the superintendent of the institution under regu-
51 lations of the board of control shall cause the feeble-minded person
52 to be examined touching his mental condition, and if upon such exam-
53 ination it is found the person is not feeble-minded, it shall be the duty
54 of the superintendent to petition the court for a discharge or modifi-
55 cation of the order sending him to the institution. Any person sent
56 to an institution pursuant to an order of court under this act shall
57 have the right to at least one hearing on a petition for discharge or
58 modification within one year after the date of the order sending him
59 to an institution.

SEC. 14. **Communication with friends — letters — leave of**
1 **absence.** Every person admitted to any institution for the feeble-
2 minded shall have all reasonable opportunity and facility for com-
3 munication with his friends, and be permitted to write and send let-
4 ters, providing they contain nothing of an immoral or personally
5 offensive character, and letters written by any charge to any member
6 of the board of control, or to any state or county official, shall be for-

7 warded unopened. But no leave of absence shall be granted except
8 for good cause to be determined and approved by the board of control
9 in each case who shall take appropriate measures to secure for the
10 feeble-minded person proper supervision, control and care during such
11 leave of absence, and no leave of absence shall be for a longer period
12 than two weeks in one calendar year.

1 **SEC. 15. Sudden death of charge — inquest — notice to court.** In
2 the event of a sudden or mysterious death of a charge of any public
3 or private institution for the feeble-minded, a coroner's inquest shall
4 be held as provided by law in other cases. Notice of the death of
5 such person, and the cause thereof, shall in all cases be sent to the
6 judge of the court having jurisdiction, over such person, and the fact
7 of the death, with the time, place and alleged cause shall be entered
8 upon the docket.

1 **SEC. 16. Misdemeanor — penalty.** Any person who shall know-
2 ingly contrive or who shall conspire to have any person adjudged
3 feeble-minded under this act unlawfully and improperly, or any per-
4 son who shall violate any provision of this act, shall be deemed guilty
5 of a misdemeanor, and upon conviction thereof shall be fined not
6 exceeding \$1,000, or imprisoned not exceeding one year, or both, at
7 the discretion of the court in which such conviction is had.

1 **SEC. 17. Costs of proceedings — how paid — witness fees, etc.**
2 The costs of proceedings in feeble-mindedness shall be defrayed from
3 the county treasury, unless otherwise ordered by the court as herein
4 provided. But when on the hearing of the petition, the person
5 alleged to be feeble-minded is found not to be feeble-minded, the
6 court, in its discretion, may require that the costs shall be paid by
7 the person who filed the petition, and may render judgment against
8 him therefor, except that judgment for costs shall not be rendered
9 against the petitioner who filed the petition pursuant to the direction
10 of a court as provided in sections 19 and 20. The fees paid for
11 attendance of witnesses and execution of legal process, shall be the
12 same as are allowed by law for similar service in other cases. For
13 service as commissioner, the sum of \$5.00 per day and the actual and
14 necessary traveling expenses shall be allowed, to each person so
15 employed. But when the proceedings are instituted in a court of
16 any county of which the alleged feeble-minded person is not a resident,
17 in case a judgment for costs is not rendered against the petitioner as
18 above provided, the clerk of the district court of the county in which
19 the said feeble-minded person resides shall be furnished with a
20 transcript of the record and findings in the case, and thereupon the
said county shall be liable for the costs of the proceedings.

1 **SEC. 18. Expense of guardianship, maintenance in institution,**
2 **funeral, etc. — property liable.** Where an order that a feeble-minded
3 person be placed under guardianship or be sent to a private or public
4 institution, is made under this act, may at any time, on the applica-
5 tion of the petitioner or of the guardian, as the case may be, make an
6 order requiring the feeble-minded person, or any person liable or
7 undertaking to maintain him, to contribute such sums towards the
8 expenses of his guardianship, or his maintenance in the institution
9 and any charges incidental thereto, including the costs of the pro-
ceedings in feeble-mindedness, of his conveyance to the institution,

10 and in the event of his death at the institution, his funeral expenses,
11 as seems reasonable, having regard to the ability of the feeble-minded
12 person, or of the person liable or undertaking to maintain him. Any
13 such order may be enforced against any property of the feeble-minded
14 person, or of the person liable or undertaking to maintain him, in the
15 same way as if it were a judgment or decree for temporary alimony
16 in a divorce case.

1 **SEC. 19. Delinquent child — petition — guardianship.** When a
2 child is brought before a "juvenile" court as a dependent or a delin-
3 quent child, if it appears to the court, on the testimony of a physician
4 or psychologist, or other evidence, that such person or child is feeble-
5 minded within the meaning of this act, the court may adjourn the
6 proceedings and direct some suitable officer of the court or some other
7 suitable reputable person to file a petition under this act; and the
8 court may order that pending the preparation, filing and hearing of
9 such petitions, the person or child be detained in a place of safety or
10 be placed under the guardianship of some suitable person on that
11 person entering into recognizance for his appearance.

1 **SEC. 20. Crime or delinquency — suspension of sentence on peti-**
2 **tion for feeble-mindedness — hearing — sentence.** On the convic-
3 tion by a court of record of competent jurisdiction of any person of
4 any crime, misdemeanor, or any violation of any ordinance which is
5 in whole, or in part, a violation of any statute of this state; or on a
6 child brought before the juvenile court for any delinquency, being
7 found liable to be sent to a reformatory school, a training school or
8 an industrial school the court, if satisfied on the testimony of a physi-
9 cian or a psychologist, or other evidence that the person or child is
10 feeble-minded within the meaning of this act, may suspend any sen-
11 tence or suspend entering an order sending the child to a reformatory
12 training or industrial school and direct that a petition be filed under
13 this act. When the court directs a petition to be filed it may order
14 that pending the preparation, filing and hearing of the petition, the
15 person or child be detained in a place of safety, or be placed under the
16 guardianship of any suitable person on that person entering into a
17 recognizance for his appearance. If upon the hearing of said peti-
18 tion or upon any subsequent hearing under this act the person is
found not to be feeble-minded the court shall impose sentence.

1 **SEC. 21. Institution for insane — transfer to or from — order of**
2 **court.** When the mental condition of a person under guardianship
3 or in an institution for feeble-minded persons, pursuant to an order
4 of court under this act, becomes or is found to be such that he ought
5 to be transferred to an institution for the insane, the superintendent
6 of the institution or the guardian of the person or the board of con-
7 trol, as the case may be, shall cause such steps to be taken as may
8 be necessary for his removal to an institution for the insane. And
9 when the mental condition of a person in an institution for the insane
10 becomes or is found to be such that he ought to be transferred to an
11 institution for feeble-minded persons or placed under guardianship
12 under this act, the superintendent of the institution for the insane, or
13 the board of control may cause such steps to be taken as may be neces-
14 sary for having an order that he be sent to an institution entered by
15 the court by original jurisdiction for feeble-minded persons or placed
under guardianship under this act.

SEC. 22. Suitable clothing, etc., on discharge from institution.

1 No person shall be discharged from a public institution for the feeble-
2 minded without suitable clothing and a sum of money not exceeding
3 \$20, sufficient to defray his expenses home, which shall be charged to
4 the county in which the person resides, and collected as other debts
5 due the institution are collected. But the court ordering the dis-
6 charge may dispense with this requirement if the court, in its discre-
7 tion, thinks it fit and proper under the circumstances.

SEC. 23. Escape from institution — duty of superintendent, etc.

1 If any feeble-minded person shall escape from an institution for the
2 feeble-minded, it shall be the duty of the superintendent of the insti-
3 tution and his assistants, and of any sheriff or constable, or other
4 officer of the peace in any county in which he may be found, to take
5 and detain him without a warrant and report the same at once to a
6 judge who shall return him to the institution at the expense of the
7 county from which he was admitted.

SEC. 24. Docket of proceedings — record of individual cases, etc.

1 Each court having jurisdiction under this act shall keep a separate
2 docket of proceedings in feeble-mindedness upon which shall be made
3 such entries as will, together with the papers filed, preserve a com-
4 plete and perfect record of each case, the original petitions, writs, and
5 returns made thereto, and the reports of commissions shall be filed
6 with the clerk of the court.

SEC. 25. Feeble-minded — board of control to keep record of.

1 The board of control shall keep a record of all persons adjudged to be
2 feeble-minded, and of the orders respecting them by the courts
3 throughout the state, copies of which orders shall be furnished by the
4 clerk of the court without the board's application or upon the board's
5 application.

SEC. 26. Parts of act — invalidity, etc.

1 The invalidity of any
2 part of this act shall not be construed to affect the validity of any
3 other part capable of having practical operation and effect without
4 the invalid part.

SEC. 27. Inconsistent acts repealed.

1 All acts and parts of acts
2 inconsistent with this act are hereby repealed.

Approved April 25, A. D. 1919.

CHAPTER 357.

PROBATE OF WILLS BY CLERK OF DISTRICT COURT.

S. F. 437.

AN ACT to amend the law as it appears in sections two hundred fifty (250), three thousand two hundred sixty-one (3261) and three thousand two hundred eighty-three (3283) of the code and providing for the admission to probate of wills of decedents by clerks of the district court.

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

SECTION 1. Probate of wills by clerk — objections — district court trial. That the law as it appears in section two hundred fifty (250) of the code be and the same is hereby amended by adding thereto the following:

“Fourth. The admission to probate of wills of decedents, when not contested, and the making of necessary orders in relation thereto, including orders for the issuance of commissions to take depositions and proof may be made before the clerk in the same manner as is made in open court. If on or before the date set for hearing before the clerk written objections to the probate of such will shall be filed the clerk shall proceed no further, but the proceeding shall stand for trial before the district court on such objections without further notice.”

SEC. 2. Hearing. That the law as it appears in section three thousand two hundred sixty-one (3261) of the code be amended by inserting between the words “notice” and “shall” in the third line of said section the words, “except in case of proof of wills.”

SEC. 3. Probate — jury trial. That the law as it appears in section three thousand two hundred eighty-three (3283) of the code be and the same is hereby amended by striking from the third line of said section the following words: “which shall be during a term of court.”

Approved April 25, A. D. 1919.

CHAPTER 358.

STATE RAILROAD COMMISSION.

S. F. 532.

AN ACT making appropriation of funds to enable the state railroad commission to investigate and prosecute interstate cases and to investigate and determine all cases within its jurisdiction.

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

SECTION 1. State railroad commission — administration of duties — appropriation. There is hereby appropriated out of the funds in the state treasury, not otherwise appropriated, the sum of eighty-five

3 thousand seven hundred dollars (\$85,700.00) or so much thereof as
4 may be necessary, the same to be expended by the state railroad com-
5 mission in the preparation and submission of cases involving inter-
6 state rates or services affecting Iowa, and in the investigation and
7 determination of all cases within its jurisdiction, and to defray the
8 general expenses of the administration of the duties of the state rail-
9 road commission.

Approved April 25, A. D. 1919.

CHAPTER 359.

CHARLES W. MULLAN.

S. F. 536.

AN ACT to reimburse Charles W. Mullan, judge of the district court of the tenth judicial district, for expenses incurred in the performance of his official duties, from October 4, 1915, to April 18, 1918, and providing for payment thereof.

WHEREAS Charles W. Mullan, judge of the district court of the tenth judicial district, failed to file, prior to July 1, 1918, his account of expenses incurred in the performance of his official duties at places other than the city of his residence, covering the period from October 4, 1915, to April 18, 1918, and

WHEREAS the appropriation to cover said expenses was charged off by the state auditor's office on June 30, 1918, and

WHEREAS said claims have been examined by the chairman of the state board of audit and found to contain only charges for expenses authorized by section two hundred fifty-three (253) of the supplemental supplement to the code, 1915, therefore

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

SECTION 1. Charles W. Mullan — claims of — approval and certification. That the state board of audit is hereby authorized to
1 approve and certify said claims, amounting to two hundred nine and
2 66-100 dollars (\$209.66) for payment under the provisions of section
3 two hundred fifty-three (253) of the supplemental supplement to the
4 code, 1915, and when so approved the state auditor is authorized to
5 issue warrant on the treasurer of state, payable to the said Charles
6 W. Mullan, for said amount.
7

Approved April 25, A. D. 1919.

CHAPTER 360.

SURVEY OF RIVER BED IN EAST OMAHA.

S. F. 72.

AN ACT appropriating the sum of sixty-seven and 0-100 dollars (\$67.00), in payment of cost of survey of river bed in East Omaha.

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

SECTION 1. River bed in East Omaha — cost of survey — appropriation. That there is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of sixty-seven and 0-100 dollars (\$67.00), for the purpose of paying J. H. Mayne of Council Bluffs, Iowa, for eight (8) days service at five dollars (\$5.00) per day, and the service of four (4) assistants, amounting to twenty-seven and 0-100 dollars (\$27.00) in surveying lands of old river beds in East Omaha.

Approved April 25, A. D. 1919.

CHAPTER 361.

COMPENSATION OF STATE HIGHWAY COMMISSION.

S. F. 449.

AN ACT to amend the law as it appears in section fifteen hundred twenty-seven-s1 (1527-s1), supplement to the code, 1913, relative to the compensation of members of the state highway commission.

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

SECTION 1. Compensation. That the word "ten" in line four (4) of section fifteen hundred twenty-seven-s1 (1527-s1), supplement to the code, 1913, be stricken out and the word "twenty" inserted therein.

Approved April 25, A. D. 1919.

CHAPTER 362.

MILITIA ALLOWANCES, ETC.

S. F. 459.

AN ACT amending section nine (9), chapter three hundred fourteen (314) acts of the thirty-seventh general assembly, relating to militia allowances and the military code of Iowa.

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

1 **SECTION 1. Militia allowances — amendment.** That section nine
2 (9), chapter three hundred fourteen (314), acts of the thirty-seventh
3 general assembly be and the same is hereby amended by inserting the
4 words "Headquarters Company, Machine Gun Company, Radio Com-
5 pany, Supply Company" following the word "infantry" in line five (5)
6 of said section; and by inserting following the words and figures
7 "Company of Infantry \$1500.00" and preceding the words and figures
8 "Battery of Field or Horse Artillery \$4200.00" the following words
9 and figures "Headquarters Company \$1000.00, Machine Gun Company
10 \$1000.00, Radio Company \$1500.00, Supply Company \$800.00" in line
11 thirteen of said act.

Approved April 25, A. D. 1919.

CHAPTER 363.

WEATHER AND CROP SERVICE BUREAU.

S. F. 533.

AN ACT to amend section sixteen hundred eighty-one (1681), supplement to the code, 1913, relative to the appropriation for the support of the weather and crop service bureau.

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

1 **SECTION 1. Appropriation.** That the law as it appears in section
2 sixteen hundred eighty-one (1681), supplement to the code, 1913, be
3 and the same is amended by striking out the word "twenty" in line
4 two and inserting in lieu thereof the word "thirty".

Approved April 25, A. D. 1919.

CHAPTER 364.

STANDARDIZATION OF RURAL SCHOOLS, ETC.

S. F. 282.

AN ACT providing for the standardization of rural schools and granting state aid and providing for an appropriation therefor.

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

1 **SECTION 1. Standard school defined.** Any school maintained by
2 a district wholly outside a city, town, or village corporation or con-
3 solidated independent district which has complied with the provisions
4 of this act shall be known as a standard school. Every standard
5 school before it may be designated as such shall have been maintained
6 for eight school months during the previous year and shall conduct
7 school for eight months of each succeeding year. It shall have a
8 suitable school house, grounds, and outbuildings in proper condition
9 and repair; be equipped with needful apparatus, textbooks, supplies;
10 an adequate system of heating and ventilation; have done efficient
11 work and have complied with such requirements as shall be specified
12 by the superintendent of public instruction.

1 **SEC. 2. Minimum and other requirements.** It shall be the duty
2 of the superintendent of public instruction to prescribe and promul-
3 gate the requirements he shall deem necessary for standard schools
4 as to minimum requirements for standards of teaching, general equip-
5 ment, heating and ventilation, lighting, seating, water supply, library,
6 care of grounds, safety against fire, and such other requirements as
7 will conserve the health, safety and welfare of the children attend-
8 ing school; and prescribe such other requirements as he shall deem
9 necessary for the upbuilding and improvement of such schools.

1 **SEC. 3. Yearly report, etc., by county superintendent.** On or
2 before June 30th of each year and at such other times as the super-
3 intendent of public instruction may direct the county superintendent
4 of schools shall make reports and furnish such other data in regard
5 to said schools as the department of public instruction may desire on
6 blanks to be furnished by the superintendent of public instruction.

1 **SEC. 4. State aid.** State aid shall be given to rural districts
2 maintaining one or more standard schools to the amount of six dollars
3 (\$6.00), for each pupil who has attended said schools in said district
4 at least six months of the previous year.

1 **SEC. 5. Requirements — teacher and attendance.** No school shall
2 be deemed a standard school unless the teacher is the holder of a first
3 grade uniform county certificate or its equivalent, has contracted for
4 the entire school year, and unless such school shall have maintained
5 an average daily attendance of at least ten pupils.

1 **SEC. 6. Door plate — expense.** Each standard school shall be
2 furnished by the superintendent of public instruction with a suitable
3 door plate or mark of identification and the expense of the same shall
4 be paid from the fund created by this act for the promotion of stand-
5 ard schools.

1 **SEC. 7. State aid — requisition for — apportionment.** Upon
 2 receiving from the county superintendent a satisfactory report show-
 3 ing that any rural school has fulfilled the requirements of a standard
 4 school, the superintendent of public instruction shall issue a requisi-
 5 tion upon the auditor of state for the amount due any rural school
 6 district entitled to state aid for the school year just past; whereupon
 7 the auditor of state shall draw a warrant on the treasurer of state
 8 payable to the secretary of the school corporation entitled thereto and
 9 forward to the secretary of said school corporation who shall cause
 10 the same to be deposited with the other funds of the district. The
 11 money shall be expended in the district or districts maintaining stand-
 12 ard schools in amounts proportionate to the number of pupils upon
 13 which state aid was granted. The secretary shall issue a warrant
 14 in favor of the teacher to the amount of one-half the subsidy due each
 15 such school and the school board shall, with the assistance of the
 16 county superintendent, expend the remainder in improvements and
 17 necessary apparatus. If more than one teacher is employed in a
 18 school the amount shall be apportioned between them according to the
 19 time of their employment.

1 **SEC. 8. Appropriation.** For the purpose of carrying out the pro-
 2 visions of this act there is hereby appropriated out of any money in
 3 the state treasury not otherwise appropriated the sum of one hun-
 4 dred thousand dollars (\$100,000.00) annually, which fund if not all
 5 used shall be allowed to accumulate, and shall not be turned back into
 6 the state treasury nor used for any purpose other than herein pro-
 7 vided.

Approved April 25, A. D. 1919.

CHAPTER 365.

STATE BOARD OF AGRICULTURE.

S. F. 312.

AN ACT to amend sections sixteen hundred fifty-seven-n (1657-n), sixteen hundred fifty-seven-o (1657-o), sixteen hundred fifty-seven-p (1657-p) and sixteen hundred fifty-seven-r (1657-r), supplement to the code 1913, relating to the compensation of the officers and members of the state board of agriculture and date of publishing premium list.

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

1 **SECTION 1. Secretary — salary.** That section sixteen hundred
 2 fifty-seven-n (1657-n) of the supplement to the code, 1913, be amended
 3 by striking out the words "thirty-five hundred" in the last line thereof
 4 and substituting in lieu thereof the words "four thousand".

1 **SEC. 2. Treasurer — salary and expenses.** That section sixteen
 2 hundred fifty-seven-o (1657-o), supplement to the code 1913, be and
 3 the same is hereby amended by striking out the words "one hundred
 4 dollars per annum" appearing in the ninth line of said section and by
 5 inserting in lieu thereof the words "two hundred fifty dollars (\$250)
 6 per annum and actual and necessary traveling, hotel and other
 7 expenses."

1 **SEC. 3. Elective members — compensation.** That section sixteen
 2 hundred fifty-seven-p (1657-p) supplement to the code 1913, be and
 3 the same is hereby amended by striking out all of said section follow-
 4 ing the word "allowed" in the fourth line and inserting in lieu thereof
 5 the following: "ten dollars per day and actual and necessary traveling
 6 and hotel expenses, the claim for which shall be verified and paid as
 7 provided in section sixteen hundred fifty-seven-i (1657-i)."

1 **SEC. 4. Premium list and rules.** That section sixteen hundred
 2 fifty-seven-r (1657-r), supplement to the code 1913, be and the same
 3 is hereby amended by striking out the word "April" appearing in the
 4 third line of said section and by inserting in lieu thereof the word
 5 "May."

Approved April 25, A. D. 1919.

CHAPTER 366.

ACT TO ABOLISH THE STATE HOSPITAL FOR INEBRIATES.

S. F. 371.

AN ACT to abolish the state hospital for inebriates at Knoxville, Iowa, to provide wards at the state hospital for the insane, for the detention and treatment of persons addicted to the excessive use of narcotic drugs, to establish a vocational school at Knoxville, Iowa, and making a diversion of funds therefor, and for the repeal of all acts inconsistent with the provisions hereof.

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

1 **SECTION 1. Hospital for inebriates — abolishment — disposition**
 2 **of patients.** That the hospital for inebriates located at Knoxville,
 3 Iowa, shall be abolished at such time as the board of control may
 4 determine, and on said date all inmates of said institution, except
 5 those committed on account of their excessive use of morphine,
 6 cocaine, or other narcotic drugs, shall be discharged and all other
 7 inmates shall be transferred to such of the state institutions, except
 8 the hospitals for the insane, under the management of the state board
 9 of control, as the board of control may determine.

1 **SEC. 2. Equipment of certain institutions to receive patients.** The
 2 board of control shall, at such time as the board of control may deter-
 3 mine, provide and equip, at such of the state institutions under the
 4 management of the board of control as they may determine, a ward for
 5 the detention, care and treatment of such persons as may, under the
 6 provisions of section one of this act, be transferred thereto, and also
 7 for the detention, care and treatment of such other persons as may
 8 be committed to such institutions on account of being addicted to the
 9 excessive use of narcotic drugs.

1 **SEC. 3. Commitment.** At such time as the board of control may
 2 determine, all persons found to be addicted to the excessive use of
 3 narcotic drugs and found to be proper subjects for detention and
 4 treatment shall be committed to the state institution provided in sec-
 5 tion one hereof situated nearest the court making the commitment at

6 which a ward has been equipped as provided in section two hereof, or
7 to such other state institution under the management of the state
8 board of control as the board of control may determine.

1 SEC. 4. Statutes applicable. All statutes of the state providing
2 for the trial, commitment, detention and treatment of inebriates and
3 other persons sent to the state hospital for inebriates at Knoxville,
4 Iowa, shall be applicable to the trial, detention, and treatment of all
5 patients committed under the above provisions of this act, except in
6 so far as they may be modified by the provisions hereof.

1 SEC. 5. Disposition of property, etc. That the board of educa-
2 tion and board of control shall confer together upon the disposition
3 of the property of the state located at Knoxville to determine what
4 best use can be made for the state and report to the next general
5 assembly, and shall determine how the same shall be used and cared
6 for in the interim.

Approved April 25, A. D. 1919.

CHAPTER 367.

MEDICAL DEPARTMENT FOR STATE LIBRARY.

S. F. 291.

AN ACT establishing a medical department of the state library, to provide for the cataloguing and shelving of books thereof, making appropriation therefor, and providing for an assistant librarian and fixing the salary of such assistant.

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

1 SECTION 1. Medical department — establishment, control, loca-
2 tion, availability. That a medical department be established in the
3 state library, to be under the direction of the state librarian and
4 under control of the board of trustees of the state library and his-
5 torical department, to which department shall be turned over all the
6 medical and surgical works and periodicals now in the miscellaneous
7 department of the state library, and all the medical and surgical works
8 and periodicals already contributed, or to be contributed, to the state
9 library, the same to be catalogued and shelved in suitable rooms in
10 connection with the miscellaneous department of the state library, and
11 make available for reference use by physicians and surgeons and stu-
12 dents of medicine and surgery, and kindred sciences; also to members
13 of the board of health, the board of control, the pure food depart-
ment and to the general public.

1 SEC. 2. Books, periodicals, etc. — appropriation for. There shall
2 be annually appropriated from any money in the state treasury not
3 otherwise appropriated the sum of two thousand dollars (\$2000.00)
4 for the use of the medical department of the state library, the money
5 to be expended under the direction of the board of trustees of the
6 state library and historical department, in the purchase of books and

7 periodicals deemed necessary to the upbuilding of said department,
8 and the purchase and transmission of material and information to the
9 physicians and surgeons of the state.

1 **SEC. 3. Expert librarian — appropriation for salary.** There shall
2 be annually appropriated, from any money in the state treasury not
3 otherwise appropriated, the sum of two thousand dollars (\$2000.00)
4 as a salary for an expert librarian trained in medicine and surgery
5 and in the languages in which medical and surgical literature is most
6 commonly written and published.

1 **SEC. 4. Publications of recognized schools — no discrimination as**
2 **to.** No preference shall ever be given to any school or schools of
3 medicine but all shall be treated alike; and books, periodicals and
4 pamphlets shall be secured for any and every legally recognized school
5 without discrimination.

Approved April 25, A. D. 1919.

CHAPTER 368.

STATE PARKS; ACQUISITION, MAINTENANCE, ETC.

S. F. 531.

AN ACT to amend chapter 236 acts of the thirty-seventh general assembly relative to the establishment of state parks, their acquisition, maintenance, improvement and control, and providing for an appropriation therefor.

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

1 **SECTION 1. Board of conservation.** That wherever the words
2 "fish and game warden" appear in chapter 236 acts of the 37th gen-
3 eral assembly, they shall be stricken out and the words "board of con-
4 servation" shall be inserted in lieu thereof.

1 **SEC. 2. Public state parks fund.** That wherever the words "fish
2 and game protection fund" appear in said chapter 236 acts of the
3 37th general assembly, the same shall be stricken out and the words
4 "public state parks fund" shall be inserted in lieu thereof.

1 **SEC. 3. Substitute enactment — appropriation.** That section
2 11 of chapter 236 acts of the 37th general assembly be stricken out
3 and the following inserted in lieu thereof: "Section 11. For the pur-
4 pose of carrying into effect the provisions of this act, there shall be
5 appropriated out of the fish and game protection fund any portion
6 thereof which is in the judgment of the executive council, unneces-
7 sary for the support and maintenance of the fish and game depart-
8 ment, and in addition thereto there shall be appropriated annually out
9 of any monies in the state treasury not otherwise appropriated, the
10 sum of \$100,000.00."

Approved April 25, A. D. 1919.

CHAPTER 369.

DETENTION HOME AND SCHOOL FOR DELINQUENT CHILDREN.

S. F. 462.

AN ACT amending section two hundred fifty-four-a twenty-nine (254-a29) supplement to the code, 1913, relating to probation officers and detention homes.

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

- 1 SECTION 1. Detention home, etc., in certain counties. That sec-
 2 tion 254-a29 supplement to the code, 1913, be and the same is hereby
 3 amended by striking out the word "fifty" following the word "than"
 4 in line two of said section, and inserting in lieu thereof the word
 5 "forty"

Approved April 24, A. D. 1919.

CHAPTER 370.

CHAUFFEURS OF MOTOR TRUCKS.

S. F. 543.

AN ACT relating to the employment and licensing of chauffeurs of motor trucks used in mercantile and agricultural enterprises.

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

- 1 SECTION 1. "Chauffeur" — when term not applicable. The word or
 2 term "chauffeur" as defined by the laws of this state shall not apply to
 3 employees engaged in operating motor trucks for persons, firms or
 4 corporations engaged in mercantile and agricultural enterprises.

- 1 SEC. 2. Acts in conflict repealed. This act shall repeal that part
 2 of any act in conflict herewith.

Approved April 24, A. D. 1919.

CHAPTER 371.

DOMESTIC INSURANCE CORPORATIONS.

S. F. 324.

AN ACT to amend the law as it appears in section thirteen hundred thirty-three-d, (1333-d), supplement to the code, 1913, relating to taxation of domestic insurance corporations, and fixing the basis upon which such tax shall be calculated.

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

- 1 SECTION 1. State tax — basis. That the law as it appears in
 2 section thirteen hundred thirty-three-d, (1333-d), supplement to the

3 code, 1913, be and the same is hereby amended by striking from the
 4 seventeenth (17) line thereof the word "fire"; and by adding thereto,
 5 immediately following the word "state", in the twenty-fourth, (24),
 6 line thereof, the words "or on claims arising within the state"; and
 7 also by adding thereto, immediately following the word "situated" in
 8 the twenty-fifth, (25), line thereof, the words "or on business done".

Approved April 24, A. D. 1919.

CHAPTER 372.

INSURANCE OTHER THAN LIFE.

S. F. 387.

AN ACT to amend the law as it appears in subdivision one (1) of section seventeen hundred nine (1709), supplement to the code, 1913, relating to insurance other than life.

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

1 SECTION 1. Fidelity and surety business. That the law as it
 2 appears in subdivision two (2) of section seventeen hundred nine
 3 (1709), supplement to the code, 1913, be and the same is hereby
 4 amended by adding the following at the end of said subdivision; "and
 5 insure the maker, drawer, drawee or endorser of checks, drafts, bills
 6 of exchange or other commercial paper against loss by reason of any
 7 alteration of such instruments";

Approved April 24, A. D. 1919.

CHAPTER 373.

STATE RELIEF FOR SCHOOLS IN COAL MINING CAMPS.

S. F. 357.

AN ACT to provide for an appropriation of \$50,000.00 for relieving the situation in coal mining camps as to school facilities.

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

SECTION 1. Coal mining camps — school facilities — appropria-
 1 tion. There is hereby appropriated from the state treasury out of
 2 funds not otherwise appropriated the sum of fifty thousand dollars
 3 (\$50,000.00), or so much thereof as may be necessary to be used by
 4 the state superintendent of public instruction and under his direction
 5 during the next biennium for the purpose of relieving the conditions
 6 existing in the mining camps in the state of Iowa, so far as school
 7 facilities are concerned.

Approved April 24, A. D. 1919.

CHAPTER 374.

NON-USER OF FRANCHISE BY CORPORATIONS.

S. F. 121.

AN ACT to repeal section sixteen hundred twenty-eight (1628) of the code relating to non-user of franchise by corporations.

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

1 SECTION 1. **Repeal.** That section sixteen hundred twenty-eight
2 (1628) of the code be and the same is hereby repealed.

Approved April 24, A. D. 1919.

CHAPTER 375.

APPROPRIATION FOR STATE EDUCATIONAL INSTITUTIONS.

S. F. 203.

AN ACT making appropriations for the State University of Iowa, the Iowa State College of Agriculture and Mechanic Arts, the Iowa State Teachers College, the Iowa College for the Blind, and the Iowa School for the Deaf.

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

1 SECTION 1. **State University of Iowa — general.** There is hereby
2 appropriated out of any money in the state treasury not otherwise
3 appropriated, to the State University of Iowa, the sum of three hun-
4 dred seventy-two thousand five hundred dollars (\$372,500.00) annu-
5 ally for each year of the biennium beginning July 1, 1919, for the
6 following purposes:
7 Educational support\$100,000.00
8 College of medicine 50,000.00
9 College of dentistry 10,000.00
10 College of education 10,000.00
11 Graduate college 20,000.00
12 College of fine arts 5,000.00
13 Summer school 20,000.00
14 Of this amount, \$16,000 is not to be available unless the attendance
15 materially exceeds the enrollment in the 1917 summer school.
16 Equipment and supplies 7,000.00
17 Repair and contingent 13,000.00
18 Department of buildings and grounds 15,500.00
19 Administration 8,000.00
20 Library 12,500.00
21 School of commerce 25,000.00
22 Nurses training and public health nursing 20,000.00
23 Soldier tuition 30,000.00

24 Out of this appropriation, the state university is to receive, for each
 25 honorably discharged soldier or sailor of the United States who enrolls
 26 in any college of the institution, \$10 for each semester and \$10 for
 27 each summer school.

28 University extension for social welfare and public health
 29 education 21,500.00
 30 Epidemiology and laboratory 5,000.00

31 The annual appropriations provided for in this section shall be paid
 32 on the order of the Iowa state board of education in monthly install-
 33 ments beginning July 1, 1919, with the exception of the appropriation
 34 for summer school (\$20,000.00), which shall be available July 1, 1919,
 35 and on July 1st of each year thereafter for the biennial period.

1 SEC. 2. State University of Iowa — special. There is further appro-
 2 priated, out of any money in the state treasury not otherwise appro-
 3 priated, to the State University of Iowa for the biennium beginning
 4 July 1, 1919, the sum of one hundred twenty-five thousand dollars
 5 (\$125,000.00) for the following purposes:

6 Equipment of buildings and buildings partially equipped.... 100,000.00
 7 Paving, sidewalks and sewer 25,000.00

8 The special appropriations provided for in this section shall be paid
 9 on the order of the Iowa state board of education, but not more than
 10 one-half of the entire amount shall be available before July 1, 1920.

SEC. 3. Iowa State College of Agriculture and Mechanic Arts—gen-
 1 eral. There is hereby appropriated, out of any money in the state
 2 treasury not otherwise appropriated, to the Iowa State College of Agri-
 3 culture and Mechanic Arts, the sum of three hundred seventeen thou-
 4 sand dollars (\$317,000.00) annually for each year of the biennium
 5 beginning July 1, 1919, for the following purposes:

6 Permanent collegiate support fund 148,000.00
 7 Summer session 5,000.00
 8 Subcollegiate courses in agriculture, home economics and
 9 engineering 15,000.00

10 Of this amount, \$12,000 is not to be available unless the
 11 attendance materially exceeds that of the academic year
 12 1916-1917.

13 Contingent fund, repairs and minor improvements 4,000.00
 14 Library, books and periodicals 10,000.00
 15 Maintenance and improvement of public grounds 5,000.00
 16 Soldier tuition 30,000.00

17 Out of this appropriation, the Iowa state college is to
 18 receive for each honorably discharged soldier or sailor of
 19 the United States who enrolls in the institution, \$10 for each
 20 semester, and \$10 for each summer school.

21
 22 217,000.00

23 and for industrial service work as follows:

24 Engineering experiment station 10,000.00
 25 Agricultural experiment station 75,000.00

26 \$50,000 of this appropriation is to be used for soils sur-
 27 vey work.

28 Agriculture and home economics extension 10,000.00
 29 Trade school and engineering extension 5,000.00

30
 31 Total \$317,000.00

32 The annual appropriations provided for in this section shall be paid
 33 on the order of the Iowa state board of education in monthly install-
 34 ments beginning July 1, 1919, with the exception of the appropria-
 35 tion for summer session (\$5,000.00), which shall be available July 1,
 36 1919, and on July 1st of each year thereafter for the biennial period.

SEC. 4. Iowa State College of Agriculture and Mechanic Arts —
 1 special. There is further appropriated out of any money in the
 2 state treasury not otherwise appropriated, to the Iowa State College
 3 of Agriculture and Mechanic Arts, for the biennium beginning July
 4 1, 1919, the sum of one hundred forty-one thousand dollars
 5 (\$141,000.00) for the following purposes:
 6 Equipment and furnishings for buildings and departments \$75,000.00
 7 Enlargement of buildings and small additional buildings.... 20,000.00
 8 Extension of heating system and equipping of heating plant 26,000.00
 9 Sewer construction 5,000.00
 10 Repairs and improvements of stock barns, judging pavilions
 11 and fences 15,000.00
 12 The special appropriations provided for in this section shall be paid
 13 on the order of the Iowa state board of education, but not more than
 14 one-half of the entire amount shall be available before July 1, 1920,
 15 with the exception of the appropriation for sewer construction,
 16 (\$5,000.00) which is to be available July 1, 1919.

SEC. 5. Iowa State Teachers College — general. There is hereby
 2 appropriated, out of any money in the state treasury not otherwise
 3 appropriated, to the Iowa State Teachers College, the sum of one hun-
 4 dred fifty-four thousand, five hundred dollars (\$154,500.00) annually
 5 for each year of the biennium beginning July 1, 1919, for the follow-
 6 ing purposes:
 7 Teachers fund 50,000.00
 8 Of this amount, \$10,000 is not to be available unless the attendance,
 9 not including the summer school, materially exceeds the enrollment
 10 of the academic year 1916-1917.
 11 Summer term fund 4,000.00
 12 Contingent and repair 49,500.00
 13 Library 5,000.00
 14 Librarian's salary fund 3,000.00
 15 Hospital fund 3,000.00
 16 Extension service fund 20,000.00
 17 Extension summer schools 20,000.00

18 The annual appropriations provided for in this section shall be
 19 paid on the order of the Iowa state board of education in monthly
 20 installments beginning July 1, 1919, with the exception of the appro-
 21 priations for summer term (\$4,000.00) and for extension summer
 22 schools (\$20,000.00), which amounts are to be available July 1, 1919,
 23 and on July 1st of each year thereafter for the biennial period.

SEC. 6. Iowa State Teachers College — special. There is further
 2 appropriated, out of any money in the state treasury not otherwise
 3 appropriated, to the Iowa State Teachers College, for the biennium
 4 beginning July 1, 1919, the sum of five thousand dollars (\$5,000.00)
 5 for the following purpose:
 6 Paving and sidewalks 5,000.00

7 The special appropriation provided for in this section shall be avail-
8 able July 1, 1919, and be paid on the order of the Iowa state board of
9 education.

1 **SEC. 7. Iowa College for the Blind — general.** There is hereby
2 appropriated, out of any money in the state treasury not otherwise
3 appropriated, to the Iowa College for the Blind, the sum of sixteen
4 thousand dollars (\$16,000.00) annually for each year of the biennium
5 beginning July 1, 1919, for the following purposes:

6 Support fund	15,000.00
7 Repair and contingent fund	1,000.00

8 The annual appropriations provided for in this section shall be paid
9 on the order of the Iowa state board of education in monthly install-
10 ments beginning July 1, 1919, for the biennial period.

1 **SEC. 8. Iowa College for the Blind — special.** There is further
2 appropriated, out of any money in the state treasury not otherwise
3 appropriated, to the Iowa College for the Blind, for the biennium begin-
4 ning July 1, 1919, the sum of twelve thousand dollars (\$12,000.00) for
5 the following purposes:

6 Piano and furniture	5,000.00
7 Sundry improvements	5,500.00
8 Equipment	1,500.00

9 The special amounts provided for in this section shall be available
10 July 1, 1919, and be paid on the order of the Iowa state board of edu-
11 cation.

1 **SEC. 9. Iowa School for the Deaf — general.** There is hereby
2 appropriated, out of any money in the state treasury not otherwise
3 appropriated, to the Iowa School for the Deaf, the sum of ninety
4 thousand, five hundred dollars (\$90,500.00) annually for each year of
5 the biennium beginning July 1, 1919, for the following purposes:

6 Support fund	90,000.00
7 Scholarships	500.00

8 The annual appropriations provided for in this section shall take the
9 place and be in lieu of all other appropriations for support which have
10 been made to the Iowa School for the Deaf prior to the convening of
11 the 38th general assembly; and they are to be paid on the order of the
12 Iowa state board of education in monthly installments beginning July
13 1, 1919 for the biennial period.

1 **SEC. 10. School for the Deaf — special.** There is further appro-
2 priated, out of any money in the state treasury not otherwise appro-
3 priated, to the School for the Deaf, for the biennium beginning July 1,
4 1919, the sum of seventy-four thousand dollars (\$74,000.00) for the
5 following purposes:

6 Reservoir for storage of water	1,500.00
7 Library and book binding	500.00
8 Additional coal bins	2,000.00
9 Improvement of main building	12,500.00
10 Equipment	5,000.00
11 Improvement of green house	2,500.00
12 Cottage for small children	50,000.00

13 The special appropriations provided for in this section shall be avail-
14 able July 1, 1919, and be paid on the order of the Iowa state board of
15 education.

Approved April 24, A. D. 1919.

CHAPTER 376.

AUTHORIZATION OF LEVY FOR GENERAL STATE PURPOSES.

S. F. 545.

AN ACT designating and fixing the amount of revenue for general state purposes for which levy is to be made by executive council.

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

1 SECTION 1. General biennial state levy. The amount of revenue for
2 general state purposes is hereby designated and fixed by the general
3 assembly as the sum of seven million nine hundred thousand dollars,
4 (\$7,900,000.00) to be provided by the levy for 1919 and the sum of
5 seven million nine hundred thousand dollars, (\$7,900,000.00) to be
6 provided by the levy for 1920.

1 SEC. 2. State levies — provision. The state levies for said years
2 shall be made as provided in sections thirteen hundred eighty-c,
3 (1380-c) and thirteen hundred eighty-d, (1380-d), supplement to the
4 code, 1913.

Approved April 24, A. D. 1919.

CHAPTER 377.

EXEMPTION FROM TAXATION OF PROPERTY OF SOLDIERS AND SAILORS.

S. F. 405.

AN ACT to amend section one (1), chapter one hundred ninety-one (191), acts of the thirty-seventh general assembly, relating to exemptions from taxation of property of soldiers and sailors.

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

1 SECTION 1. Exemptions — duty of assessor. That the law as it
2 appears in section one (1), chapter one hundred ninety-one (191),
3 acts of the thirty-seventh general assembly, be and the same is hereby
4 amended as follows:

5 By striking out the words and figures "eighteen hundred dollars
6 (\$1800)" in line six (6) thereof, and inserting in lieu thereof the
7 words and figures "seven hundred dollars (\$700.00)."

8 By striking out the word "actual" following the word "in" in line
9 seven (7) thereof, and inserting in lieu thereof the word "taxable."

10 By striking out the word "actual" following the word "in" in line ten
11 (10) thereof, and inserting in lieu thereof the word "taxable."

12 By striking out the words and figures "five hundred dollars
13 (\$500.00)" in line ten (10) thereof, and inserting in lieu thereof the
14 words and figures "three hundred dollars (\$300.00)".

Approved April 25, A. D. 1919.

CHAPTER 378.

INSTALLATION AND INSPECTION OF PLUMBING.

S. F. 214.

AN ACT to repeal section seven hundred thirty-seven-a (737-a), supplement to the code, 1913, and to enact a substitute therefor empowering the state board of health to draft a code regulating the business of plumbing, requiring all cities, having sanitary sewerage systems or other systems of domestic sewage disposal, including cities acting under the commission form of government and special charter cities, to regulate the business of plumbing; to make rules and regulations for the installation of same; to create a board of examiners of plumbers in cities having a sanitary sewerage system or other system of domestic sewage disposal; to issue certificates, or licenses, to persons, firms or corporations desiring to engage in the business of plumbing who are properly qualified; to provide for the removal of plumbing installed in violation of the manner prescribed, and providing for punishment for a violation of the terms of this act.

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

1 **SECTION 1. Plumbing — installation and inspection, etc.** That
 2 the law as it appears in section seven hundred thirty-seven-a (737-a)
 3 of the code nineteen hundred thirteen, (1913) be amended as follows:
 4 between the “,” and the word “including” in line one, insert the fol-
 5 lowing: “having a population of less than six thousand (6000)”, and
 6 by adding to said section seven hundred thirty-seven-a (737-a) the
 7 following:

1 **SEC. 2. Code of rules — committee — appointment, compensation,**
 2 **etc. — powers of cities and towns.** That all cities having a popula-
 3 tion of six thousand (6000) or more, including cities acting under the
 4 commission form of government, and special charter cities shall,
 5 within ninety (90) days after the taking effect of this act, adopt and
 6 enforce ordinances regulating the business of plumbing and prescrib-
 7 ing rules and regulations not inconsistent with the provisions of this
 8 act for the installation and inspection of plumbing and prescribing the
 9 grade of material to be used; also compelling the removal of plumbing
 10 hereafter installed in violation of such rules and manner prescribed;
 11 and to impose penalties within the limits of section six hundred eighty
 12 (680), of the code, 1897, and amendments thereto, for violations of
 13 such ordinances.

14 The state board of health is hereby empowered to make such pro-
 15 visions as may be necessary to establish a code of rules governing the
 16 installation of plumbing in the state of Iowa. The governor of Iowa
 17 shall, within sixty days (60) after the passage of this act, appoint a
 18 committee of three, two of whom shall have had at least five (5)
 19 years experience in the business of plumbing, to meet with and assist
 20 the state board of health in drafting a state code for plumbing, speci-
 21 fying the grade of materials to be used, and regulating the installa-
 22 tion of same. Said committee shall serve without compensation but
 23 shall be paid necessary traveling and hotel expenses. All necessary
 24 and incidental expenses in carrying out the provisions of this act
 25 shall be paid by the state treasurer from the plumbing inspection fund
 26 hereinafter provided, in the manner provided in section one hundred
 27 seventy-s (170-s), supplemental supplement to the code, 1915, as
 amended by chapter 67, acts of the thirty-seventh general assembly,

28 provided, however, that said committee shall receive no compensa-
29 tion except from such funds as may accrue under this act.

30 The state board of health shall provide and issue to the cities and
31 towns herein specified the necessary blank certificates, or license
32 blanks, on application. All cities and towns herein referred to shall
33 have power to adopt and enforce additional rules governing plumbing,
34 not inconsistent with the state code herein provided for.

SEC. 3. Board of examiners — certain cities, council of, to appoint
1 — duties — fund, etc. In all cities which have a population of more
2 than six thousand, having sanitary sewer system, or such other meth-
3 ods of sewerage disposal as are enumerated in this act, the council
4 shall by ordinance appoint a board of examiners, consisting of three
5 members, one of whom shall be a practical journeyman plumber, one
6 a member of the local board of health, and one a practical master
7 plumber, two of whom shall constitute a quorum for the transaction
8 of business. Provided, however, that if there is no resident practical
9 journeyman plumber or practical master plumber in such city, the
10 city council shall not be required to appoint a board of examiners, and
11 every such city not having such a board of examiners shall require
12 each person engaged as a master plumber or employing plumber, or
13 journeyman plumber in such city, to have a license or certificate from
14 some examining board within the state, either as a master plumber,
15 journeyman plumber or employing plumber.

16 The council shall provide suitable rooms in which said board of
17 examiners may hold its meetings, and shall provide for the necessary
18 incidental expenses incurred by said board and may also provide a
19 per diem compensation for the members of said board of examiners
20 not exceeding ten dollars, (\$10) per day for the time actually spent
21 in performing the duties imposed upon said board.

22 Said board shall, when so directed by the council, and under such
23 rules and regulations as the council shall prescribe, hold examinations
24 of applicants for a certificate, or license, to work, either as a master
25 plumber, journeyman plumber, or employing plumber, and if satis-
26 fied as to the competency of the applicant, a certificate, or license, shall
27 be issued to such master plumber, journeyman plumber or employing
28 plumber, and the amount of the fee for such examination shall not
29 exceed ten dollars (\$10) for a master plumber or employing plumber,
30 and shall not exceed five dollars, (\$5) for a journeyman plumber. Fees
31 for renewal for a master plumber or employing plumber's license shall
32 not be more than two dollars, (\$2), and for a journeyman plumber's
33 license shall not be more than one dollar (\$1). Fees for such exam-
34 ination shall be divided as follows: One dollar (\$1) of the examina-
35 tion fee to be returned to the secretary of the state board of health
36 and by him paid to the state treasurer and kept by the treasurer as a
37 separate fund to be known as the plumbing inspection fund, from
38 which the expense incurred by the state board of health and the com-
39 mittee appointed by the governor as provided in section 2 hereof,
40 shall be paid, and the balance of examination fees to be paid monthly
41 into the city treasury along with renewal fees.

1 SEC. 4. License — renewal — revocation. Such certificates, or
2 license, shall be valid and recognized throughout the state for a period
3 of one year and may be renewed from year to year upon the payment
4 of the renewal fee. Such license shall not be transferable and shall
5 expire on the 31st day of December of each year.

6 Any such certificate, or license, issued by any such authorized
7 board, may be revoked by said board for repeated violation of ordi-
8 nances enacted under the provisions of this act.

1 SEC. 5. Master plumbers — license without examination — time
2 limit. Such examining board shall issue a certificate, or license, upon
3 the payment of the regular fee, without examination, to all master
4 plumbers actually engaged in the business of plumbing at the time
5 of the passage of this act, provided application for such license be
6 made within ninety (90) days after taking effect of this act.

1 SEC. 6. Terms defined. The term "journeyman plumber" as used
2 in this act, shall mean a person who does any plumbing work which
3 is by law, ordinance, rule or regulation, subject to official inspection.
4 The term "master plumber" as used in this act, shall include any per-
5 son, firm or corporation, other than master plumber, engaged in the
6 business of installing plumbing. The term "plumbing" as used in this
7 act shall mean the installing of any receptacle used to receive waste
8 water, house soil, slops or sewage.

1 SEC. 7. Acts in conflict repealed. All acts or parts of acts that
2 are in conflict with this act are hereby repealed.

Approved April 25, A. D. 1919.

CHAPTER 379.

MANUFACTURE, SALE AND USE OF HOG-CHOLERA SERUM, ETC.

S. F. 212.

AN ACT to repeal sections twenty-five hundred thirty-eight-w3 (2538-w3) supplemental supplement to the code, 1915, twenty-five hundred thirty-eight-w4 (2538-w4) supplement to the code, 1913, twenty-five hundred thirty-eight-w5 (2538-w5) of the supplemental supplement to the code, 1915, and sections twenty-five hundred thirty-eight-w6 (2538-w6), twenty-five hundred thirty-eight-w7 (2538-w7) of the supplement to the code, 1913, and sections twenty-five hundred and thirty-eight-w8 (2538-w8) and twenty-five hundred thirty-eight-w12 (2538-w12) of the supplemental supplement to the code, 1915, and sections twenty-five hundred thirty-eight-w9 (2538-w9) twenty-five hundred thirty-eight-w10 (2538-w10) and twenty-five hundred thirty-eight-w11 (2538-w11) of the supplement to the code, 1913, and to enact substitutes therefor regulating and licensing the manufacture, sale and use of anti-hog-cholera serum and hog-cholera virus and providing penalties for violation of the provisions of this act.

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

1 SECTION 1. Repeal and substitute — commission of animal health
2 — powers and duties — inspector — agency, etc. That section
3 twenty-five hundred thirty-eight-w3 (2538-w3) of the supplemental
4 supplement to the code, 1915, be and the same is hereby repealed and
5 the following is enacted in lieu thereof:
6 The commission of animal health shall have the power to make
7 such rules and regulations governing the manufacture of serum and
8 other biological products for use on domestic animals in laboratories
9 located within the state and doing an intrastate business, as it deems
necessary to maintain the potency and purity of their products.

10 It shall have the right and it shall be their duty through a duly
11 appointed inspector to make such inspection of commercial plants and
12 of all distributing agencies representing serum manufacturers located
13 outside of the state doing business under a state permit as will insure
14 a full compliance with the rules and regulations made to govern same.
15 A person, firm, company or corporation, before selling or offering for
16 sale within this state any anti-hog-cholera serum shall first make
17 application to the commission of animal health for permission to sell
18 the same in the state.

19 Said application shall give the name of said person, firm, company
20 or corporation with its place or places of business. Such other
21 information and samples of serum and other biological products shall
22 be furnished whenever required by the commission of animal health.

23 If the commission of animal health is satisfied that said person,
24 firm, company or corporation is fit, proper and reliable, they shall issue
25 to said person, firm, company or corporation a permit to sell said
26 serum within the state for a period of one calendar year or part
27 thereof, for which permit they shall collect the sum of fifteen (\$15.00)
28 dollars which money shall be deposited in the state treasury for the
29 use of the commission of animal health. Said permit may at any
30 time be cancelled or suspended by said commission of animal health
31 when it becomes evident to them that the terms on which it was
32 issued are being violated. No anti-hog-cholera serum or other bio-
33 logical products shall be sold or offered for sale or use or be used in
34 this state which have not been produced at a plant holding a valid
35 United States government license for the manufacture and sale of
36 anti-hog-cholera serum and biological products at the time said anti-
37 hog-cholera serum and other biological products were made.

38 A permit shall be granted a distributing agency for the distribu-
39 tion of anti-hog-cholera serum and hog-cholera virus by the commis-
40 sion of animal health on the same terms and subject to the same pro-
41 visions as govern the granting of original permits.

SEC. 2. Repeal and substitute — virus — sale and use of — viola-
1 tion of act. That section twenty-five hundred thirty-eight-w4
2 (2538-w4) supplement to the code, 1913, and section twenty-five hun-
3 dred thirty-eight-w5 (2538-w5) of the supplemental supplement to
4 the code, 1915, be and the same is hereby repealed, and the following
5 enacted in lieu thereof:

6 No person, firm, company or corporation shall distribute or sell any
7 portion of virulent blood or virus from cholera-infected hogs except to
8 holders of permits to use the same and shall report in writing to the
9 commission of animal health and under such regulations as they may
10 issue.

11 And no person shall use any portion of virulent blood or virus from
12 cholera-infected hogs unless he has received special instructions in
13 reference to such use of such virulent blood or virus which is satis-
14 factory to the commission of animal health and said commission has
15 issued a permit to such person, which permit shall be issued by such
16 commission of animal health to any person showing by examination
17 or otherwise, under such rules as the commission may adopt that he
18 has received instruction in the use of such virus as to make him qual-
19 ified to safely use the same, and such permit shall be cancelled by said
20 commission for cause which said commission may deem sufficient;
21 but all virulent blood or virus used by such persons shall be reported

22 to the commission of animal health in such manners as they may
 23 require. Any person, firm, company or corporation violating the
 24 terms herein stated shall be punished the same as provided for in
 25 section four (4) of this act.

1 **SEC. 3. Repeal and substitute — serum, etc. — authorization to**
 2 **seize.** That section twenty-five hundred thirty-eight-w6 (2538-w6)
 3 of the supplement to the code, 1913, be and the same is hereby repealed
 4 and the following enacted in lieu thereof:

5 The commission of animal health or their duly qualified deputies or
 6 assistants are hereby authorized to seize for examination, samples of
 7 any serum and other biological products and virus used and kept for
 8 use or for sale within this state, at any time or at any place, under
 9 the police regulations in force in this state. The commission of ani-
 10 mal health shall have power to condemn or destroy any serum or
 11 virus which they deem to be unsafe.

1 **SEC. 4. Repeal and substitute.** That section twenty-five hundred
 2 thirty-eight-w7 (2538-w7) of the supplement to the code, 1913, be and
 3 the same is hereby repealed and the following is enacted in lieu
 4 thereof:

5 Violation—Penalty: After the taking effect of this act any person,
 6 firm, company or corporation offering or keeping for sale in this state
 7 any anti-hog-cholera serum or other biological products or virus in
 8 violation of the provisions of this act, or offering or keeping for sale
 9 any anti-hog-cholera serum and other biological products which are
 10 impotent, contaminated or harmful, shall be fined in a sum of not less
 11 than one hundred (\$100.00) dollars nor more than five hundred
 12 (\$500.00) dollars.

13 In default of the payment of such fine the individual, or, if it be a
 14 company, firm or corporation offending, the managing agent or execu-
 15 tive officer of such firm, company or corporation within the state, shall
 16 be imprisoned in the county jail not less than thirty days nor more
 17 than one hundred and fifty (150) days.

1 **SEC. 5. Repeal and substitute — anti-hog-cholera serum, etc. —**
 2 **use of.** That section twenty-five hundred thirty-eight-w8 (2538-w8)
 3 supplemental supplement to the code, 1915, be and the same is hereby
 4 repealed, and the following is enacted in lieu thereof:

5 After the taking effect of this act any person, firm, company or
 6 corporation willfully using or keeping for use in this state any anti-
 7 hog-cholera serum and other biological products other than those
 8 manufactured at the state laboratory or a plant operating under valid
 9 United States veterinary license or those sold by a holder of a valid
 10 permit issued by the commission of animal health or removing, defac-
 11 ing, or concealing the labels of the bottles or packages of any anti-
 12 hog-cholera serum or virus or changing the contents from the orig-
 13 inal container except for immediate use shall be punished as provided
 for in section four (4) of this act.

1 **SEC. 6. Repeal and substitute — anti-hog-cholera serum — author-**
 2 **ized manufacture.** That section twenty-five hundred thirty-eight-w9
 3 (2538-w9) and section twenty-five hundred thirty-eight-w10 (2538-
 4 w10) and section twenty-five hundred thirty-eight-w11 (2538-w11)
 5 of the supplement to the code, 1913, and section twenty-five hundred
 thirty-eight-w12 (2538-w12) of the supplemental supplement to the

6 code, 1915, be and the same are hereby repealed and the following
 7 is enacted in lieu thereof:
 8 No part of this act shall apply to the manufacture of anti-hog-
 9 cholera serum in the state biological laboratory or by the United
 10 States department of agriculture.

Approved April 25, A. D. 1919.

CHAPTER 380.

FILING OF MECHANICS' LIEN BY SUBCONTRACTOR, ETC.

S. F. 238.

AN ACT to amend section three thousand ninety-two (3092) of the code, section three thousand ninety-three (3093) supplement to the code, 1913, and section three thousand ninety-four (3094) supplemental supplement to the code, 1915, and section three thousand one hundred two (3102) of the code relating to the time when a sub-contractor may file a mechanic's lien, owner's liability and discharge thereof, and to a sub-contractor's claim after sixty days.

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

1 SECTION 1. Subcontractor's mechanics' lien — filing of claim. That
 2 section three thousand ninety-two (3092) of the code, be and the
 3 same is hereby amended by striking out the word "thirty" in line ten
 4 thereof and inserting in lieu thereof the word "sixty", and by strik-
 5 ing out the word "thirty" in line fourteen thereof and inserting in
 6 lieu thereof the word "sixty". That section three thousand ninety-
 7 three (3093) supplement to the code, 1913, be amended by striking
 8 out the word "thirty" in line nine thereof and inserting in lieu thereof
 9 the word "sixty"; by striking out the word "thirty" in line twenty
 10 of said section and inserting in lieu thereof the word "sixty" and by
 11 striking out the word "thirty" in line thirty-seven of said section and
 12 inserting in lieu thereof the word "sixty". That section three thou-
 13 sand ninety-four (3094) supplemental supplement to the code, 1915,
 14 be amended by striking out of the catch words the word "thirty" and
 15 inserting in lieu thereof the word "sixty", and by striking out the
 16 word "thirty" in line four of said section and inserting in lieu thereof
 17 the word "sixty", and by striking out the word "thirty" in line thir-
 18 teen of said section and inserting in lieu thereof the word "sixty".

1 SEC. 2. Claim of subcontractor — time for filing — priority. That
 2 the law as it appears in section thirty-one hundred two (3102) of the
 3 code be and the same is hereby amended by striking therefrom the
 4 last three lines thereof, and by substituting for the lines so stricken
 5 the following: Within sixty days after the completion of said pub-
 6 lic building, bridge or other improvement, and such claims shall have
 7 priority in the order in which they are filed.

1 SEC. 3. Acts in conflict repealed. That all acts and parts of acts
 2 in conflict herewith are repealed.

Approved April 25, A. D. 1919.

CHAPTER 381.

BOUNDARIES OF CAPITOL EXTENSION.

S. F. 585.

AN ACT to amend section fourteen hundred-t1 (1400-t1) of the supplement to the code, 1913, relating to boundaries of capitol extension.

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

1 SECTION 1. Capitol extension — boundaries. That section four-
2 teen hundred-t1 (1400-t1) of the supplement to the code, 1913, be
3 and the same is hereby amended by striking out in the seventh (7th),
4 eighth (8th) and ninth (9th) lines thereof the words "the alley
5 between Locust Street and Grand Avenue, thence easterly along the
6 north line of said alley between Locust Street and", and inserting after
7 the words "Grand Avenue" in the ninth (9th) line thereof the words
8 "thence easterly along the north line of Grand Avenue".

Approved April 25, A. D. 1919.

CHAPTER 382.

CRIMINAL SYNDICALISM.

S. F. 281.

AN ACT defining the crime of criminal syndicalism and prescribing punishment therefor.

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

1 SECTION 1. Term defined — advocacy of doctrine. Criminal syn-
2 dicalism is the doctrine which advocates crime, sabotage, violence or
3 other unlawful methods of terrorism as a means of accomplishing
4 industrial or political reform. The advocacy of such doctrine,
5 whether by word of mouth or writing, is a felony punishable as in
6 this act otherwise provided.

SEC. 2. Criminal syndicalism — specific forms employed — felony
— punishment. Any person who:

2 A. By word of mouth or writing, advocates or teaches the duty,
3 necessity or propriety of crime, sabotage, violence or other unlawful
4 methods of terrorism as a means of accomplishing industrial or poli-
5 tical reform; or

6 B. Prints, publishes, edits, issues or knowingly circulates, sells,
7 distributes or publicly displays any book, paper, document or written
8 matter in any form, containing or advocating, advising or teaching
9 the doctrine that industrial or political reform should be brought
10 about by crime, sabotage, violence or other unlawful methods of
11 terrorism; or

12 C. Openly, willfully and deliberately justifies, by word of mouth
13 or writing, the commission or the attempt to commit crime, sabotage,

14 violence or other unlawful methods of terrorism with intent to exem-
 15 plify, spread or advocate the propriety of the doctrines of criminal
 16 syndicalism; or

17 D. Organizes or helps to organize, or becomes a member of or vol-
 18 untarily assembles with any society, group or assemblage of persons
 19 formed to teach or advocate the doctrines of criminal syndicalism, is
 20 guilty of a felony and punishable by imprisonment in the state peni-
 21 tentiary or reformatory for not more than ten years (10) or by a fine
 22 of not more than five thousand dollars (\$5,000.00) or both.

1 SEC. 3. Assemblage unlawful — punishment. Whenever two or
 2 more persons assemble for the purpose of advocating or teaching the
 3 doctrines of criminal syndicalism as defined in this act, such an
 4 assemblage is unlawful and every person voluntarily participating
 5 therein by his aid or instigation is guilty of a felony and punishable
 6 by imprisonment in the state penitentiary or reformatory for not
 7 more than ten years (10) or by a fine of not more than five thousand
 8 dollars (\$5,000.00) or both.

SEC. 4. Building or room — use of for assemblage — misdemeanor
 1 of owner — punishment. The owner, agent, superintendent, janitor,
 2 caretaker or occupant of any place, building or room, who willfully
 3 and knowingly permits therein any assemblage of persons prohibited
 4 by the provisions of section 3 of this act, or who, after notification by
 5 the sheriff of the county or the police authorities that the premises
 6 are so used, permits such use to be continued, is guilty of a misde-
 7 meanor and punishable by imprisonment in the county jail for not
 8 more than one year or by a fine of not more than five hundred dollars
 9 (\$500.00) or both.

Approved April 25, A. D. 1919.

CHAPTER 383.

BIDS FOR STREET IMPROVEMENTS, SEWERS, ETC.

S. F. 514.

AN ACT to amend the law as it appears in section eight hundred thirteen (813) of the supplemental supplement to the code, 1915, relating to the giving of notices for bids.

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

1 SECTION 1. Giving notices for bids. That section eight hundred
 2 thirteen (813) of the supplemental supplement to the code, 1915, be
 3 and the same is hereby amended by adding after the word "office" and
 4 before the word "and" in the thirteenth (13) line thereof, the follow-
 5 ing: "In case there be no postoffice, then in such public place as the
 6 council may designate".

Approved April 25, A. D. 1919.

CHAPTER 384.

NOTICES OF HEARING ON RESOLUTION OF NECESSITY.

S. F. 515.

AN ACT to amend the law as it appears in section eight hundred ten (810) of the supplemental supplement to the code, 1915, relating to the publication and posting of notices of hearing on resolution of necessity.

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

SECTION 1. Street improvements, etc. — resolution of necessity —
 1 notices. That section eight hundred ten (810) of the supplemental
 2 supplement to the code, 1915, be and the same is hereby amended by
 3 adding after the word "postoffice" in the nineteenth line thereof, the
 4 following: "In case there be no postoffice, then in such place as the
 5 council may designate."

Approved April 25, A. D. 1919.

CHAPTER 385.

RELATIVE TO ASSESSORS' BOOKS.

S. F. 55.

AN ACT to amend the law as it appears in section thirteen hundred sixty-six (1366), supplement to the code, 1913, relative to assessors' books.

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

1 SECTION 1. Assessors' books returned. That section thirteen
 2 hundred sixty-six (1366), supplement to the code, 1913, be and the
 3 same is hereby amended as follows: By striking from the seventh
 4 line the words "in duplicate": By striking from said section all after
 5 the comma following the words "recapitulation sheets" in the twelfth
 6 line, and inserting in lieu thereof the following: "and the assessor
 7 shall furnish to the clerk of the city, town or township, as the case
 8 may be, a list of all persons subject to poll tax."

Approved April 25, A. D. 1919.

CHAPTER 386.

PUBLICATION AND POSTING OF NOTICES OF ASSESSMENT.

S. F. 513.

AN ACT to amend the law as it appears in section eight hundred twenty-three (823) of the supplement to the code, 1913, relating to the publication and posting of notices of assessment.

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

1 SECTION 1. Notices of assessment — publication and posting. That
2 section eight hundred twenty-three (823) of the supplement to the
3 code, 1913, be and the same is hereby amended by adding after the
4 word "postoffice" in the eighth line thereof, the following: "In case
5 there be no postoffice, then in such public place as the city council may
6 designate."

Approved April 25, A. D. 1919.

CHAPTER 387.

DESTRUCTION OF CERTAIN PAPERS AND RECORDS.

S. F. 304.

AN ACT to empower the board of supervisors to order the destruction of certain papers and records.

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

SECTION 1. Certain papers and records — destruction by county
1 auditor — authorization. The board of supervisors is authorized to
2 order the county auditor to destroy all duplicate tax receipts, saloon
3 consent petitions and remonstrances, liquor requests, poll tax receipts
4 and hunting license applications which have been on file in the office
5 of the county treasurer or auditor for more than five (5) years.

Approved April 25, A. D. 1919.

CHAPTER 388.

STATE BOARD OF HEALTH.

S. F. 500.

AN ACT to repeal section two thousand five hundred seventy-five (2575) of the code, and to enact a substitute therefor relating to the annual appropriation for the state board of health.

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

1 **SECTION 1. Repeal and substitute — state board of health — appro-**
2 **priation.** That section two thousand five hundred seventy-five
3 (2575) of the code, be and the same is hereby repealed and the fol-
4 lowing enacted as a substitute therefor:

5 That the annual appropriation for the state board of health, for the
6 purpose of making sanitary investigations and inquiries in respect to
7 the people, the causes of disease, epidemics and the sources of sick-
8 ness and mortality, the effect of locality, employments, conditions and
9 circumstances on public health, and for the purpose of making inquiry
10 and investigation into the sanitary condition of any state, county,
11 city or other almshouse, asylum, prison, penitentiary, jail, hospital,
12 charitable institution, school, college, university or reform school,
13 and for such other expenses incurred in carrying into effect the sani-
14 tary investigations required of the state board of health as found in
15 section two thousand five hundred sixty-five (2565) of the code, sec-
16 tion two thousand five hundred sixty-nine-a (2569-a) of the supple-
17 ment to the code, 1913, the transportation expenses of the physician
18 members and the necessary traveling and incidental expenses of the
19 civil and sanitary engineer as provided in section two thousand five
20 hundred sixty-four (2564) of the supplement to the code, 1913, and
21 the necessary traveling and incidental expenses of the secretary act-
22 ing as the executive officer and commissioner of public health, shall
23 be the sum of ten thousand dollars (\$10,000.00) or so much thereof
24 as shall be necessary, to be paid from any money in the state treasury
not otherwise appropriated.

1 **SEC. 2. Assistants, etc. — appropriation.** That there is hereby
2 appropriated annually out of any funds in the state treasury not other-
3 wise appropriated the sum of five thousand dollars (\$5,000.00) or so
4 much thereof as shall be necessary, for the state board of health for
5 the employment of the necessary assistants, and for defraying the
6 traveling and incidental expenses incurred, in making the sanitary
7 investigations, inspections and surveys required in carrying out the
8 provisions of section nine (9), section one hundred five (105), section
9 one hundred six (106), and section one hundred eight (108), of sen-
10 ate file No. 475, acts of the thirty-eighth general assembly.

1 **SEC. 3. Appropriations — how paid.** That all appropriations
2 made for the use of said state board of health shall be paid in accord-
3 ance with section two thousand five hundred sixty-four-a (2564-a) of
4 the supplement to the code, 1913.

Approved April 25, A. D. 1919.

CHAPTER 389.

SALE OF PROPERTY FOR DELINQUENT TAXES.

S. F. 390.

AN ACT to repeal section fourteen hundred nineteen (1419) supplement to the code, 1913, and enacting a substitute therefor, providing for the notice of sale of property for delinquent taxes and the publication of such notice.

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

SECTION 1. Delinquent taxes — sale of property for — notice —
 1 compensation. That section one thousand four hundred nineteen
 2 (1419), supplement to the code, 1913, be amended as follows: By
 3 striking out the words "twenty cents" in line eleven of said section and
 4 inserting in lieu thereof the words "forty cents".

Approved April 25, A. D. 1919.

CHAPTER 390.

SALARIES OF CHIEF EXECUTIVES OF CERTAIN STATE INSTITUTIONS.

S. F. 158.

AN ACT to amend section two thousand seven hundred twenty-seven-three a (2727-3a) supplement to the code, 1913, providing for salaries of chief executives of certain state institutions.

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

SECTION 1. Certain state institutions — chief executives — sal-
 1 aries. That section two thousand seven hundred twenty-seven-three
 2 a (2727-3a), supplement to the code of Iowa, 1913, be, and the same
 3 is hereby amended by striking out the word "eighteen" in line five
 4 (5) of said section and inserting in lieu thereof the words "twenty-
 5 five," and by striking out the word "eighteen" in line seven (7) of
 6 said section and inserting in lieu thereof the words "twenty-four,"
 7 and by striking out the word "eighteen" in line eight (8) of said sec-
 8 tion and inserting in lieu thereof the word "twenty."

1 SEC. 2. Salaries — substituted date. That section 2727-3a be
 2 further amended by striking out in lines one and two the words
 3 "eighteen hundred ninety-eight" and substituting in lieu thereof the
 4 words "nineteen hundred and nineteen."

Approved April 25, A. D. 1919.

CHAPTER 391.

COMPENSATION OF EXECUTORS, ETC., IN THE SETTLEMENT OF ESTATES.

S. F. 529.

AN ACT to repeal section three thousand four hundred and fifteen (3415) of the code, and enacting a law in lieu thereof relating to compensation of executors, administrators and attorneys in the settlement of estates.

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

SECTION 1. Repeal and substitute — executors and administrators — commissions — attorneys' fees, etc. That section three thousand four hundred and fifteen (3415) of the code, be and the same is hereby repealed and the following is enacted in lieu thereof.

“Executors and administrators shall be allowed the following commissions upon the personal estate sold or distributed by them and for the proceeds of real estate sold for the payment of debts by them which shall be received as full compensation for all ordinary services:

For the first one thousand dollars, six per cent.

For the over plus between one and five thousand dollars, four per cent.

For all sums over five thousand dollars, two per cent.

There shall also be allowed and taxed as part of the costs of administration of estates an attorneys' fee for the administrator or executor's attorney equal to the administrator's or executor's fee as provided herein. Such further allowances as are just and reasonable may be made by the court to administrators, executors and their attorneys for actual necessary and extraordinary expenses or services.

Approved April 25, A. D. 1919.

CHAPTER 392.

IOWA STATE BOARD OF ENGINEERING EXAMINERS.

S. F. 186.

AN ACT to create an Iowa state board of engineering examiners; to provide for the examination and registration of professional engineers and land surveyors; and to fix penalties for the violation of this act.

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

SECTION 1. Professional engineering and land surveying — registration. After one year from the date of passage of this act, unless otherwise permitted by the provisions of this act, no person shall practice professional engineering or land surveying in the state of Iowa except he be a registered professional engineer or a registered land surveyor as provided by this act.

SEC. 2. Compensation, etc. — how drawn — limitation. Warrants for the payment of expenses and compensations provided by this act

3 shall be issued by the auditor of state and paid by the state treasurer
 4 upon presentation of vouchers regularly drawn by the chairman and
 5 the secretary of the board and passed by the state board of audit,
 6 provided however that at no time shall the total amount of warrants
 7 exceed the total amount of the examination and registration fees col-
 8 lected as herein provided.

1 **SEC. 3. Terms defined — (a—e).** (a) The "Board" means the
 2 Iowa State Board of Engineering Examiners provided by this act.

3 (b) "Professional Engineering" means the practice of any branch
 4 of the profession of engineering other than military engineering. The
 5 practice of said profession embraces the design and the supervision
 6 of the construction of public and private utilities, such as railroads,
 7 bridges, canals, harbors, river improvements, lighthouses, wet docks,
 8 dry docks, ships, barges, dredges, cranes, floating docks and other
 9 floating property, the design and the supervision of the construction
 10 of steam engines, turbines, internal combustion engines and other
 11 mechanical structures, electrical machinery and apparatus, and of
 12 works for the development, transmission or application of power, and
 13 the design and the supervision of the construction of municipal
 14 works, irrigation works, water supply works, sewerage works, drain-
 15 age works, industrial works, sanitary works, hydraulic works, struc-
 16 tural works and other public and private utilities or works which
 17 require for their design or the supervision of their construction such
 18 experience and technical knowledge as are required by this act. The
 19 execution as a contractor of work designed by a professional engineer
 20 or the supervision of the construction of such work as a foreman or
 21 superintendent for such a contractor or the construction, improving,
 22 or extending of private drains or drainage works, private irrigation
 23 works, private water supply works, or other works of a private nature
 24 shall not be deemed to be the practice of professional engineering
 25 within the meaning of this act.

26 (c) A "Professional Engineer" means any person who practices
 27 professional engineering.

28 (d) "Land Surveying" is surveying having to do with the bound-
 29 aries or areas of tracts of land. The surveying of lands for the
 30 purpose of sub-dividing or determining boundary lines where no con-
 31 test is involved shall not be deemed to be the practice of land sur-
 32 veying within the meaning of this act.

33 (e) A "Land Surveyor" is any person who makes land surveys.

• **SEC. 4. Board — membership — appointment — term — vacancies**
 1 **— qualifications — compensation.** There is hereby created a State
 2 Board of Engineering Examiners of five members who shall be
 3 appointed by the governor within sixty days after the passage of this
 4 act. No two members of said board shall be from the same branch
 5 of the profession of engineering. Two members of the board first
 6 appointed shall hold office for two years and three for four years, said
 7 terms of office terminating on the first day of July. Upon the expir-
 8 ation of each of such terms, the term of office of each member there-
 9 after appointed shall be four years and shall terminate on the first
 10 day of July. Each member shall hold over after the expiration of
 11 his term until his successor shall be duly appointed and qualified. The
 12 governor may remove any member of the board for misconduct,
 13 incapacity or neglect of duty. Vacancies in the membership of the

14 board caused by death, resignation or removal from office shall be
15 filled by appointment by the governor for the unexpired term. Each
16 member of the board shall be a professional engineer at least thirty-
17 five years of age and shall have been a resident of this state for at
18 least three years immediately preceding his appointment. He shall
19 have had at least ten years of active practice preceding his appoint-
20 ment, and during that time shall have had charge of engineering work
21 as principal or assistant for at least two years. He shall be a mem-
22 ber in good standing of a recognized state or national engineering
23 society. Each member of the board, except as provided in section
24 5, shall be registered as a professional engineer under this act. Each
25 member of the board shall receive as compensation the sum of ten
26 dollars per day for the time actually spent in traveling to and from,
27 and in attending sessions of the board and its committees, and shall
28 receive all necessary traveling and incidental expenses incurred in
29 carrying out the provisions of this act.

SEC. 5. Certificates of appointment and registration — powers —
1 **seal.** Each member of the board shall receive a certificate of appoint-
2 ment from the governor. Before beginning his term of office each
3 member of the board shall file with the secretary of state the consti-
4 tutional oath of office. Each member of the board first created shall
5 receive a certificate of registration under this act from said board.
6 The board, or any committee thereof, shall be entitled to the counsel
7 and to the services of the attorney general, shall have power to com-
8 pel the attendance of witnesses, and may take testimonies and proofs,
9 and may administer oaths, concerning all matters within its jurisdic-
10 tion. The board shall adopt and have an official seal which shall be
11 affixed to all certificates of registration granted and may make all
12 by-laws and rules, not inconsistent with law, needed in performing
13 its duty.

SEC. 6. Officers — election of — bond and duties of secretary —
1 **fund — report.** The board shall elect annually from its members a
2 chairman, a vice-chairman and a secretary. The secretary shall give
3 a surety bond satisfactory to the board, conditioned for the faithful
4 performance of his duties and for the accounting and paying over of
5 all moneys received by him. The premium on said bond shall be
6 paid from the fund of the board hereinafter provided. The secre-
7 tary shall keep on file a record of all certificates of registration
8 granted, and shall make annually such revisions of said record as may
9 be necessary. In revising said record, the secretary shall communi-
10 cate annually by mail with every professional engineer registered here-
11 under. In every case in which a reply is not received within thirty
12 days after the date of the first letter, the secretary shall send a sec-
13 ond letter by registered mail. The certificate of registration of
14 any professional engineer who shall not reply within sixty days from
15 the date of said second letter, shall be considered to have been revoked
16 by such failure to reply, but may be reinstated at any time upon due
17 application therefor and the payment of the registration fee of ten
18 (\$10.00) dollars, provided in section 9 hereof. The secretary shall
19 receive and account for all fees derived from the operation of this act
20 and shall pay them to the state treasurer who shall keep such moneys
21 in a separate fund, to be known as the fund of the Board of Engineer-
22 ing Examiners, which shall be continued from year to year to be

23 drawn against only for the expenses and compensations of the board
24 provided by this act. On or before the 30th day of June in each
25 year the board shall submit to the governor a written report of its
26 transactions for the preceding year, and shall file with the secretary
27 of state a copy of said report, together with a complete statement of
28 the receipts and expenditures of the board, attested by the affidavits
29 of the chairman and the secretary, and a complete list of those regis-
30 tered under this act, with their addresses and the dates of their cer-
31 tificates of registration. Said report shall be printed by the state
32 and a copy mailed to, and placed on file by both the clerk of each
33 incorporated city or town in the state, and the county auditor of each
34 county in the state. The board shall hold at least one stated meet-
35 ing on the first Tuesday in December of each year and special meet-
36 ings shall be called at other times by the secretary at the request of
37 the chairman or of three members of the board. At any meeting of
38 the board three members shall constitute a quorum.

1 **SEC. 7. Candidates for examination — fee — qualifications.** The
2 board shall admit to examination any candidate who pays a fee of
3 fifteen (\$15.00) dollars and who under oath submits evidence pre-
4 scribed by the board that he
5 (a) is more than twenty-five years of age
6 (b) is of good character, and
7 (c) has been engaged in the practice of professional engineering
8 or land surveying for at least six years and during that period has
9 had charge as assistant, for at least one year. Each year of work
10 satisfactorily completed at an engineering school of recognized stand-
11 ing shall count as one year of practice in fulfilling the six year require-
12 ment of this section.

1 **SEC. 8. Examinations for registration.** Examinations for regis-
2 tration shall be given at stated or called meetings of the board. The
3 scope of the examinations and the method of procedure shall be pre-
4 scribed by the board. As soon as practicable, after the close of each
5 examination, a report shall be filed in the office of the secretary of
6 the board by the members conducting such examinations. Said
7 report shall show the action of the board upon each application, where-
8 upon the secretary of the board shall notify each applicant of the
9 result of his examination.

1 **SEC. 9. Professional engineer — land surveyor — certificate —**
2 **seal.** To any applicant, who shall have passed the examination as a
3 professional engineer, and who shall have paid an additional fee of
4 ten (\$10.00) dollars, the board shall issue a certificate of registra-
5 tion as a professional engineer, signed by the chairman and the sec-
6 retary of the board under the seal of the board, whereupon such
7 applicant shall be authorized to practice professional engineering as
8 defined by this act. To any applicant, who shall have passed the
9 examination as a land surveyor, and who shall have paid an additional
10 fee of ten (\$10.00) dollars, the board shall issue a certificate of regis-
11 tration, signed by the chairman and the secretary of the board under
12 the seal of the board, whereupon such applicant shall be authorized
13 to practice land surveying as defined by this act, and to administer
14 oaths to his assistants or to witnesses produced for examination of
facts connected with land surveys. A certificate of registration as a

15 professional engineer shall not carry with it the right to practice land
16 surveying unless it is specifically permitted by said certificate, which
17 permission shall be granted by the board without additional fee in
18 the case of any applicant duly qualified as prescribed by the rules of
19 the board. The board shall provide each candidate who has suc-
20 cessfully qualified for registration, a suitable seal with which he shall
21 stamp all plans, specifications and reports issued by him.

SEC. 10. Professional engineering and land surveying — certifi-
1 cate — date limit. At any time within six months after this act
2 becomes effective, upon due application therefor and the payment of a
3 fee of twenty-five (\$25.00) dollars, the board shall issue a certificate
4 of registration as provided by section 9 hereof to any person who
5 under oath submits evidence prescribed by the board that he
6 (a) is more than twenty-five years of age,
7 (b) is of good character and
8 (c) has been engaged in the practice of professional engineering
9 or land surveying for at least two years preceding the date of the
10 passage of this act, or is a graduate of some recognized school of
11 engineering. After this act shall have been in effect six months,
12 the board shall issue certificates of registration only as provided in
13 section 9 or section 11 hereof.

SEC. 11. Standards in other states — recognition — certificate —
1 fee, etc. The board shall from time to time examine the require-
2 ments for registration of professional engineers and land surveyors
3 in other states, territories and countries, and shall record those in
4 which in the judgment of the board standards not lower than those
5 provided by this act are maintained. The secretary of the board
6 upon presentation to him of satisfactory evidence by any person, that
7 he holds a certificate of registration issued to him by proper author-
8 ity in any state, territory or country so recorded, and upon the receipt
9 of a fee of ten (\$10.00) dollars, shall issue to such person a certificate
10 of registration to practice professional engineering or land surveying
11 as provided by this act, signed by the chairman and the secretary
12 under the seal of the board, whereupon the person to whom such
13 certificate is issued shall be entitled to all the rights and privileges
14 conferred by the certificate issued after examination by the board.

SEC. 12. Revocation of certificate — power of board — charges —
1 hearing, etc. The board shall have the power by a four-fifths vote
2 of the entire board to revoke the certificate of any professional engi-
3 neer or land surveyor registered hereunder, found guilty of any fraud
4 or deceit in his practice, or guilty of any fraud or deceit in obtaining
5 his certificate, or in case he is found by the same vote to be incompe-
6 tent. Proceedings for the revocation of a certificate of registration
7 shall be begun by filing with the secretary of the board written
8 charges against the accused. The board shall designate a time and
9 place for a hearing, and shall notify the accused of this action and
10 furnish him a copy of all charges at least thirty days prior to the date
11 of the hearing. The accused shall have the right to appear person-
12 ally or by counsel, to cross examine witnesses or to produce wit-
13 nesses in his defense.

1 SEC. 13. Legal registration — presumptive evidence of. An unre-
2 voked certificate of registration, made as provided in this act, shall

3 be presumptive evidence in all courts and places that the person
4 named therein is legally registered.

SEC. 14. **False pretenses — practice under — misdemeanor —
1 penalty.** Any person who, after this act shall have been in effect
2 for one year, is not legally authorized to practice in this state accord-
3 ing to the provisions of this act and shall practice, or shall in connec-
4 tion with his name use any designation tending to imply or designate
5 him as a registered practitioner within the meaning of this act, and
6 any person presenting or attempting to file as his own the certificate
7 or registration of another, or who shall give false or forged evidence
8 of any kind to the board, or to any member thereof, in obtaining a
9 certificate of registration, or who shall falsely impersonate another
10 practitioner of like or different name, or who shall use or attempt to
11 use a revoked certificate of registration shall be deemed guilty of a
12 misdemeanor and shall for each offense of which he is convicted be
13 punished by a fine of not less than one hundred (\$100.00) dollars, nor
14 more than five hundred (\$500.00) dollars, or by imprisonment for
15 three months, or by both such fine and imprisonment.

SEC. 15. **Application of act — exceptions and provisions.** This
2 act shall not apply to any full time employee of any corporation while
3 doing work for that corporation, except in the case of corporations
4 offering their services to the public as professional engineers or land
5 surveyors. Corporations engaged in designing and building works
6 for public or private interests not their own shall be deemed to prac-
7 tice professional engineering within the meaning of this act. With
8 respect to such corporations all principal designing or constructing
9 engineers shall hold certificates of registration hereunder. This act
10 shall not apply to corporations engaged solely in building said works.
11 This act shall not apply to contracts existing at the time said act takes
12 effect, nor to any professional engineer or land surveyor working for
13 the United States government, nor to any professional engineer or
14 land surveyor employed as an assistant to a professional engineer or
15 land surveyor registered under this act, nor to purely operative ser-
16 vices in connection with mechanical plants or systems, nor to any pro-
17 fessional engineer or land surveyor from without this state until a
18 reasonable length of time as prescribed by the rules of the board shall
19 have elapsed to permit the registration of such a person under this
20 act, provided that, before practicing within this state, he shall have
21 applied for the issuance to him of a certificate of registration and
22 shall have paid the fee prescribed in this act.

SEC. 16. **Acts in conflict repealed.** All laws or parts of laws in
2 conflict with the provisions of this act are hereby repealed.

Approved April 25, A. D. 1919.

CHAPTER 393.

ADMISSIBILITY AS EVIDENCE OF CARD OR SIMILAR FORM OF ENTRY.

S. F. 429.

AN ACT to amend paragraph four (4) of section four thousand six hundred twenty-three (4623) of the code, relating to the admissibility as evidence of loose leaf or card or other form of entry used in the ordinary course of business.

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

SECTION 1. Loose leaf, etc., entries — competent evidence — verification of records. That paragraph four (4) of section four thousand six hundred twenty-three (4623) of the code be and the same is hereby amended by adding thereto the following: Any loose leaf or card or other form of entry which may be in use in the ordinary course of business by the party seeking to prove an account against another, and shall have been properly identified as being the original entry of such account shall be admitted as competent evidence for the purpose of proving such account by deposition or in open court, and it shall be competent for any person whose duties in the ordinary course of such business require a personal knowledge of the records of such business, to verify such account or make deposition or testify in open court with regard to any matters pertaining to such records.

Approved April 25, A. D. 1919.

CHAPTER 394.

TAX LEVY BY CITIES FOR SEWER FUND.

S. F. 188.

AN ACT to amend section eight hundred ninety-four (894), supplemental supplement to the code, 1915, in paragraph three (3) thereof, in relation to sewer fund levied annually by cities.

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

SECTION 1. Cities — sewers and sewage disposal plants — tax levy for. That section eight-hundred ninety-four (894), supplemental supplement to the code, 1915, be amended in paragraph three (3) thereof by striking out the word "two" in the first line of said paragraph three (3) and substituting in place thereof the word "five". Also by adding after the words "of said city;" in the ninth line of said paragraph three (3), a comma and the following words: "and for the maintenance and operation of any sewage disposal plant included in said sewer district;". Also by striking out the word "two" in the tenth line of said paragraph three (3) and substituting in place thereof the word "five". Also by adding at the end of said paragraph three (3) the following: "and for the maintenance and operation of any sewage disposal plant included in said sewer districts." This act shall also apply to all cities under special charter and cities under commission form of government.

Approved April 25, A. D. 1919.

CHAPTER 395.

EXPOSITION OF HORTICULTURE AND ALLIED INDUSTRIES.

S. F. 499.

AN ACT to encourage horticulture and allied industries of the state of Iowa through an annual exposition and to make an appropriation therefor.

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

SECTION 1. Horticultural exposition — authorization — scope —
 1 executive committee — powers and duties. The state horticultural
 2 society is hereby empowered, authorized and directed to hold annu-
 3 ally at such time and in such place in Iowa as said society may select,
 4 an exposition of horticultural and manufactured plant products, with
 5 practical and scientific demonstrations of approved methods of crop
 6 production, manufactured products, grading, packing, marketing and
 7 the establishment of standard market grades pertaining to horticul-
 8 ture.

9 For the purpose of this act horticulture is interpreted to include the
 10 culture and care of plants, their fruits and the manufactured products
 11 thereof.

12 Said society, through its board of directors, is authorized and
 13 empowered to appoint and fix the compensation of an assistant secre-
 14 tary and of such clerical and other labor as may be needed to carry
 15 out the provisions of this act. It may delegate to its executive com-
 16 mittee, consisting of the president, secretary and treasurer of said
 17 society, the duty and power to make and execute all or any plans
 18 authorized under the provisions of this act.

SEC. 2. Report — exhibits and awards — receipts and disburse-
 1 ments. The society shall make to the governor annually, a report of
 2 said exposition, which shall include a showing of all exhibits and
 3 awards with a list of all receipts and disbursements under the provi-
 4 sions of this act, with complete vouchers therefor.

1 SEC. 3. Appropriation — certification to auditor. The sum of eight
 2 thousand dollars (\$8,000.00) annually, or so much thereof as may be
 3 needed to carry out the provisions of this act and the payment of all
 4 expenses connected therewith, is hereby appropriated out of any fund
 5 in the treasury of the state, not otherwise appropriated, and warrants
 6 therefor shall be issued on the order of the president and secretary
 7 of the state horticultural society from time to time by the auditor of
 8 state on the treasurer of state, but no such warrant shall be issued
 9 until the president and secretary of said society shall certify to the
 10 auditor of state that the same is actually necessary for disbursement.

Approved April 25, A. D. 1919.

CHAPTER 396.

UNIFORM SALES ACT.

S. F. 82.

AN ACT to make uniform the law of sales of goods, and repealing all acts or parts of acts inconsistent herewith and providing that this act may be cited as the uniform sales act.

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

PART I.

FORMATION OF THE CONTRACT.

1 SECTION 1. Contracts to sell and sales. (1) A contract to sell
2 goods is a contract whereby the seller agrees to transfer the property
3 in goods to the buyer for a consideration called price.

4 (2) A sale of goods is an agreement whereby the seller trans-
5 fers the property in goods to the buyer for a consideration called the
6 price.

7 (3) A contract to sell or a sale may be absolute or conditional.

8 (4) There may be a contract to sell or a sale between one part
9 owner and another.

1 SEC. 2. Capacity — liabilities for necessities. Capacity to buy
2 and sell is regulated by the general law concerning capacity to con-
3 tract and to transfer and acquire property.

4 Where necessities are sold and delivered to an infant, or to a per-
5 son who by reason of mental incapacity or drunkenness is incompetent
6 to contract, he must pay a reasonable price therefor.

7 Necessaries in this section mean goods suitable to the condition in
8 life of such infant or other person and to his actual requirements at
9 the time of delivery.

FORMALITIES OF THE CONTRACT.

1 SEC. 3. Form of contract or sale. Subject to the provisions of
2 this act and of any statute in that behalf, a contract to sell or a sale
3 may be made in writing (either with or without seal), or by word of
4 mouth, or partly in writing and partly by word of mouth, or may be
5 inferred from the conduct of the parties.

1 SEC. 4. Statute of frauds. (1) A contract to sell or a sale of
2 any goods or choses in action shall not be enforceable by action unless
3 the buyer shall accept part of the goods or choses in action so con-
4 tracted to be sold or sold and actually receive the same or give some-
5 thing in earnest to bind the contract, or in part payment, or unless
6 some note or memorandum in writing of the contract or sale be signed
7 by the party to be charged or his agent in that behalf.

8 (2) The provisions of this section apply to every such contract or
9 sale, notwithstanding that the goods may be intended to be delivered
10 at some future time or may not at the time of such contract or sale
11 be actually made, procured, or provided, or fit or ready for delivery,

12 or some act may be requisite for the making or completing thereof,
13 or rendering the same fit for delivery; but if the goods are to be
14 manufactured by the seller especially for the buyer and are not suit-
15 able for sale to others in the ordinary course of the seller's business,
16 the provisions of this section shall not apply.

17 (3) There is an acceptance of goods within the meaning of this
18 section when the buyer, either before or after delivery of the goods,
19 expresses by words or conduct his assent to becoming the owner of
20 those specific goods.

SUBJECT-MATTER OF CONTRACT. .

1 SEC. 5. Existing and future goods. (1) The goods which form
2 the subject of a contract to sell may be either existing goods, owned
3 or possessed by the seller, or goods to be manufactured or acquired
4 by the seller after the making of the contract to sell, in this act called
5 "future goods".

6 (2) There may be a contract to sell goods, the acquisition of which
7 by the seller depends upon a contingency which may or may not hap-
8 pen.

9 (3) Where the parties purport to effect a present sale of future
10 goods, the agreement operates as a contract to sell the goods.

1 SEC. 6. Undivided shares. (1) There may be a contract to sell
2 or a sale of an undivided share of goods. If the parties intend to
3 affect a present sale, the buyer by force of the agreement becomes an
4 owner in common with the owner or owners of the remaining shares.

5 (2) In the case of fungible goods, there may be a sale of an
6 undivided share of a specific mass, though the seller purports to sell
7 and the buyer to buy a definite number, weight, or measure of the
8 goods in the mass and though the number, weight, or measure of the
9 goods in the mass is undetermined. By such a sale the buyer becomes
10 owner in common of such a share of the mass as the number, weight,
11 or measure bought bears to the number, weight, or measure of the
12 mass. If the mass contains less than the number, weight, or measure
13 bought, the buyer becomes the owner of the whole mass and the seller
14 is bound to make good the deficiency from similar goods unless a con-
15 trary intent appears.

1 SEC. 7. Destruction of goods sold. (1) Where the parties pur-
2 port to sell specific goods, and the goods without the knowledge of the
3 seller have wholly perished at the time when the agreement is made,
4 the agreement is void.

5 (2) Where the parties purport to sell specific goods, and the
6 goods without the knowledge of the seller have perished in part or
7 have wholly or in a material part so deteriorated in quality as to be
8 substantially changed in character, the buyer may at his option treat
9 the sale:

10 (a) As avoided, or

11 (b) As transferring the property in all of the existing goods or in
12 so much thereof as have not deteriorated, and as binding the buyer
13 to pay the full agreed price if the sale was indivisible, or to pay the
14 agreed price for the goods in which the property passes if the sale was
15 divisible.

SEC. 8. Destruction of goods contracted to be sold.

1 (1) Where there is a contract to sell specific goods, and subse-
 2 quently, but before the risk passes the buyer, without any fault on
 3 the part of the seller or the buyer, the goods wholly perish, the con-
 4 tract is thereby avoided.

5 (2) Where there is a contract to sell specific goods, and conse-
 6 quently, but before the risk passes to the buyer, without any fault of
 7 the seller or the buyer, part of the goods perish or the whole or a
 8 material part of the goods so deteriorate in quality as to be sub-
 9 stantially changed in character, the buyer may, at his option treat the
 10 contract;

11 (a) As avoided; or

12 (b) As binding the seller to transfer the property in all of the
 13 existing goods or in so much thereof as have not deteriorated, and as
 14 binding the buyer to pay the full agreed price if the contract was indi-
 15 visible, or to pay the agreed price for so much of the goods as the
 16 seller, by the buyer's option, is bound to transfer if the contract was
 17 divisible.

THE PRICE.

1 **SEC. 9. Definition and ascertainment of price.** (1) The price
 2 may be fixed by the contract, or may be left to be fixed in such man-
 3 ner as may be agreed, or it may be determined by the course of deal-
 4 ing between the parties.

5 (2) The price may be made payable in any personal property.

6 (3) Where transferring or promising to transfer any interest in
 7 real estate constitutes the whole or part of the consideration for
 8 transferring or for promising to transfer the property in goods, this
 9 act shall not apply.

10 (4) Where the price is not determined in accordance with the
 11 foregoing provisions the buyer must pay a reasonable price. What
 12 is a reasonable price is a question of fact dependent on the circum-
 13 stances of each particular case.

1 **SEC. 10. Sale at a valuation.** (1) Where there is a contract to
 2 sell or a sale of goods at a price or on terms to be fixed by a third per-
 3 son, and such third person, without fault of the seller or the buyer,
 4 can not or does not fix the price or terms, the contract or the sale is
 5 thereby avoided; but if the goods or any part thereof have been
 6 delivered to and appropriated by the buyer he must pay a reasonable
 7 price therefor.

8 (2) Where such third person is prevented from fixing the price
 9 or terms by fault of the seller or the buyer, the party not in fault
 10 may have such remedies against the party in fault as are allowed by
 11 Parts IV and V of this act.

CONDITIONS AND WARRANTIES.

1 **SEC. 11. Effect of conditions.** (1) Where the obligation of
 2 either party to a contract to sell or a sale is subject to any condition
 3 which is not performed, such party may refuse to proceed with the
 4 contract or sale or he may waive performance of the condition. If

5 the other party has promised that the condition should happen or be
6 performed, such first-mentioned party may also treat the nonperform-
7 ance of the condition as a breach of warranty.

8 (2) Where the property in the goods has not passed, the buyer
9 may treat the fulfillment by the seller of his obligation to furnish
10 goods as described and as warranted expressly or by implication in
11 the contract to sell as a condition of the obligation of the buyer to
12 perform his promise to accept and pay for the goods.

1 SEC. 12. **Definition of express warranty.** Any affirmation of fact
2 or any promise by the seller relating to the good is an express war-
3 ranty if the natural tendency of such affirmation or promise is to
4 induce the buyer to purchase the goods, and if the buyer purchases
5 the goods relying thereon. No affirmation of the value of the goods
6 nor any statement purporting to be a statement of the seller's opinion
7 only shall be construed as a warranty.

1 SEC. 13. **Implied warranties of title.** In a contract to sell or a
2 sale, unless contrary intention appears, there is—

3 (1) An implied warranty on the part of the seller that in case of a
4 sale he has a right to sell the goods, and that in case of a contract to
5 sell he will have a right to sell the goods at the time when the prop-
6 erty is to pass;

7 (2) An implied warranty that the buyer shall have and enjoy
8 quiet possession of the goods as against any lawful claims existing at
9 the time of the sale;

10 (3) An implied warranty that the goods shall be free at the time
11 of the sale from any charge or encumbrance in favor of any third
12 person not declared or known to the buyer before or at the time when
13 the contract or sale is made.

14 (4) This section shall not, however, be held to render liable a
15 sheriff, auctioneer, mortgagee, or other person professing to sell by
16 virtue of authority in fact or law goods in which a third person has
17 a legal or equitable interest.

1 SEC. 14. **Implied warranty in sale by description.** Where there
2 is a contract to sell or a sale of goods by description, there is an
3 implied warranty that the goods shall correspond with the descrip-
4 tion, and if the contract or sale be by sample, as well as by descrip-
5 tion, it is not sufficient that the bulk of the goods corresponds with
6 the sample if the goods do not also correspond with the description.

1 SEC. 15. **Implied warranties of quality.** Subject to the provi-
2 sions of this act and of any statute in that behalf, there is no implied
3 warranty or condition as to the quality or fitness for any particular
4 purpose of goods supplied under a contract to sell or a sale, except
5 as follows:

6 (1) Where the buyer, expressly or by implication, makes known
7 to the seller the particular purpose for which the goods are required,
8 and it appears that the buyer relies on the seller's skill or judgment
9 (whether he be the grower or manufacturer or not), there is an
10 implied warranty that the goods shall be reasonably fit for such pur-
11 pose.

12 (2) Where the goods are bought by description from a seller who
13 deals in goods of that description (whether he be the grower or manu-
14 facturer or not), there is an implied warranty that the goods shall
15 be of merchantable quality.

16 (3) If the buyer has examined the goods, there is no implied war-
 17 ranty as regards defects which such examination ought to have
 18 revealed.

19 (4) In the case of a contract to sell or a sale of a specified article
 20 under its patent or other trade name there is no implied warranty as
 21 to its fitness for any particular purpose.

22 (5) An implied warranty or condition as to quality or fitness for
 23 a particular purpose may be annexed by the usage of trade.

24 (6) An express warranty or condition does not negative a war-
 25 ranty or condition implied under this act unless inconsistent there-
 26 with.

SALE BY SAMPLE.

1 SEC. 16. Implied warranties in sale by sample. In the case of a
 2 contract to sell or a sale by sample;

3 (a) There is an implied warranty that the bulk shall correspond
 4 with the sample in quality.

5 (b) There is an implied warranty that the buyer shall have a rea-
 6 sonable opportunity of comparing the bulk with the sample, except
 7 so far as otherwise provided in section 47 (3).

8 (c) If the seller is a dealer in goods of that kind there is an implied
 9 warranty that the goods shall be free from any defect rendering them
 10 unmerchantable which would not be apparent on reasonable examina-
 11 tion of the sample.

PART II.

TRANSFER OF PROPERTY AS BETWEEN SELLER AND BUYER.

1 SEC. 17. No property passes until goods are ascertained. Where
 2 there is a contract to sell unascertained goods no property in the
 3 goods is transferred to the buyer unless and until the goods are
 4 ascertained, but property in an undivided share of ascertained goods
 5 may be transferred as provided in section 6.

SEC. 18. Property in specific goods passes when parties so intend.

1 (1) Where there is a contract to sell specific or ascertained goods,
 2 the property in them is transferred to the buyer at such time as the
 3 parties to the contract intend it to be transferred.

4 (2) For the purpose of ascertaining the intention of the parties
 5 regard shall be had to the terms of the contract, the conduct of the
 6 parties, usages of trade, and the circumstances of the case.

1 SEC. 19. Rules for ascertaining intention. Unless a different
 2 intention appears, the following are rules for ascertaining the inten-
 3 tion of the parties as to the time at which the property in the goods is
 4 to pass to the buyer.

5 Rule 1. Where there is an unconditional contract to sell specific
 6 goods in a deliverable state the property in the goods passes to the
 7 buyer when the contract is made, and it is immaterial whether the
 8 time of payment, or the time of delivery, or both, be postponed.

9 Rule 2. Where there is a contract to sell specific goods and the
 10 seller is bound to do something to the goods, for the purpose of put-

11 ting them into a deliverable state, the property does not pass until
12 such thing be done.

13 Rule 3. (1) When goods are delivered to the buyer "on sale or
14 return", or on other terms indicating an intention to make a present
15 sale, but to give the buyer an option to return the goods instead of
16 paying the price, the property passes to the buyer on delivery, but
17 he may revest the property in the seller by returning or tendering the
18 goods within the time fixed in the contract, or, if no time has been
19 fixed, within a reasonable time.

20 (2) When goods are delivered to the buyer on approval or on trial
21 or on satisfaction, or other similar terms, the property therein passes
22 to the buyer—

23 (a) When he signifies his approval or acceptance to the seller or
24 does any other act adopting the transaction;

25 (b) If he does not signify his approval or acceptance to the seller,
26 but retains the goods without giving notice or rejection, then if a
27 time has been fixed for the return of the goods, on the expiration of
28 such time, and if no time has been fixed on the expiration of a reason-
29 able time. What is a reasonable time is a question of fact.

30 Rule 4. (1) Where there is a contract to sell unascertained or
31 future goods by description, and goods of that description and in a
32 deliverable state are unconditionally appropriated to the contract,
33 either by the seller with the assent of the buyer, or by the buyer with
34 the assent of the seller, the property in the goods thereupon passes
35 to the buyer. Such assent may be expressed or implied, and may be
36 given either before or after the appropriation is made.

37 (2) Where, in pursuance of a contract to sell, the seller delivers
38 the goods to the buyer, or to a carrier or other bailee (whether named
39 by the buyer or not) for the purpose of transmission to or holding
40 for the buyer, he is presumed to have unconditionally appropriated
41 the goods to the contract, except in the cases provided for in the next
42 rule and in section 20. This presumption is applicable, although by
43 the terms of the contract the buyer is to pay the price before receiv-
44 ing delivery of the goods, and the goods are marked with the words
45 "collect on delivery" or their equivalents.

46 Rule 5. If the contract to sell requires the seller to deliver the
47 goods to the buyer, or at a particular place or to pay the freight or
48 cost of transportation to the buyer, or to a particular place, the prop-
49 erty does not pass until the goods have been delivered to the buyer or
50 reached the place agreed upon.

SEC. 20. **Reservation of right of possession or property when
1 goods are shipped.** (1) Where there is a contract to sell specific
2 goods, or where goods are subsequently appropriated to the contract,
3 the seller may, by the terms of the contract or appropriation, reserve
4 the right of possession or property in the goods until certain condi-
5 tions have been fulfilled. The right of possession or property may
6 be thus reserved notwithstanding the delivery of the goods to the
7 buyer or to a carrier or other bailee for the purpose of transmission
8 to the buyer.

9 (2) Where goods are shipped, and by the bill of lading the goods
10 are deliverable to the seller or his agent, or to the order of the seller
11 or of his agent, the seller thereby reserves the property in the goods.
12 But if, except for the form of the bill of lading, the property would

13 have passed to the buyer on shipment of the goods, the seller's prop-
 14 erty in the goods shall be deemed to be only for the purpose of secur-
 15 ing performance by the buyer of his obligations under the contract.

16 (3) Where goods are shipped, and by the bill of lading the goods
 17 are deliverable to the order of the buyer or of his agent, but posses-
 18 sion of the bill of lading is retained by the seller or his agent, the
 19 seller thereby reserves a right to the possession of the goods as against
 20 the buyer.

21 (4) Where the seller of goods draws on the buyer for the price
 22 and transmits the bill of exchange and bill of lading together to the
 23 buyer to secure acceptance or payment of the bill of exchange the
 24 buyer is bound to return the bill of lading if he does not honor the
 25 bill of exchange, and if he wrongfully retains the bill of lading he
 26 acquires no added right thereby. If, however, the bill of lading pro-
 27 vides that the goods are deliverable to the buyer or to the order of
 28 the buyer, or is indorsed in blank or to the buyer by the consignee
 29 named therein, one who purchases in good faith for value the bill of
 30 lading or goods from the buyer will obtain the property in the goods,
 31 although the bill of exchange has not been honored, provided that
 32 such purchaser has received delivery of the bill of lading indorsed
 33 by the consignee named therein, or the goods, without notice of the
 34 facts making the transfer wrongful.

1 SEC. 21. Sale by auction. In the case of sale by auction—

2 (1) Where goods are put up for sale by auction in lots each lot is
 3 the subject of a separate contract of sale.

4 (2) A sale by auction is complete when the auctioneer announces
 5 its completion by the fall of the hammer, or in other customary man-
 6 ner. Until such announcement is made any bidder may retract his
 7 bid, and the auctioneer may withdraw the goods from the sale unless
 8 the auction has been announced to be without reserve.

9 (3) A right to bid may be reserved expressly by or on behalf of
 10 the seller.

11 (4) Where notice has not been given that a sale by auction is
 12 subject to a right to bid on behalf of the seller it shall not be lawful
 13 for the seller to bid himself or to employ or induce any person to bid
 14 at such sale on his behalf, or for the auctioneer to employ or induce
 15 any person to bid at such sale on behalf of the seller or knowingly to
 16 take any bid from the seller or any person employed by him. Any
 17 sale contravening this rule may be treated as fraudulent by the buyer.

1 SEC. 22. Risk of loss. Unless otherwise agreed, the goods remain
 2 at the seller's risk until the property therein is transferred to the
 3 buyer, but when the property therein is transferred to the buyer the
 4 goods are at the buyer's risk whether delivery has been made or not,
 5 except that—

6 (a) Where delivery of the goods has been made to the buyer, or
 7 to a bailee for the buyer, in pursuance of the contract and the property
 8 in the goods has been retained by the seller merely to secure perform-
 9 ance by the buyer of his obligations under the contract, the goods are
 10 at the buyer's risk from the time of such delivery.

11 (b) Where delivery has been delayed through the fault of either
 12 buyer or seller the goods are at the risk of the party in fault as
 13 regards any loss which might not have occurred but for such fault.

TRANSFER OF TITLE.

1 **SEC. 23. Sale by a person not the owner.** (1) Subject to the
2 provisions of this act, where goods are sold by a person who is not
3 the owner thereof, and who does not sell them under the authority or
4 with the consent of the owner, the buyer acquires no better title to
5 the goods than the seller had, unless the owner of the goods is by his
6 conduct precluded from denying the seller's authority to sell.

7 (2) Nothing in this act, however, shall affect:

8 (a) The provisions of any factors' acts, recording acts, or any
9 enactment enabling the apparent owner of goods to dispose of them
10 as if he were the true owner thereof.

11 (b) The validity of any contract to sell or sale under any common
12 law or statutory power of sale or under the order of a court of com-
13 petent jurisdiction.

1 **SEC. 24. Sale by one having a voidable title.** Where the seller
2 of goods has a voidable title thereto, but his title has not been avoided
3 at the time of sale, the buyer acquires a good title to the goods, pro-
4 vided he buys them in good faith, for value, and without notice of the
5 seller's defect of title.

1 **SEC. 25. Sale by seller in possession of goods already sold.** Where
2 a person having sold goods continues in possession of the goods, or
3 of negotiable documents of title to the goods, the delivery or transfer
4 by that person, or by an agent acting for him, of the goods or docu-
5 ments of title under any sale, pledge, or other disposition thereof, to
6 any person receiving and paying value for the same in good faith and
7 without notice of the previous sale, shall have the same effect as if
8 the person making the delivery or transfer were expressly authorized
9 by the owner of the goods to make the same.

1 **SEC. 26. Creditors' rights against sold goods in seller's possession.**
2 Where a person having sold goods continues in possession of the
3 goods, or of negotiable documents of title to the goods and such reten-
4 tion of possession is fraudulent in fact or is deemed fraudulent under
5 any rule of law, a creditor or creditors of the seller may treat the sale
6 as void.

1 **SEC. 27. Definition of negotiable documents of title.** A docu-
2 ment of title in which it is stated that the goods referred to therein
3 will be delivered to the bearer, or to the order of any person named
4 in such document is a negotiable document of title.

1 **SEC. 28. Negotiation of negotiable documents by delivery.** A
2 negotiable document of title may be negotiated by delivery—

3 (a) Where by the terms of the document the carrier, warehouse-
4 man, or other bailee issuing the same undertakes to deliver the goods
5 to the bearer, or

6 (b) Where by the terms of the document the carrier, warehouse-
7 man, or other bailee issuing the same undertakes to deliver the goods
8 to the order of a specified person, and such person or a subsequent
9 indorsee of the document has indorsed it in blank or to bearer.

10 Where by the terms of a negotiable document of title the goods are
11 deliverable to bearer or where a negotiable document of title has been
12 indorsed in blank or to bearer, any holder may indorse the same to

13 himself or to any other specified person, and in such case the docu-
14 ment shall thereafter be negotiated only by the indorsement of such
15 indorsee.

1 **SEC. 29. Negotiation of negotiable documents by indorsement.** A
2 negotiable document of title may be negotiated by the indorsement of
3 the person to whose order the goods are by the terms of the docu-
4 ment deliverable. Such indorsement may be in blank, to bearer, or
5 to a specified person. If indorsed to a specified person, it may be
6 again negotiated by the indorsement of such person in blank, to
7 bearer, or to another specified person. Subsequent negotiation may
8 be made in like manner.

SEC. 30. Negotiable documents of title marked "Not negotiable."
1 If a document of title which contains an undertaking by a carrier,
2 warehouseman, or other bailee to deliver the goods to the bearer, to
3 a specified person or order, or to the order of specified person, or
4 which contains words of like import, has placed upon it the words
5 "not negotiable," "nonnegotiable," or the like, such a document may,
6 nevertheless, be negotiated by the holder and is a negotiable document
7 of title within the meaning of this act. But nothing in this act con-
8 tained shall be construed as limiting or defining the effect upon the
9 obligations of the carrier, warehouseman, or other bailee issuing a
10 document of title of placing thereon the words "not negotiable," "non-
11 negotiable," or the like.

1 **SEC. 31. Transfer of nonnegotiable documents.** A document of
2 title which is not in such form that it can be negotiated by delivery
3 may be transferred by the holder by delivery to a purchaser or donee.
4 A nonnegotiable document cannot be negotiated, and the indorsement
5 of such a document gives the transferee no additional right.

1 **SEC. 32. Who may negotiate a document.** A negotiable docu-
2 ment may be negotiated by any person in possession of the same,
3 however such possession may have been acquired, if by the terms of
4 the document the bailee issuing it undertakes to deliver the goods
5 to the order of such person, or if at the time of negotiation the docu-
6 ment is in such form that it may be negotiated by delivery.

SEC. 33. Rights of person to whom document has been negotiated.
1 A person to whom a negotiable document of title has been duly nego-
2 tiated acquires thereby:
3 (a) Such title to the goods as the person negotiating the docu-
4 ment to him had or had ability to convey to a purchaser in good faith
5 for value and also such title to the goods as the person to whose order
6 the goods were to be delivered by the terms of the document had or
7 had ability to convey to a purchaser in good faith for value, and
8 (b) The direct obligation of the bailee issuing the document to
9 hold possession of the goods for him according to the terms of the
10 document as fully as if such bailee had contracted directly with him.

SEC. 34. Rights of person to whom document has been transferred.
1 A person to whom a document of title has been transferred, but not
2 negotiated, acquires thereby, as against the transferor, the title to the
3 goods, subject to the terms of any agreement with the transferor.

4 If the document is nonnegotiable, such person also acquires the
 5 right to notify the bailee who issued the document of the transfer
 6 thereof, and thereby to acquire the direct obligation of such bailee to
 7 hold possession of the goods for him according to the terms of the
 8 document.

9 Prior to the notification of such bailee by the transferor or trans-
 10 feree of a nonnegotiable document of title, the title of the
 11 transferee to the goods and the right to acquire the obligation of such
 12 bailee may be defeated by the levy of an attachment or execution
 13 upon the goods by a creditor of the transferor, or by notification to
 14 such bailee by the transferor or a subsequent purchaser from the
 15 transferor of a subsequent sale of the goods by the transferor.

SEC. 35. Transfer of negotiable document without indorsement.

1 Where a negotiable document of title is transferred for value by
 2 delivery, and the indorsement of the transferor is essential for nego-
 3 tiation, the transferee acquires a right against the transferor to com-
 4 pel him to indorse the document unless a contrary intention appears.
 5 The negotiation shall take effect as of the time when the indorsement
 6 is actually made.

1 **SEC. 36. Warranties on sale of document.** A person who for
 2 value negotiates or transfers a document of title by indorsement or
 3 delivery, including one who assigns for value a claim secured by a
 4 document of title unless a contrary intention appears, warrants:

- 5 (a) That the document is genuine;
- 6 (b) That he has a legal right to negotiate or transfer it;
- 7 (c) That he has knowledge of no fact which would impair the
 8 validity or worth of the document; and
- 9 (d) That he has a right to transfer the title to the goods and that
 10 the goods are merchantable or fit for a particular purpose, whenever
 11 such warranties would have been implied if the contract of the par-
 12 ties had been to transfer without a document of title the goods repre-
 13 sented thereby.

1 **SEC. 37. Indorser not a guarantor.** The indorsement of a docu-
 2 ment of title shall not make the indorser liable for any failure on the
 3 part of the bailee who issued the document or previous indorsers
 4 thereof to fulfill their respective obligations.

1 **SEC. 38. When negotiation not impaired by fraud, mistake, or**
 2 **duress.** The validity of the negotiation of a negotiable document of
 3 title is not impaired by the fact that the negotiation was a breach of
 4 duty on the part of the person making the negotiation, or by the
 5 fact that the owner of the document was induced by fraud, mistake,
 6 or duress to intrust the possession or custody thereof to such person,
 7 if the person to whom the document was negotiated or a person to
 8 whom the document was subsequently negotiated paid value there-
 9 for, without notice of the breach of duty, or fraud, mistake, or duress.

1 **SEC. 39. Attachment or levy upon goods for which a negotiable**
 2 **document has been issued.** If goods are delivered to a bailee by the
 3 owner or by a person whose act in conveying the title to them to a
 4 purchaser in good faith for value would bind the owner and a nego-
 5 tiable document of title is issued for them they can not thereafter,
 6 while in the possession of such bailee, be attached by garnishment or

6 otherwise or be levied upon under an execution unless the document
7 be first surrendered to the bailee or its negotiation enjoined. The
8 bailee shall in no case be compelled to deliver up the actual possession
9 of the goods until the document is surrendered to him or impounded
10 by the court.

1 SEC. 40. **Creditors' remedies to reach negotiable documents.** A
2 creditor whose debtor is the owner of a negotiable document of title
3 shall be entitled to such aid from courts of appropriate jurisdiction by
4 injunction and otherwise in attaching such document or in satisfying
5 the claim by means thereof as is allowed at law or in equity in regard
6 to property which can not readily be attached or levied upon by
7 ordinary legal process.

PART III.

PERFORMANCE OF THE CONTRACT.

1 SEC. 41. **Seller must deliver and buyer accept goods.** It is the
2 duty of the seller to deliver the goods and of the buyer to accept and
3 pay for them, in accordance with the terms of the contract to sell or
4 sale.

1 SEC. 42. **Delivery and payment are concurrent conditions.** Unless
2 otherwise agreed, delivery of the goods and payment of the price are
3 concurrent conditions; that is to say, the seller must be ready and
4 willing to give possession of the goods to the buyer in exchange for
5 the price and the buyer must be ready and willing to pay the price
6 in exchange for possession of the goods.

1 SEC. 43. **Place, time, and manner of delivery.** (1) Whether it
2 is for the buyer to take possession of the goods or for the seller to
3 send them to the buyer is a question depending in each case on the
4 contract, express or implied, between the parties. Apart from any
5 such contract, express or implied, or usage of trade to the contrary,
6 the place of delivery is the seller's place of business if he have one,
7 and if not his residence; but in case of a contract to sell or a sale of
8 specific goods, which to the knowledge of the parties when the con-
9 tract or the sale was made were in some other place, then that place
10 is the place of delivery.

11 (2) Where by a contract to sell or a sale the seller is bound to send
12 the goods to the buyer, but no time for sending them is fixed, the
13 seller is bound to send them within a reasonable time.

14 (3) Where the goods at the time of sale are in the possession of
15 a third person, the seller has not fulfilled his obligation to deliver to
16 the buyer unless and until such third person acknowledges to the
17 buyer that he holds the goods on the buyer's behalf; but as against
18 all others than the seller the buyer shall be regarded as having
19 received delivery from the time when such third person first has notice
20 of the sale. Nothing in this section, however, shall affect the opera-
21 tion of the issue or transfer of any document of title to goods.

22 (4) Demand or tender of delivery may be treated as ineffectual
23 unless made at a reasonable hour. What is a reasonable hour is a
24 question of fact.

25 (5) Unless otherwise agreed, the expenses of and incidental to
26 putting the goods into a deliverable state must be borne by the seller.

1 **SEC. 44. Delivery of wrong quantity.** (1) Where the seller
2 delivers to the buyer a quantity of goods less than he contracted to
3 sell, the buyer may reject them, but if the buyer accepts or retains
4 the goods so delivered, knowing that the seller is not going to perform
5 the contract in full, he must pay for them at the contract rate. If,
6 however, the buyer has used or disposed of the goods delivered before
7 he knows that the seller is not going to perform his contract in full,
8 the buyer shall not be liable for more than the fair value to him of
9 the goods so received.

10 (2) Where the seller delivers to the buyer a quantity of goods
11 larger than he contracted to sell, the buyer may accept the goods
12 included in the contract and reject the rest, or he may reject the
13 whole. If the buyer accepts the whole of the goods so delivered, he
14 must pay for them at the contract rate.

15 (3) Where the seller delivers to the buyer the goods he contracted
16 to sell mixed with goods of a different description not included in the
17 contract, the buyer may accept the goods which are in accordance with
18 the contract and reject the rest, or he may reject the whole.

19 (4) The provisions of this section are subject to any usage of
20 trade, special agreement, or course of dealing between the parties.

1 **SEC. 45. Delivery in installments.** (1) Unless otherwise agreed,
2 the buyer of goods is not bound to accept delivery thereof by install-
3 ments.

4 (2) Where there is a contract to sell goods to be delivered by
5 stated installments, which are to be separately paid for, and the seller
6 makes defective deliveries in respect of one or more installments, or
7 the buyer neglects or refuses to take delivery of or pay for one or
8 more installments, it depends in each case on the terms of the contract
9 and the circumstances of the case whether the breach of contract is
10 so material as to justify the injured party in refusing to proceed
11 further and suing for damages for breach of the entire contract, or
12 whether the breach is severable, giving rise to a claim for compensa-
13 tion but not to a right to treat the whole contract as broken.

SEC. 46. Delivery to a carrier on behalf of the buyer.

1 (1) Where, in pursuance of a contract to sell or a sale, the seller
2 is authorized or required to send the goods to the buyer, delivery of
3 the goods to a carrier, whether named by the buyer or not, for the
4 purpose of transmission to the buyer is deemed to be a delivery of the
5 goods to the buyer, except in the cases provided for in section 19, rule
6 5, or unless a contrary intent appears.

7 (2) Unless otherwise authorized by the buyer, the seller must
8 make such contract with the carrier on behalf of the buyer as may be
9 reasonable, having regard to the nature of the goods and the other
10 circumstances of the case. If the seller omits so to do, and the goods
11 are lost or damaged in course of transit, the buyer may decline to
12 treat the delivery to the carrier as a delivery to himself, or may hold
13 the seller responsible in damages.

14 (3) Unless otherwise agreed, where goods are sent by the seller
15 to the buyer under circumstances in which the seller knows, or ought
16 to know, that it is usual to insure, the seller must give such notice

17 to the buyer as may enable him to insure them during their transit,
18 and, if the seller fails to do so, the goods shall be deemed to be at his
19 risk during such transit.*

1 **SEC. 47. Right to examine the goods.** (1) Where goods are
2 delivered to the buyer, which he has not previously examined, he is
3 not deemed to have accepted them unless and until he has had a rea-
4 sonable opportunity of examining them for the purpose of ascertain-
5 ing whether they are in conformity with the contract.

6 (2) Unless otherwise agreed, when the seller tenders delivery of
7 goods to the buyer, he is bound, on request, to afford the buyer a
8 reasonable opportunity of examining the goods for the purpose of
9 ascertaining whether they are in conformity with the contract.

10 (3) Where goods are delivered to a carrier by the seller, in accord-
11 ance with an order from or agreement with the buyer, upon the terms
12 that the goods shall not be delivered by the carrier to the buyer until
13 he has paid the price, whether such terms are indicated by marking
14 the goods with the words "collect on delivery," or otherwise, the buyer
15 is not entitled to examine the goods before payment of the price in
16 the absence of agreement permitting such examination.

1 **SEC. 48. What constitutes acceptance.** The buyer is deemed to
2 have accepted the goods when he intimates to the seller that he has
3 accepted them, or when the goods have been delivered to him, and he
4 does any act in relation to them which is inconsistent with the owner-
5 ship of the seller, or when, after the lapse of a reasonable time, he
6 retains the goods without intimating to the seller that he has rejected
7 them.

1 **SEC. 49. Acceptance does not bar action for damages.** In the
2 absence of express or implied agreement of the parties, acceptance of
3 the goods by the buyer shall not discharge the seller from liability in
4 damages or other legal remedy for breach of any promise or warranty
5 in the contract to sell or the sale. But if, after acceptance of the
6 goods, the buyer fails to give notice to the seller of the breach of any
7 promise or warranty within a reasonable time after the buyer knows,
8 or ought to know, of such breach the seller shall not be liable there-
9 for.

1 **SEC. 50. Buyer is not bound to return goods wrongly delivered.**
2 Unless otherwise agreed, where goods are delivered to the buyer, and
3 he refuses to accept them, having the right so to do, he is not bound
4 to return them to the seller, but it is sufficient if he notifies the seller
5 that he refuses to accept them.

1 **SEC. 51. Buyer's liability for failing to accept delivery.** When
2 the seller is ready and willing to deliver the goods and requests the
3 buyer to take delivery, and the buyer does not within a reasonable
4 time after such request take delivery of the goods, he is liable to the
5 seller for any loss occasioned by his neglect or refusal to take delivery,
6 and also for a reasonable charge for the care and custody of the
7 goods. If the neglect or refusal of the buyer to take delivery amounts
8 to a repudiation or breach of the entire contract, the seller shall have
9 the right against the goods and on the contract hereinafter provided
10 in favor of the seller when the buyer is in default.

[Note.—*"transit" evidently intended.]

PART IV.

RIGHTS OF UNPAID SELLER AGAINST THE GOODS.

1 **SEC. 52. Definition of unpaid seller.** (1) The seller of goods is
 2 deemed to be an unpaid seller within the meaning of this act—
 3 (a) When the whole of the price has not been paid or tendered.
 4 (b) When a bill of exchange or other negotiable instrument has
 5 been received as conditional payment, and the condition on which it
 6 was received has been broken by reason of the dishonor of the instru-
 7 ment, the insolvency of the buyer, or otherwise.
 8 (2) In this part of this act the term "seller" includes an agent of
 9 the seller to whom the bill of lading has been indorsed, or a consignor
 10 or agent who has himself paid, or is directly responsible for the price,
 11 or any other person who is in the position of a seller.

1 **SEC. 53. Remedies of an unpaid seller.** (1) Subject to the provi-
 2 sions of this act, notwithstanding that the property in the goods may
 3 have passed to the buyer, the unpaid seller of goods, as such, has—
 4 (a) A lien on the goods or right to retain them for the price while
 5 he is in possession of them.
 6 (b) In case of the insolvency of the buyer, a right of stopping the
 7 goods in transit after he has parted with the possession of them.
 8 (c) A right of resale as limited by this act.
 9 (d) A right to rescind the sale as limited by this act.
 10 (2) Where the property in goods has not passed to the buyer the
 11 unpaid seller has, in addition to his other remedies, a right of with-
 12 holding delivery similar to any coextensive with his rights of lien and
 13 stoppage in transit where the property has passed to the buyer.

UNPAID SELLER'S LIEN.

1 **SEC. 54. When right of lien may be exercised.** (1) Subject to
 2 the provisions of this act, the unpaid seller of goods who is in posses-
 3 sion of them is entitled to retain possession of them until payment or
 4 tender of the price in the following cases, namely:
 5 (a) Where the goods have been sold without any stipulation as
 6 to credit.
 7 (b) Where the goods have been sold on credit, but the term of
 8 credit has expired.
 9 (c) Where the buyer becomes insolvent.
 10 (2) The seller may exercise his right of lien notwithstanding that
 11 he is in possession of the goods as agent or bailee for the buyer.

1 **SEC. 55. Lien after part delivery.** Where an unpaid seller has
 2 made part delivery of the goods, he may exercise his right of lien on
 3 the remainder unless such part delivery has been made under such
 4 circumstances as to show an intent to waive the lien or right of reten-
 5 tion.

1 **SEC. 56. When lien is lost.** (1) The unpaid seller of goods loses
 2 his lien thereon—
 3 (a) When he delivers the goods to a carrier or other bailee for
 4 the purpose of transmission to the buyer without reserving the prop-
 5 erty in the goods or the right to the possession thereof.

- 6 (b) When the buyer or his agent lawfully obtains possession of
7 the goods;
- 8 (c) By waiver thereof.
- 9 (2) The unpaid seller of goods, having a lien thereon, does not
10 lose his lien by reason only that he has obtained judgment or decree
11 for the price of the goods.

STOPPAGE IN TRANSITU.

1 **SEC. 57. Seller may stop goods on buyer's insolvency.** Subject to
2 the provisions of this act, when the buyer of goods is or becomes
3 insolvent, the unpaid seller who has parted with the possession of the
4 goods has the right of stopping them in transitu; that is to say, he
5 may resume possession of the goods at any time while they are in
6 transit and he will then become entitled to the same rights in regard
7 to the goods as he would have had if he had never parted with the
8 possession.

1 **SEC. 58. When goods are in transit.** (1) Goods are in transit
2 within the meaning of section 57—

3 (a) From the time when they are delivered to a carrier by land or
4 water, or other bailee, for the purpose of transmission to the buyer,
5 until the buyer, or his agent in that behalf, takes delivery of them
6 from such carrier or other bailee;

7 (b) If the goods are rejected by the buyer and the carrier or other
8 bailee continues in possession of them, even if the seller has refused
9 to receive them back.

10 (2) Goods are no longer in transit within the meaning of section
11 57—

12 (a) If the buyer, or his agent in that behalf, obtains delivery of
13 the goods before their arrival at the appointed destination;

14 (b) If, after the arrival of the goods at the appointed destina-
15 tion, the carrier or other bailee acknowledges to the buyer or his agent
16 that he holds the goods on his behalf and continues in possession of
17 them as bailee for the buyer or his agent; and it is immaterial that a
18 further destination for the goods may have been indicated by the
19 buyer;

20 (c) If the carrier or other bailee wrongfully refuses to deliver the
21 goods to the buyer or his agent in that behalf.

22 (3) If goods are delivered to a ship chartered by the buyer, it is
23 a question depending on the circumstances of the particular case
24 whether they are in the possession of the master as a carrier or as
25 agent of the buyer.

26 (4) If part delivery of the goods has been made to the buyer, or
27 his agent in that behalf, the remainder of the goods may be stopped
28 in transitu, unless such part delivery has been made under such cir-
29 cumstances as to show an agreement with the buyer to give up pos-
30 session of the whole of the goods.

1 **SEC. 59. Ways of exercising the right to stop.** (1) The unpaid
2 seller may exercise his right of stoppage in transitu either by obtain-
3 ing actual possession of the goods or by giving notice of his claim to
4 the carrier or other bailee in whose possession the goods are. Such
5 notice may be given either to the person in actual possession of the

6 goods or to his principal. In the latter case the notice, to be effectual,
 7 must be given at such time and under such circumstances that the
 8 principal, by the exercise of reasonable diligence, may prevent a deliv-
 9 ery to the buyer.

10 (2) When notice of stoppage in transitu is given by the seller to
 11 the carrier, or other bailee in possession of the goods, he must rede-
 12 liver the goods to, or according to the directions, of the seller. The
 13 expenses of such delivery must be borne by the seller. If, however,
 14 a negotiable document of title representing the goods has been issued
 15 by the carrier or other bailee, he shall not be obliged to deliver or
 16 justified in delivering the goods to the seller unless such document is
 17 first surrendered for cancellation.

RESALE BY THE SELLER.

1 **SEC. 60. When and how resale may be made.** (1) Where the
 2 goods are of a perishable nature, or where the seller expressly reserves
 3 the right of resale in case the buyer should make default, or where
 4 the buyer has been in default in the payment of the price an unrea-
 5 sonable time, an unpaid seller having a right of lien or having stopped
 6 the goods in transitu may resell the goods. He shall not thereafter
 7 be liable to the original buyer upon the contract to sell or the sale or
 8 for any profit made by such resale, but may recover from the buyer
 9 damages for any loss occasioned by the breach of the contract or the
 10 sale.

11 (2) Where a resale is made, as authorized in this section, the buyer
 12 acquires a good title as against the original buyer.

13 (3) It is not essential to the validity of a resale that notice of an
 14 intention to resell the goods be given by the seller to the original
 15 buyer. But where the right to resell is not based on the perishable
 16 nature of the goods, or upon an express provision of the contract or
 17 the sale, the giving or failure to give such notice shall be relevant in
 18 any issue involving the question whether the buyer had been in default
 19 an unreasonable time before the resale was made.

20 (4) It is not essential to the validity of a resale that notice of the
 21 time and place of such resale should be given by the seller to the orig-
 22 inal buyer.

23 (5) The seller is bound to exercise reasonable care and judgment
 24 in making a resale, and subject to this requirement may make a resale
 25 either by public or private sale.

RESCISSION BY THE SELLER.

SEC. 61. When and how the seller may rescind the sale.

1 (1) An unpaid seller having a right of lien or having stopped the
 2 goods in transitu, may rescind the transfer of title and resume the
 3 property in the goods, where he expressly reserved the right to do so
 4 in case the buyer should make default, or where the buyer has been in
 5 default in the payment of the price an unreasonable time. The seller
 6 shall not thereafter be liable to the buyer upon the contract to sell
 7 or the sale, but may recover from the buyer damages for any loss
 8 occasioned by the breach of the contract or the sale.

9 (2) The transfer of title shall not be held to have been rescinded
 10 by an unpaid seller until he has manifested by notice to the buyer or
 11 by some other overt act an intention to rescind. It is not necessary
 12 that such overt act should be communicated to the buyer, but the
 13 giving or failure to give notice to the buyer of the intention to rescind
 14 shall be relevant in any issue involving the question whether the buyer
 15 had been in default an unreasonable time before the right of rescis-
 16 sion was asserted.

SEC. 62. **Effect of sale of goods subject to lien or stoppage in
 1 transitu.** Subject to the provisions of this act, the unpaid seller's
 2 right of lien or stoppage in transitu is not affected by any sale or
 3 other disposition of the goods which the buyer may have made, unless
 4 the seller has assented thereto.
 5 If, however, a negotiable document of title has been issued for
 6 goods, no seller's lien or right of stoppage in transitu shall defeat the
 7 right of any purchaser for value in good faith to whom such document
 8 has been negotiated, whether such negotiation be prior or subse-
 9 quent to the notification to the carrier, or other bailee who issued such
 10 document of the seller's claim to a lien or right of stoppage in transitu.

PART V.

ACTIONS FOR BREACH OF THE CONTRACT.

REMEDIES OF THE SELLER.

1 SEC. 63. **Action for the price.** (1) Where, under a contract to
 2 sell or a sale, the property in the goods has passed to the buyer, and
 3 the buyer wrongfully neglects or refuses to pay for the goods accord-
 4 ing to the terms of the contract or the sale, the seller may maintain
 5 an action against him for the price of the goods.

6 (2) Where, under a contract to sell or a sale, the price is payable
 7 on a day certain, irrespective of delivery or of transfer of title, and
 8 the buyer wrongfully neglects or refuses to pay such price, the seller
 9 may maintain an action for the price, although the property in the
 10 goods has not passed and the goods have not been appropriated to the
 11 contract. But it shall be a defense to such an action that the seller
 12 at any time before judgment in such action has manifested an inabil-
 13 ity to perform the contract or the sale on his part or an intention not
 14 to perform it.

15 (3) Although the property in the goods has not passed, if they
 16 can not readily be resold for a reasonable price, and if the provisions
 17 of section 64 (4) are not applicable, the seller may offer to deliver
 18 the goods to the buyer, and, if the buyer refuses to receive them, may
 19 notify the buyer that the goods are thereafter held by the seller as
 20 bailee for the buyer. Thereafter the seller may treat the goods as
 21 the buyer's and may maintain an action for the price.

SEC. 64. **Action for damages for nonacceptance of the goods.**

1 (1) Where the buyer wrongfully neglects or refuses to accept
 2 and pay for the goods, the seller may maintain an action against him
 3 for damages for nonacceptance.

4 (2) The measure of damages is estimated loss directly and natur-
5 ally resulting, in the ordinary course of events, from the buyer's
6 breach of contract.

7 (3) Where there is an available market for the goods in question,
8 the measure of damages is in the absence of special circumstances,
9 showing proximate damage of a greater amount, the difference
10 between the contract price and the market or current price at the
11 time or times when the goods ought to have been accepted, or, if no
12 time was fixed for acceptance, then at the time of the refusal to
13 accept.

14 (4) If, while labor or expense of material amount are necessary
15 on the part of the seller to enable him to fulfill his obligations under
16 the contract to sell or the sale, the buyer repudiates the contract or
17 the sale, or notifies the seller to proceed no further therewith, the
18 buyer shall be liable to the seller for no greater damages than the
19 seller would have suffered if he did nothing toward carrying out the
20 contract or the sale after receiving notice of the buyer's repudiation
21 or countermand. The profit the seller would have made if the con-
22 tract or the sale had been fully performed shall be considered in esti-
23 mating such damages.

1 SEC. 65. When seller may rescind contract or sale. Where the
2 goods have not been delivered to the buyer, and the buyer has repu-
3 diated the contract to sell or sale, or has manifested his inability to
4 perform his obligations thereunder, or has committed a material
5 breach thereof, the seller may totally rescind the contract or the sale
6 by giving notice of his election so to do to the buyer.

REMEDIES OF THE BUYER.

1 SEC. 66. Action for converting or detaining goods. Where the
2 property in the goods has passed to the buyer and the seller wrong-
3 fully neglects or refuses to deliver the goods, the buyer may maintain
4 any action allowed by law to the owner of goods of similar kind when
5 wrongfully converted or withheld.

1 SEC. 67. Action for failing to deliver goods. (1) Where the
2 property in the goods has not passed to the buyer, and the seller
3 wrongfully neglects or refuses to deliver the goods, the buyer may
4 maintain an action against the seller for damages for nondelivery.

5 (2) The measure of damages is the loss directly and naturally
6 resulting in the ordinary course of events from the seller's breach of
7 contract.

8 (3) Where there is an available market for the goods in question,
9 the measure of damages, in the absence of special circumstances show-
10 ing proximate damages of a greater amount, is the difference between
11 the contract price and the market or current price of the goods at the
12 time or times when they ought to have been delivered, or, if no time
13 was fixed, then at the time of the refusal to deliver.

1 SEC. 68. Specific performance. Where the seller has broken a
2 contract to deliver specific or ascertained goods, a court having the
3 powers of a court of equity may, if it thinks fit, on the application of
4 the buyer, by its judgment or decree direct that the contract shall be
5 performed specifically, without giving the seller the option of retain-

6 ing the goods on payment of damages. The judgment or decree may
7 be unconditional, or upon such terms and conditions as to damages,
8 payment of the price and otherwise, as to the court may seem just.

1 SEC. 69. Remedies for breach of warranty. (1) Where there is
2 a breach of warranty by the seller, the buyer may, at his election—

3 (a) Accept or keep the goods and set up against the seller the
4 breach of warranty by way of recoupment in diminution or extinc-
5 tion of the price;

6 (b) Accept or keep the goods and maintain an action against the
7 seller for damages for the breach of warranty.

8 (c) Refuse to accept the goods, if the property therein has not
9 passed, and maintain an action against the seller for damages for the
10 breach of warranty.

11 (d) Rescind the contract to sell or the sale and refuse to receive
12 the goods, or, if the goods have already been received, return them or
13 offer to return them to the seller and recover the price or any part
14 thereof which has been paid.

15 (2) When the buyer has claimed and been granted a remedy in
16 any one of these ways, no other remedy can thereafter be granted.

17 (3) Where the goods have been delivered to the buyer, he can
18 not rescind the sale if he knew of the breach of warranty when he
19 accepted the goods, or if he fails to notify the seller within a reason-
20 able time of the election to rescind, or if he fails to return or to offer
21 to return the goods to the seller in substantially as good condition as
22 they were in at the time the property was transferred to the buyer.
23 But if deterioration or injury of the goods is due to the breach of
24 warranty, such deterioration or injury shall not prevent the buyer
25 from returning or offering to return the goods to the seller and rescind-
26 ing the sale.

27 (4) Where the buyer is entitled to rescind the sale and elects to
28 do so, the buyer shall cease to be liable for the price upon returning
29 or offering to return the goods. If the price or any part thereof has
30 already been paid, the seller shall be liable to repay so much thereof
31 as has been paid, concurrently with the return of the goods or immedi-
32 ately after an offer to return the goods in exchange for repayment of
33 the price.

34 (5) Where the buyer is entitled to rescind the sale and elects to
35 do so, if the seller refuses to accept an offer of the buyer to return the
36 goods, the buyer shall thereafter be deemed to hold the goods as
37 bailee for the seller, but subject to a lien to secure the repayment of
38 any portion of the price which has been paid, and with the remedies
39 for the enforcement of such lien allowed to an unpaid seller by section
40 53.

41 (6) The measure of damages for breach of warranty is the loss
42 directly and naturally resulting, in the ordinary course of events,
43 from the breach of warranty.

44 (7) In the case of breach of warranty of quality, such loss, in
45 the absence of special circumstances showing proximate damage of a
46 greater amount, is the difference between the value of the goods at
47 the time of delivery to the buyer and the value they would have had
48 if they had answered to the warranty.

1 SEC. 70. Interest and special damages. Nothing in this act shall
2 affect the right of the buyer or the seller to recover interest or special

3 damages in any case where by law interest or special damages may
 4 be recoverable, or to recover money paid where the consideration for
 5 the payment of it has failed.

PART VI.

INTERPRETATION.

1 **SEC. 71. Variation of implied obligations.** Where any right,
 2 duty, or liability would arise under a contract to sell or a sale by impli-
 3 cation of law, it may be negatived or varied by express agreement or
 4 by the course of dealing between the parties, or by custom, if the cus-
 5 tom by such as to bind both parties to the contract or the sale.

1 **SEC. 72. Rights may be enforced by action.** Where any right,
 2 duty, or liability is declared by this act, it may, unless otherwise by
 3 this act provided, be enforced by action.

1 **SEC. 73. Rule for cases not provided for by this act.** In any case
 2 not provided for in this act the rules of law and equity, including the
 3 law merchant, and in particular the rules relating to the law of prin-
 4 cipal and agent and to the effect of fraud, misrepresentation, duress
 5 or coercion, mistake, bankruptcy, or other invalidating cause, shall
 6 continue to apply to contracts to sell and to sales of goods.

SEC. 74. Interpretation shall give effect to purpose of uniformity.
 1 This act shall be so interpreted and construed as to effectuate its gen-
 2 eral purpose to make uniform the laws of those states which enact it.

1 **SEC. 75. Provisions not applicable to mortgages.** The provisions
 2 of this act relating to contracts to sell and to sales do not apply, unless
 3 so stated, to any transaction in the form of a contract to sell or a sale
 4 which is intended to operate by way of mortgage, pledge, charge, or
 5 other security.

1 **SEC. 76. Definitions.** (1) In this act, unless the context or
 2 subject matter otherwise requires—

3 "Action" includes counterclaim, set-off, and suit in equity.

4 "Buyer" means a person who buys or agrees to buy goods or any
 5 legal successor in interest of such person.

6 "Defendant" includes a plaintiff against whom a right of set-off or
 7 counterclaim is asserted.

8 "Delivery" means voluntary transfer of possession from one person
 9 to another.

10 "Divisible contract to sell or sale" means a contract to sell or a sale
 11 in which by its terms the price for a portion or portions of the goods
 12 less than the whole is fixed or ascertainable by computation.

13 "Document of title to goods" includes any bill of lading, dock war-
 14 rant, warehouse receipt or order for the delivery of goods or any other
 15 document used in the ordinary course of business in the sale or trans-
 16 fer of goods as proof of the possession or control of the goods or
 17 authorizing or purporting to authorize the possessor of the document
 18 to transfer or receive, either by indorsement or by delivery, goods
 19 represented by such document.

20 "Fault" means wrongful act or default.

21 "Fungible goods" means goods of which any unit is from its nature
22 or by mercantile usage treated as the equivalent of any other unit.

23 "Future goods" means goods to be manufactured or acquired by the
24 seller after the making of the contract of sale.

25 "Goods" include all chattels personal other than things in action and
26 money. The term includes emblements, industrial growing crops,
27 and things attached to or forming part of the land which are agreed
28 to be severed before sale or under the contract of sale.

29 "Order" in sections of this act relating to documents of title means
30 an order by indorsement on the document.

31 "Person" includes a corporation or partnership or two or more per-
32 sons having a joint or common interest.

33 "Plaintiff" includes defendant asserting a right of set-off or counter-
34 claim.

35 "Property" means the general property in goods, and not merely a
36 special property.

37 "Purchaser" includes mortgagee and pledgee.

38 "Purchases" includes taking as a mortgagee or as a pledgee.

39 "Quality of goods" includes their state or condition.

40 "Sale" includes a bargain and sale, as well as a sale and delivery.

41 "Seller" means a person who sells or agrees to sell goods or any legal
42 successor in the interest of such person.

43 "Specific goods" means goods identified and agreed upon at the time
44 a contract to sell or a sale is made.

45 "Value" is any consideration sufficient to support a simple contract.
46 An antecedent or preexisting claim, whether for money or not, con-
47 stitutes value where goods or documents of titles are taken either in
48 satisfaction thereof or as to security therefor.

49 (2) A thing is done "in good faith" within the meaning of this
50 act when it is in fact done honestly, whether it be done negligently
51 or not.

52 (3) A person is insolvent within the meaning of this act who
53 either has ceased to pay his debts in the ordinary course of business
54 or can not pay his debts as they become due, whether he has com-
55 mitted an act of bankruptcy or not, and whether he is insolvent within
56 the meaning of the federal bankruptcy law or not.

57 (4) Goods are in a "deliverable state" within the meaning of this
58 act when they are in such a state that the buyer would, under the
59 contract, be bound to take delivery of them.

SEC. 76a. Act does not apply to existing sales or contracts to sell.

1 None of the provisions of this act shall apply to any sale, or to any
2 contract to sell, made prior to the taking effect of this act.

**SEC. 76b. No repeal of uniform warehouse receipt act or uniform
1 bills of lading act.** Nothing in this act or in any repealing clause
2 thereof shall be construed to repeal or limit any of the provisions of
3 the act to make uniform the law of warehouse receipts, or of the act
4 to make uniform the law of bills of lading, or of the bulk sales law,
5 chapter 64, acts of the thirty-seventh general assembly.

SEC. 77. Inconsistent legislation repealed. All acts or parts of
2 acts inconsistent with this act are hereby repealed, except as pro-
3 vided in section 76b.

1 SEC. 78. Name of act. This act may be cited as the uniform sales
2 act.

Approved April 25, A. D. 1919.

CHAPTER 397.

TEMPORARY QUARANTINE PLACARD.

H. F. 510.

AN ACT to provide for establishing a warning card to be placed on any house, dwelling or place, regarding a communicable disease, where the attending physician is in doubt as to the proper diagnosis, or the householder or person having a communicable disease is in doubt as regards the diagnosis when no physician has been in attendance.

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

SECTION 1. Communicable disease — type undetermined — warning card — form. That all quarantinable and placard diseases shall as soon as possible be definitely diagnosed and the proper placard placed in a conspicuous place on the house, dwelling, or place where the quarantinable or placard disease exists. The sign establishing a quarantine shall be the form adopted by the state board of health. In any event, when the type of the disease is not immediately determined or diagnosed, a warning sign shall be placed upon the house, dwelling or place where the disease exists, giving prominent notice that a communicable disease exists in the house, dwelling or place, and all persons connected therewith shall observe all the requirements of quarantine, until a proper and correct diagnosis shall have been made, when the proper quarantine placard shall replace the former warning, provided however that such temporary quarantine shall terminate within twenty-four hours after being in force. The warning sign hereinbefore mentioned and required shall be followed in the same manner as a quarantine placard, and shall be in the following form and language:

18 A yellow card, not less than twelve (12) inches square, having
19 printed thereon in large letters "Temporary Quarantine. Keep Out",
20 followed by the words: "Notice! No person shall be permitted to enter
21 or leave these premises except as provided by the rules and regulations
22 of the State Board of Health".

23 "Signed"
24 Mayor or Township Clerk."

25 The form and wording of the warning sign where the diagnosis has
26 not been determined shall be as follows:

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<p>TEMPORARY QUARANTINE KEEP OUT.</p> <p>Notice: No person shall be permitted to enter or leave these premises except as provided by the Rules and Regulations of the State Board of Health.</p> <p>Signed</p> <p style="text-align: center;">Mayor or Township Clerk.</p>

1 **SEC. 2. Acts in conflict amended.** That all acts or parts of acts,
2 in so far as they are in conflict with this act, are hereby amended to
3 conform to the provisions of this act.

Approved April 25, A. D. 1919.

CHAPTER 398.

DEPARTMENT FOR TUBERCULOUS PERSONS AT COUNTY HOSPITALS.

H. F. 433.

AN ACT to amend the law as it appears in sections four hundred nine-c (409-c), four hundred nine-d (409-d), four hundred nine-q (409-q), four hundred nine-s (409-s), supplement to the code, 1913, and to add to said chapter and title as additional sections four hundred nine-u (409-u), relating to the care of tuberculosis.

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

SECTION 1. County public hospital — trustees — appointment.

1 That chapter one (1) title four (4) of the supplement to the code,
2 1913, be and the same is hereby amended by inserting after the
3 comma (,) following the word "hospital" in the third line thereof in
4 section four hundred nine-c (409-c), the following words, "it is made
5 mandatory that".

SEC. 2. Organization of board — maintenance of hospital, etc.

1 Amend section four hundred nine-d (409-d) by striking out the semi-
2 colon (;) and the words, "and shall at such time certify the amount
3 necessary to maintain and operate said hospital for the ensuing year"
4 and substituting in lieu thereof, a period (.) following the word
5 "year".

SEC. 3. Substitute — department for tuberculous persons — infectious diseases — rules and regulations.

1 That section four hundred nine-q (409-q) be and the same is hereby amended by striking out all
2 the said section and enacting in lieu thereof the following: "That the
3 board of trustees of any hospital, either operating now, or in process
4 of construction, or to be established in the future under this act, is
5 hereby authorized to operate said hospital as a tuberculosis sana-
6

7 torium, if deemed advisable or to provide as a department of said public hospital, suitable accommodations and means for the care of persons
 8 afflicted from tuberculosis. That said board of trustees may also
 9 establish as a department of said county hospital a suitable building
 10 or buildings for the isolation or detention of persons afflicted with contagious diseases, and who are subject to the quarantine regulations
 11 of the laws of the state of Iowa and the rules and regulations of the
 12 state board of health. That said board of trustees may formulate
 13 such rules and regulations for the government of such persons and
 14 the protection from infection of other patients, and nurses, and attendants in such public hospital as they may deem necessary and
 15 it shall be the duty of all persons in charge of or employed in such
 16 hospitals or residents thereof to faithfully obey and comply with any
 17 or all of such rules and regulations.

SEC. 4. Indigent tuberculous patients — provisions against infection. That section four hundred nine-s (409-s) be and the same is
 1 hereby amended by striking out the word "indigent" in line three (3)
 2 of said section. Also following the comma (,) after the word "residents" in line three (3) of said section the following words be inserted:
 3 "who are financially unable to care for themselves." Also that the
 4 word "department" in line five (5) of said section be stricken out.
 5 That any person suffering with tuberculosis who shall persistently,
 6 or carelessly or maliciously expectorate the matter coughed up from
 7 his lungs, and who refuses to properly protect the public or persons
 8 with whom he may be associated, against the dangers of infection,
 9 then such person may be tried as provided in section 2310-a2, title 12,
 10 chapter 2-A of the supplement to the code, 1913, and upon conviction
 11 may, by the district court, be committed to the state sanatorium, subject to the laws of admission at said institution, or any county sanatorium
 12 or other institution where tuberculosis is cared for. Provided
 13 that such careless consumptive shall in no case be sent to any such
 14 institution until the committing officer shall first have made inquiry
 15 and ascertained that the institution to which said careless consumptive
 16 is to be sent has proper quarters, and is properly prepared and ready
 17 to take care of such case and only after the legal application blanks
 18 and procedures are properly completed and carried out.

22 That if any patient being treated for tuberculosis at the state sanatorium, or any county sanatorium or other institution where tuberculosis is cared for, shall refuse to comply with the laws of the state
 23 and rules and regulations for the government of the institutions
 24 named herein, and shall persistently, or carelessly or maliciously
 25 violate such laws, rules and regulations so as to menace the welfare
 26 of said institutions or to interfere with the administration, order or
 27 peace of said institution, then upon complaint of the superintendent
 28 of any institution herein designated, such person may by order of the
 29 district court be segregated and forcibly detained in a ward or room,
 30 for such purpose, and for such period of time as may be deemed
 31 advisable by the court to the end that such person may be properly
 32 treated, that the population of such institution may be protected and
 33 the decorum maintained.

1 SEC. 5. County public hospitals — change of title. That title four
 2 (4) chapter two (2) of the supplement to the code, 1913, be and the
 3 same is hereby amended by adding to said chapter as section four

4 hundred nine-u (409-u) the following: "That hospitals either operat-
 5 ing now or in process of construction or to be established hereafter
 6 under this act instead of being called the 'County Public Hospital'
 7 may be named by the use of some appropriate 'title' or 'appellation'.

1 **SEC. 6. Acts in conflict amended.** All acts or parts of acts not
 2 in harmony with the provisions of this act are hereby amended to con-
 3 form with this act.

Approved April 25, A. D. 1919.

CHAPTER 399.

ELECTRIC LIGHT AND POWER TRANSMISSION LINES.

H. F. 420.

AN ACT to repeal section fifteen hundred twenty-seven-d (1527-d), supplement to the code, 1913, and to enact a substitute therefor, relating to electric light and power transmission lines, and increasing the penalty for violation of section 1527-c supplement to the code, 1913.

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

[SECTION 1.] **Repeal and substitute — failure to secure grant—fine.**

1 That section fifteen hundred twenty-seven-d (1527-d) supplement to
 2 the code, 1913, be and hereby is repealed and the following enacted
 3 in lieu thereof:
 4 Any person or corporation having received a grant as above stated
 5 who fails to comply with the preceding section and any person or cor-
 6 poration who constructs or attempts to construct any electric light
 7 or power transmission line without first securing the grant contem-
 8 plated in the preceding section shall, upon conviction thereof, be pun-
 9 ished by a fine of not less than one hundred dollars (\$100.00) nor more
 10 than one thousand dollars (\$1,000.00). It shall be the duty of the
 11 county attorney and the board of supervisors to enforce the provi-
 12 sions of this act.

Approved April 25, A. D. 1919.

CHAPTER 400.

IMPROVEMENT OF HIGHWAYS UNDER STATE CONTROL.

H. F. 560.

AN ACT to provide for the improving of public highways extending through or adjacent to lands belonging to state institutions including draining, grading, oiling, or paving.

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

SECTION 1. Highways under state control—improvement—
 1 assessment. Whenever any city or county is improving, draining,
 2 oiling, paving or otherwise hard surfacing any road which extends
 3 through any property owned by the state, and under control of the
 4 board of education or state board of control, the said property shall
 5 be and is hereby made subject to the cost thereof, except any other
 6 special assessments that may be assessed against property within the
 7 assessment district. Whenever abutting or adjacent property is
 8 owned by the state said property shall be subject to the cost of one-
 9 half ($\frac{1}{2}$) of seventy-five (75) per cent of the cost of said hard sur-
 10 facing, grading, or oiling together with its proportional share of the
 11 special assessment within the assessment district.

1 SEC. 2. Appropriation. There is hereby appropriated for the
 2 payment of said cost as stated in section one of this act the funds
 3 necessary to pay for the same, to be paid out of any money in the
 4 state treasury not otherwise appropriated, when or as the improve-
 5 ment may be completed and accepted by the authorities duly author-
 6 ized.

Approved April 25, A. D. 1919.

CHAPTER 401.

HIGHWAY THROUGH GROUNDS OF SCHOOL FOR THE DEAF.

H. F. 272.

AN ACT appropriating funds for paving the road through and adjacent to the grounds of the Iowa School for the Deaf, providing for the manner of construction of said pavement, and amending chapter two hundred seventy-six (276), of the laws of the thirty-seventh general assembly relating to the same matter.

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

1 SECTION 1. Construction—conditional contract. That section
 2 one (1) of chapter two hundred seventy-six (276), of the laws of the
 3 thirty-seventh general assembly be amended by adding thereto the
 4 following:
 5 Or the board of control may make contracts with individual con-
 6 tractors to build and construct such extension of said pavement and
 7 do all the necessary labor connected therewith, if said contract as a

8 whole can be made for an amount that will not exceed the cost of such
9 improvement by the inmates of the said state institutions.

1 **SEC. 2. Paving material.** That section two (2) of chapter two
2 hundred seventy-six (276), of the laws of the thirty-seventh general
3 assembly be amended by inserting after the words "concrete paving"
4 in line 2 of said section two (2) the words "upon the highway lead-
5 ing through said grounds", and by striking out lines six (6) and seven
6 (7) of said section two and substituting therefor the following:
7 "or of such other material as will provide a paving of equal quality
8 and durability".

1 **SEC. 3. Appropriation.** That chapter two hundred seventy-six
2 (276) of the laws of the thirty-seventh general assembly be amended
3 by adding thereto the following:

4 That there is hereby appropriated for the cost of improving the
5 said road and extending said pavement upon the highway leading
6 through the said grounds such amount as with the unused appropria-
7 tion for such purposes shall equal a total amount of twenty-two thou-
8 sand dollars (\$22,000.00) and which said amount shall be expended
9 by the board of control in the manner as is provided by section fifteen
10 hundred thirty-two (1532), supplement to the code, 1913.

Approved April 25, A. D. 1919.

CHAPTER 402.

JOHN MILLER OF DELAWARE COUNTY GUARDS.

H. F. 314.

AN ACT to reimburse John Miller for services while acting as a member of the Delaware county guards.

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

1 **SECTION 1. John Miller — appropriation for services.** That there
2 is hereby appropriated out of any money in the state treasury, not
3 otherwise appropriated, the sum of three hundred dollars (\$300.00),
4 as compensation for the services of John Miller, a member of the
5 Delaware County Guards, organized and mustered into service under
6 and by chapter eighty-four (84) of the tenth general assembly of the
7 state of Iowa, said service having been for a period of eleven (11)
8 months.

Approved April 25, A. D. 1919.

CHAPTER 403.

APPROPRIATIONS FOR STATE UNIVERSITY AND COLLEGE OF AGRICULTURE.

H. F. 243.

AN ACT making appropriations for the construction of buildings at the State University of Iowa and the Iowa State College of Agriculture and Mechanic Arts.

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

1 SECTION 1. State university — buildings — appropriation. There
 2 is hereby appropriated out of any money in the state treasury not
 3 otherwise appropriated, the amount of one hundred eighty thousand
 4 dollars (\$180,000.00) to be used for the construction of the follow-
 5 ing buildings at the state university of Iowa:
 6 For completion of dormitory for men\$30,000.00
 7 Nurses home150,000.00
 8 The appropriations provided for in this section shall be available
 9 July 1, 1919, and paid on the order of the Iowa state board of educa-
 10 tion.

SEC. 2. State college of agriculture — building — appropriation.
 1 There is hereby appropriated out of any money in the state treasury
 2 not otherwise appropriated, the amount of three hundred thousand
 3 dollars (\$300,000.00) to be used for the construction of the following
 4 buildings at the Iowa state college of agriculture and mechanic arts:
 5 Library building\$300,000.00
 6 The appropriations provided for in this section shall be available
 7 July 1, 1919, and paid on the order of the Iowa state board of educa-
 8 tion.

Approved April 25, A. D. 1919.

CHAPTER 404.

COMPENSATION OF ROY HARRISON FOR INJURIES.

H. F. 107.

AN ACT to compensate one Roy Harrison for injuries received while working in the reformatory at Anamosa under sentence of court, whereby he lost a part of his right hand, and making an appropriation to pay such compensation.

THAT WHEREAS Roy Harrison of Clarke county, Iowa, was sentenced on December 19th, 1913, to a term of twenty years imprisonment in the reformatory of the state of Iowa at Anamosa, and while serving said sentence and being employed in the workshop of said reformatory, did on March 20th, 1915, accidentally suffer the mangling of his right hand in the machinery with which he was working, thereby permanently injuring him and diminishing his capacity for labor; and whereas the said Roy Harrison by good conduct has earned his release and has been paroled and pardoned, therefore,

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

1 SECTION 1. Roy Harrison — compensation — appropriation. There
 2 is hereby appropriated the sum of seven hundred and fifty dollars
 3 (\$750) as compensation to pay said Roy Harrison for injury and dam-
 4 age so occasioned, and the auditor of state is hereby authorized to
 5 issue a warrant for said sum payable to the said Roy Harrison, and
 6 the treasurer of state is hereby authorized to pay out of any funds
 7 not otherwise appropriated the said sum.

Approved April 25, A. D. 1919.

CHAPTER 405.

GOVERNMENT OR OTHER ESTABLISHED CORNERS.

H. F. 169.

AN ACT to amend section fifteen hundred twenty-seven-s seven (1527-s7), supplement to the code, 1913, relative to the removal of government or established corners and providing a penalty therefor.

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

SECTION 1. Established corners — duty of engineer — failure —
 1 fine. That section fifteen hundred twenty-seven-s seven (1527-s7),
 2 supplement to the code, 1913, be amended by striking the last sentence
 3 from said section and substituting in lieu thereof the following:
 4 “When said construction work is completed the engineer shall per-
 5 manently reestablish said corner. A failure to perform these duties
 6 by the engineer, or the removal, destruction or covering up of any
 7 government or other established corner is hereby declared to be unlaw-
 8 ful and shall subject the person responsible therefor to a fine of not
 9 less than ten dollars or more than fifty dollars, recoverable on the
 10 bond of such person if an officer.”
 11 This act shall not be deemed to repeal section forty-eight hundred
 12 one (4801), of the code.

Approved April 25, A. D. 1919.

CHAPTER 406.

TEACHING OF AMERICAN CITIZENSHIP IN SCHOOLS OF STATE.

H. F. 85.

AN ACT requiring the teaching of American citizenship in the public and private schools located in the state of Iowa and providing for an outline of such subjects.

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

1 SECTION 1. American citizenship — teaching of. All public and
 2 private schools located within the state of Iowa shall be required to
 3 teach the subject of American citizenship.

1 **SEC. 2. Outline for grades — preparation and distribution.** The
 2 superintendent of public instruction shall prepare and distribute to all
 3 elementary schools an outline of American citizenship for all grades
 4 from one to eight inclusive.

1 **SEC. 3. High schools, etc. — requirements.** Public and private
 2 high schools, academies, and other institutions ranking as secondary
 3 schools which maintain three year courses of instruction shall offer a
 4 minimum of instruction in American history and civics of the state
 5 and nation to the extent of two semesters, and schools of this class
 6 which have four year courses shall offer in addition one semester in
 7 social problems and economics.

1 **SEC. 4. Secondary schools — course of study.** The superin-
 2 tendent of public instruction shall distribute to all high schools, acad-
 3 emies, and institutions ranking as secondary schools, an outline of a
 4 course of study in American history, civics of the state and nation,
 5 social problems and economics prepared under his direction.

Approved April 25, A. D. 1919.

CHAPTER 407.

DRAINAGE FOR CERTAIN CITIES UNDER COMMISSION PLAN.

H. F. 7.

AN ACT to empower certain cities organized under the commission plan of government located on or into and through which a stream flows which furnishes drainage for any city or town whose boundary lines or any part thereof joins, to provide for the construction of sewers.

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

1 **SECTION 1. Certain cities under commission plan — drainage —**
 2 **powers as to.** That all cities in this state organized and existing
 3 under what is known as the commission plan of government and hav-
 4 ing a population of one hundred thousand (100,000) or over, into or
 5 through which a stream flows which furnishes drainage for any city
 6 or town further up the stream, and whose boundary lines join, shall
 7 have the power to construct, repair and maintain the necessary drains
 and sewers to preserve and protect the health of such cities.

1 **SEC. 2. Sewer or drain — procedure by council.** When any such
 2 city located as above indicated desires to construct, repair and main-
 3 tain any such sewer or drain, the council of such city shall by reso-
 4 lution determine the necessity for the construction of such drains and
 5 sewers, the character and extent thereof, the method of construction,
 6 the one or more kinds and size thereof, the property to be assessed
 7 therefor, the location and terminal points thereof, and cause twenty
 8 (20) days' notice of time when said resolution will be considered by
 9 such council for passage to be given by four publications in said city
 10 in some newspaper of general circulation published therein, the last
 11 of which shall be not less than two nor more than four weeks prior

12 to the time fixed for the consideration of said resolution, at which
 13 time the owners of the property subject to assessment for the same
 14 may appear and make objection to the contemplated improvement,
 15 sewer or drain, and the passage of said proposed resolution, at which
 16 hearing the same may be amended and passed or passed as proposed.

1 SEC. 3. Sewer districts — establishment — assessment. Such
 2 city shall have power to establish sewer districts to embrace all or
 3 such portions of said commission governed cities as in the judgment
 4 of the council thereof will receive special benefits from the construc-
 5 tion, repair, improvement or reconstruction of such sewer or sewers,
 6 to change the boundaries of same from time to time as may become
 7 in the judgment of such council just and equitable, and to assess so
 8 much of the cost of such drains and sewers against all lots or tracts
 9 of land contained in the sewer district within which such improve-
 10 ments are made as shall equal and be in proportion to the special bene-
 11 fits conferred by said improvement and not in excess thereof. In no
 12 case shall such assessment exceed twenty-five (25) per centum of the
 13 actual value of said lots or tracts at the time of levy thereof.

SEC. 4. Drain or sewer — construction, etc. — power of council.
 1 Whenever the resolution of necessity hereinabove provided for has
 2 been adopted and the provisions of the preceding sections complied
 3 with, the council may by ordinance or resolution order the construc-
 4 tion, repair, improvement or reconstruction of said drain or sewer
 5 upon a yea and nay vote entered of record, which record shall also
 6 show whether such improvement was petitioned for or made on the
 7 motion of the council.

Approved April 25, A. D. 1919.

CHAPTER 408.

TEACHING EXPERIENCE, PROVISIONAL CERTIFICATES, SPECIAL EXAMINATIONS.

H. F. 344.

AN ACT to amend section two thousand seven hundred thirty-four-p1 (2734-p1) supplement to the code, 1913, relating to teaching experience; to repeal section two thousand seven hundred thirty-four-p2 (2734-p2) supplement to the code, 1913, relating to provisional certificates; and to amend section two thousand seven hundred thirty-four-s (2734-s), supplement to the code, 1913, relating to special examinations.

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

1 SECTION 1. Experience as qualification. That section two thou-
 2 sand seven hundred thirty-four-p1 (2734-p1) supplement to the code,
 3 1913, be and the same is hereby amended by adding at the end thereof
 4 the following:
 5 "Provided such experience is not obtained on a provisional certifi-
 6 cate."

1 **SEC. 2. Repeal — provisional certificates.** That section two thou-
 2 sand seven hundred thirty-four-p2 (2734-p2), supplement to the code,
 3 1913, is hereby repealed.

1 **SEC. 3. Special examinations.** That section two thousand seven
 2 hundred thirty-four-s (2734-s), supplement to the code, 1913, be and
 3 the same is hereby amended by inserting after the word "examiners"
 4 in line eight the following:
 5 "Provided that the provisional certificate shall be valid for the bal-
 6 ance of the school year in which it is issued."

Approved April 25, A. D. 1919.

CHAPTER 409.

ANNUAL SETTLEMENT BETWEEN STATE AND DEPARTMENTS, ETC.

S. F. 480.

AN ACT to amend the law as it appears in section one hundred sixty-one-a (161-a), supplement to the code, 1913, relating to the settlement with state officers, appointment of expert accountant and assistants, powers of executive council, and to enact a substitute therefor, excluding the management of the institutions under the board of control and board of education therefrom.

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

1 **SECTION 1. Repeal and substitute — accountant and assistants —**
 2 **duties — specialist — reports.** That the law as it appears in section
 3 one hundred sixty-one-a (161-a), supplement to the code, 1913, be and
 4 the same is hereby repealed and the following enacted in lieu thereof:
 5 The executive council shall annually and oftener in its discretion
 6 make a full settlement between the state of Iowa and all state officers,
 7 commissioners, boards, associations, societies, organizations, depart-
 8 ments and all persons receiving, handling or expending state funds.
 9 For that purpose an expert accountant and assistants, the number
 10 to be fixed by the executive council, at such annual salaries, as shall
 11 be fixed by law, shall be employed to examine the methods of account-
 12 ing, the books and accounts, of all state officers, commissions, boards,
 13 associations, societies, organizations, persons and departments.
 14 The expert accountant so appointed shall report in writing, to the
 15 executive council, the facts and conditions found, with his suggestions
 16 and recommendations, as to improvements in methods of conducting
 17 the business of the department, the improvements in the method of
 18 book-keeping and any other change which, in his judgment, would
 19 tend to lessen the costs of operation, or increase the efficiency of the
 20 department and shall also report the facts as to any practices in admin-
 21 istration not authorized by statute, or contrary to good business
 22 methods.
 23 For the purpose of ascertaining the best methods of conducting the
 24 business of any department, should a change be deemed expedient,
 25 the expert accountant may, with the consent of and authority of the
 executive council, call to his assistance, a specialist in the methods

26 sought to be established in any department. The expert accountant
 27 and specialist shall report in writing, to the executive council, their
 28 findings and recommendations, which, if approved by the executive
 29 council, shall be adopted by such department, officer, board, associa-
 30 tion, society, organization, or commission, at such time as fixed by
 31 the executive council, and provided further, that should the executive
 32 council deem it advisable, it shall send the expert accountant to exam-
 33 ine the records and methods of conducting the business in other
 34 states, or business institutions. The executive council shall have, at
 35 all times, authority to direct the methods of accounting, the manner
 36 in which the records and accounts of state departments shall be kept,
 37 when the statute does not specifically prescribe the same; to require
 38 a compliance with their orders and the provisions of law when the
 39 statute prescribes duties, as to methods and accounts, and to require
 40 the keeping of the necessary records and accounts to enable said offi-
 41 cers to make all reports, required of them by law.

42 Provided that nothing herein shall be construed so as to interfere
 43 with the system of taking care, and management of the institutions
 44 under the charge of the board of control or the state board of educa-
 45 tion.

1 **SEC. 2. Appropriation.** There is hereby appropriated out of any
 2 money, in the state treasury not otherwise appropriated, an amount
 3 sufficient to pay the expenditures authorized by this act.

Approved April 25, A. D. 1919.

CHAPTER 410.

SURVEYS AUTHORIZED BY CONGRESS OF THE UNITED STATES.

H. F. 529.

AN ACT to provide for surveys authorized by congress of the United States in the state
 of Iowa.

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

SECTION 1. Survey authorized by congress — execution of, etc.
 1 Any person employed in the execution of any survey authorized by the
 2 congress of the United States may enter upon lands within this state
 3 for the purpose of exploring, triangulating, leveling, surveying, and of
 4 doing any work which may be necessary to carry out the objects of
 5 then existing laws relative to surveys, and may establish permanent
 6 station marks, and erect the necessary signals and temporary observa-
 7 tories, doing unnecessary injury thereby.

1 **SEC. 2. Damages — district court — petition and hearing.** If the
 2 parties interested cannot agree upon the amount to be paid for dam-
 3 ages caused thereby, either of them may petition the district court
 4 in the county in which the land is situated, which court shall appoint
 5 a time for a hearing as soon as may be, and order at least twenty (20)

6 days' notice to be given to all parties interested, and, with or without
7 a view of the premises, as the court may determine, hear the parties
8 and their witnesses and assess damages.

1 **SEC. 3. Tender of damages — recovery of costs.** The person so
2 entering upon land may tender to the injured party damages there-
3 for, and if, in case of petition or complaint to the court, the damages
4 finally assessed do not exceed the amount tendered, the person enter-
5 ing shall recover costs; otherwise, the prevailing party shall recover
6 costs.

1 **SEC. 4. Cost allowance.** The costs to be allowed in all such cases
2 shall be the same as allowed according to the rules of the court, and
3 provisions of law relating thereto.

1 **SEC. 5. U. S. signal, etc. — injury or removal — damages — for-**
2 **feiture.** If any person shall willfully deface, injure or remove any
3 signal, monument, building or other property of the U. S. coast and
4 geodetic survey or the U. S. geological survey, constructed or used
5 under or by virtue of the act of congress aforesaid, he shall forfeit a
6 sum not exceeding fifty (50) dollars for each offense, and shall be liable
7 for damages sustained by the United States in consequence of such
8 defacing, injury or removal, to be recovered in a civil action in any
court of competent jurisdiction.

Approved April 25, A. D. 1919.

CHAPTER 411.

BUILDINGS FOR STATE UNIVERSITY AND STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS.

H. J. R. 4.

HOUSE JOINT RESOLUTION approving estimate of costs, plans and specifications for buildings at the State University of Iowa and the Iowa State College of Agriculture and Mechanic Arts. Approving estimates of costs, plans and specifications for the erection of new buildings at the State University of Iowa and the Iowa State College of Agriculture and Mechanic Arts. Approving estimates of costs, plans and specifications for the erection of a steam laboratory, and for the completion of the hospital for diseased and crippled children, and the heating plant connected therewith, and for the completion of the dormitory for men at the State University of Iowa; and mechanical shops, a foundry, a dormitory for women, and a poultry laboratory at the Iowa State College of Agriculture and Mechanic Arts.

WHEREAS, the state board of education has submitted to the thirty-eighth general assembly of the state of Iowa, estimates of costs, plans and specifications for the erection of a steam laboratory, and for the completion of the hospital for diseased and crippled children, and the heating plant connected therewith, and for the completion of the dormitory for men at the state university of Iowa; and mechanical shops, a foundry, a dormitory for women, and a poultry laboratory at the Iowa state college of agriculture and mechanic arts; to be built and erected under the provisions of sections 1400-q and 1400-q1, chapter 1-A, title VII, supplement to the code, 1913, and

WHEREAS, the said estimates of costs, 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. **State university — building plans, etc. — approval by legislature.** That the plans and specifications for the erection of a steam laboratory, at a cost not to exceed \$50,000, and for the completion of the hospital for diseased and crippled children, and the heating plant connected therewith, at a cost not to exceed \$22,000, and for the completion of the dormitory for men, at a cost not to exceed \$125,000.00 at the state university, submitted to the general assembly of Iowa are hereby approved.

SEC. 2. **State college of agriculture and mechanic arts — building plans, etc. — approval by legislature.** That the plans and specifications for the erection of mechanical shops at a cost not to exceed \$25,000; a foundry at a cost not to exceed \$25,000; a dormitory for women to cost not to exceed ninety thousand dollars (\$90,000.00) and a poultry laboratory at a cost not to exceed \$30,000 at the Iowa state college of agriculture and mechanic arts, submitted to the general assembly of Iowa are hereby approved.

SEC. 3. **Erection of buildings — authorization.** The state board of education is hereby authorized to erect all of the buildings enumerated in sections 1 and 2 of this joint resolution.

Approved April 26, A. D. 1919.

CHAPTER 412.

MOTOR VEHICLE DEPARTMENT.

H. J. R. 5.

HOUSE JOINT RESOLUTION granting to the treasurer of state authority to make settlement in delinquencies in automobile licenses prior to 1919, and providing for additional help.

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

SECTION 1. **Delinquent license fees, etc. — state treasurer empowered to adjust.** The treasurer of state is hereby authorized and empowered to use his best judgment and discretion in the adjustment and settlement of all automobile license fees which were delinquent January 1, 1919, and all unsettled matters relating thereto, and he shall include in his report a separate statement of all license fees adjusted by other than full payment, and with the consent of the executive council, he shall employ such temporary assistance as shall be necessary to accomplish the purposes herein set forth, to expedite the work and to systematize and properly organize the Motor Vehicle Department which was recently turned over to him by this general assembly.

Approved April 26, A. D. 1919.

CHAPTER 413.

STATE DOCUMENT EDITOR.

H. F. 564.

AN ACT relating to the term of office of the state document editor, amending section one hundred forty-four-e (144-e) supplemental supplement to the code 1915.

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

1 SECTION 1. Term of office. That the law as it appears in section
2 one hundred forty-four-e (144-e) supplemental supplement to the code
3 1915, be and the same is hereby amended by striking out the word
4 "two" in line two of said section and by inserting in lieu thereof the
5 word "four," and by striking out the word "two" in line four of said
6 section and inserting in lieu thereof the word "four".

Approved April 28, A. D. 1919.

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ERRATUM.

The publication clause of chapter 10—Marcus and Amherst Cemetery Association—(S. F. 37) should read as follows:

"I hereby certify that the foregoing act was published in the Des Moines Register, February 11, 1919, and in the Marcus News February 20, 1919.

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